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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Thursday, May 16, 1968*

The House met at 12 o'clock noon.

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

We know that in everything God works for good with those who love Him.—Romans 8: 28.

Eternal Spirit of God, the light of the minds that seek Thee, the life of the spirits that find Thee, and the love of the souls that serve Thee, grant unto us a renewal of heart as we wait upon Thee in this our morning prayer. By Thy spirit make us ready for the responsibilities of this day, equal to every experience and adequate to serve the present age.

The world around us is full of the rumblings of discontent and disturbances which breed disorder. In these hours help us to keep our faith, that strong in Thee we may face these facts courageously and confidently, ever seeking liberty and justice and peace for all.

Bless our land with Thy favor and strengthen us to walk in the way of Thy commandments: through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO FILE CONFERENCE REPORT ON S. 5 BY MIDNIGHT, MAY 18

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the conferees on the disagreeing votes of the two Houses on the amendments of the House to S. 5, the Consumer Credit Protection Act, known as the Truth in Lending Act, may have until midnight on Saturday, May 18, to file the conference report.

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

There was no objection.

COMMISSION ON THE ESTABLISHMENT OF AN AFRICAN INSTITUTE FOR CULTURAL AND TECHNICAL INTERCHANGE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, in the next few days I will introduce a bill providing for the establishment of a Commission on the Establishment of an African Institute for Cultural and Technical Interchange. I invite my colleagues in the House of Representatives who believe in the future of Africa to join as sponsors of this bill.

The time is now for all in our United States to recognize that Africa's role in tomorrow's world will be significant.

There are already in existence two institutions which make possible cultural and technical interchange between our country and the nations of Asia and our country and the nations of Latin America. There seems valid and compelling reason for the existence of an institute to accomplish these identical aims between our country and the nations of Africa.

The bill I will introduce establishes a commission to determine whether such a need is real at this time, and how best to accomplish it. It makes no provision for the actual establishment of such an institute until an in-depth study first ascertains whether or not justification exists.

I hope I may count on your support.

LOAN-SHARK AMENDMENT

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. POFF. Mr. Speaker, I am delighted to report that conferees on the truth-in-lending bill have reached final accord on the form of the loan-shark amendment adopted by the House.

Although my separate bill on loan sharking had been pending for a considerable time, the Committee on the Judiciary had not been able to find time in its busy schedule to hold public hearings prior to floor action on the amendment. However, since the day the House acted, earnest efforts have been made to elicit the views and advice of representatives of a broad spectrum of the financial world. Legal craftsmen in the Congress and the Department of Justice have brought a wealth of talent to bear upon the issue. Doubtless, the final product will not fully please everyone. It may be too broad for some and too narrow for others.

Yet, I am confident that the new form will preserve the essential substance of the original House amendment; that it will effectively reach its intended target, the heartless loan shark of organized crime who preys upon destitute and desperate people; and that it will not jeopardize the lawful operations of legitimate lending institutions.

PERSONAL ANNOUNCEMENT

Mr. CHAMBERLAIN. Mr. Speaker, it was necessary for me to be absent on May 2. For that reason I am not recorded on rollcall No. 113. I would like the RECORD to show that had I been present, I would have voted "yea."

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 141]

Baring	Hagan	Morse, Mass.
Bell	Hall	Olsen
Bolton	Halleck	O'Neill, Mass.
Broomfield	Hanley	Passman
Cabell	Hardy	Pool
Carter	Hawkins	Purcell
Clark	Hébert	Rarick
Collier	Holland	Resnick
Colmer	Howard	Rivers
Conyers	Irwin	Rosenthal
Cramer	Karsten	Scheuer
Culver	Kee	Selden
Dawson	Kelly	Skubitz
Downing	Kuykendall	Stubblefield
Eckhardt	Long, La.	Taft
Esch	Long, Md.	Teague, Calif.
Fraser	McDonald, Mich.	Teague, Tex.
Frelinghuysen	Mailliard	Tenzer
Gettys	Mayne	Vander Jagt
Griffin	Moore	Wilson, Charles H.
Gross	Moorhead	Young
Gurney		

The SPEAKER. On this rollcall 371 Members have answered to their names, a quorum.

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

MESSAGE FROM THE PRESIDENT

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

THE 1967 ANNUAL REPORT OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 312)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed:

To the Congress of the United States:

It is my pleasure to submit to Congress the 1967 Annual Report of the Saint Lawrence Seaway Development Corporation.

The Seaway had its second best year in nine years of operations—registering a total of 44 million tons of cargo. The record season for Seaway tonnage was 1966 when 49.2 million tons were moved through the Montreal-Lake Ontario waterway. We hoped that the Seaway would reach the 50-million ton mark in 1967, but a strike plus some slackening in demand for grain, resulted in reduced traffic.

While overall tonnage was somewhat disappointing, there are many bright spots in the report. General cargo, for example, increased to six million tons from 5.5 million. Iron ore shipments also were higher with 16.4 million tons moving through the Seaway locks to the steel mills of the Midwest. These increases indicate the growing appreciation of the waterway's advantages as a means of reducing transportation costs.

The Seaway has truly placed Midwest ports on the sealanes of the world. More than 600 salt-water vessels made 1,284 trips into the Lakes in 1967.

However, reduced traffic, along with an adjustment in the division of toll revenue between Canada and the United States caused income to fall from $7.1 million to $6.1 million.

Despite this loss, $4 million was returned to the U.S. Treasury. This makes a total repayment of $28.9 million since the Seaway opened in 1959.

A major concern of the Corporation is the need to repair Eisenhower Lock. The Corporation retained the Corps of Engineers to direct the work which will continue until 1971. Fortunately, it will not interfere with the navigation seasons. In my budget for fiscal year 1969, I requested that funds be made available to cover the cost of repair.

I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 16, 1968.*

COLORADO RIVER BASIN PROJECT

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3300) to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 3300, with Mr. MILLS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Before the Committee rose on yesterday, it had agreed that the committee substitute amendment would be considered as read and open to amendment at any point.

For what purpose does the gentleman from Oklahoma [Mr. EDMONDSON], a member of the committee, rise?

Mr. EDMONDSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, initially I would like to compliment the chairman of the full Committee on Interior and Insular Affairs, the Honorable WAYNE N. ASPINALL, for the outstanding presentation which was made yesterday in behalf of this legislation.

I think the record that has been made on the floor of the House in support of this bill is a splendid one. I am proud of the work that the full committee has done on both sides of the aisle on this particular bill.

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

Mr. EDMONDSON. I yield to the gentleman.

Mr. WILLIS. I want to join the gentleman in complimenting our good friend, WAYNE ASPINALL, the chairman of the Committee on Interior and Insular Affairs.

I have never heard or learned of Chairman ASPINALL bringing a bill before this body which was unworthy of consideration. Despite some of the complaints that one might hear in the cloakroom, and here and there, about this bill, I do want to say this—if it is good enough for WAYNE ASPINALL, it is good enough for ED WILLIS.

Mr. EDMONDSON. I thank the gentleman for his remarks.

I do believe this is a remarkable piece of legislative work that has been brought to the floor of the House, and a great share of the credit must go to the chairman of the full committee.

Yesterday the chairman of the full committee, in his presentation, made reference to the purpose of title II, "to assemble all of the relevant facts with respect to water availability and future water needs for all river basins draining into the Pacific Ocean, whether they are water-short areas or water-surplus areas."

The purpose of my taking this time is to receive an assurance, if I can, from the chairman of the full committee, that this language makes it quite clear that the Secretary of the Interior would not go beyond the area of the reclamation States in connection with the survey authorized by title II.

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

Mr. EDMONDSON. I yield to the gentleman.

Mr. ASPINALL. First, may I accept the accolades that were thrown my way? But may I also state that the work on this bill was a committee operation? Even those who are in opposition to some of the provisions of the bill deserve credit for bringing the bill out and making the record which was made yesterday.

Now, if I may answer my colleague, the gentleman from Oklahoma [Mr. EDMONDSON]. He is correct in his interpretation. When we refer to "westwide," we mean the western part of the United States, or the reclamation area. Of course, this particular provision, or the particular area covered by the studies authorized here, would be those basins which flow into the Pacific Ocean.

Mr. EDMONDSON. I thank the chairman very much.

AMENDMENT OFFERED BY MR. RHODES OF ARIZONA

Mr. RHODES of Arizona. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RHODES of Arizona: On page 59, lines 7 and 8, strike out the words "may, pursuant to an agreement with the Secretary," and insert in lieu thereof the words: "shall have a right, in accordance with plans approved by the Secretary, to".

Mr. ASPINALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ASPINALL. Are we considering amendments to the bill by title or to a particular title?

The CHAIRMAN. The committee is considering the bill on the basis of its being open to amendment at any point.

Mr. ASPINALL. All the way through the bill?

The CHAIRMAN. All the way through the bill.

Mr. ASPINALL. I thank the Chairman.

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. RHODES of Arizona. Mr. Chairman, under section 302(a), the Secretary of the Interior is authorized to acquire either fee title to, or easements over, lands within the Fort McDowell and Salt River Reservations for the Orme Dam and Reservoir. The purpose of my amendment is to make clear, as I understand the committee intended, that the two Indian communities involved may not be prevented from developing and operating recreation facilities within their reservations—particularly on lands to which the United States has acquired only flowage easements—by arbitrary action of some future Secretary of the Interior.

Even with my proposed change, the first sentence of section 302(d) still provides that recreation development by the two Indian communities shall be "subject to rules and regulations prescribed by the Secretary governing the recreation development of the reservoir," and the second sentence further provides that recreation development of the entire reservoir, including Indian lands, "shall be in accordance with a master recreation plan approved by the Secretary."

Moreover section 302(b) provides that any use or lease of land by the Indians must be consistent "with the construction, operation, and maintenance of the

project, as determined by, and under terms and conditions prescribed by, the Secretary," and, of course, any lease also must be approved by the Secretary under existing law—25 United States Code 415.

In short, my amendment frees the two Indian communities from the threat of arbitrary administrative action, but still leaves them subject to all reasonable controls to protect the interests of the United States in the project and to insure that recreation development will be in accordance with the Interior Department's master recreation plan for the reservoir.

Mr. Chairman, I might say parenthetically that, contrary to popular belief, I have only a few Indians in my district. This amendment is offered as a benefit for two Indian groups who live in the First District of Arizona.

One of them is the Salt River Indians, a rather populous tribe with a reservation which is in a very strategically located part of my district. The other is the Fort McDowell group. This group, on the other hand, is not affluent. In fact, this is the band about which the Secretary of the Interior remarked not too many weeks ago that it could not hire an attorney, so he had to be its attorney.

I am joining my illustrious friend, the Secretary of the Interior, as the attorney for the Fort McDowell Tribe and the Salt River Tribe today.

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

Mr. RHODES of Arizona. I yield to my good friend from Florida.

Mr. HALEY. Mr. Chairman, I would like to say to the gentleman from Arizona [Mr. RHODES] that I do not have one Indian in my congressional district. Nevertheless, may I say that I believe this really accomplishes what the Subcommittee on Indian Affairs wanted to accomplish. The original amendment to this bill was the amendment that I offered and was adopted, and I think certainly this clarifies the intention and gives the right; instead of saying "may" do something, it says "shall" do something. I think the gentleman's amendment would do just exactly what the subcommittee sought and hoped it was doing in the language we put in the bill. I wish to thank the gentleman for offering the amendment, which I believe really clarifies what we intended to do.

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

Mr. RHODES of Arizona. I yield to the gentleman from Colorado.

Mr. ASPINALL. I wish to thank the gentleman for advising the chairman of the Committee on Interior and Insular Affairs of his intention to offer this amendment in the committee, thus giving us the opportunity to examine the amendment.

I believe that the language of the bill as reported by the committee is more than generous in its treatment of the Indians. Section 302 provides for Federal acquisition of the Indian lands needed for the Orme Dam and Reservoir. The United States will pay the full fair market value of the land. While the plans are not complete, it may be necessary to acquire as many as 15,000 acres at a possible cost of $2,000 per acre, which is a possible total of $30,000,000 for the land. Only 400 Indians are members of the Fort McDowell community, where most of the land will be acquired, which means that the payment for the land may amount to as much as $75,000 for each Indian man, woman, and child if applied on a per capita basis.

In addition, the section authorizes the payment of not to exceed $500,000 for relocating the 53 homes and tribal facilities that must be moved. This is a gratuity, because the full value of the improvements will be paid as a part of the land acquisition.

In addition, the section authorizes the Secretary to give the Fort McDowell community 2,500 acres of Federal land. This also is a gratuity.

In addition, subsection (d) provides that each Indian community may, pursuant to an agreement with the Secretary, develop and operate recreational facilities on the federally acquired lands along the reservoir shoreline adjoining their reservations. The facilities must be in accordance with a master recreation plan approved by the Secretary.

The Indians are dissatisfied with this language in two respects:

First. They want a "right," rather than "permission" from the Secretary, to develop the recreation facilities on the Federal land; and

Second. They do not want their right to be made contingent upon an agreement with the Secretary. They say that it is enough if their developments conform to the master plan, and that they should be able to proceed with developments on the Federal land without any agreement with the Secretary regarding specifics.

It is the purpose of subsection (d) to give the Indians every opportunity and encouragement to undertake the recreational development of Federal lands on their side of the reservoir. There is no difference of opinion about this objective. It is unreasonable, however, to permit them to proceed with development, without an agreement with the Secretary, in the hope that the development when completed will be in accordance with the master plan. If the development should turn out to be incompatible with the master plan it would be difficult for the Secretary to do anything about it. If the development were undertaken pursuant to an agreement, however, as the bill provides, the chance of conflict would disappear.

I agree that the Indians should be permitted to undertake any recreation development on the Federal lands along their part of the shoreline that they want to undertake, if the development is in accord with the master plan. I also believe, however, that each particular development should be based on an advance agreement with the Secretary in order to assure compliance.

The amendment offered by the gentleman from Arizona changes the requirement for an advance agreement between the Indians and the Secretary to a requirement that the Indian development must be in accordance with plans approved by the Secretary. This is a clarification of the language in the bill, and I have no objection to it.

The amendment also changes the word "may" to "shall have a right." I regard this change as unobjectionable because under either form of the language the Indian development must be based on plans approved by the Secretary.

I therefore am willing to accept the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. RHODES].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: On page 53, line 13, change the period to a colon, and insert the following: *"Provided,* That the satisfaction of the requirements of the Mexican Water Treaty (Treaty Series 994, 59 Stat. 1219), shall be from the waters of the Colorado River pursuant to the treaties, laws, and compacts presently relating thereto, until such time as a feasibility plan showing the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet shall be authorized by the Congress."

Mr. SAYLOR. Mr. Chairman, yesterday in the general debate on this bill, those of us who spoke against it said that one of the real defects in the present bill is that it has in a sense an open-ended authorization. The amendment which I have offered closes one of those open ends.

This proviso will tell the Secretary of the Interior to proceed with his plans, authorized in title II of the bill. He is directed to find the most economical means of augmenting the water supply available in the Colorado River, which is short by at least 2.5 million acre-feet. When he finds the most economical means, he is to report back to the Congress, and, when the Congress authorizes that project, it can then proceed.

No one knows what the total cost might be. One of the principal reasons that some of us have objected to the bill as it was drafted by the committee is that it left this tremendous question of future cost, ranging from low estimates of $2.5 billion to high estimates of $23.5 billion. The total amount that our committee has been advised the feasibility research will take is approximately $12 million.

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

Mr. SAYLOR. I yield to the chairman of the full committee, the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, my colleague has again been very cooperative with his chairman. He has shown his chairman and others of the staff and of the committee this amendment.

What this amendment attempts to do, if I understand correctly, is to state a policy which is in keeping with other policies that have to do with other river basins. We also state that this basin must continue to furnish the water of the Mexican water burden until there is a satisfactory feasible report together with

an authorization, and, when the authorization takes place, it must take place for at least the minimum of the 2.5 million that is provided in this bill, and it cannot be understated. Is that correct?

Mr. SAYLOR. That is correct.

Mr. ASPINALL. It does not attempt to take any position on the position of the upper basin, that under the compact they are not burdened with any debris at all from the river.

Mr. SAYLOR. That is correct. This does not attempt to solve the problem of the upper basin against the lower basin.

This is only an attempt to solve the problem of the burden on the river with respect to the Mexican Water Treaty.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield further?

Mr. SAYLOR. I yield.

Mr. ASPINALL. Once again I say to my colleague, he has been very cooperative. I believe this will remove a great deal of the fear which was expressed in the debate yesterday. As chairman of the committee, I am willing to accept the amendment.

Mrs. MAY. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the gentlewoman from Washington.

Mrs. MAY. If I understand the gentleman's amendment, he is here asking a feasibility study be made. This would authorize a feasibility study, although nothing could be done under this section of the bill until that feasibility study was authorized; is that correct?

Mr. SAYLOR. Nothing shall be done until the feasibility report is made by the Secretary showing the most economical means of augmenting the supply of the river, and then the Congress must approve and act upon that report.

Mrs. MAY. But, in any event, we would still be authorizing a feasibility study without a previous reconnaissance study. We do not know what the cost of this is going to be, as is true in the usual procedure of having a reconnaissance study before we go into the feasibility study. I am correct in that?

Mr. SAYLOR. The gentlewoman is correct in that this authorizes a feasibility study. It does also authorize a reconnaissance study.

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

(By unanimous consent, Mr. SAYLOR was allowed to proceed for 5 additional minutes.)

Mr. SAYLOR. However, it will be up to some succeeding Congress to take a look at the report which the Secretary will present. The Secretary of the Interior and the Bureau of Reclamation, in testimony before our committee, stated that in their opinions a feasibility study of this nature would cost in the neighborhood of $12 million.

Mrs. MAY. I should like to point out one thing to the gentleman, in all fairness. I want to be sure I am correct. Upon the adoption of the amendment—for which I should like to thank the gentleman, because I believe in some ways it partially corrects a situation about which we are all concerned—I should like to point out that we still would not be giving this body an opportunity to again review a reconnaissance study before we OK'd expenditure on a feasibility study, as we ordinarily do for most projects of this sort.

Mr. SAYLOR. I must concede to my colleague that this is correct.

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

Mr. SAYLOR. I yield to the chairman of my committee.

Mr. ASPINALL. This section has to be read in conformity with the previous section. The previous section calls for a reconnaissance study first. The reconnaissance study must precede any feasibility study and report.

The only thing involved here is whether or not a reconnaissance study sufficient within itself can cause the Secretary then to go ahead with the feasibility report.

In my opinion, and in the way our committee has worked throughout the years, there will be no feasibility report until we get to see that reconnaissance report and to see whether or not it shows feasibility. Is that not correct, I ask the gentleman?

Mr. SAYLOR. I say to the Members of the House that this has been the policy of the chairman of the full committee, Mr. ASPINALL, which he has followed. I have concurred in that policy ever since he has been the chairman of the committee.

Mr. ASPINALL. What is involved here is that we go ahead and make this a one-package operation. If the reconnaissance report does show feasibility possibility, then the report would be prepared.

The reason for this is that 3 or 4 years ago we changed the procedures in the Congress, establishing the procedure that they have to come to Congress for authorization of feasibility reports. Up to that time it could have been done anyhow; is that not correct?

Mr. SAYLOR. That is correct. Until the action of the committee in bringing that bill to the floor to change the procedure, the Department would go ahead on its own and make feasibility reports.

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

Mr. SAYLOR. I yield to the gentleman from Washington.

Mr. FOLEY. To clarify the gentleman's amendment, at such time as the committee and the Congress received a feasibility report, if it is authorized by this legislation, nothing would take place under the amendment until that feasibility report was acted upon, if there were a feasible plan being approved; is that correct?

Mr. SAYLOR. That is correct.

Mr. FOLEY. Now, if the Congress should approve a feasibility plan for the augmentation of the river by 2.5 million acre-feet, what then would occur with respect to the burden of the Mexican Water Treaty?

Mr. SAYLOR. Then it would be a national obligation under the terms of this section as amended.

Mr. FOLEY. You are proposing, then, that this section, section 202, shall be suspended unless the Congress shall later authorize a feasibility plan with respect to the 2.5 million acre-feet? Is that the sense of your amendment?

Mr. SAYLOR. That is the effect of this amendment.

Mr. FOLEY. And in no way would the legislation operate presently to assume the Mexican Water Treaty as a national burden? Is that correct?

Mr. SAYLOR. That is correct.

Mr. FOLEY. That whole question would be left to a later time?

Mr. SAYLOR. That is correct.

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

Mr. SAYLOR. I yield to my colleague from Idaho.

Mr. McCLURE. If I understand it correctly by the statements made by the chairman of the full committee and by your statement, this amendment which you are now offering does not go to the question of reconnaissance surveys versus feasibility studies, but this is carried in a different section of the bill. If I understood the remarks of the chairman correctly, he stated that this or a future Congress would have the opportunity of looking at that reconnaissance survey between the time it was made and the time a feasibility study was carried forward by the Secretary.

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

Mr. SAYLOR. I will be happy to yield to the chairman.

Mr. ASPINALL. That is exactly what I said. The reconnaissance study is in a previous section of this bill. That is the reason why it was doubled up as I explained to my colleagues yesterday and today. This is so that we can speed up a study without having to come back to another Congress which will later on have an opportunity to act on it, anyway.

Mr. McCLURE. If the gentleman will yield further, I want to make sure I understand the chairman's former remarks that this Congress or a future one would have the opportunity at least to look at the reconnaissance survey between the time it was made and the Secretary went forward with a feasibility study, although that is not required by this legislation.

Mr. ASPINALL. Will the gentleman yield further?

Mr. SAYLOR. I yield to the gentleman.

Mr. ASPINALL. This is correct. This is a procedural matter. There has never been a feasibility survey made that I know of in reclamation projects since I have been in Congress which did not come first to the Congress of the United States.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am glad to yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, if we can refer to section 401, title IV, as I read that language, on page 72, it will really——

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

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. As I read this section, I am concerned because it seems to me what we are doing is to have a blank check on the U.S. Treasury for other projects that may cost billions of dollars. I would like to have the gentleman's view on this, and then I would like also to say that it seems very strange to me that this Congress at this time expresses deep concern about the national economy and about the national budget and that many in this House are insisting that we cut $6 billion out of the appropriations. I talked to the people in the education field, and a $6 billion cut in appropriations this year actually means a 30- or 33-percent cut on such things as Federal impact on elementary and secondary education and higher education. I cannot for the life of me understand why today we would take action that would in effect give this blank check to the U.S. Treasury for projects that will run into billions of dollars if we mean what we say that we are for economy and we intend to cut the budget. But I would like to have the gentleman's view on this. This is in section 401 of title IV. It seems it is in essence a blank check.

Mr. SAYLOR. I will say to my distinguished colleague, the gentlewoman from Oregon [Mrs. GREEN], that this is not a blank check. I have a tremendous respect for the gentlewoman's ability, but the procedure which we have established in title IV is to establish a lower basin fund, the same as we have established a fund for the upper basin of the Colorado River and specify where the money should come to go into that fund.

Now, this is the same provision as Congress after Congress has used in establishing water basin acts.

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman will yield further for one clarifying question—

Mr. SAYLOR. Yes, I yield further to the gentlewoman.

Mrs. GREEN of Oregon. The language which appears on page 72 of section 401 as it is now written, if the gentleman's amendment is not adopted and if this language stays the same as it is now written, is it not conceivable that we really will authorize projects that are going up into billions of dollars? I happen to support the amendment which has been offered by the gentleman from Pennsylvania, but if it is not adopted, it seems to me that this is language which would allow this to happen.

Mr. SAYLOR. The reason this is being done is because the Congress authorized the upper basin projects in the Colorado River with a similar provision and we specified the projects that had to be built. This provided that the people of the upper basin would have to come before the Congress under certain circumstances to seek the deletion of some projects and ask for authorization for certain other projects. The same situation will exist in the lower basin.

Mr. ASPINALL. Is it not the same identical procedure which we used with reference to the Columbia River Basin?

Mr. SAYLOR. It is the identical procedure.

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

Mr. SAYLOR. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I just want to underline the fact that this bill only authorizes certain projects and if there were augmentation that the gentlewoman from Oregon seems to be worried about it certainly requires before any study could come out of this project for this work some subsequent Congress would have to authorize it. It is fully protected and there is no back door approach about which I am sure the distinguished gentlewoman from Oregon [Mrs. GREEN] refers and about which she is worried.

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

Mr. SAYLOR. I yield to the gentleman from Washington.

Mr. MEEDS. Would the gentleman explain to the members of the committee what the effect of this amendment will be on section 401, if any?

Mr. SAYLOR. The effect on section 401? It will have no effect on section 401.

Mr. MEEDS. Mr. Chairman, if the gentleman will yield further, if you cannot proceed under section 402 with reference to the feasibility report, then that portion dealing with nonreimbursables will not come up?

Mr. SAYLOR. Will not come into existence; yes.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield further?

Mr. SAYLOR. I yield further to the distinguished chairman of the committee.

Mr. ASPINALL. It will not come into existence until authorized by the Congress. If the amendment which has been offered is accepted, the provisions of section 401 referred to will not become effective until the feasibility report has been prepared and Congress takes a look at it and has the opportunity to approve or disapprove it.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. I commend the gentleman for offering his amendment and say to the gentleman that it should be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mrs. HANSEN of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. HANSEN of Washington. Mr. Chairman, today, as we continue the discussion of H.R. 3300, I want to associate my remarks with the gentleman from Oregon, Congressman ULLMAN, and the distinguished gentlemen of my own State of Washington [Mr. MEEDS and Mr. FOLEY], who are members of the Committee on Interior and serve under the very distinguished chairman, the gentleman from Colorado [Mr. ASPINALL].

My intention today is to talk about the problems of water.

I have the privilege of serving as the Subcommittee Chairman of Interior Appropriations where a great amount of water research is underway, and where even more should be underway. If it were not for the problem of guns or butter, but guns and water, more would be undertaken. I can understand and do understand the needs of Arizona and the needs of California. I appreciate their desires to settle this problem and I support the major portions of this bill but like the gentlemen from Oregon and Washington, I would like to see portions of the bill deleted or changed. However, I have no illusions. The bill will undoubtedly pass this morning since the Northwest is that portion of the Nation which has clear cold water and everyone in the Nation is looking at it with desire.

But it is because of this very fact that I am taking this time to develop legislative history and to point out that every river basin in the entire United States is confronted by serious problems. I was in Philadelphia 3 years ago when the Delaware was short; I have been in other parts of the United States when their rivers were almost dry; 3 weeks ago, I flew the length of the Columbia River where our river was at such a low ebb that one look was sufficient to show what diversion might mean, which brings me to the focal point of my remarks.

Diversion of a river is the easy way out. It is the Bureau of Reclamation's traditional way out. They have never hunted for other solutions and never will if they are given the money for diversion. But what does water diversion from one river basin to another area mean at this particular moment in our history.

It means that before we have made any national survey of the total water needs or total water problems and have met these problems with answering programs diversion could well be considered; 1973 is only 5 years away. From the testimony I have heard in my committee and with the present status of funding and expenditure limitations, the water problem is not going to be solved in 5 years in either the Columbia River Basin or any other river basin.

What are the long-term problems of river basins? Not only are they those of having adequate water now or in 5 years but what will the total needs of those basins be in 5 years? The Columbia River uses its water for power, irrigation, domestic consumption, industrial supply, and navigation. It is a combination of all these factors that must be considered and measured against the population not only 5 years from now but 20 and 50 years from now. What profit is there to divert water to an area and dry up another area? It is very true, as the distinguished gentleman from California [Mr. HOLIFIELD] noted. Washington wants markets but I am

sure that not even California wants Washington without water. Last Monday morning as I boarded a plane in Portland, Oreg., I noted the headlines of the Oregonian "Oregon Faces Worst Drouth in Years." Drouth is not a new subject in the Northwest. The last three summers have been dry and the past is full of them. I want to bring to your attention some of the figures when the supplemental appropriations bill is before you. Items in this bill resulting from fire damage were caused by lack of rain in the Northwest.

Now what are the answers?

May I say, diversion of any river at this time is not an answer. There is no way of predicting weather, total population, total commerce, and total growth, the total accuracy that is needed. The people in the Interior Department are aware of this—all except the Bureau of Reclamation. They are aware that we need to do several things:

First. Continue at an accelerated pace the saline water development program and I would call to the attention of the House and the gentlemen from California that Interior is working with areas of southern California on a saline experimental project. I would remind this House that there is a sizable sum of money in this year's budget for saline water development. It must be continued. The price is coming down, and there have been some exciting breakthroughs, and there have been some exciting agricultural byproducts.

Second. We must continue to work to find new sources of underground water. The Geological Survey is continuing in this field as are the research people. May I say, that these are all in the exploratory state today. Again, however, there have been some exciting results.

Third. We need to develop a program of weather modification for water sources. Again, this is in the field of research and discussion.

Fourth. We should be able to know more about the recoupment of water.

Fifth. We should know more about the waste of water.

Sixth. Care, development, and protection of our watersheds.

All the areas of the United States are going to share this vast treasure house of water development knowledge, and it is mandatory that this be completed before diversion becomes the order of the Bureau of Reclamation.

I want to call the attention of the Committee to one further thing about the Columbia River. Unlike many river basins and unlike many rivers, one of its major uses is navigation. After viewing the river scale models year after year one realizes the impact of relative small changes of water flow with resulting sandbars, changes in currents, and other impediments to navigation. This is a subject of deep concern. Commerce is the lifeblood of a district such as mine, which exports into the markets of the world, if you please, the products that are grown and raised there. Therefore, I mention this one further problem that is inherent in navigable rivers. One scale model on the upper part of the river has taken over a year to come up with a solution that is not yet satisfactory. Five years is a very short time to develop the total results of all segments of the Columbia River involved in diversion.

So, ladies and gentlemen of this House, I repeat that diversion is the easy way out and it is not, I am sure, the cheapest way or best way out as a permanent water solution.

I do trust that great thought and judgment will be given here today not against areas that need water but to develop the resource programs that the whole Nation needs and which will be of far more total assistance to the Southwest than the diversion of any single river at the expense of another segment of the country.

AMENDMENT OFFERED BY MR. HARRISON

Mr. HARRISON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRISON: On page 52, lines 14 and 15, strike out "below Lee Ferry by two and one-half million acre-feet annually." and insert in lieu thereof the following: "initially by not less than two and one-half million acre-feet annually, increasing thereafter to not less than four million acre-feet annually by January 1, 1990. Whenever the water supply available in the Colorado River is augmented by four million acre-feet or more, such water supply shall be allocated so that the States of the Upper division receive seven and one-half million acre-feet and the States of the Lower Division receive seven and one-half million acre-feet and Mexico receives one and one-half million acre-feet, with any additional water above this allocation divided equally between the States of the Upper and Lower Divisions."

On page 52, line 16, strike out "may" and insert in lieu thereof "shall".

Mr. HARRISON. Mr. Chairman, at this time I offer an amendment to H.R. 3300. It is an amendment which I sincerely hope my Arizona colleagues—motivated as they are by the good faith desire to benefit their region without causing hardship to Wyoming or other States—will gladly accept.

My amendment to title II is a logical extension of the sentiments of that title with respect to the availability of sufficient water in the Colorado River system to meet future needs.

My amendment would add new language to section 201(c) to provide that by a specific date, January 1, 1990, and in a specific amount, 4 million acre-feet, water will be supplied to augment the dwindling supply of the Colorado River system.

I consider this amendment both fair to Wyoming and all other States of the Colorado, and consistent with the temper of the bill we are debating today. It is consonant with the basic law of the Colorado River: The compact of 1922, the upper basin compact of 1948, and the water treaty of 1944 with Mexico.

The figure of 4 million acre-feet is not an arbitrary one. It would satisfy the Mexican treaty obligation with imported water, which was stipulated in the 1922 compact, and it would as nearly as can be determined, meet the needs of upper and lower basin States by the early part of the 10th decade of our century.

H.R. 3300 as now written, provides for studies to investigate means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, and reconnaissance reports are to be submitted no later than June 30, 1973.

The bill is silent on the future of these studies, other than to assert that no recommendation for importing water into the Colorado River Basin from other river basins shall be made without the approval of States affected by such importation.

Seldom has legislation risen to the surface atop such voluminous records and history. I will not burden this presentation with more of that history than is absolutely necessary in presenting my amendment. My arguments and premises draw their sustenance from the position of my State on this legislation and I support that position fully. I will ask that at the conclusion of my remarks a speech by Mr. Thomas E. Cahill, assistant to Wyoming State engineer, Floyd Bishop, be printed to establish for the record what has long been the posture of Wyoming regarding central Arizona legislation.

The history and the record leave no doubt that the Colorado River will be short of water to a disastrous extent by the latter half of the 1980's or early 1990's.

At that time, some action will have to be taken to make the divisible supply of water adequate to the per capita demand.

At some point in the near future augmentation of Colorado River water will be an absolute requirement. What better forum is there than for spelling out the clear intent to provide that water, than the legislation which will create the most expansive and expensive reclamation project in history, with Colorado River water which is rightly the property of other States.

It has been the position of Wyoming throughout the proceedings associated with this and similar bills, that a minimal precondition to acceptance of CAP would be the concurrent authorization of water importation. This position has been eloquently set forth by State engineer Floyd Bishop in these words:

> The proposed authorization of the central Arizona project poses an undeniable threat to Wyoming, our concern is not so much over the legal right to the use of the water granted to us by the compacts as it is over the practical problems which Wyoming will face in the future.
>
> There is little argument concerning the legality of the compacts, and without some unforseeable upheaval, it would appear that these documents will continue to be the "law of the river". From political viewpoint, however, Wyoming could in the future, find it impossible to utilize this water which everyone agrees is legally ours. It is an accepted fact that the central Arizona project will be depending on the use of water which is legally upper basin water but is surplus to present day needs in the upper basin.
>
> Concurrently with authorization of the central Arizona project, there should be an authorization of a project to import water into the Colorado River system.

This history of this legislation over three stormy decades and my own statements in public and to the distinguished chairman of the Interior Committee make clear that Wyoming does not oppose the central Arizona project for the sake of opposition. We have no desire to

contribute to the shortage of the most precious of all liquids in the great State of Arizona.

I offer my amendment to extend the study and feasibility report provisions of H.R. 3300 as an effort to put teeth into the proposition that sufficient water will flow into the Colorado River to insure that all user States will have their rightful entitlements, and that water will be available to fulfill the national obligation of the Mexican Water Treaty without jeopardizing the allotments of any State.

I ask each member now to search his knowledge of this legislation and to search as well, his own good conscience and brush the clouds from this bill so the States of the Colorado River will know that water definitely will be provided from some outside source when the need exists.

This bill needs clear language setting forth the date for delivery of water into the Colorado, and it needs language specifying a minimum amount of water. This must not be left to some future interpretation of ambiguity in laws or the munificence of some future Congress unattuned to the realities of the Colorado River and its history.

The crucial questions of how much water and when, must not be left in doubt, perhaps someday to be decided by courts of law which listen to the pleadings of parched upper basin States and wonder why H.R. 3300 was so strangely silent on so vital a matter.

The speech referred to follows:

INTERDEPARTMENTAL WATER CONFERENCE

(Address by Thomas E. Cahill, Special Assistant Attorney General, September 16, 1966)

Wyoming, under present compacts, is entitled to the beneficial consumptive use of approximately 800,000 acre-feet of water from the Green River. This is some 500,000 acre-feet more than is presently being used. This surplus is presently flowing from the State into the Colorado. The Central Arizona Project, which is part of House Bill 4671 in the present Congress, needs that water, and more, to be a feasible project. Wyoming does not wish to impede the development of Central Arizona but it would not be wise for Wyoming to acquiesce to the construction of a billion dollar project in Arizona which is dependent upon Wyoming water.

If it were practical for Wyoming to finance projects on the Green River with other than federal money, a legal right to the use of the water would be sufficient to safeguard Wyoming's future. However, the projects necessary for the full utilization of Wyoming's potential are so expensive and complex that the most probable method of development is through the construction of federal projects.

Wyoming is concerned that when the time comes to get such federal projects authorized, she will be effectively opposed in the Congress by representatives of those downstream states who have their projects constructed and operating on Wyoming water. Practical politics show that Wyoming's two Senators and single Representative will not be able to successfully overcome predictable opposition to such projects from California, Arizona and Colorado. To assist in a better understanding of Wyoming's Colorado River problems, the following background is offered.

THE RIVER

High in the Wind River mountains of Wyoming, about 900 air miles from the Gulf of California, the Green River, which later joins the Colorado River, begins. From here, the Colorado and its tributaries meander through the seven western states of Wyoming, Colorado, Utah, Arizona, Nevada, New Mexico and California on a 1,600 land mile journey to the sea.

The mainstream of the Colorado and its largest branch, the Gunnison, flow westward from the Continental Divide in Colorado and join the Green River in southwestern Utah. Farther south the San Juan River comes in from the mountains of southern Colorado and northern New Mexico. For hundreds of miles through Arizona and Nevada, the Colorado River is deeply entrenched between high plateaus and forms the Grand Canyon. It then flows through a wide desert valley, forming the boundary between Arizona and California. Almost at the Mexican border, the Gila River, which begins in southwest New Mexico and flows through southern Arizona, joins the Colorado. A short distance below the Mexican border the Colorado flows through its Delta and into the Pacific Ocean.

The Colorado River System drains an area of 242,000 square miles, 1/6th of the contiguous continental United States. In half of this area the average rainfall is less than ten inches annually; in another third, it averages from ten to fifteen inches.

THE 1922 COMPACT

The struggle over the use of water in the Colorado River drainage has been long and turbulent. In the early 1920's, rapidly growing populations and water uses in the Coastal areas, and the desire of Lower Basin interests to construct a major reservoir which would regulate the river brought the first notable crisis. California wanted to enlist the Congressional support of the Upper Basin states for a bill authorizing mainstream developments which included a major reservoir. The Upper Basin states, fearful that the construction of such a reservoir would establish priorities which would preclude the later use of water in the Upper Basin, desired a guaranteed right to future use of water. It became obvious that some form of agreement between the states was necessary before further development of the Colorado River could proceed. This precipitated negotions which, in 1922, culminated in the Colorado River Compact.

Originally, the negotiators attempted to apportion specific quantities of water to each of the seven states. When this failed, Herbert Hoover, who represented the federal government, urged that the approach be changed, and consequently an apportionment of water was made between two divisions. All of the drainage area above Lee's Ferry in southern Utah was called the Upper Division and all that below Lee's Ferry was included in the Lower Division. This put Wyoming, Colorado, Utah and New Mexico in the Upper Division and Arizona, California and Nevada in the Lower Division.

When the 1922 Compact was formulated, it was estimated that the average annual flow of the Colorado River was about 20,000,000 acre-feet. This estimate was based on stream flow records covering the period immediately prior to 1922 which was a period of excessively high stream flows. Hoping for some leeway for error, the negotiators of the 1922 Compact allocated only 16,000,000 acre-feet, leaving, they thought, an additional 4,000,000 acre-feet to be apportioned at a later date (unfortunately, the long-term average annual flow has only been 13,951,000 acre-feet).

Immediately after the ratification of the Colorado River Compact, the Boulder Canyon Project Act was introduced in Congress. Finally, after introduction in four successive sessions, the act was passed. The project included Hoover Dam, the All-American Canal, and the Parker-Gila Valley reclamation project. Subsequently, Parker Dam (diversion point for municipal and industrial water for Los Angeles and San Diego) and the Coachella Canal (which supplies irrigation water to part of the Sallon Basin) were built by the United States.

Besides authorizing projects, the Boulder Canyon Project Act divided the waters of the mainstream of the Colorado River. It gave California the use of 4,400,000 acre-feet, Arizona the use of 2,800,000 acre-feet and Nevada the use of 300,000 acre-feet. The Act, however, did not mention the tributaries in the Lower Basin which have an annual flow of approximately 1.75 MAF annually, which includes 1 MAF from the Gila, all of which is almost totally consumed in Arizona.

UPPER BASIN COMPACT

Soon after World War II was over, the Upper Basin states renewed their efforts to gain congressional support for the construction of Upper Basin projects. To establish stable water supplies for reclamation projects and to prevent future lawsuits concerning the equitable apportionment of the Upper Basin share of the Colorado River, the Upper Basin states intensified negotiations to divide the water. These negotiations resulted in the Upper Colorado River Compact of 1948, which was ratified by the legislatures of the four states, and by the Congress of the United States in 1949. This Compact apportioned to the states the annual beneficial, consumptive use of the following quantities of water:

Arizona: 50,000 acre-feet.

Colorado: 51.75 per cent of the Upper Basin entitlement.

New Mexico: 11.25 per cent.

Utah: 23.00 per cent.

Wyoming: 14.00 per cent.

Ratification of the Upper Colorado River Compact cleared the way for development of projects within the Upper Basin, and after a hard fight, the Colorado River Storage Project Act was passed in 1956. This legislation authorized the construction of Glen Canyon, Navajo, Curecanti and Flaming Gorge dams and designated certain projects which could benefit from the power revenues of these major regulating reservoirs. Wyoming projects which were included were Seedskadee, Lyman, LaBarge, Subiette and Savery-Pothook.

WYOMING DEVELOPMENT

In the Green River Basin of Wyoming approximately 225,000 acres, less than 4 percent of the total land area, is now under irrigation. This land lies mostly along the Green River and its tributaries near the base of the mountains. Most of the irrigation development has been by individuals and organized local groups. There are also four federal reclamation projects which are in various stages of development in the Green River Basin.

The Eden project, which includes the 39,700 acre-foot-capacity Big Sandy Reservoir on Big Sandy Creek and some distribution facilities, was largely completed in 1960. It was initially intended to serve 20,200 acres in the vicinity of Farson, including 9,540 acres that had been previously irrigated and 10,660 acres of new land. Because of water shortages and because anticipated efficiencies in water use have not been attained, land development has been limited to a smaller acreage. A program of modification of the distribution system is now underway.

The Seedskadee project was authorized in 1956. It includes the Fontenelle Dam and Reservoir on the Green River, which has been constructed. The project is planned to ultimately irrigate 58,775 acres of presently undeveloped land, and to provide 60,000 acre-feet of stored water for the potential Seed-

skadee National Wildlife Refuge. Construction of the irrigation canals and laterals has been deferred pending the results of an experimental development farm on project lands. The discovery of trona deposits under 15,500 acres of potential project land on the west side of the Green River has prompted the deferral of agricultural development on that land until possible surface subsidence is further investigated.

The Lyman project, also authorized in 1956, will include the Meeks Cabin and China Meadows Reservoirs on Black's Fork and the East Fork of Smith Fork, respectively. The water will be distributed through existing works and used as a supplemental irrigation supply on 26,000 acres in the vicinity of Lyman. Bids for construction of Meeks Cabin Reservoir were received in 1965 but were rejected as being too high. New bids were called for and let in the spring of 1966.

The Savery-Pothook project, authorized September 2, 1964, will irrigate lands in both Wyoming and Colorado. It will develop unused flows of the Little Snake River and its tributaries, Savery Creek in Wyoming and Slater Creek in Colorado, for the irrigation of 35,265 acres, including 21,920 acres of new land. The Wyoming portion consists of 16,155 acres, including 6,180 acres of new lands and 9,975 acres of supplemental service land. Storage will be provided by the 18,600 acre-foot Savery Reservoir on Savery Creek and the 65,000 acre-foot Pothook Reservoir on Slater Creek. The water will be conveyed to the land by both existing facilities and new project canals and laterals. Funds have not yet been appropriated for the start of construction.

COMPACT AMBIGUITIES

The 1922 Compact is a brief, but sometimes ambiguous, document. These ambiguities have been the basis for a forty year fight between California and Arizona, and are at the heart of the negotiations between the two basins that have been going on for over a year.

Most of these ambiguities stem from article III which divides the water.

III (a) gives the beneficial consumptive use of 7,500,000 acre-feet to the Upper and Lower Basins, respectively.

III (b) gives the Lower Basin the right to increase its beneficial consumptive use by an additional million acre-feet annually, but does not specify the source of the water. (Some claim that this refers to the Gila and Salt Rivers.)

III (c) recognizes the possibility of a future treaty with Mexico and states that any guaranteed deliveries to Mexico should come from unapportioned waters. If there is no surplus, both basins are to share equally in any shortage. In 1944 a treaty was negotiated between Mexico and the United States which guaranteed annual delivery of 1,500,000 acre-feet of water to Mexico via the Colorado River. Under normal river operations to date, more than this amount of water has automatically reached Mexico through return flows, uncontrolled releases and precipitation in the area adjacent to the border. However, as water becomes more valuable, and since the expected flow has been 14 million acre-feet rather than 20 million acre-feet, it is obvious that the Mexican Treaty burden will at some time in the future become more important.

Arizona is now using at least a million acre-feet annually from the tributaries, and claims this should not be included in the 7,500,000 acre-feet given the Lower Basin by III (a). This interpretation is based on the holding in *Arizona* v. *California*, discussed later. Accountability of the tributaries is important in determining any Mexican Treaty burden. If we assume that required deliveries of water from the Upper Basin to the Lower Basin at Lee's Ferry are limited to 75,000,000 acre-feet in a ten year period, as specified in III (d), then the consumptive beneficial use of water from the main stem in the Lower Basin will be limited to something less than 7,500,000 acre-feet per year, due mainly to the channel losses and reservoir evaporation, and the Upper Basin will be required to furnish part of any shortage to Mexico. However, if Arizona's tributary uses are also included in the Lower Basin's 7,500,000 acre-feet annual consumptive use, then the total beneficial consumptive use in the Lower Basin would surpass the 7,500,000 acre-feet per year and the burden of the Upper Basin to deliver water to Mexico would be reduced accordingly.

III(d) placed a delivery requirement upon the Upper Basin of 75,000,000 acre-feet in any ten year period, or an average of 7,500,000 acre-feet annually. This provision put a burden on the Upper Basin states to make a minimum delivery of water to the Lower Basin, and any shortage of water is automatically deducted from the Upper Basin apportionment, rather than from the Lower Basin.

III(e) provided that the Upper Basin states could not withhold water that could be reasonably applied to domestic and agricultural uses in the Lower Basin. It also provided that the Lower Basin could not call for water to be delivered unless it could be applied to those same uses. This provision raises the question of whether the Upper Basin can store water in its reservoirs for the purpose of long-term carryover to even out fluctuations in flow from year to year, when users in the Lower Basin are in need of more water which could be directly used for "domestic and agricultural purposes."

ARIZONA VERSUS CALIFORNIA

In the early 1950's Central Arizona was consumptively using 4,500,000 acre-feet of water annually. Of this, 1,000,000 acre-feet was from surface runoff of the Salt and Gila Rivers. The other 3,500,000 was being mined from a water table that had a recharge rate of 1,000,000 acre-feet annually. Consequently, the underground aquifers were losing approximately 2,500,000 acre-feet annually.

The Central Arizona Project was designed to supply Colorado River water to Central Arizona to supplement the existing supplies and protect a dropping water table. Arizona contended that the Boulder Canyon Project granted Arizona the use of 2,800,000 acre-feet annually from the mainstream of the Colorado River, and that since they were then using only 1,200,000 acre-feet annually, they were entitled to an additional 1,600,000 acre-feet, which could be utilized by the Central Arizona Project.

However, California contended that the Salt and Gila Rivers should be included in determining Arizona's 2,800,000 acre-feet. If this were true, Arizona's share of Colorado River water would have been exceeded, and there would be none available for a Central Arizona Project.

Arizona's congressional delegation introduced legislation authorizing the Central Arizona Project three times. Each time, it passed the Senate, but was blocked by California's strength in the House of Representatives. Finally on the fourth try, the House Committee on Insular Affairs stated that before the bill would be considered again by that committee, the Arizona rights to the use of Colorado River water would have to be determined.

This resolution instigated a law suit between Arizona and California which lasted from the early 1950's until 1963. In 1963, the United States Supreme Court held that the Boulder Canyon Project Act gave Arizona the use, when available, of 2,800,000 acre-feet from the mainstream of the Colorado River (which automatically excluded accounting for the Gila and Salt Rivers). Almost immediately, the Arizona congressional delegation introduced a revised version of the Central Arizona Project Bill. The bill was again rejected by Congress.

CALIFORNIA-ARIZONA COMPROMISE

Arizona, realizing that the 38 California members of the House of Representatives could probably effectively block any legislation which would authorize a Central Arizona Project, decided that they must negotiate with the State of California.

As a result of these negotiations, on February 8, 1965, Congressmen and Senators from Arizona and California introduced identical bills in the House of Representatives and the Senate which would authorize the Central Arizona Project. As was then suspected, and later confirmed in hearings before the Subcommittee on Irrigation and Reclamation of the House of Representatives, for this project to be feasible it had to use Colorado River water apportioned to, but not presently used by, the Upper Basin states by the two Colorado River Compacts.

In order to gain the California support, Arizona had agreed that whenever there was insufficient water to supply 7,500,000 acre-feet for consumptive use in the Lower Basin, the following priorities would apply:

1. Present perfected rights in Arizona and California;

2. 4,400,000 acre-feet to California;

3. Remainder to Arizona for the Central Arizona Project. These priorities would cease upon the importation of 2,500,000 acre-feet into the Colorado River System below Lee's Ferry.

In an attempt to gain Upper Basin support, the Secretary of Interior was directed to study the water needs in the Upper and Lower Basins and to establish whether or not the present sources in these basins could supply sufficient water for their own needs. Then, with the help of the Bureau of Reclamation, the Secretary was to project these estimates of water need up to at least 2030. Concurrently, a study was to be made of water supplies and water needs (also projected far into the future) in the Columbia River Basin. At the same time, a study of the feasibility of transporting water from the Columbia River to the Colorado was to be made.

In an attempt to placate Idaho, Montana, Oregon and Washington, these Northwest states were designated as "areas of origin" and were given the future right to "call back" any water then being transported to the Colorado River states if a need for it developed in the Northwest. The Secretary of Interior was to submit a feasibility report of a project which would facilitate the importation of 2½ million acre-feet into the Colorado River System within three years of enactment of the Bill.

A Lower Basin Fund was established which would receive congressional appropriations for construction of Lower Basin projects. The Fund would also receive: (1) Revenues from the Central Arizona Project (which would include sale of power from Bridge and Marble Canyon Dams): (2) Revenues from Hoover and Parker-Davis Dams after their projected pay-out in 1987: and (3) Payments made from users on other Lower Basin projects. After paying the overhead, maintenance, capital costs and interests, expense of the operating units of the Central Arizona Project, any surplus in the Fund was to be applied to the unit allocation to irrigation, commercial power and municipal and industrial water, for a period of fifty years. Bureau of Reclamation studies showed that with both Bridge and Marble Canyon Dams, by 2024, there would be a billion dollar surplus which would be available to subsidize the importation of water to be used in the Lower Basin.

The present compacts on the river were to remain sacred, and jurisdiction was given to the states to bring suit against the Secretary of Interior in the Supreme Court of the United States in the event that these are violated.

UPPER BASIN RESOLUTIONS

In an attempt to formulate a common position, the Upper Colorado River Commis-

sion retained the Denver engineering firm of Tipton & Kalmbach to study the water supply of the Colorado River. Using the period of 1921 through 1964, the Tipton Report showed an average runoff of 13,951,000 acre-feet and assessed Lower Basin requirements as follows:

	Acre-feet
1. Beneficial consumptive use (as provided by III(a))	7,500,000
2. Mexican Treaty deliveries	1,500,000
3. Reservoir evaporation	730,000
4. Losses below Hoover Dam	810,000
Total requirements	10,540,000

Assuming that Upper Basin would be required to deliver 8,250,000 acre-feet annually (which is the III(d) requirement, plus one half of any Mexican Treaty burden), the Tipton Report showed the supply to be:

	Acre-feet
1. Delivery at Lee's Ferry	8,250,000
2. Net inflow Lee's Ferry to Lake Mead	675,000
3. Net inflow from Bill William River	55,000
4. Release from Lake Mead (drawdown to rated power head)	365,000
Total available	9,345,000

Thus, if the Lower Basin was to be allowed to consumptively use 7,500,000 acre-feet annually, as provided by III(a), without accounting for tributary uses, and an annual delivery of 1,500,000 acre-feet to Mexico was to be made, the Upper Basin would have to deliver an average of 9,445,000 acre-feet annually.

The obvious conclusion was that a firm water supply was not available in the Colorado River to satisfy a basic beneficial consumptive-use requirement of 7,500,000 acre-feet from the mainstream by the Lower Basin, plus delivery of 1,500,000 acre-feet to Mexico.

The states of the Upper Basin estimated their present uses and future needs to be:

	Present	1975	1985	2000	2030
Colorado	1,782	2,468	3,098	3,714	3,746
New Mexico	140	514	749	764	764
Utah	579	936	1,171	1,630	2,138
Wyoming	265	545	769	1,193	1,193
Total	2,766	4,463	5,787	7,301	7,841

Thus, even though the study showed that there was a present surplus available for the Central Arizona Project, future development projections clearly showed that if Upper Basin development was to continue, projects which would import major amounts of water into the Colorado River System would have to be authorized and constructed.

Using these figures as guidelines, and realizing that future Upper Basin development would be contingent upon the authorization of future projects by Congress, the Upper Basin, acting through the Upper Colorado River Commission, proposed amendments to H.R. 4671 which they felt would protect future development in the Upper Basin. On August 16, 1965, the Upper Basin states of Colorado, New Mexico, Utah and Wyoming, agreed that before they could support the Central Arizona Project, the following principles would have to be included:

1. That all federal projects within the Lower Colorado River Basin be limited so as not to prejudice, impair, or preclude the future federal authorization of projects which will be required for the annual consumptive use by Upper Basin states of water that may be physically available after delivery of 75 million acre-feet at Lee's Ferry in any period of ten consecutive years;

2. That concurrently with any congressional authorization of the Lower Colorado River Basin project there also be authorized a project to import water into the Colorado River System in such quantities as will (a) relieve the states of the Colorado River Basin from any obligation to deliver water to the Republic of Mexico pursuant to the terms of the Mexican Water Treaty of 1944. (b) Supply the Lower Basin states with enough water to allow for the consumptive use of 7.5 million acre-feet per year, and (c) supply the Upper Basin states with enough water to allow an annual consumptive use of 7.5 million acre-feet.

3. That Glen Canyon Dam shall be operated so that it will not be drawn below its rated power head, except as may be necessary to comply with article III (d) of the Colorado River Compact, and except as may be authorized otherwise by the Upper Colorado River Commission.

4. That the diversion of funds from the Upper Colorado River Basin funds to the Colorado River Dam fund as payment for the so-called Hoover Dam deficiencies, pursuant to the Glen Canyon filling criteria, be terminated immediately.

5. That all expenditures made from the Upper Colorado River Basin Fund to meet deficiencies in generation at Hoover Dam, pursuant to the Glen Canyon filling criteria be reimbursed to the Upper Colorado River Basin Fund in full.

These principles were included in a draft dated August 16, 1965, which was presented to Congress in hearings held before the Irrigation and Reclamation Subcommittee of the House Insular and Interior Affairs Committee from August 23 through September 1, 1965.

SUBCOMMITTEE HEARINGS

Just prior to these hearings, the seven Colorado River states met and agreed upon the following principles:

1. The Upper Basin's right to the use of water of the Colorado River, pursuant to the Colorado River Compact, shall not be jeopardized by the temporary use of unused Upper Basin water by any Lower Basin projects.

2. The pending legislation should authorize the Secretary of Interior to construct importation works which will deliver not less than 2,500,000 acre-feet annually, upon the President's approval of the Secretary's finding of feasibility.

3. Such importation works should be planned and built so as to make the imported water available, if possible, not later than 1980.

4. Satisfaction of the Mexican Treaty burden should be the first priority to be served by the imported water. The costs of importation allocable to the satisfaction of the burden, which is a natural obligation, should be nonreimbursable.

At the August Subcommittee hearings, several other areas of opposition to the bill emerged. The conservation interests were determined to delete both Marble and Bridge Canyon Dams from the bill, and the Pacific-Northwest was determined that the Bureau of Reclamation should not make a feasibility study of importation.

SEPTEMBER 20 DRAFT

The states were not able to agree on specific language of the bill, and in September, representatives of the governors of the seven Colorado River states met to attempt to draft language that all seven states could agree upon. They could not reach agreement but agreed that Felix Sparks of Colorado and Northcutt Ely of California should try to draft a bill acceptable to all seven states. The result of their work has been called the September 20 draft.

(1) It authorized the Secretary of Interior to make a feasibility study of a staged importation plan. The first stage would include at least 2,500,000 acre-feet to satisfy the Mexican Treaty burden and could also include 2,000,000 acre-feet for Lower Basin use, 2,000,000 acre-feet for Upper Basin use, and 2,000,000 acre-feet for use along the route of the importation system. The importation plan was to be completed by December 31, 1970, and a report was to be made to the President sometime after December 31, 1970.

(2) Areas of origin were to be protected and a perpetual prior right to water was to be given to any state which contributed to the Columbia River System. This priority would be senior to any rights to imported water by Colorado River System users.

(3) Upper Basin rights were protected, but no implementation was given for this protection.

(4) The Secretary of Interior was to promulgate equitable criteria for the reservoir operations on the Colorado River after consultation with the seven Colorado River Basin states.

(5) The Mexican Treaty burden was to be a national obligation, and the Colorado River states were to be relieved of it upon importation of at least 2,500,000 acre-feet into the Colorado River System.

(6) The Central Arizona Project was to be limited to carry an average of 1,200,000 acre-feet from the mainstream, none of which was to be available for use on new lands.

(7) The Dixie and Southern Nevada projects were integrated into the Lower Basin Fund, and the recreation and fish and wildlife uses on the Dixie project were made nonreimbursable.

(8) The Upper Basin Fund would be reimbursed for expenditures made from it to purchase power for the Lower Basin during the filling of the Upper Basin reservoirs.

(9) It authorized the Dolores and Dallas Creek projects in Colorado and the Animas-La Plata project in Colorado and New Mexico, and reauthorized study of other Upper Basin projects, including the Sublette project in Wyoming.

This draft was unacceptable to Wyoming and Utah, but became the basis of negotiation for future drafts of H.R. 4671.

POWER REVENUES

As was previously mentioned, the Upper Colorado River Commission, on August 16, 1965, withheld support of H.R. 4671 pending inclusion of five principles. These principles have served as a basis for negotiations over the past year and the Committee Draft at least pays lip service to the problem areas. Two of these conditions concerned power and power revenues and the language in the Committee Draft is relatively acceptable.

The problem arose during the filling of Lake Powell and Flaming Gorge. By storing water in these reservoirs, there was less water available at Hoover Dam to supply firm power to power contractors. To make up the difference, the Secretary of Interior purchased power from private power companies, and charged the cost to the Upper Basin Fund. As of September 30, 1965, the Secretary of Interior had charged the Upper Basin Fund $7,299,350.04 for the purchase of deficiency energy, generation impairment and capacity deficiency. In addition, 688,734,112 KWH of power had been delivered from Upper Basin dams to Lower Basin power contractors. Assuming a worth of 3 mills, $2,066,202.34 worth of power produced by the Upper Basin generators was furnished to Lower Basin contractors. The Upper Basin Fund received no credit for these deliveries.

The September 20 Draft provided that $7,299,350.04 would be returned to the Upper Basin Fund at the rate of $500,000 annually. No provision was made for payment of interest, which by June 30, 1966, will amount to $13,722,576.38, nor was provision made for payment of Upper Basin power furnished to Lower Basin power contractors. Both basins have generally accepted this compromise.

According to the Upper Colorado River Commission, approximately 10% of the power now generated by Upper Basin dams is being delivered to the Lower Basin, sold, with credit

going to the Lower Basin. The Upper Basin Fund is receiving no credit for these deliveries.

MEXICAN TREATY BURDEN

The Commission resolution of August 16, 1965, directed that the Upper Basin should only be required to deliver 75,000,000 acre-feet in any ten year period, and that the Lower Basin tributary uses be included in computing the Lower Basin entitlement to the consumptive use of 7,500,000 acre-feet annually. This would lessen the burden of the Mexican Treaty on the Upper Basin.

The Lower Basin has steadfastly refused to even consider any negotiations on this point.

In the draft now in the Rules Committee, the problem is deferred until sometime in the future by Sec. 601 (b) which states:

"* * * the following listed order of priorities shall govern the storage of water in storage units of the Colorado River Storage Project and releases of water from Lake Powell:

"(1) Releases to supply one-half the deficiency described in article III (c) of the Colorado River Compact, if any such deficiency exists and is chargeable to the states of the Upper division, but in any event such releases, if any, shall terminate when the President issues the proclamation specified in Sec. 305 (b) of this Act."

FILLING CRITERIA

In *Arizona* v. *California*, the Supreme Court gave the Secretary of Interior the authority to apportion future water shortages on the Colorado among the Lower Basin states. It also affirmed his authority to control the filling and refilling of dams on the Colorado. Based on this authority, Secretary Udall promulgated a filling criteria which provided that during the filling period of the Upper Basin reservoirs, water would not be stored in them unless Lake Mead was at its rated power head. This criteria was to be in effect until both reservoirs reached their full capacity.

As introduced, S. 1019 and H.R. 4671 provided that:

". . . the Secretary . . . shall continue to develop . . . a regional water plan, . . . for the filling and refilling of Lake Mead and the reservoirs of the Colorado River Storage Project to optimum operating levels."

This meant that Udall's filling criteria would remain in force. The only protection that the Upper Basin had was found in Section 502 (a) which provided that:

"Nothing in this Act shall be construed to alter, amend, repeal, construe, interpret, modify, or be in conflict with the provisions of the Colorado River Compact, (or) the Upper Colorado River Basin Compact . . ." and 502 (b) directed the Secretary of Interior "to comply with the applicable provision of this Act, and of the laws, treaty, compacts and decrees referred to in paragraph (a) in the storage and release of water from reservoirs in the Colorado River Basin."

The Upper Basin states were critical of the filling criteria, and the August 16 Draft had the following which would supercede it:

"In making the reports and recommendations authorized by this section, the Secretary shall make the following assumptions—

"(1) That the ultimate required delivery of water by the states of the Upper division at Lee's Ferry or by exchange delivery at alternate points will not exceed an aggregate of 75 MAF for any period of ten consecutive years reckoned in continuing progressive series."

"(2) That Lake Powell Reservoir will not be drawn below its rated head, except as may be necessary to comply with article III (d) of the Colorado River Compact, and except as may be authorized otherwise by the Upper Colorado River Commission."

This would provide the Upper Basin reservoirs with enough water to meet their Compact requirements, and protect Upper Basin existing and future uses.

In the September 20 Draft was contained the unimplemented statement that:

"Rights of the Upper Basin to the consumptive use of water of the Colorado River System pursuant to the Colorado River Compact shall not be reduced or prejudiced by any temporary use thereof in the Lower Basin."

And that:

"The Secretary shall promulgate equitable criteria for the coordinated long-range operation of the reservoirs constructed under the authority of this Act, the Colorado River Storage Project Act and the Boulder Canyon Project Act, consistent with the provisions of those statutes, the Boulder Canyon Adjustment Act, the Colorado River Compact, the Upper Colorado River Basin Compact and the Mexican Water Treaty. Such criteria shall be prepared after consultation with representatives of the seven Colorado River Basin states and parties to contracts with the United States affected by such criteria."

It further provided that:

"The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty constitutes a national obligation. Accordingly, the states of the Upper Division . . . and states of the Lower Division . . . shall be relieved from all obligations which may have been imposed upon them by article III (c) of the Colorado River Compact when the President issues (a) proclamation" (that 2½ million acre-feet is available from sources outside the drainage of the Colorado River.)

These provisions were the subject of much controversy and bargaining and many meetings between the various states. These eventually culminated in the language as it is now which is found in Title VI of the Committee approved draft.

"601(b). In the preparation and subsequent execution of the criteria, the following listed order of priorities shall govern the storage of water in storage units of the Colorado River storage project and releases of water from Lake Powell:

"(1) Releases to supply one-half the deficiency described in article III (c) of the Colorado River compact, if any such deficiency exists and is chargeable to the States of the upper division, but in any event such releases, if any shall terminate when the President issues the proclamation specified in section 305(b) of this Act.

"(2) Releases to comply with article III (d) of the Colorado River compact, less such quantities of water delivered into the Colorado River below Lee Ferry to the Credit of the States of the upper division from sources outside the natural drainage area of the Colorado River system.

"(3) Storage of water not required for the releases specified in subparagraphs (1) and (2) to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three lower division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find to be reasonably necessary to assure deliveries under subparagraphs (1) and (2) without impairment of consumptive uses in the upper basin pursuant to the Colorado River compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the lower division to the uses specified in article III (e) of the Colorado River Compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell."

IMPORTATION

S. 1019 directed the Secretary to prepare estimates of the long-range water supply available in the upper and lower basins of the Colorado River and to project these requirements to the year 2030. It also directed him to investigate alternative sources of supply to meet the needs in these basins. If an import was necessary, he was to make provision for adequate and equitable protection of the interests of the States in areas of origin. He was to prepare a feasibility study of a plan to import 2½ million acre-feet into the Colorado within three years of passage of the act.

The Upper Colorado River Commission draft provided that if such an importation plan was feasible, the same legislation would also authorize construction. The September 20 Draft directed the Secretary to make a similar feasibility study, but provided the first stage must include 2,000,000 acre-feet for satisfaction of the Mexican Treaty burden, and could also include 2,000,000 acre-feet for use in the Lower Basin, 2,000,000 acre-feet for use in the Upper Basin, and 2,000,000 acre-feet to be used along the proposed diversion route. It also gave to any area or state of origin the perpetual right of recall of any water used for importation.

Senator Jackson of the Senate Interior and Insular Affairs Committee opposed this and has consistently opposed the inclusion of any provision which would effectuate a meaningful study of an importation from the Columbia River. He has done this in several ways. In the Water Resources Planning Act of 1965 he included provisos that no studies would be made of interbasin transfers of water without express Congressional authorization, and that a River Basin Commission in the Northwest could not be established unless it was requested by governors of three of the four states of Montana, Idaho, Washington and Oregon. He also amended the Water Recreation Act by adding a similar bar to interbasin studies.

He has consistently demanded that any study of importation be made under the auspices of a National Water Commission. This Commission would be composed of seven members appointed by the President, who could not be connected with the federal government. They would work in conjunction with the Water Resource Council in deciding broad policy questions.

The Committee draft of H.R. 4671 provides that the Water Resources Council, in consultation with the National Water Commission, would establish principles, standards, and procedures to be followed in any importation study. The Secretary of Interior, under the direction of the National Water Commission, would use these guidelines in making a reconnaissance study of an import plan by December 31, 1969. Unless the plan proved obviously infeasible, the Secretary would then proceed with a feasibility study to be completed by December 31, 1971.

CONCLUSION

With this as a background, it is no wonder that Governor Clifford P. Hansen of Wyoming, on August 2, 1966, in a letter to President Johnson, found it necessary to withdraw previously given support of H.R. 4671, saying:

"The gradual erosion of . . . basic principles through the process of ensuing negotiation and compromise has been a source of increasing concern to me. The cornerstone of our original position was 'that concurrently with any congressional authorization of the Lower Colorado River Basin project, or any of its component parts, there also be *authorized* a project or projects to import water into the Colorado River Basin from sources outside the natural drainage area of the Colorado River system'. This re-

quirement has now eroded to the point where all that is required is a study of the importation question and even the procedures which are set forth in the bill for making this study would appear to be so cumbersome and difficult to implement that there is a serious question as to whether the study could be adequately executed within the time limits provided in the bill.

* * * * *

"Wyoming is vitally concerned that passage of this bill should not interfere with our right to the use of water allocated to use under the terms of the Colorado River Compacts. Water supply studies on the Colorado River indicate that there will not be sufficient water in the natural drainage area of the Colorado River to permit fulfillment of all of the commitments under the various compacts now in effect. Consequently, it seems obvious that there must be an importation of water into the basin if all states are to be permitted the use of waters to which they are rightfully entitled.

"All of the assurances in the world concerning the validity of compact allocations to Wyoming will be rendered ineffective if there is not sufficient water to meet these commitments.

"(Therefore) I cannot in good conscience lend my continued support to the passage of this bill in its present form."

Mr. ASPINALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I regret very much that I cannot support the amendment offered by the gentleman from Wyoming [Mr. HARRISON] because I am in agreement with what the gentleman is trying to do; that is, to provide assurance that in the future the upper basin States will have available 7.5 million acre-feet of water as anticipated by the Colorado River compact and the Upper Colorado River Basin compact.

The amendment provides for a feasibility study and report on a plan for augmenting the river by 4 million acre-feet instead of 2.5 million acre-feet. As the gentleman knows, the cost of additional water made available by augmentation must be repaid. Until the upper basin States, and particularly Wyoming, are further along with development of the water already apportioned to them, I do not believe we are ready to ask for a feasibility study covering an additional 1.5 million acre-feet. I would point out that subsection (a) of section 201 provides authority for reconnaissance investigations and report covering the matter involved in this amendment. I would also point out, in the event that it has been overlooked by my friend from Wyoming, that if 2.5 million acre-feet annually, or even 1.7 or 1.8 million acre-feet—the amount to take care of the Mexican Water Treaty—is made available in the lower basin, that this will have the effect of making available to the upper basin States an additional 750,000 acre-feet annually.

In addition, there are flaws in the language of the amendment. As written, the study would provide for the entire 4 million acre-feet being available below Lee Ferry. Also, even with 4 million acre-feet of new water available, we cannot assure the deliveries of water provided for in the amendment.

Mr. Chairman, I regret very much that Wyoming has not been able to give its support to this legislation because I believe its rights are fully protected and that it will receive extensive benefits from the enactment of H.R. 3300.

I shall have more to say on this subject in a few minutes when another amendment is proposed. The only difficulty at the present time that we have in the upper basin—and this is true in Colorado, it is true in Wyoming, and it is true in Utah—that we do not have planning reports ready that have gone through the reconnaissance survey, and feasibility survey procedures, and available here for the consideration of this committee at this time. That is our difficulty.

Wyoming does not have any. I understand their position. No one in Congress during the last 20 years has worked harder for the welfare of the State of Wyoming than I have. I am just sorry that I cannot go along with the amendment.

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

Mr. ASPINALL. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, reluctantly I go along with the gentleman from Colorado in his reluctant opposition to the amendment for the reasons he has stated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming [Mr. HARRISON].

The amendment was rejected.

AMENDMENT OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: On Page 55, line 12: After "(4)", strike out "Hooker Dam", and insert "Conner Dam".

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes in support of his amendment.

Mr. SAYLOR. Mr. Chairman, one of the matters of controversy in this legislation involves the site of a dam to store the waters given to the State of New Mexico in this bill. If there is augmentation in the first instance, the State of New Mexico is entitled to 18,000 acre-feet. If there is further augmentation in the river, then they are entitled to an additional 30,000 acre-feet.

Mr. Chairman, construction at the Hooker site of a dam high enough to store the amount of water allocated in this bill to New Mexico would result in the backing of slack reservoir water across land within the Gila primitive area, which is subject to review for future inclusion in the national wilderness preservation system, and through the Gila Gorge some 9 miles within the Gila wilderness area.

The Gila wilderness area is one of 54 units of the national wilderness preservation system established by the Congress just 4 years ago, by means of the Wilderness Act—Public Law 88–577—"to secure for the American people of present and future generations the benefits of an enduring resource of wilderness." Through the leadership of the late Aldo Leopold, it also was the first wilderness established by the Forest Service in the United States in 1924. It should not be degraded by a man-made, unnatural intrusion as a result of this legislation.

If the Forest Service is going to be able to fully protect the Gila wilderness from nonconforming uses and developments, the bill should be amended to eliminate all references to the Hooker site. An alternative damsite downstream, the Conner site, should be substituted for the Hooker site in the bill to avoid this direct threat to the wilderness area. The phrase, "Conner Dam or suitable alternative," would be preferable to the present language. Many members of the full committee favored this language over the present language of H.R. 300, which, as a minimum, must be interpreted by the Secretary of the Interior as a clear mandate to find an alternative to the Hooker site.

During the committee's consideration of this portion of the bill, it became obvious that adequate, up-to-date technical studies of the Hooker project, and the most feasible alternatives based on the provisions of the current legislation, were lacking. Because the Wilderness Act requires a determination that a water-development project within a wilderness will better serve the interests of the United States than will its denial, and because the necessary study had not been made that would have furnished the facts on which the committee could have made a decision, the committee amended the bill to require such a study—the "Hooker Dam or suitable alternative" language. This amendment—while it does not go as far toward eliminating Hooker Dam as is needed—intends that the Secretary of the Interior shall study the project, taking into account at least the following.

First. The uses to which the water would be put and the benefits that would accrue to the people of the United States; second, comparative advantages of different methods of providing the water, such as, but not restricted to, reservoir storage at various sites, purification of brackish water, and pumping from underground sources; third, means for protecting existing water rights; fourth, damage to the natural environment, wildlife, and scenic resources, particularly those public lands within the wilderness area and primitive area; and fifth, the construction, maintenance, and other costs of dams at the Hooker site, Conner site, and other suitable sites, or other alternative water supply methods.

I would also like to point out that other wilderness areas will be in great jeopardy if a reservoir and associated developments are permitted in this unit of the national wilderness preservation system. I understand that, in Montana, the Bureau of Reclamation has plans to flood out part of the Bob Marshall wilderness area by a dam on the Sun River. Also in Montana, the proposed Glacier View Dam would flood irreplacable wilderness lands in Glacier National Park. Plans exist to construct water-development projects that would invade the Flat Tops wilderness in Colorado, the High Uintas in Utah, and primitive areas in Idaho. The Hooker Dam proposal is a test case. I believe it marks a crisis in the history of wilderness preservation in the United States. An alternative to Hooker Dam can and must be found.

An excellent summary of the potential impact of Hooker Dam on the Gila wilderness, and of the advantages of the alternative Conner site, was published recently by the Wilderness Society, a respected national conservation organization, which with other national conservation groups strongly opposes the authorization of this dam. I quote part of its report:

The Hooker project would destroy extraordinarily scenic wilderness lands and miles of wilderness river, eliminate significant fisheries and wildlife habitat, and obstruct access to the wilderness by foot and horseback.

The Gila River Canyon in the Hooker Reservoir area is steep and narrow, strictly limiting use of the reservoir for recreational purposes. Precipitous, rocky terrain would make a recreation access road to the reservoir very expensive to build. Few locations on the steep slopes around the reservoir would allow adequate campground, parking, or boat-launching facilities. An alternate dam site downstream—the Conner site—would provide additional recreational facilities without destroying wilderness values.

In summary, I believe the Congress should accept the judgment it made in 1964 when it placed the Gila wilderness in the wilderness system, and should not now authorize a reservoir project which will invade the Nation's first wilderness and set a pattern for other invasions of the National Wilderness Preservation System in the future.

This amendment provides the alternative damsite, which is Conner Dam and Reservoir, which, in turn, will both provide New Mexico with its water and preserve the integrity of the National Wilderness Preservation System.

Mr. Chairman, I urge and move the adoption of this amendment.

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

Mr. SAYLOR. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Chairman, I want to make sure I understand what is at stake here, because there has been some public discussion, and the Members have had some communication on this subject. The bill, as passed by the Senate, a similar bill, contained a flat unqualified authorization for construction of Hooker Dam which would have caused some invasion of the wilderness area.

Mr. SAYLOR. That is correct.

Mr. UDALL. In the House committee, I offered an amendment which changed that flat authorization—and the amendment was adopted—to an authorization for Hooker Dam "or a suitable alternative." The committee report directs the Secretary to study this again, to take the outdated studies and bring them up to date, and find out whether or not there is an alternative for Hooker Dam. Is this correct?

Mr. SAYLOR. That is correct.

Mr. UDALL. Is it not the gentleman's understanding that the good people who represent New Mexico in this Congress are willing that such a study be made, and they do not want to invade the wilderness area unless it is absolutely necessary?

Mr. SAYLOR. That is correct. Both the distinguished gentlemen from New Mexico who serve in the House have so assured me, and I understand the same assurance has been given the people of New Mexico by the senior Senator from that State.

Mr. UDALL. So the pending bill as now written will make sure there is a further study and leaves final resolution further down the line?

Mr. SAYLOR. That is correct.

Mr. UDALL. The only difference in the gentleman's amendment, as I understand it—and he also wants a study and wants a decision at a later time and he wants the Secretary to look at all the alternatives and bring the estimates in—is the gentleman suggests that the language read "Connor Dam" or suitable alternative so the the emphasis is pointed there rather than at Hooker Dam as these studies begin. Is this exactly it?

Mr. SAYLOR. This is exactly just what this amendment does.

Mr. UDALL. It seems to me we are not really arguing about anything of any great substance, that either the language the committee put in the bill or the language of the amendment will do essentially the same thing.

Mr. SAYLOR. It may come out to the same end. I just hope this amendment will be adopted, so the Secretaries will not think they are directed to look at Hooker.

The CHAIRMAN. The time of the gengentleman from Pennsylvania has expired.

(By unanimous consent, Mr. SAYLOR was allowed to proceed for 2 additional minutes.)

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

Mr. SAYLOR. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I join with the gentleman in his statement and feeling, and also the assurance of the gentleman from Arizona [Mr. UDALL] that this committee, from which the bill came, and this House itself is serious in every sense of the word, absolutely and completely that the investigation will be made so that, when whatever is built in New Mexico, it is built wherever it can be built with the very least detriment to any of the scenic opportunities of that State.

I commend the gentleman for pointing this out. I would like to get it on the RECORD in triple clarity that the Department of the Interior, when it makes this study, is to make a most serious evaluation and a most serious attempt to get this installation away from that portion of the Hooker site to which the conservationists object.

Mr. SAYLOR. Mr. Chairman, I thank the gentleman.

Mr. UDALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if I could have the attention of the gentleman from Pennsylvania, I would like to raise one more point of clarification and make legislative history in the event the amendment of the gentleman is adopted.

The committee took the view—and it was the intention of the committee and it is so indicated in the report—that if the studies are carried out, under the language now in the bill, Connor Dam might well be the alternative for Hooker Dam. Does the gentleman intend in his amendment that if no other site can be found, if there is no other feasible way to do it, under language of his amendment conceivably Hooker Dam could be an alternative for Connor Dam?

Mr. SAYLOR. This is correct.

Mr. UDALL. I thank the gentleman.

Mr. SAYLOR. I would hope this would not occur, but it is perfectly within the realm of possibility.

Mr. UDALL. Then, if the members of the Committee please, I suggest again we are not really arguing over any matter of great substance. In either event there will be a study. There will be a final look at this. There will be an opportunity, when appropriations are sought, to review this matter once again, regardless of the decision which is made.

So I would prefer and I would suggest that in this situation we stay with the committee and we stay with the people of New Mexico.

I want to commend their leaders in this House and in the other body for the attitude they have taken on this matter. There has been a lot of national publicity about this. But New Mexico has said, "We do not want to invade the wilderness. We hope there is an alternative. We hope that another way can be found to do this job."

In this situation, where there is no real distinction between the effect of the amendment and the language of the bill, I hope this committee will stay with New Mexico. We do not have to have this argument now. We can settle it later, down the line.

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

Mr. UDALL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I did not want to bring this matter up, but the gentleman called our attention to the question of sticking with the committee. If the Members will look at the committee report, they will find a majority of the members of the committee objected, and signed views asking that this be changed. So if the Members want to stick with the committee they will adopt my amendment.

Mr. UDALL. The gentleman has correctly stated the number who signed the separate views. Let me say one more thing for the benefit of the Members who have been concerned about communications from conservation groups on this amendment.

Most of the Members received the other day a brochure from a Sierra Club and a letter. In that letter the Sierra Club does not ask for this amendment. I am sure they would be happy with it, but they do not ask for it. What they ask is:

I hope you will seek assurance from the sponsors of H.R. 3300 that there will be a diligent search for a suitable alternative—one that will take full account of the values of the Gila River and the Wilderness.

The New Mexico members have given that assurance in letters to the Members of the House. The committee has given that assurance. I give that assurance. The gentleman from California gives that assurance.

I would hope, under the circumstances, the members of this Committee would stay with the Committee on Interior and

Insular Affairs in the way we wrote the bill as it finally came to the floor, regardless of the matter pointed out by the gentleman from Pennsylvania.

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

Mr. UDALL. I yield to the gentleman from California.

Mr. REINECKE. I, too, want to make it clear that it was our intention there would be a full and fair and clear study of the situation.

Whether the wording results in either Hooker or Conner at this point I do not believe is too material, other than the fact that there should be a full and fair and thorough study.

I might also comment, it is refreshing to find that here is one question on which we can agree, that there should be studies, without opposition.

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

Mr. UDALL. I yield to the gentleman from Colorado.

Mr. ASPINALL. This whole matter will go to conference, anyhow. It may come out without either name, is that true?

Mr. UDALL. That is entirely possible. I suspect one of the Senators from New Mexico will have something to say in that conference.

Mr. WALKER. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman, there was some colloquy here about sticking with the committee. I do not know which side is which; all I hope is that the Members of this great body will stick with JOHNNY WALKER. It is important to the people of New Mexico.

Above all, it is important that we get at the truth of this matter.

I know that if my dear friend from Pennsylvania could actually see the site where we propose to build this dam he would agree with me, as far as the wilderness is concerned.

I have seen it. As a matter of fact, I have lived in that very county.

Some people say this is a wonderful habitat we are getting ready to spoil. I have seen pictures in the past few days of beautiful greenery. I can assure the Members that I can take a color camera and go almost any place, and and bring back beautiful pictures.

We are proud of our beautiful New Mexico scenery. But this area which would be inundated is on the edge of 400,000 acres of beautiful scenery, which would be even more beautiful if there were enough water to allow some greenery to grow. There used to be some wild game in the area, but even the wild creatures need water to survive.

What we want, Mr. Chairman, is to see to it that we can make a game habitat out of this beautiful place these people are talking about. Unfortunately, I do not have the time today to discuss this fully. I do have some pictures here that I would like to show you to illustrate how desolate this country is. As I stated yesterday and as other conservationists have stated publicly, water is New Mexico's lifeblood. It might not mean too much to the people in San Francisco or New York who have never seen this spot and who talk so much and so long about desecrating this wonderful place and what a terrible thing it is to do that. I say to them that if they would only come and look at it, they would understand what we are trying to do. We are talking about 450 acres, or approximately that, versus 400,000 acres. It is not the heart of the wilderness and it is not going to ruin the wilderness, but it will have a very beneficial effect on the people who live down there. They have been dreaming of this, as I said yesterday, since 1916.

Now, Mr. Chairman, we are just talking about changing a name here. I want to assure everyone in this body and those people from the New York Times and the people from the Sierra Club and Mr. David Brower that we want it studied, also. That is the reason why we agreed to it. That is the reason why we have compromised. We have tried to be realistic about it. We have gone along with every suggestion that has been made to us, because we want this so badly. Now all of a sudden—and I cannot understand why, but all of a sudden—we are doing a terrible thing here and we have to change it from Hooker to Conner. Why should we do that if we are going to study it? I give you my word, if there is a better place to put this dam, whether it be called Hooker or Sierra or whatever it may be called, I want to assure you that we want it put in the best place. We do not want to go into the wilderness unless we have to.

For many years before I came to Congress, I have been a strong advocate of the wilderness bill and still am. So I am not a Johnny-come-lately as far as this wilderness matter is concerned. I am just as sincere, and perhaps more so, than a lot of these people who are writing about it, but who have never seen it.

Mr. Chairman, in closing I would like to make a couple of remarks as far as the Forest Service is concerned in the report. The Forest Service is not opposing the Hooker site. In a letter dated October 13, 1967, to Col. Henry Zeller of the Sierra Club, Mr. William Hurst, the regional forester of the Southwest reion, wrote:

> Based upon the study and findings thus far made, it is our opinion that the administrative problems created by the reservoir (Hooker) can be worked out and that the dam can be constructed and the reservoir created with only a minimum adverse impact on the wilderness and the primitive area.

(By unanimous consent, Mr. WALKER was allowed to proceed for 5 additional minutes.)

Mr. WALKER. Mr. Chairman, in New Mexico we have conservation groups. I shall quote Jon Little, president of the New Mexico Wildlife and Conservation Association, the largest and oldest conservation organization in the State of New Mexico with a membership in excess of 2,000.

Mr. Chairman, Mr. Little states as follows:

> It is poor conservation to advocate a downstream dam site. This site would waste 6,000 acre-feet of water, even more with evaporation. Conservation is the wise use of natural resources as opposed to the wasteful use. Our association has tried to be realistic. We weighed the loss of the wilderness against the benefit to the public the dam would bring. Our association is for the dam—our association is for the Hooker Dam.

Mr. Chairman, I would undertake to talk a little louder, but it is almost impossible for me to talk much louder. As the members of the Committee know, I do not come down in the well of the House very often. When I do I think I am speaking words of wisdom, at least I would hope they are, especially since they are not coming from me but are coming from a great conservationist who believes in this project.

Mr. Chairman, to continue to quote Mr. Little, I read as follows:

> The dam would flood only 450 acres of the 400,000-plus acre wilderness. The portion of the wilderness flooded would be on the periphery, not in the wilderness heart. Water in New Mexico is our life's blood.

Said Little:

> If we can get 18,000 acre-feet this means jobs, water to drink, water for industry, and recreational benefits would be most significant.

Mr. Little went on to say that other conservationists feel this dam would set a precedent. He said:

> If we believed it would endanger the wilderness system, we would have to oppose it. We do regret the small invasion of the Gila wilderness. However, the benefits provided by the Hooker Project far outweigh this invasion. We believe that advocating the downstream Connor site as an alternative to advocating flooding one-tenth of 1 percent of the Gila wilderness is poor conservation. We believe that conservation is the wisest possible use of our natural resources. Therefore, we have tried to exercise responsible conservation by recognizing the benefits of the Hooker Project over the unfortunate, but minute, inundation of wilderness.

So, Mr. Chairman, one can see that we in New Mexico also have our conservationists.

I want to say to my good friend, the gentleman from Pennsylvania [Mr. SAYLOR], and my other dear friends on the floor of the House today that we too are willing to study and compromise. We are trying to be realistic. We are for this study to be undertaken whenever and wherever the Secretary of the Interior—whomever he may be—chooses to do so. Whatever decision he makes we shall follow. If it is his determination Hooker is the best place, that is what we want. But I ask you to defeat this amendment because it is not only undesirable, but unnecessary. The committee language, as written, assures that all potential sites will be considered. The amendment would delete from consideration the Hooker site. If it is found that some other site would be better, then I will be for it.

Mr. KYL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is, of course, with no wisdom that anyone says we can violate a rule without creating a precedent.

Of course, the invasion of the wilderness area will create a precedent—there cannot be any argument about that.

The discussion we have had seems to circumvent the point which is really at issue. It is obvious that most people believe the Hooker site is the site where the dam should be built, and where it un-

doubtedly will be built, but we are here arguing about some verbiage, or about the name of a dam. And I am somewhat amazed by all of this argument in view of the fact that there is another great conservationist from that great State of New Mexico, who only a few years ago argued and pleaded with the Members of both Houses of the Congress to create a 65-million-acre wilderness system which would be inviolate to any kind of activity of any sort which might alter its character. The same conservationist who waged that fight at that time is now the first one to come in and create a precedent in undoing the Wilderness Act.

Mr. Chairman, if this matter is of no great significance we might as well go along with the amendment of the gentleman from Pennsylvania, and at least give some emphasis to trying to protect the wilderness system. If those studies then show, after proper emphasis, that the Hooker site is the proper site where a dam should be built, the fight will have been fought and the battle will have been lost by those who wanted to preserve the wilderness, but nothing will be lost for the project which we are debating today.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SAYLOR. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. SAYLOR and Mr. UDALL.

The Committee divided, and the tellers reported that there were—ayes 45, noes 89.

So the amendment was rejected.

Mr. ULLMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to take this time to direct some questions to the very able chairman of the committee, the gentleman from Colorado [Mr. ASPINALL].

First, I would like to say the gentleman has acted with his usual fairness and impartiality in dealing with the amendments that have been proposed today. I very much commend him for the position he took with respect to the amendment that was proposed by the gentleman from Pennsylvania which carried, and further by his strong stand in opposition to the amendment by the gentleman from Wyoming.

Mr. Chairman, I would like to ask, referring now to sections (b) and (c) of section 201, title II, this question with respect to the expenditures of moneys authorized in this bill.

In section (c) it says:

> The Secretary shall prepare a feasibility report on a plan which shows the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet annually.

It is my understanding that no moneys shall be expended for any study beyond the 2½ million acre-feet. Is that right, Mr. Chairman?

Mr. ASPINALL. The position taken by the gentleman is correct; 2½ million acre-feet is the maximum.

Mr. ULLMAN. That is the maximum that they can study. Does that limitation also refer to the reconnaissance study that is being authorized in section (b)?

Mr. ASPINALL. With this particular project, that does.

But I would advise my colleague that this does not prohibit the Secretary in his general authority to make reconnaissance surveys as he is making in my colleague's State and as he is making in my State at the present time after he has received authorization for appropriation and the moneys through the general appropriations process.

Mr. ULLMAN. What I am specifically referring to is this: He will come back before the committee of the Congress and make the report as he is directed to do and the first report will be a reconnaissance reports?

Mr. ASPINALL. The gentleman is correct.

Mr. ULLMAN. When he makes that report, is it within his scope to come back and say, "It is not feasible in our judgment to import water from the Columbia River in the amount of 2½ million acre-feet, but in our studies we have determined that it would be feasible to make such importation at the figure of, say 6 million acre-feet."

Mr. ASPINALL. Not under this feasibility report. He would have to get another authority from the Congress and from the executive department.

Mr. ULLMAN. I thank the gentleman very much. Then the language of this bill is quite clear in that it authorizes the expenditure of funds only for studies limited to 2½ million acre-feet?

Mr. ASPINALL. The gentleman is correct.

Mr. ULLMAN. I thank the gentleman from Colorado.

AMENDMENT OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: On page 78, line 10: Strike all of section 501, and insert in lieu thereof a new section 501 to read as follows:

"SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico and the Dolores Federal reclamation project, Colorado, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, subsection (2) of section 1 of said Act is hereby further amended by deleting the words "Pine River extension", and inserting in lieu thereof the words "Animas-La Plata, Dolores". Section 2 of said Act is hereby further amended by deleting the words "Parshall, Troublesome, Rabbit Ear, Tomichi Creek, East River, Ohio Creek, Dolores, Fruit Growers Extension, Animas-La Plata" and inserting after the words "Yellow Jacket" the words "Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomicki Creek units), Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)", and by inserting after the word "Sublette" the words "(including the Kendall Reservoir on Green River and a diversion of water from the Green River to the North Platte River Basin in Wyoming), Uintah unit and Ute Indian unit of the Central Utah, San Juan County (Utah), Price River, Grand County (Utah), Ute Indian unit extension of the Central Utah, Gray Canyon, and Juniper (Utah)". The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $170,000,000 plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indexes applicable to the type of construction involved. This additional sum shall be available solely for the construction of the projects herein authorized.

"(b) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document 436, Eighty-ninth Congress: *Provided*, That the project construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

"'ANIMAS-LA PLATA PROJECT COMPACT

"'The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

"'*Article I*

"'A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado state courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

"'B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

"*Article II*

"'This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States.'

"(c) The Secretary shall, for the Animas-La Plata, Dolores, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof, as determined by the Secretary, in other land classes.

"(d) The words 'any western slope appropriations' contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled "Manner of Operation of Project Facilities and Auxiliary Features", shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or

alter any rights or obligations arising under Senate Document Numbered 80 or under the laws of the State of Colorado."

Mr. SAYLOR (during the reading). Mr. Chairman, I ask unanimous consent to dispense with further reading of the amendment and that the amendment be printed in the RECORD, and that I be permitted to explain it.

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

There was no objection.

Mr. SAYLOR. Mr. Chairman, the amendment which I have offered is one which I am sure will not be adopted, but I have offered it for the purpose of establishing a record.

The amendment would authorize only two projects in Colorado. They are the two projects which have been approved and on which favorable reports have been received. It would delete from the bill the three projects in Colorado on which final reports have not been submitted to our committee.

This is the first time, I believe, in the history of the Congress that we have ever authorized legislation for projects before favorable reports had been received from the Department. I would hope that the amendment would be adopted. It would have some startling effects. It might save, in times like these, at least the authorization of about $150 million, and it would be, I believe, at this time a good amendment to adopt.

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

Mr. SAYLOR. I yield to my chairman of the committee, if he cares to comment.

Mr. ASPINALL. Mr. Chairman, first, if I started to reply completely to the gentleman, I could talk for a long time on this particular matter, but I do not intend to do so. The gentleman from Pennsylvania opposed the Colorado River project, which was authorized in the 84th Congress. But, as soon as the measure was passed, and ever since then, he has been doing everything he can in order to make it a good project. I wish to congratulate him because he has been very cooperative and very constructive.

However, on this particular matter the gentleman is not entirely correct. I know he does not wish to mislead us. The letter from the Bureau of the Budget reads as follows:

> In summary, for the reasons expressed above, the Bureau of the Budget would favor deferral of at least the West Divide, San Miguel, and Dallas Creek projects at this time, pending the establishment of the National Water Commission and completion of its review of related water problems.

Of course, I take exception to that because these projects have already been considered. They already have planning reports. The gentleman was mistaken in the statement that we do not have planning reports. We do have them. We have a favorable position so far as the Department of the Interior is concerned, and we have favorable benefit-to-cost ratios in accordance with the formula currently used.

The letter from the Bureau of the Budget proceeds further to state:

> We believe that this course of action will permit water developments needed at this time in the Colorado Basin to proceed, but at the same time provide a basis for thorough consideration of the fundamental issues involved and a recommended program that will be in the best interest of the people of the Upper and Lower Colorado Basin, as well as the Nation as a whole.

Let me suggest to my colleague very briefly—and I shall get the gentleman more time if he needs it—Colorado furnishes over 70 percent of all the water in the Colorado River Basin. Under the provisions of the Colorado River Compact, the first 1½ million acre-feet, or thereabouts, goes to Old Mexico. The next 7½ million acre-feet goes to the lower basin.

The next 7½ milion acre-feet is supposed to go to the upper basin. There has never been this much water on an annual average in the basin since 1922. So what the upper basin stands to get at the present time, without augmentation, is probably 6 million acre-feet.

Let me give some other facts. The upper basin compact, of course, provides that 51.75 percent of the entitlement of the upper basin should go to Colorado, and 11.25 percent should go to New Mexico, and 23 percent should go to Utah, and 14 percent should go to Wyoming, and Arizona will have a guarantee of 50,000 acre-feet out of that entitlement of 7½ million acre-feet.

In accordance with the provisions of the Colorado River Storage Act, Colorado is entitled to 46 percent, New Mexico to 17 percent, Utah to 21.5 percent, and Wyoming to 15.5 percent.

Colorado's share of the present flowage of the river since 1922, based on an annual figure, is approximately 3.1 million acre-feet of water.

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

(By unanimous consent (at the request of Mr. ASPINALL) Mr. SAYLOR was allowed to proceed for an additional 5 minutes.)

Mr. ASPINALL. Mr. Chairman, if the gentleman will yield further, Colorado was using approximately 1.8 million acre-feet of water in 1956. That leaves approximately these 1.3 million acre-feet of water for Colorado's future use. Colorado's authorization in the Colorado storage project for water use was only 38,000 acre-feet of water. We stood on the provisions of the act and did not complain. But we went to work immediately after that and we have spent Colorado State money and also conservancy district's money of about $6 million since 1956 in order to get our project studies and investigations underway. Most of this money has gone into Bureau of Reclamation's control. So what we have left at the present time for future projects is approximately 818,000 acre-feet. This project, the Colorado projects in this bill, will take approximately 378,000 acre-feet, which will then leave Colorado about 440,000 acre-feet for future development.

As I tried to explain, when my good friend from Wyoming was in the well, we just do not authorize projects—we do not study them in the Committee on Interior and Insular Affairs—and the gentleman from Pennsylvania is responsible for this procedure as well as the rest of us—until we do have planning reports before us. We do have planning reports for these five projects. We do have the OK from the Department of the Interior.

It is true that the Bureau of the Budget endeavored to kick out the three projects, but this was their way of, I suppose, trying to say we are going too fast. We are not going too fast. With these projects we will not be using one-half of the water which is left for Colorado to develop.

Mr. SAYLOR. Mr. Chairman, I direct this question to the chairman of the full committee: Can the gentleman give us any schedule or program as to when these three projects might be built?

Mr. ASPINALL. I shall give the general program, as I said yesterday. Construction will not start, in accordance with what I said and what I hope is the prevailing feeling in the Congress, until after this war emergency is over. Then it would mean that two or three of the projects would immediately receive some kind of study and some kind of investigation, leading to the final designs, as my colleague understands. Two of these projects will depend upon future determinations.

May I say to my colleagues, we had five projects authorized in Colorado in Public Law 485. One of those projects was later on found to be infeasible with the final study. This might happen to some of these projects, but this makes the record that the State of Colorado is entitled to proceed with its entitlement, just like any other State in the basin, and they are prepared to do it.

Certain of these projects depend on sale of municipal water. No other projects can start, in the way we are now operating in the Bureau of Reclamation programs, until the execution of contracts calling for repayment. My colleague understands that as well as I do.

Mr. SAYLOR. Is what the chairman of the full committee is telling us then is that even though there are five projects authorized for Colorado, there is a likelihood that at least two of these projects may never proceed?

Mr. ASPINALL. I would not put it like that. I would say that this then would leave it up to Colorado to make a later determination whether other projects are more feasible and more desirable. These projects are all good, but they have to be paid out in accordance with reclamation project procedures. If the users are not there to pay them out, they will have to be delayed accordingly.

Of course, I oppose the amendment offered by my friend from Pennsylvania.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was rejected.

Mr. HANNA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I shall not take 5 minutes, and I appreciate the committee's indulgence.

First I should like to commend the chairman of this great committee for bringing this legislation to the floor and to the Committee of the Whole.

I know of no work in the Congress

which inures more strongly to the benefit of generations of Americans yet to be born and to live under this Government than the work being done by this committee, and this important matter of water.

I certainly look forward to this Congress acting affirmatively on the suggestions of the committee.

I would be remiss if I did not bring to the consideration of this committee an augmentation of the problem of water with regard to another facet of this very important field and its place in the life of the total people of America.

In the past we know, and in the present we live, the fact that people do not go to the place where the water is. Rather, the economic and social forces determine where people will be collected, and there we must bring the water. We have learned this.

In the West more than any other place we have had this history, and we have been able to meet the challenge of bringing the water to the people. The wise policies of this Nation generated in no small respect by this great committee has been, to husband the waters we have available, to distribute them and to use them, where they will best serve the interests of our Nation and of its people.

But to conserve well and to use wisely the water now available on the continent is not enough. We have to develop new waters. Therefore, desalinization of sea water is most important. It should not be in place of but should go along with the husbanding of and the distribution of and the use of fresh waters, to add to these the waters we can reclaim from the oceans.

So long as 75 to 80 percent of our people are within 50 miles of the ocean fronts, good sense dictates we ought to move with the momentum which is now available to us in utilizing atomic energy to recapture fresh waters from the oceans.

I hope that this Congress will not be derelict in moving along in this parallel path of developing new sources of water.

This Congress has favorably acted on a proposal for a desalinization plant at Bolsa Island, off the coast of Orange County. That project at the present time does have some problems financially. I hope the Congress will pick up this matter, and not allow it to be slipped into the past or to become dormant, or to lose the momentum in this particular part of our program. I hope Congress will support it and encourage it. I certainly hope that the committee will keep it in mind as a part of the total water future of America.

I commend the committee for what has been done, and I certainly hope they will also go forward with a great program in desalinization.

I thank the committee.

Mr. EVERETT. Mr. Chairman, in studying the committee report on H.R. 3300, I am impressed by the high percentage of the central Arizona project's costs that will be repaid to the Federal Government by its beneficiaries.

Over the 50-year repayment period, $671 million of the $779 million cost will be returned to the public treasury. The nonreturnable costs, only 14 percent of the total, are credited to general public values such as recreation, flood control, fish and wildlife, water salvage, and wildlife refuges.

We spend billions of dollars every year for which we expect no direct or measurable return at all, so I am glad to support this bill as basically an investment proposal.

I am informed that the annual benefits of the central Arizona project alone will be $82,537,000.

The central part of Arizona enjoys a year-round growing season where melons, lettuce, and other garden vegetables are produced in the wintertime. Let me call your attention to the fact that last year the United States imported $65 million worth of such produce. So this Arizona project can be a factor in improving our Nation's presently unfavorable balance of payments in world trade. Whatever we can grow here at home we would not have to buy from foreign nations.

While our business today is H.R. 3300, I would like to take just a moment to mention the value of the reclamation program in general and to praise the work of the Interior and Insular Affairs Committee. In 1966 irrigated reclamation lands produced an estimated $1.7 billion worth of crops; reclamation projects provided 40.5 billion kilowatts of electricity which returned almost $124 million to the Federal Treasury; and reclamation reservoirs supplied 589 billions of gallons of water for municipal and industrial use by 13.2 million people.

It seems to me that reclamation projects are among the rather few things on which we spend money that actually produce wealth—increase our gross national product—rather than consume wealth with no direct returns.

And if we could measure the amount of taxes collected and traceable to the resources made available by such projects, the story would be even more impressively favorable.

I am glad to lend my support to H.R. 3300 as an essential and sound investment in American resource development.

Mr. JOELSON. Mr. Chairman, although I do not question the ultimate desirability of this Colorado River project, I do very strongly question the wisdom of our being asked to consider it at this time of fiscal crisis. At the very moment of clamor for billions of dollars of cuts in Federal spending, we are now presented with a package bearing a price tag of more than a billion dollars.

It is true that this is merely an authorization bill, not an appropriation bill. However, history should teach us that authorized spending has a way of becoming actual spending before long.

We need a sensible concept of priorities, and I think that we have more urgent and pressing needs confronting us. For this reason, I must conclude that I cannot support the pending legislation at this time.

Mr. COHELAN. Mr. Chairman, I join with the other members of the California delegation in support of H.R. 3300, the Colorado River Basin Act.

The bill represents a finely balanced regional compromise over the division of existing but grossly inadequate water resources.

It is my hope, however, that every possible step will be taken to assure that a suitable alternative to the Hooker Dam, mentioned in the committee's bill, can be found.

Just 4 years ago, the Congress established the national wilderness preservation system "to secure for the American people of present and future generations the benefits of an enduring resource of wilderness."

The Gila Wilderness Area, which was the first wilderness established by the Forest Service in the United States in 1924, is already a part of the national wilderness preservation system established by that act. The Gila Primitive Area is subject to review for future inclusion in the system.

The Gila's gentle wilderness is extraordinarily beautiful. Significant parts of it would be destroyed if the Hooker Dam were built.

A majority of the committee recognized the need to find a suitable alternative to the Hooker Dam, and I note the strong separate views they filed on this matter in the committee's report on the bill.

I think our decision 4 years ago to establish a wilderness system was sound. I think every effort should be made to continue the preservation of these wilderness areas.

I support the bill today on the basis that a diligent effort will be made to save the Gila wilderness.

Mr. MONAGAN. Mr. Chairman, I oppose H.R. 3300.

Although I realize that this bill is now to some degree a pious declaration of intent, nevertheless, I believe that I should express my reservations.

I describe this legislation as I have because its complicated provisions radically limit possible expenditures in the next few years, especially when one contemplates the political and physical changes that may take place in that time.

It is my judgment, therefore, that even though we are not appropriating funds or even authorizing immediately expendable appropriations, we should not in this time when expenditures on programs of defense and social welfare are threatened give a go-ahead signal to projects of the magnitude and vagueness of those proposed in this bill which involve the ultimate expenditure of $1.28 billion.

Mr. SCHWENGEL. Mr. Chairman, as most of my colleagues are aware, I consider myself a conservationist in the truest sense of the word. I believe that our Nation can and should conserve our natural resources by the elimination of losses to the fullest practicable extent. I refer to all of our natural resources, but at this time I am addressing myself to the water resources. I note with satisfaction that H.R. 3300 provides for immediate and meaningful steps to conserve these water resources and further provides for investigation and implementation of further water conservation measures.

More specially the central Arizona

project is in itself a conservation measure because as the hydrologic figures of the Department of the Interior clearly indicate, in the absence of a central Arizona project, there will be periodic spills to the Gulf of California for many years in the future. Water flowing to the gulf is an irrecoverable loss. The existence of a ditch diverting from Lake Havasu would permit the capture and utilization of such spills to the extent of the capacity of the aqueduct.

Mr. Chairman, it is important to point out that section 3300 gives the Secretary authority to undertake programs for water salvage along and adjacent to the mainstream of the Colorado River and for ground-water recovery. Such programs must be consistent with the maintenance of a reasonable degree of undisturbed habitat for fish and wildlife, as determined by the Secretary. The water salvage program consists of ground-water recovery in the Yuma Arizona area and eradication and control of phreatophytes presently covering 42,000 acres of land near the Colorado River which consume thousands of acre-feet of water each year. It is estimated that the total salvage program, when combined with the channelization of the river which is now in progress will salvage approximately 680,000 acre-feet of water each year. Not all of these measures are dependent upon passage of H.R. 3300, but it is estimated that the water salvage measures expressly provided in H.R. 3300 will conserve 320,000 acre-feet annually in the Lower Colorado River Basin along the main stem of the river. As indicated on page 64 of the committee report on this bill, $42,450,000 for water salvage and recovery has been included in the cost estimates for the central Arizona project.

In addition to the direct salvage provisions of section 306, the bill requires in section 304(c) that each contract under which water is provided under the central Arizona project shall require that the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings adequate, in his judgment, to prevent excessive conveyance losses.

As indicated on page 64 of the committee report, a total of $30 million has been included in the cost of the central Arizona project for the construction of distribution and drainage systems. Section 309(b) authorizes appropriations of an additional $100,000 for construction of distribution and drainage facilities.

Within the central Arizona project area itself provision is made for the construction of four dams: Orme Dam, Buttes Dam, Charleston Dam, and Hooker Dam. In the case of Orme Dam and Buttes Dam, the flood runoff from the drainage area tributary to the Salt and Gila Rivers respectively below the last point of control on each stream will be impounded. Under present conditions, this flood runoff spills over the diversion dams and is largely wasted in the sands of the riverbeds below. In the case of Hooker and Charleston Dams, each will impound water near the headwaters of their respective streams and will thereby reduce the channel losses between the point of impoundment and the next downstream reservoir.

Perhaps the biggest potential for salvage contained within H.R. 3300 is the potential offered by the investigations and planning which would be carried forward pursuant to title II. As therein indicated, the Secretary of the Interior will, within the framework of the principles and standards established by the Water Resource Council, investigate and recommend sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin. The bill suggests that the Secretary consider desalination, weather modification, and other means. The current and anticipated water requirements cannot be supplied by any one means.

I rather think that the end result of the investigation by the Secretary will develop that there should be a combination of things done to provide the requisite water resource. While the act does not specifically mention watershed management, I feel that this holds a tremendous potential which becomes more apparent when it is recognized that in the State of Arizona alone approximately 80 million acre-feet of water falls as rain or snow but of this amount, only 2 million acre-feet is available for use. Here is a potential for conservation in its truest sense.

If we can develop methods to decrease the waters lost by transpiration and evaporation from nonbeneficial plants and land areas by 1 percent of the total precipitation on the State, we will have saved 800,000 acre-feet of water. Desalination is, of course, water conservation in its truest sense as is weather modification, both of which are clearly set forth in the bill.

Recharging of ground-water reservoirs through the control of localized surface runoffs and injection of such water into the ground water is a conservation measure which is being extensively investigated in Arizona and will no doubt be another of the many potentials which the Secretary will look into in pursuance of the instructions set forth in H.R. 3300.

This is not to say that these are the only potentials, for we know there are others. I think that we must recognize that the water problems of the Colorado River Basin must and will be solved and that we must take a giant step in that direction by the passage of H.R. 3300. These are powerful arguments for this bill and justify its favorable consideration.

Mr. Chairman, while I feel the foregoing arguments justify support on my part, there are several other matters that need consideration as I seek to represent the people of the First District of Iowa. First, I would like to point out that I recognize there are water problems in the Southwest which do need our sympathetic consideration and fortunately this bill seeks to solve this critical water problem. Another important point, until now two important States were fighting over water rights and now they have come to some agreements that will satisfy them before they solve the other problems.

Mr. Chairman, this bill, H.R. 3300, interests me for a number of reasons and it does several things that promote the interests of conservation. There are water problems in the Southwest which do need attention and this bill seeks to solve them.

But before giving my support to the legislation I want to be sure of several important aspects of the problem.

First of all I want to know if approved, what will be the effect of H.R. 3300 on the budget in the immediate future? And will the central Arizona project put more farmland into crop production with the farmers of Iowa.

The bill as we all know does not appropriate any funds for construction. It merely authorizes various projects of the entire program at this time. This means that when budgetary conditions normalize and when it will become necessary to adjust from a wartime to peacetime economy, construction on these projects can get underway and then funds for construction will be spread out over 10 years when it will become possible to begin building.

One other reassuring feature of H.R. 3300 is that the Secretary of the Interior is directed to require that lands be irrigated must have a recent history of irrigation. The legislation will not expand farm acreage. This no-farm expansion provision makes good sense to me and to the farmers of Iowa.

Some day we may need more farm crops, but at the present time we have plenty and the central Arizona project is not going to increase present day surplus problems when it is built.

Some may say why action now? This is simple. Agreement has finally been reached by the parties most directly concerned. The road leading to this agreement has been long and hard. State and local officials, residents of the area and conservationists have reached an accord. As one who is vitally interested in conservation, I was particularly concerned about the implications of this bill for this area. I am pleased that most of the objections conservationists voiced in regard to this legislation have been substantially overcome.

With this assurance and other assurances we have from others, I feel this legislation is in good shape and I propose to vote for it.

Mr. SAYLOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, yesterday during general debate I announced that I would offer a substitute amendment. In view of the fact that the chairman of the full committee and the Committee of the Whole House on the State of the Union adopted the first amendment which I offered, which would delay to a future time and a future Congress the provisions of section 202 of the bill on the Mexican Water Treaty, until a report has been made by the Secretary of the Interior that an augmentation plan to import 2½ million acre-feet of water is feasible, and is then authorized by the Congress. I will not offer my substitute amendment.

Mr. JOHNSON of California. Mr.

Chairman, I move to strike the last word.

Mr. Chairman, I take this time to commend the chairman of our full committee, the gentleman from Colorado [Mr. ASPINALL], for the way in which he has handled this particular matter ever since I have been in the Congress, especially during the present session of the 90th Congress. I also want to commend the ranking minority members both of the full committee and the subcommittee for their work in connection with bringing this matter to the floor of the House and the courteous way in which we have all been treated while this matter has been under debate and now during the reading of the bill.

I think this is a very important piece of legislation to all of the basin States. I hope the Congress, when we get back into the House, will adopt this, because we can then say that the Colorado River Basin bill has been adopted by the House of Representatives.

Mr. McCLURE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to explain what I intend to do when we return to the House in the way of a motion to recommit. This motion will contain three items directed to two specific points within the bill. One is the question which has been discussed repeatedly during the debate; that is, the difference between a feasibility study and a reconnaissance report. It is our strong feeling that the reconnaissance report is all that should be directed at this time in conformance with the established procedures that have been followed by the committee in recent years and by this House in recent years and recommended by the Bureau of the Budget in the last 2 or 3 years.

The second point goes to the assumption of the Mexican Water Treaty as a national obligation and the implementation of this treaty by providing in section 401 of the bill that the repayment of the construction of works to replace that water would be a nonreimbursable expense.

These two items would fully transfer to the shoulders of the taxpayers of this country the entire burden of replacing in the Colorado River Basin the 1.5 million acre-feet and, under the language of the bill, perhaps as much as 2.5 million acre-feet of water, at the expense of the taxpayers rather than the people who are being benefited by it; that is, the people in the States affected by the Colorado River Basin.

These two amendments are contained in my motion to recommit. I think these are vital to the perfection of this bill, and I think they are sound for the national interest and certainly fair to both basins—of the Colorado River and also the areas represented by my colleagues and myself in the Pacific Northwest.

Mr. HOSMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to discuss the motion to recommit in the framework of the announcement just made by the gentleman from Pennsylvania who stated that his amendment which has been accepted and which puts up to a future Congress at such time as augmentation works may be authorized, or considered for authorization, the decision of where this treaty burden should go; certainly the motion to recommit to be offered by the gentleman is not timely and is not applicable.

Therefore, Mr. Chairman, I strongly urge that the House vote it down.

Mrs. MAY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise at this time to say I will support the recommittal motion as suggested by my distinguished colleague from Idaho.

As I pointed out yesterday during the general debate on H.R. 3300, title II is completely unnecessary to the authorization or construction, or success of the central Arizona project.

There is no justifiable reason why the Congress should, in this bill, agree to give up the sound practice of taking a look at the reconnaissance survey before authorizing a feasibility study on any project, especially one which would lead to construction of facilities to import to the Southwest millions of acre-feet of water from the major river basins of other regions of the Nation. At this point, no one knows where the water would come from, what the cost would be, or whether such facilities would be necessary. There is no demonstrated urgency, or any justifiable reason why we should direct the Secretary of the Interior to undertake immediate reconnaissance and feasibility studies, contrary to established procedures and law. We should first have an opportunity to know what we are being asked to buy.

Mr. FOLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not going to delay or extend this debate. I take this time for the purpose of asking some questions of the distinguished chairman of the full Committee on Interior and Insular Affairs for the purpose of making legislative history. However, before I do that, I wish to very briefly state my continuing concern and opposition to that section of this bill which provides for the assumption of the Mexican Water Treaty burden as a national obligation. I also object vigorously to section 401 which would make any future expenditures for construction to satisfy this obligation of 1.5 million acre-feet of water nonreimbursable.

And, Mr. Chairman, I also wish to repeat my opposition to section 201(c). I associate myself fully with the comments of the gentlewoman from Washington [Mrs. MAY].

The distinguished chairman of the Committee on Interior and Insular Affairs has assured the House that, although the bill authorizes a feasibility study, he will bring the results of a preliminary reconnaissance study to the House before the feasibility study is undertaken. That is a generous offer on his part; however, it does not remove my serious reservation concerning the policy of authorizing a feasibility study where we have not had an opportunity to judge or examine the reconnaissance report ahead of time.

The amendment of the gentleman from Pennsylvania [Mr. SAYLOR] may be of great importance, but I must confess that I am uncertain as to its meaning.

I would now like to ask the distinguished chairman of the Committee on Interior and Insular Affairs one or two questions for the purpose of making legislative history with reference to this amendment.

Mr. Chairman, the amendment to section 202, offered by the gentleman from Pennsylvania [Mr. SAYLOR] and adopted by the Committee of the Whole, would have the effect of delaying the operation of any declaration of the Mexican Water Treaty as a national obligation unless and until Congress subsequently authorizes a plan to augment the Colorado River by 2.5 million acre-feet; is that correct?

Mr. ASPINALL. Mr. Chairman, if the gentleman will yield, that is correct.

Mr. FOLEY. Is it also true that the adoption of this amendment would preclude the operation of section 401, which provides that any costs of construction or other costs associated with the assumption of the Mexican Water Treaty shall be nonreimbursable—would this section be inoperative unless Congress subsequently authorizes an augmentation plan of 2.5 million acre-feet?

Mr. ASPINALL. May I answer my colleague from Washington in this manner, by saying that I do not see wherein he arrives at his statement.

Section 401 has nothing particularly to do with section 202, or any provision of section 202. Section 401 simply states that if, later on, there is an authorization to augment the flow of the river, then the augmentation will take place.

In addition, the provisions of section 401 indicate that part which is chargeable to the Mexican Water Treaty will be nonreimbursable, and that part which is chargeable to the users, be they irrigation, municipal or other users, will be chargeable to those users, and this must be taken into consideration in figuring the feasibility of what is proposed, as far as the augmentation of the river is concerned.

Mr. FOLEY. And that consideration of feasibility will be a judgment which will have to be made by a later Congress in its wisdom?

Mr. ASPINALL. That is correct. All these weeks and months, that is what we have been trying to arrive at, so that we would stay with the procedures that we have followed for years as far as reclamation projects are concerned, and there will be no jumping from one to the other of the studies in any order out of the right constructive approach now provided.

Mr. FOLEY. I thank the distinguished gentleman.

Mr. ASPINALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to advise my colleagues once again that this piece of legislation has been studied carefully. It is an intricate piece of legislation. One provision, one section depends upon the other. Accordingly, Mr. Chairman, I will have to resist—and I ask my colleagues to vote against the motion to recommit because without these sec-

tions there is no guarantee for peace along the river, and that is what we are trying to get more than anything else, as far as this legislation is concerned. And we have so tailored this legislation now, even to a greater extent by the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR], we have so tailored it, that there can be no logical attempt in my opinion to frustrate or to hurt or to endanger the rights of the great Northwest.

Mr. DELLENBACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not prolong the debate very long, but I want to express on behalf of the people of my State of Oregon our deep concern. We touched on this in general debate yesterday. We understand that the feasibility study called for by this bill will embrace much more than just the possibility of obtaining water for the Southwest through diversion. We are also well aware of the fact that, prior to the time that there has been any determination whether there is really any excess of water in our section of the Nation, there will be a skewing by the way this bill deals with the Mexican Water Treaty, in the direction of feasibility for diversion versus any other possible method of obtaining water. We object as strongly as possible to the setting up of the feasibility study in this bill before the reconnaissance study has been completed, and at the same time we object to the features of this bill determining to a significant degree in advance the conclusions the feasibility study is apt to reach.

There is an unfortunate impression that seems to be present in debate on this bill today, as was true yesterday, that this is merely a quarrel between the Southwest and the Northwest sections of the Nation. In truth, this matter goes far beyond this. This is a matter of concern to the Middle West, it is a matter of concern to the Northeast, and it is a matter of concern to the Southeast, because the ultimate burden of the dollars to be paid out from the Federal Treasury, if they be determined to be nonreimbursable, will not fall upon the Pacific Northwest in disproportionate share. The burden of financing this whole project will fall upon the Northeast, it will fall upon the Middle West, and it will fall upon the other sections of this Nation in direct proportion to the amount of Federal taxes paid by the citizens in those sections of the Nation.

So, Mr. Chairman, in truth this is not just a quarrel between the river basins of the Northwest and the river basins of the Southwest; this goes far beyond that. We object very strongly to this matter of the entire predetermination relative to the nonreimbursable national obligation, so far as the Mexican Water Treaty is concerned.

We urge our colleagues to support this motion to recommit, and after having made the particular changes that the motion to recommit calls for, then to go ahead and approve the central Arizona project.

Mr. BURTON of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to associate myself with the remarks of our distinguished chairman, the gentleman from Colorado [Mr. ASPINALL] in opposition to the motion to recommit, and in support of the legislation before us.

Our subcommittee and the full committee has labored long and arduously for a number of years in the development of this legislation. This legislation represents a delicate balancing of the interests of the various basin States and the proposed motion to recommit would do serious damage to that balance.

This legislation represents not only an investment in the West but an investment in the entire Nation.

Mr. Chairman, I would urge my colleagues to vote down the motion to recommit and pass the bill as it now stands.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. BURTON of California. I yield to the gentleman.

Mr. RHODES of Arizona. Mr. Chairman, I wish to thank the Members of the Committee for the consideration they have given to this bill which is the fruition of 15 years of work in the Congress so far as I am concerned.

I want to say to my good friend from the Pacific Northwest that there is no intent on the part of anyone to take anything that belongs to you. The bill does not do that. There is ample safeguard in the bill to meet the needs of everybody concerned.

I hope the motion to recommit will not be adopted and that the bill will be passed in the form in which it now is.

The CHAIRMAN. The question is on the committee substitute amendment, as amended.

The committee substitute amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the bill (H.R. 3300) to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes, pursuant to House Resolution 1162, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

For what purpose does the gentleman from Louisiana [Mr. WAGGONNER] rise?

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 142]

Baring	Gurney	Moore
Bell	Hagan	Morse, Mass.
Broomfield	Hall	Olsen
Cabell	Halleck	O'Neill, Mass.
Carter	Hanley	Passman
Clark	Hansen, Wash.	Purcell
Collier	Hardy	Resnick
Colmer	Hawkins	Rivers
Conyers	Hébert	Rosenthal
Cowger	Holland	Scheuer
Culver	Howard	Selden
Dawson	Irwin	Stubblefield
Derwinski	Kelly	Taft
Downing	King, N.Y.	Teague, Tex.
Esch	Kuykendall	Tenzer
Fraser	Long, La.	Thompson, Ga.
Frelinghuysen	McMillan	Tuck
Gettys	Mailliard	Wilson,
Griffin	Martin	Charles H.
Gross	Matsunaga	Young

The SPEAKER. On this rollcall 374 Members have answered to their names, a quorum.

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

COLORADO RIVER BASIN PROJECT

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

Is a separate vote demanded on any amendment to the committee substitute amendment adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. McCLURE. I am, Mr. Speaker, in its present form.

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

The Clerk read as follows:

Mr. McCLURE moves to recommit the bill, H.R. 3300, to the Committee on Interior and Insular Affairs with instructions to:

(1) On page 52, line 12, delete the word "feasibility" and insert in lieu thereof the word "reconnaissance"; and

(2) On page 52, line 25, strike out the words "constitutes a national obligation which"; and

(3) On page 72, line 4, after the period, strike out the following sentence: "Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of the Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable."

Mr. ASPINALL. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

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

Mr. PELLY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The motion to recommit was rejected.

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

Mr. FOLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1162, the Committee on Interior and Insular Affairs is discharged from the further consideration of the bill S. 1004.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. ASPINALL: Strike out all after the enacting clause of the bill S. 1004 and insert in lieu thereof the text of H.R. 3300, as passed, as follows:

"TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

"SEC. 101. That this Act may be cited as the 'Colorado River Basin Project Act'.

"SEC. 102. (a) It is the object of this Act to provide a program for the further comprehensive development of the water resources of the Colorado River Basin and for the provision of additional and adequate water supplies for use in the upper as well as in the lower Colorado River Basin. This program is declared to be for the purposes, among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of lands, including supplemental water supplies, and for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife, and the generation and sale of electrical power as an incident of the foregoing purposes.

"(b) It is the policy of the Congress that the Secretary of the Interior (hereinafter referred to as the 'Secretary' shall continue to develop, after consultation with affected States and appropriate Federal agencies, a regional water plan, consistent with the provisions of this Act and with future authorizations, to serve as the framework under which projects in the Colorado River Basin may be coordinated and constructed with proper timing to the end that an adequate supply of water may be made available for such projects, whether heretofore, herein, or hereafter authorized.

"TITLE II—INVESTIGATIONS AND PLANNING

"SEC. 201. (a) The Water Resources Council, acting in accordance with the procedure prescribed in section 103 of the Water Resources Planning Act (79 Stat. 244), shall within one year following the effective date of this Act establish principles, standards, and procedures for the program of investigations and submittal of plans and reports authorized by this title. The Secretary, in conformity with the principles, standards, and procedures so established, is authorized and directed to—

"(1) prepare estimates of the long-range water supply available for consumptive use in the Colorado River Basin, of current water requirements therein, and of the rate of growth of water requirements therein to at least the year 2030;

"(2) investigate and recommend sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, either directly or by exchange, including reductions in losses, importations from sources outside the natural drainage basin of the Colorado River system, desalination, weather modification, and other means: *Provided*, That the Secretary shall not, under the authority of this clause or anything in this Act contained, make any recommendation for importing water into the Colorado River system from other river basins without the approval of those States which will be affected by such exportation, said approval to be obtained in a manner consistent with the procedure and criteria established by section 1 of the Flood Control Act of 1944 (58 Stat. 887);

"(3) undertake investigations, in cooperation with other concerned agencies, of means for maintaining an adequate water quality throughout the Colorado River Basin;

"(4) investigate means of providing for prudent water conservation practices to permit maximum beneficial utilization of available water supplies in the Colorado River Basin;

"(5) investigate and prepare estimates of the long-range water supply in States and areas from which water could be imported into the Colorado River system, together with estimates and plans to satisfy the probable ultimate requirements for water within such States and areas of origin for all purposes, including but not limited to consumptive use, navigation, river regulation, power, enhancement of fishery resources, pollution control, and disposal of wastes to the ocean, and estimates of the quantities of water, if any, that will be available in excess of such requirements.

"(b) The Secretary is authorized and directed to prepare reconnaissance reports covering the matters set out in subsection (a) of this section, and such reports shall be submitted to the President and to the Congress not later than June 30, 1973, and, as revised and updated, every five years thereafter. For the purpose of providing for the repayment of the reimbursable costs of any projects covered by such reports, the Secretary shall take into account such assistance as may be available to the States of the Upper Division from the Upper Colorado from the Upper Colorado River Basin Fund (70 Stat. 107), and to the States of the Lower Division from the development fund established by section 403 of this Act.

"(c) On the basis of the investigations and studies performed pursuant to this section, and subject to the provisions of subsection (a) (2) and section 203 hereof, the Secretary shall prepare a feasibility report on a plan which shows the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet annually. The recommended plan may include the construction of works and facilities by such successive stages as are estimated to be necessary to alleviate critical water shortages as they occur. The report prepared pursuant to this subsection, along with comments of the affected States and appropriate Federal agencies thereon, shall be submitted to the Congress on or before January 1, 1975.

"SEC. 202. The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty from the Colorado River constitutes a national obligation which shall be the first obligation of any water augmentation project planned pursuant to section 201 of this Act and authorized by the Congress. Accordingly, the States of the Upper Division (Colorado, New Mexico, Utah, and Wyoming) and the States of the Lower Division (Arizona, California, and Nevada) shall be relieved from all obligations which may have been imposed upon them by article III(c) of the Colorado River Compact so long as the Secretary shall determine and proclaim that means are available and in operation which augment the water supply of the Colorado River system in such quantity as to satisfy the requirements of the Mexican Water Treaty together with any losses of water associated with the performance of that treaty: *Provided*, That the satisfaction of the requirements of the Mexican Water Treaty (Treaty Series 994, 59 Stat. 1219), shall be from the waters of the Colorado River pursuant to the treaties, laws, and compacts presently relating thereto, until such time as a feasibility plan showing the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet shall be authorized by the Congress.

"SEC. 203. (a) In the event that the Secretary shall, pursuant to section 201(a)(2) and 201(c), plan works to import water into the Colorado River system from sources outside the natural drainage areas of the system, he shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including assistance from funds specified in section 201(b) of this Act, to the end that water supplies may be available for use in such States and areas of origin adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system.

"(b) All requirements, present or future, for water within any State lying wholly or in part within the drainage area of any river basin from which water is exported by works planned pursuant to this Act shall have a priority of right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of the water delivered by means of such exportation works, unless otherwise provided by interstate agreement.

"SEC. 204. The Secretary shall submit annually to the President and the Congress reports covering progress on the investigations and reports authorized by this title.

"SEC. 205. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this title.

"TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

"SEC. 301. (a) For the purposes of furnishing irrigation water and municipal water supplies to the water-deficient areas of Arizona and western New Mexico through direct diversion or exchange of water, control of floods, conservation and development of fish and wildlife resources, enhancement of recreation opportunities, and for other purposes, the Secretary shall construct, operate, and maintain the Central Arizona Project, consisting of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of not to exceed two thousand five hundred cubic feet per second; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as not to prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59); (4) Hooker Dam and Reservoir or suitable alternative, which shall be constructed in such a manner as to give effect to the provisions of subsection (f) of section 304; (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) related canals, regulating facilities, hydroelectric powerplants, and electrical transmission facilities required for the operation of said principal works; (9) related water distribution and drainage works; and (10) appurtenant works.

"(b) Article II(B)(3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which,

as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the Central Arizona Project shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed, and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of mainstream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this subsection 301(b). This subsection shall not affect the relative priorities, among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the Central Arizona Project, or amend any provisions of said decree.

"(c) The limitation stated in subsection (b) of this section shall not apply so long as the Secretary shall determine and proclaim that means are available and in operation which augment the water supply of the Colorado River system in such quantity as to make sufficient mainstream water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada.

"SEC. 302. (a) The Secretary shall designate the lands of the Salt River Pima-Maricopa Indian Community, Arizona, and the Fort McDowell-Apache Indian Community, Arizona, or interests therein, and any allotted lands or interests therein within said communities which he determines are necessary for use and occupancy by the United States for the construction, operation, and maintenance of Orme Dam and Reservoir, or alternative. The Secretary shall offer to pay the fair market value of the lands and interests designated, inclusive of improvements. In addition, the Secretary shall offer to pay toward the cost of relocating or replacing such improvements not to exceed $500,000 in the aggregate, and the amount offered for the actual relocation or replacement of a residence shall not exceed the difference between the fair market value of the residence and $8,000. Each community and each affected allottee shall have six months in which to accept or reject the Secretary's offer. If the Secretary's offer is rejected, the United States may proceed to acquire the property interests involved through eminent domain proceedings in the United States District Court for the District of Arizona under 40 U.S.C., sections 257 and 258a. Upon acceptance in writing of the Secretary's offer, or upon the filing of a declaration of taking in eminent domain proceedings, title to the lands or interests involved, and the right to possession thereof, shall vest in the United States. Upon a determination by the Secretary that all or any part of such lands or interests are no longer necessary for the purpose for which acquired, title to such lands or interests shall be restored to the appropriate community.

"(b) Title to any land or easement acquired pursuant to this section shall be subject to the right of the former owner to use or lease the land for purposes not inconsistent with the construction, operation, and maintenance of the project, as determined by, and under terms and conditions prescribed by, the Secretary. Such right shall include the right to extract and dispose of minerals. The determination of fair market value under subsection (a) shall reflect the right to extract and dispose of minerals but not the other uses permitted by this subsection.

"(c) In view of the fact that a substantial portion of the lands of the Fort McDowell Mohave-Apache Indian Community will be required for Orme Dam and Reservoir, or alternative, the Secretary shall, in addition to the compensation provided for in subsection (a) of this section, designate and add to the Fort McDowell Indian Reservation twenty-five hundred acres of suitable lands in the vicinity of the reservation that are under the jurisdiction of the Department of the Interior in township 4 north, range 7 east; township 5 north, range 7 east; and township 3 north, range 7 east, Gila and Salt River base meridian, Arizona. Title to lands so added to the reservation shall be held by the United States in trust for the Fort McDowell Mohave-Apache Indian Community.

"(d) Each community shall have a right, in accordance with plans approved by the Secretary, to develop and operate recreational facilities along the part of the shoreline of the Orme Reservoir located on or adjacent to its reservation, including land added to the Fort McDowell Reservation as provided in subsection (b) of this section, subject to rules and regulations prescribed by the Secretary governing the recreation development of the reservoir. Recreation development of the entire reservoir and federally owned lands under the jurisdiction of the Secretary adjacent thereto shall be in accordance with a master recreation plan approved by the Secretary. Each community and the members thereof shall have non-exclusive personal rights to hunt and fish on the reservoir, to the same extent they are now authorized to hunt and fish, without charge, but shall have no right to exclude others from the reservoir except by control of access through their reservations, or any right to require payments by the public except for the use of community lands or facilities.

"(e) All funds paid pursuant to this section, and any per capita distribution thereof, shall be exempt from all forms of State and Federal income taxes.

"SEC. 303. (a) The Secretary is authorized and directed to continue to a conclusion appropriate engineering and economic studies and to recommend the most feasible plan for the construction and operation of hydroelectric generating and transmission facilities, the purchase of electrical energy, the purchase of entitlement to electrical plant capacity, or any combination thereof including participation, operation, or construction by non-Federal entities, for the purpose of supplying the power requirements of the Central Arizona Project and augmenting the Lower Colorado River Basin Fund: *Provided*, That nothing in this section or in this Act contained shall be construed to authorize the study or construction of any dams on the main stream of the Colorado River between Hoover Dam and Glen Canyon Dam.

"(b) If included as a part of the recommended plan, the Secretary may enter into an agreement with non-Federal interests proposing to construct a thermal generating powerplant whereby the United States shall acquire the right to such portion of the capacity of such plant, including delivery of power and energy over appurtenant transmission facilities to mutually agreed upon delivery points, as he determines is required in connection with the operation of the Central Arizona Project. When not required for the Central Arizona Project, the power and energy acquired by such agreement may be disposed of intermittently by the Secretary for other purposes at such prices as he may determine, including its marketing in conjunction with the sale of power and energy from Federal powerplants in the Colorado River system so as to produce the greatest practical amount of power and energy that can be sold at firm power and energy rates. The agreement shall provide, among other things, that—

"(1) the United States shall pay not more than that portion of the total construction cost, exclusive of interest during construction, of the powerplant, and of any switchyards and transmission facilities serving the United States, as is represented by the ratios of the respective capacities to be provided for the United States therein to the total capacities of such facilities. The Secretary shall make the Federal portion of such costs available to the non-Federal interests during the construction period, including the period of preparation of designs and specifications, in such installments as will facilitate a timely construction schedule, but no funds other than for preconstruction activities shall be made available by the Secretary until he determines that adequate contracts have been entered into between all the affected parties covering land, water, fuel supplies, power (its availability and use), rights-of-way, transmission facilities and all other necessary matters for the thermal generating powerplant;

"(2) annual operation and maintenance costs, including provisions for depreciation (except as to depreciation on the pro rata share of the construction cost borne by the United States in accordance with the foregoing clause (1)), shall be apportioned between the United States and the non-Federal interests on an equitable basis taking into account the ratios determined in accordance with the foregoing clause (1);

"(3) the United States shall be given appropriate credit for any interests in Federal lands administered by the Department of the Interior that are made available for the powerplant and appurtenances;

"(4) costs to be borne by the United States under clauses (1) and (2) shall not include (a) interest and interest during construction, (b) financing charges, (c) franchise fees, and (d) such other costs as shall be specified in the agreement.

"(c) No later than one year from the effective date of this Act, the Secretary shall submit his recommended plan to the Congress. Except as authorized by subsection (b) of this section, such plan shall not become effective until approved by the Congress.

"(d) If the thermal generating plant referred to in subsection (b) of this section is located in Arizona, and if it is served by water diverted from the drainage area of the Colorado River system above Lee Ferry, other provisions of existing law to the contrary notwithstanding, such consumptive use of water shall be a part of the fifty thousand acre-feet per annum apportioned to the State of Arizona by article III(a) of the Upper Colorado River Basin Compact (63 Stat. 31).

"SEC. 304. (a) Unless and until otherwise provided by Congress, water from the Central Arizona Project shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges and, with the approval of the Secretary, State-administered wildlife management areas.

"(b) (1) Irrigation and municipal and industrial water supply under the Central Arizona Project within the State of Arizona may, in the event the Secretary determines that it is necessary to effect repayment, be pursuant to master contracts with organizations which have power to levy assessments against all taxable real property within their boundaries. The terms and conditions of contracts or other arrangements whereby each such organization makes water from the Central Arizona Project available to users within its boundaries shall be subject to the Secretary's approval, and the United States shall, if the Secretary determines such action is desirable to facilitate carrying out the provisions of this Act, have the right to require that it be a party to such contracts or that contracts subsidiary to the master contracts be entered into between the United States and any user. The provisions of this clause (1) shall not apply to the supplying of water to an Indian tribe for use within the boundaries of an Indian reservation.

"(2) Any obligation assumed pursuant to section 9(d) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(d)) with respect to any project contract unit or irrigation block shall be repaid over a basic period of not more than fifty years; any water service provided pursuant to section 9(e) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(e)) may be on the basis of delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shall provide that water made available thereunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

"(3) Contracts relating to municipal and industrial water supply under the Central Arizona Project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); may provide for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

"(c) Each contract under which water is provided under the Central Arizona Project shall require that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation from aquifers affected by irrigation in the contract service area; (2) the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings adequate in his judgment to prevent excessive conveyance losses; and (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from within the exterior boundaries of the service area of a contractor receiving water from the Central Arizona Project for any use outside said contractor's service area unless the Secretary and such contractor shall agree, or shall have previously agreed, that a surplus of ground water exists and that drainage is or was required. Such contracts shall be subordinate at all times to the satisfaction of all existing contracts between the Secretary and users in Arizona heretofore made pursuant to the Boulder Canyon Project Act (45 Stat. 1057).

"(d) The Secretary may require in any contract under which water is provided from the Central Arizona Project that the Contractor agree to accept mainstream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in the case of users in Arizona who also use water from the Gila River system to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsection (f) of this section: Provided, That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

"(e) In times of shortage or reduction of mainstream Colorado River water for the Central Arizona Project, as determined by the Secretary, users which have yielded water from other sources in exchange for main stream water supplied by that project shall have a first priority to receive mainstream water, as against other users supplied by that project which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

"(f)(1) In the operation of the Central Arizona Project, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources in amounts that will permit consumptive uses of water in New Mexico of not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until, and shall continue only so long as, delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this Act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

"(2) The Secretary shall further offer to contract with water users in New Mexico for water from the Gila River, its tributaries, and underground water sources in amounts that will permit consumptive uses of water in New Mexico of not to exceed an annual average in any period of ten consecutive years of an additional thirty thousand acre-feet, including reservoir evaporation. Such further increases in consumptive use shall not begin until, and shall continue only so long as, works capable of augmenting the water supply of the Colorado River system have been completed and water sufficiently in excess of two million eight hundred thousand acre-feet per annum is available from the main stream of the Colorado River for consumptive use in Arizona to provide water for the exchanges herein authorized and provided. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

"(3) All additional consumptive uses provided for in clauses (1) and (2) of this subsection shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries, and underground water sources and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

"SEC. 305. To the extent that the flow of the main stream of the Colorado River is augmented in order to make sufficient water available for release, as determined by the Secretary pursuant to article II(b)(1) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340), to satisfy annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada, respectively, the Secretary shall make such water available to users of main-stream water in these States at the same costs (to the extent that such costs can be made comparable through the nonreimbursable allocation to the replenishment of the deficiencies occasioned by satisfaction of the Mexican Treaty burden as herein provided and financial assistance from the development fund established by section 403 of this Act) and on the same terms as would be applicable if main-stream water were available for release in the quantities required to supply such consumptive use.

"SEC. 306. The Secretary shall undertake programs for water salvage and ground water recovery along and adjacent to the main stream of the Colorado River. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

"SEC. 307. The Dixie Project, heretofore authorized in the State of Utah, is hereby reauthorized for construction at the site determined feasible by the Secretary, and the Secretary shall integrate such project into the repayment arrangement and participation in the Lower Colorado River Basin Development Fund established by title IV of this Act consistent with the provisions of the Act: *Provided*, That section 8 of Public Law 88-565 (78 Stat. 848) is hereby amended by deleting the figure '$42,700,000' and inserting in lieu thereof the figure '$58,000,000'.

"SEC. 308. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the project works authorized pursuant to this title shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213), except as provided in section 302 of this Act.

"SEC. 309. (a) There is hereby authorized to be appropriated for construction of the Central Arizona Project, including prepayment for power generation and transmission facilities but exclusive of distribution and drainage facilities for non-Indian lands, $779,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved here and, in addition thereto, such sums as may be required for operation and maintenance of the project.

"(b) There is also authorized to be appropriated $100,000,000 for construction of distribution and drainage facilities for non-Indian lands. Notwithstanding the provisions of section 403 of this Act, neither appropriations made pursuant to the authorization contained in this subsection (b) nor revenues collected in connection with the operation of such facilities shall be credited to the Lower Colorado River Basin Development Fund and payments shall not be made from that fund to the general fund of the Treasury to return any part of the costs of construction, operation, and maintenance of such facilities.

"TITLE IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND: ALLOCATION AND REPAYMENT OF COSTS: CONTRACTS

"SEC. 401. Upon completion of each lower basin unit of the project herein or hereafter authorized, or separate feature thereof, the Secretary shall allocate the total costs of constructing said unit or features to (1) commercial power, (2) irrigation, (3) municipal and industrial water supply, (4) flood control, (5) navigation, (6) water quality control, (7) recreation, (8) fish and wildlife, (9) the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), and (10) any other purposes authorized under the Federal reclamation laws. Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable. The repayment of costs allocated to recreation and fish and wildlife enhancement shall be in accordance with the provisions of the Federal Water

Project Recreation Act (79 Stat. 213): *Provided,* That all of the separable and joint costs allocated to recreation and fish and wildlife enhancement as a part of the Dixie project, Utah, shall be nonreimbursable. Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act.

"SEC. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water use) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs that are beyond repayment capability of such lands shall be nonreimbursable.

"SEC. 403. (a) There is hereby established a separate fund in the Treasury of the United States to be known as the Lower Colorado River Basin Development Fund (hereinafter called the 'development fund'), which shall remain available until expended as hereinafter provided.

"(b) All appropriations made for the purpose of carrying out the provisions of title III of this Act shall be credited to the development fund as advances from the general fund of the Treasury, and shall be available for such purposes.

"(c) There shall also be credited to the development fund—

"(1) All revenues collected in connection with the operation of facilities authorized in title III in furtherance of the purposes of this Act (except entrance, admission, and other recreation fees or charges and proceeds received from recreation concessionaries), including revenues which, after completion of payout of the Central Arizona Project as required herein are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of said project; and

"(2) any Federal revenues from the Boulder Canyon and Parker-Davis projects which, after completion of repayment requirements of the said Boulder Canyon and Parker-Davis projects, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of those projects: *Provided, however,* That the Secretary is authorized and directed to continue the in-lieu-of-tax payments to the States of Arizona and Nevada provided for in section 2(c) of the Boulder Canyon Project Adjustment Act so long as revenues accrue from the operation of the Boulder Canyon project; and

"(3) any Federal revenues from that portion of the Pacific Northwest-Pacific Southwest intertie located in the States of Nevada and Arizona which, after completion of repayment requirements of the said part of the Pacific Northwest-Pacific Southwest intertie located in the States of Nevada and Arizona, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of said portion of the Pacific Northwest-Pacific Southwest intertie and related facilities.

"(d) All moneys collected and credited to the development fund pursuant to subsection (b) and clauses (1) and (3) of subsection (c) of this section and the portion of revenues derived from the sale of power and energy for use in Arizona pursuant to clause (2) of subsection (c) of this section shall be available, without further appropriation for—

"(1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the projects, within such separate limitations as may be included in annual appropriation Acts; and

"(2) payments to reimburse water users in the State of Arizona for losses sustained as a result of diminution of the production of hydroelectric power at Coolidge Dam, Arizona, resulting from exchanges of water between users in the States of Arizona and New Mexico as set forth in section 304(f) of this Act.

"(e) Revenues credited to the development fund shall not be available for construction of the works comprised within any unit of the project herein or hereafter authorized except upon appropriation by the Congress.

"(f) Moneys credited to the development fund pursuant to subsection (b) and clauses (1) and (3) of subsection (c) of this section and the portion of revenues derived from the sale of power and energy for use in Arizona pursuant to clause (2) of subsection (c) of this section in excess of the amount necessary to meet the requirements of clauses (1), and (2) of subsection (d) of this section shall be paid annually to the general fund of the Treasury to return—

"(1) the costs of each unit of the projects or separable feature thereof authorized pursuant to title III of this Act, which are allocated to irrigation, commercial power, or municipal and industrial water supply, pursuant to this Act within a period not exceeding fifty years from the date of completion of each such unit or separable feature, exclusive of any development period authorized by law: *Provided,* That return of the cost, if any, required by section 307 shall not be made until after the payout period of the Central Arizona Project as authorized herein;

"(2) interest (including interest during construction) on the unamortized balance of the investment in the commercial power and municipal and industrial water supply features of the project at a rate determined by the Secretary of the Treasury in accordance with the provisions of subsection (h) of this section, and interest due shall be a first charge.

"(g) All revenues credited to the development fund in accordance with clause (c)(2) of this section (excluding only those revenues derived from the sale of power and energy for use in Arizona during the payout period of the Central Arizona Project as authorized herein) and such other revenues as remain in the development fund after making the payments required by subsections (d) and (f) of this section shall be available (1) to make payments, if any, as required by sections 307 and 502 of this Act, and (2), upon appropriation by the Congress, to assist in the repayment of reimbursable costs incurred in connection with units hereafter constructed to provide for the augmentation of the water supplies of the Colorado River for use below Lee Ferry as may be authorized as a result of the investigations and recommendations made pursuant to clause 201(a)(2) and subsection 203 (a) of this Act.

"(h) The interest rate applicable to those portions of the reimbursable costs of each unit of the project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such unit, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from the date of issue.

"(i) Business-type budgets shall be submitted to the Congress annually for all operations financed by the development fund.

"SEC. 404. On January 1 of each year the Secretary shall report to the Congress, beginning with the fiscal year ending June 30, 1969, upon the status of the revenues from and the cost of constructing, operating, and maintaining each lower basin unit of the project for the preceding fiscal year. The report of the Secretary shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment.

"TITLE V—UPPER COLORADO RIVER BASIN AUTHORIZATION AND REIMBURSEMENTS

"SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel Federal reclamation projects, Colorado; and the Central Utah project (Uintah unit), Utah, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, clause (2) of section 1 of said Act is hereby further amended by (i) inserting the words 'and the Uintah unit' after the word 'phase' within the parentheses following 'Central Utah', (ii) deleting the words 'Pine River Extension' and inserting in lieu thereof the words 'Animas-La Plata, Dolores, Dallas Creek, West Divide, San Miguel', (iii) adding after the words 'Smith Fork:' the proviso *'Provided,* That consideration of the Uintah unit of the Central Utah project shall not be undertaken by the Secretary until he has completed a feasibility report on such unit and submitted such report to the Congress along with his certification that, in his judgment, the benefits of such unit or segment will exceed the costs and that such unit is physically and financially feasible:'. Section 2 of said Act is hereby further amended by (i) deleting the words 'Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers Extension, Animas-La Plata', and inserting after the words 'Yellow Jacket' the words 'Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units), Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)'; (ii) by inserting after the word 'Sublette' the words '(including a diversion of water from the Green River to the North Platte River Basin in Wyoming), Ute Indian unit of the Central Utah Project, San Juan County (Utah), Price River, Grand County (Utah), Gray Canyon, and Juniper (Utah)'; and (iii) changing the period after 'projects' to a colon and adding the following proviso: *'Provided,* That the planning report for the Ute Indian unit of the Central Utah participating project shall be completed on or before December 31, 1974, to enable the United States of America to meet the commitments heretofore made to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation under the agreement dated September 20, 1965 (Contract Numbered 14-06-W-194).'. The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $392,000,000, plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indices applicable to the type of construction involved. This additional sum shall be available solely for the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel projects herein authorized.

"(b) The Secretary is directed to proceed as nearly as practicable with the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel participating Federal reclamation projects concurrently with the construction of the Central Arizona Project, to the end that such projects shall be completed not later than the date of the first delivery of water from said Central Arizona Project: *Provided,* That an ap-

propriate repayment contract for each of said participating projects shall have been executed as provided in section 4 of the Colorado River Storage Project Act (70 Stat. 107) before construction shall start on that particular project.

"(c) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document 436, Eighty-ninth Congress: *Provided*, That construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

"'ANIMAS-LA PLATA PROJECT COMPACT

"'The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

"'ARTICLE I

"'A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado state courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

"'B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

"'ARTICLE II

"'This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States.'

"(d) The Secretary shall, for the Animas-La Plata, Dolores, Dallas Creek, San Miguel, West Divide, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof, as determined by the Secretary, in other land classes.

"(e) In the diversion and storage of water for any project or any parts thereof constructed under the authority of this Act or the Colorado River Storage Project Act within and for the benefit of the State of Colorado only, the Secretary is directed to comply with the constitution and statutes of the State of Colorado relating to priority of appropriation; with State and Federal court decrees entered pursuant thereto; and with operating principles, if any, adopted by the Secretary and approved by the State of Colorado.

"(f) The words 'any western slope appropriations' contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled 'Manner of Operation of Project Facilities and Auxiliary Features', shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or alter any rights or obligations arising under said Senate Document Numbered 80 or under the laws of the State of Colorado.

"SEC. 502. The Upper Colorado River Basin Fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River Development Fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755) for the money expended heretofore or hereafter from the Upper Colorado River Basin Fund to meet deficiencies in generation at Hoover Dam during the filling period of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose, $500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River Development Fund to the Upper Colorado River Basin Fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin Fund from the Lower Colorado River Basin Development Fund, as provided in subsection (g) of section 403.

"TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

"SEC. 601. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774) or the Colorado River Storage Project Act (70 Stat. 1053).

"(b) The Secretary is directed to—

"(1) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1970. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and the Governors of each State signatory to the Colorado River Compact;

"(2) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River Compact.

"(c) All Federal officers and agencies are directed to comply with the applicable provisions of this Act, and of the laws, treaty, compacts, and decree referred to in subsection (a) of this section, in the storage and release of water from all reservoirs and in the operation and maintenance of all facilities in the Colorado River system under the jurisdiction and supervision of the Secretary, and in the operation and maintenance of all works which may be authorized hereafter for the augmentation of the water supply of the Colorado River system. In the event of failure of any such officer or agency to so comply, any affected State may maintain an action to enforce the provisions of this section in the Supreme Court of the United States and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

"SEC. 602. (a) In order to fully comply with and carry out the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, and the Mexican Water Treaty, the Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of the Colorado River Storage Project Act, the Boulder Canyon Project Act, and the Boulder Canyon Project Adjustment Act. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River Storage Project and releases of water from Lake Powell in the following listed order of priority:

"(1) Releases to supply one-half the deficiency described in article III(c) of the Colorado River Compact, if any such deficiency exists and is chargeable to the States of the Upper Division, but in any event such releases, if any, shall not be required in any year that the Secretary makes the determination and issues the proclamation specified in section 202 of this Act.

"(2) Releases to comply with article III(d) of the Colorado River Compact, less such quantities of water delivered into the Colorado River below Lee Ferry to the credit of the States of the Upper Division from other sources.

"(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three Lower Division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find this to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River Compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the Lower Division to the uses specified in article III(e) of the Colorado River Compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

"(b) Not later than January 1, 1970, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than July 1, 1970, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1972, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such State representatives as each Governor may designate.

"(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

"SEC. 603. (a) Rights of the upper basin to the consumptive use of water available to that basin from the Colorado River system under the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin.

"(b) Nothing in this Act shall be construed so as to impair, conflict with, or otherwise change the duties and powers of the Upper Colorado River Commission.

"SEC. 604. Except as otherwise provided in this Act, in constructing, operating, and maintaining the units of the projects herein and hereafter authorized, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

"SEC. 605. Part I of the Federal Power Act (41 Stat. 1963; 16 U.S.C. 791a–823) shall not be applicable to the reaches of the main stream of the Colorado River between Hoover Dam and Glen Canyon Dam until and unless otherwise provided by Congress.

"SEC. 606. As used in this Act, (a) all terms which are defined in the Colorado River Compact shall have the meanings therein defined;

"(b) 'Main stream' means the main stream of the Colorado River downstream from Lee Ferry, within the United States, including the reservoirs thereon;

"(c) 'User' or 'water user' in relation to main-stream water in the lower basin means the United States or any person or legal entity entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340) to use main-stream water when available thereunder;

"(d) 'Active storage' means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works;

"(e) 'Colorado River Basin States' means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming; and

"(f) 'Augment' or 'augmentation', when used herein with reference to water, means to increase the supply of the Colorado River or its tributaries by the introduction of water into the Colorado River system, which is in addition to the natural supply of the system."

Amend the title so as to read: "An Act to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes."

The SPEAKER. The question is on the motion offered by the gentleman from Colorado [Mr. ASPINALL].

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

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

The SPEAKER. The Chair will count.

Two hundred and twenty-seven Members are present, a quorum.

The motion was agreed to.

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

TITLE AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment to the title of the Senate bill.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Amend the title of S. 1004 to read: "An Act to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 3300) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 11308, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES OF 1965

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11308) to amend the National Foundation on the Arts and the Humanities of 1965, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none; and appoints the following conferees: Messrs. PERKINS, THOMPSON of New Jersey, CAREY, SCHEUER, BRADEMAS, AYRES, GOODELL, ASHBROOK, and REID of New York.

PROGRAM FOR THE BALANCE OF THIS WEEK AND THE WEEK OF MONDAY, MAY 20, 1968

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time in order to ask the majority leader to kindly advise us as to whether or not there is any more program for this week and the program for the following week.

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

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished gentleman from Illinois, we have completed the legislative program that will be called for this week.

The program for next week is as follows:

Monday is Consent Calendar day.

There are eight suspensions. They are as follows:

H.R. 16674, Farm Credit Administration amendments;

H.R. 15387, assaults on postal employees;

S. 561, authorizing appropriation of funds for Cape Hatteras National Seashore;

H.R. 14074, entrance road at Great Smoky Mountains National Park, N.C.;

H.R. 16025, compensation and education assistance for widows of veterans;

H.R. 16902, care and treatment of veterans in State veterans' homes;

H.R. 7481, nursing home care for certain veterans; and

H.R. 14954, improve vocational rehabilitation training for service-connected veterans.

Tuesday is Private Calendar day.

Also on Tuesday is scheduled the Department of the Interior and Related Agencies Appropriations Act for fiscal year 1969.

Wednesday and the balance of the week:

H.R. 2158, Interstate Taxation Act, with 3 hours of debate, and it is subject to an open rule;

House Resolution 1093, investigation of operations of U.S. military credit unions;

H.R. 17324, extension of Renegotiation Act, which is subject to a rule being granted;

H.R. 15794, U.S. Grain Standards Act, under an open rule with 1 hour of debate;

House Joint Resolution 1227, to authorize the temporary funding of the emergency credit revolving fund, under an open rule, with 1 hour of debate and waiving points of order;

H.R. 8578, to amend title I of the Land and Water Conservation Fund Act of 1965, under an open rule with 2 hours of debate; and

H.R. 15198, employer contributions for joint industry promotion of products, which is subject to a rule being granted.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time, and that any further program will be announced later.

I advise Members that it is expected that the truth-in-lending conference report will be brought up sometime next week.

ADJOURNMENT OVER UNTIL MONDAY, MAY 20, 1968

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the call of Calendar Wednesday may be dispensed with on Wednesday next.

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

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA—PERMISSION TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE CONFERENCE REPORT ON H.R. 15131

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file a conference report on H.R. 15131, the Policemen and Firemen's Salary Act.

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

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. ADAMS. Mr. Speaker, I hereby declare that I would have voted for the motion to recommit and against the bill that has just now passed.

PERSONAL ANNOUNCEMENT

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. STRATTON. Mr. Speaker, had a rollcall been taken on the Colorado River Basin project, I would have voted in favor of the motion to recommit and against final passage.

THE REDWOOD NATIONAL PARK AND SEASHORE

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

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

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, over many years, the Congress has developed and passed legislation to help the average American citizen. We have appropriated, and I believe rightly so, literally billions of dollars in welfare and assistance programs, educational programs and other programs designed to help the average man.

Now we are being asked to enact legislation to do just the opposite—to make displaced citizens out of normal, hard-working, self-respecting, self-supporting Americans. These people are in my district.

I am referring, of course, to some of the extreme proposals for a Redwood National Park which would deprive thousands of my people of their livelihood.

Mr. Speaker, I have received hundreds of letters from my constituents in the redwood area. All of them ask the same questions: "If the extreme park proposals are to be adopted, what is going to happen to us?" Or, "If we have to go on welfare, and our companies can no longer make their tax contributions, won't the welfare be pretty thin?"

I want to speak for these people.

One of them wrote:

> I work in a Men's Wear Store in Eureka, and business is so bad due to this moratorium that I was laid off. Stores are closing all over Eureka, as you must know.

The fact is that we can have a Redwood National Park which will not create economic devastation. I have submitted one such plan, "Redwoods to the Sea," H.R. 7742. My people can live with it. They approve of it. It would give us a Redwood National Park and Seashore that we could all be proud of.

What I am talking about are the grandiose proposals, which have been incorporated in proposed legislation, and which would take tens of thousands of acres of private timber-growing lands, put several companies out of business, and devastate the economy of the area.

Let me make one thing clear. Today I am not speaking for these companies or the people that own the lands. They have their spokesmen and can speak for themselves.

It is the common man who has no spokesman. I propose to speak for him.

The man in the street is the average man. In the redwood area, he is desperately concerned. He has his home in the smaller towns, and he is economically dependent on the redwood industry. He may work for one of the companies. Or he may be a merchant, the operator of a filling station, or a schoolteacher, or a banker, or a municipal or county employee.

He is economically dependent upon the redwood industry, which, in spite of what uninformed people claim, has done a magnificent, unrecognized job of helping preserve the superlative specimens of that majestic tree, and restores to improved growth those trees that are harvested.

He had his home in the area, and he wants to stay there to raise and educate his children.

He knows that if the company which employs him is put out of business, that company will be paid severance damages. But he, as an individual, will not be compensated; and he is worried.

Not only is he worried, but so is his wife and so are his children. I have a letter from one of these wives who reported that in the Trinidad School District where she lives, that already the average daily attendance has dropped from nearly 500 students to a present count of 392.

In other words, people are already leaving because of the uncertainty and insecurity of their futures.

Mr. Speaker, I am asking that when this House considers the redwood park proposals, that it consider the plight of the average Americans who have lived in the redwood areas most of their lives. Are we to legislate them into being displaced persons and second-class citizens?

Are we to deprive them of productive economic existence?

Are we to jeopardize their school districts?

Are we to ruin their lives and their businesses merely to permit interested visitors to view the redwoods from the edge of the highway, and never see, those additional commercial-type, nonpark quality redwoods located in remote, wild distant areas that would be included in the most sweeping proposals to take 77,000 acres of private producing lands in addition to existing State parks?

We have 30 beautiful Redwood State Parks, but they have not been developed as they should be. One constituent wrote me, and I quote:

> We don't need more parks, what we need is development of what we already have. There isn't a park or grove between Eureka and the Oregon border that you can find a place to park legally. If you could, you'd be lost in underbrush way over your head if you got 10 feet off the highway. How many tourists are going to crawl around in that wet and decayed mess?

Another constituent wrote to tell how he had talked to visitors in the existing State parks, and they had been smart enough to notice that there were very few people in the park where he talked to them. He added that he could not understand why people from other areas have demonstrated such little concern for the future of our region and its people.

They do not seem to care, he added, if we have hungry children or if we are on overloaded relief rolls. He also pointed out that no family in the redwood areas wants handouts; what they want are jobs to go to every day in their own hometown.

Most of these people have never worked in anything but the lumber industry, and it is a little late for them to change. As my constituent said, many of them are too old to retrain for something else, and too young to retire.

Mr. Speaker, these people that I am trying to speak for are very honest, thrifty, and hard-working American citizens. They have an inalienable right to life, liberty, and the pursuit of happiness. Are we to deprive them of these rights simply to impose an unnecessarily large park plan on them from Washington?

Now, I recognize that the proponents of the larger parks tell us that the recreation income will replace the lost income from employment. Careful studies question that this is the case. The recreation income, during the 3 months that the weather permits visits to the redwoods, could not replace the present income provided by the industry in payrolls in the foreseeable future.

So, we have this issue clearly before us. It is, simply: "Do we want to stagnate the economic life and careful use of the God-given redwoods merely to satisfy the private enthusiasms of a few people, or do human values mean anything to this House?"

The distinguished chairman of the Interior and Insular Affairs Committee, the gentleman from Colorado, Representative ASPINALL, wisely held hearings on the proposed bills in the redwood area. The members of the Interior Committee were able to confirm at firsthand what I am saying about the plight of the common man out there. The committee was able to observe the adverse economic effects that already have been inflicted on local communities because of uncertainty about what will happen.

One of the things many proponents of a national park have overlooked, is the desirability of including sufficient coastline. The largest of the proposed parks is mostly inland, and pretty far inland, at that. It would include 18 miles of coastline.

The second proposal includes 13 miles of coastline.

The national park and seashore plan, which was developed in close consultation with the people who live in the redwoods, and which was submitted in legislative form by me, has 39 miles of coastline.

When we analyze the plans, we find that one of them has only 3 miles of usable beaches; the other 11. Redwoods to the Sea has 25 miles of usable beaches.

This is important. Experience has shown that most visitors prefer the coast. They love the beaches. They may briefly view the redwoods from the highways, or visit the existing State redwood parks. But, they prefer the beaches. They have no desire to leave their automobiles and plunge into the wilderness of the redwoods far from the highway.

So, it is of utmost importance to provide coastline and usable beaches. These, they can enjoy and, at the same time, keep people from destroying the roots of these redwoods by "tromping" them to death.

Many others like to fish. Redwoods to the Sea provides 12 miles of Smith River frontage, some of the most beautiful in the world. The larger plan ignores this great recreational possibility altogether. The other plan includes just 6 miles on the Smith River.

Redwoods to the Sea includes 21 miles of lagoon frontage; one of the other plans has no lagoon frontage; the other, 7 miles.

The importance of all this water frontage is that it offers highly desirable recreational possibilities that cannot be achieved in the deep redwood areas which are ordinarily damp, dark, and sometimes dangerous. The beach frontage is not.

Inclusion of the beaches will not deprive anyone of a job, nor harm the economy of the region. Instead, they will enhance it and make life even more enjoyable.

There is another feature of redwoods deep in the woods, in areas which are proposed to be taken over. This is the real element of personal danger.

Redwoods have a characteristic well known to those who work with them—that of suddenly dropping huge limbs to the ground, particularly during high winds or winter storms. Locally, these falls are known as "widow-makers," and it is a term well chosen. I do not mean to frighten people, but I do feel we "natives" should warn our future visitors of this possible hazard.

Unless areas in the redwoods are cleared for recreation and camping, as in portions of State parks, there are few who should venture far into remote areas. Few want to. They stick to the highways, or go into spaces cleared for camping or viewing the great trees.

As another constituent wrote me:

> Those who want to drive through the redwoods can do so by following the old 101 highway along the Eel River. No finer redwoods can be found anywhere, and there are plenty for everyone to see. No man alive today or born tomorrow will ever live long enough to see all the million and three-quarter giant redwoods that have already been set aside in our State parks.

So, if we are to have a Redwood National Park in addition to the redwoods in our existing State parks, why not accept the more reasonable and sensible plan that will provide a National Redwood Park with seashore access that will not disturb the financial condition of the people who live out there?

The communities involved, the people who face possible dislocation, can live with Redwoods to the Sea, and they have said so. The local government bodies have accepted it and endorsed it by resolution and testimony before congressional committees.

The able chairman of the Interior and Insular Affairs Committee also heads up the important Public Land Review Commission. That Commission is engaged in a monumental study of Federal land use and administration in this country. It will, I am sure, have recommendations toward achieving a land-use policy that will be fair to all.

In the matter of a Redwood National Park, I think this House must be fair to all. It must be fair to those who want to see the redwoods and the magnificent cathedral-like groves that we have in northern California and fair to those who live among them.

We should not penalize one to patronize the other.

We cannot ignore the human needs of the people who make their livelihood in the redwood country.

We cannot say to them: "Too bad. You'll have to get along as best you can, even if your wife and children do suffer and your personal plans are disrupted, even if your business is shut down and your bank starts to foreclose."

There is a better answer than that. I am certain that when the time comes, this House will provide that better answer.

I ask that you work with us toward adopting the best possible "compromise" Redwood National Park and Seashore plan—a plan that we in redwood country can live with—one that will be an asset and not a liability.

You will note that I place a great deal of emphasis on the seashore. Frankly, I believe history could record the fact that the value of this magnificent seashore will surpass that of the redwoods—particularly, when you consider the recreational value, the "saving of the redwoods" from the potentially destructive affect too many people, trampling the roots, could have.

This is the only place in the world where redwoods grow contiguous to a nearly 40-mile seashore. Let us be very considerate of and kindly to the people living there who are willing to share these "conservation gems" with their fellow Americans—providing they, themselves, are not destroyed in the process.

PARK SERVICE ADMINISTRATION HAVE ACTED UNWISELY IN REGARD TO POOR PEOPLE'S MARCHERS

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

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

There was no objection.

Mr. HENDERSON. Mr. Speaker, exactly 3 weeks ago today, I spoke here on the House floor to point out that the avowed purpose of the so-called Poor People's March on Washington was to disrupt the city of Washington and the orderly processes of government.

In the light of this, I called upon the Secretary of the Interior, the Secretary of Defense, and the President to use the full power of their offices to prevent these marchers from camping on Federal property or elsewhere in the District of Columbia where their use of property would violate existing building and/or sanitation codes or disrupt government.

Many other Members of Congress have expressed a similar opinion. Many bills and resolutions were introduced, and by an overwhelming vote the House Public Works Committee, of which I am a member, reported to the House for consideration a bill which would have prohibited the use of any Federal property except in the Anacostia-Bolling area and would have authorized a requirement of a bond to insure against property damage.

Our opinions have been disregarded and these so-called marchers virtually all of whom arrived in Washington in air-conditioned buses without any marching at all, have been given free access to public property.

Although their leaders are engaging in semantics with the word "violence," they continue to make it clear that it is their purpose and intention to be a disrupting influence here in the city and in the face of the tense atmosphere already existing, only a blind man would fail to foresee the troubles which will inevitably follow.

The Park Service and the administration have acted most unwisely and I can only hope that they are much better prepared to cope with the trouble these marchers have promised to make than they have given us any basis for believing.

LEGISLATION TO ENABLE WOMEN WITH 30 YEARS COVERAGE UNDER SOCIAL SECURITY TO RECEIVE FULL RETIREMENT BENEFITS AT AGE 62

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

The SPEAKER. Is there objection to the request from the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, currently, there are some 26 million females gainfully employed in our Nation's labor market, representing over 35 percent of the total number of citizens employed in these United States.

These women have had, and are having, a profound effect upon our Nation's economy and way of life as their numbers, buying power, and importance continue to increase.

Our gross national product, rapidly approaching a trillion dollars, is the most fantastic and enviable materialistic

achievement yet known to man. An incredible growth has been realized in our gross national product, rising from $284.7 billion in 1950 to approximately $800 billion today, and paralleling—or perhaps "stimulating" would be a better word—this growth has been the expansion of the female role in our labor market and economy.

The greatness of the female contribution to our Nation's economy and well-being cannot be questioned. We only wonder about the degree of this greatness as we acknowledge their valued contribution.

Today I rise for the purpose of acknowledging their contribution by introducing legislation which, if enacted, will enable the women of our Nation's labor force with 30 years coverage under social security to receive full benefits at the age of 62.

Under legislation enacted in 1956, women are able to receive 80 percent of the benefits due to them if they should retire at age 62. Now, I consider it appropriate and wise that we permit them full—not 80 percent—benefits at age 62, and many other Members, whose names also appear on this bill, concur with me.

Mr. Speaker, the gentlemen whose names appear on this bill are not asking for a giveaway. We are urging the Congress to recognize the great contributions made by the women of our land toward the incredible growth of our Nation's economy during the past 30 years and whose labor continues to spark further growth in our economy.

The initial recipients of this legislation are those women who joined the labor force when our Nation was just beginning to overcome a depression, and whose labor may very well have accounted for our Nation's recovery from that economic disaster.

Let me reiterate that this legislation would only apply to those women who have faithfully contributed to this fund for 30 full years—that is, 120 quarters.

Now as we all know, a person can gain full social security coverage if he has contributed to the fund for every quarter after 1950 up to, but not including, the year he or she reaches age 65. In other words, it is possible that a person could gain full benefits at age 65 if he had only contributed to the fund for 18 quarters. In some special instances, even six quarters would enable one to gain full benefits.

The legislation I introduce today speaks not in terms of six quarters or 18 quarters, but in terms of 120 quarters. That is, recipients must have contributed to the fund for at least 30 years or 120 quarters.

We are addressing ourselves to those hardworking, productive Americans whose names do not appear on the welfare rolls during these past 30 years. We are speaking about those strong Americans who are greatly responsible for the growth of assets in the social security trust funds from $267.2 million 30 years ago to the present $25.5 billion.

We are asking that Congress now realize the extent of their contribution and permit them to retire with full benefits at age 62. We are not giving them anything that they do not deserve. It is not a give away. Rather, it is a way for our Nation to say thank you for a job well done to the women of our land who have indeed contributed far more than they could possibly receive from the social security program.

On behalf of all the Members who have cosponsored this bill, I ask that this body act expeditiously and favorably on this legislation.

We have a debt to repay and a commitment to meet. The debt, of course, is to those who have labored so long, and the commitment is to the younger people who are available to replace those who retire. This bill would free many jobs for these younger people and thus enable us to live up to our standing commitment of maintaining the highest possible level of employment.

Let us now live up to this debt and commitment.

CONNECTICUT YOUTHS RESPOND TO SERVICE ACADEMIES' CALL

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

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

There was no objection.

Mr. MONAGAN. Mr. Speaker, great emphasis has been placed in recent years on dealing with problems of education which confront students and educators, as well as parents and taxpayers who pay the ever-increasing tab. We hear of the frustration of youth, of high school dropouts, of demonstrations by students, and strikes by teachers. We read of so many incidents from the debit side of the ledger because it is human nature to focus attention primarily on news of misfortune, violence, and the extraordinary.

I want to point up a contrary and laudable achievement which I am proud to say has taken place in my own Fifth Congressional District and which I have discovered in the course of seeking qualified candidates for the Nation's service academies. It is not really an extraordinary experience for it has occurred in previous years, although perhaps to a lesser degree. Once more I find to the credit of the students, educators, parents, and taxpayers of my district that there are far more qualified contenders for academy appointments than there are vacancies. And this despite the generosity and wisdom of the academies in allowing my district more appointments than the normal district quota.

Let me explain the situation with a few statistics. Last year, in the normal course of events, I was notified that I would be asked to fill two vacancies at Annapolis in June 1968, three at the Air Force Academy, and one at West Point. I was also invited to nominate candidates for the U.S. Merchant Marine Academy at Kings Point, N.Y., to take part in statewide competition for appointment.

As usual, and following a custom which I have adopted in my 10 years of the Congress, I made known to the public through newspaper, radio, and television announcements, as well as notice to the guidance counselors of schools in my district, that I was accepting applications for academy nominations. The response was good although I feel that some potential contenders did not get the word in time to compete for the appointments. I use the word "compete" because it is and has been my policy to require that all candidates participate in a preliminary civil service examination and a preliminary physical examination at a military establishment.

I have outlined the number of vacancies available to Fifth Congressional District residents in 1968 and my method of selecting nominees. The usual quota of each Congressman is five cadets at Annapolis, West Point, and the Air Force Academy at a given time. When I say the academies have been generous and responsive to the meritorious efforts of Fifth District contenders, I mean that it is common for the academies to accept qualified boys from my district in excess of my quota. This again has been my experience in 1968.

As outlined above, the Fifth District quota for Annapolis for 1968 was two cadets. As of this date, four young men whom I had the privilege of nominating have been notified to report to the Naval Academy as cadets on June 26, 1968. Another young man from my district is fully qualified for appointment, and I hope that the Academy will be able to find a place for him.

The Fifth District quota for 1968 was three at the U.S. Air Force Academy. As of this date, four of the young men I nominated have been notified to report to the Air Force Academy as candidates on June 24, 1968 and four more are fully qualified as alternates for appointment and I am hopeful that one or more of these alternates will be appointed.

The Fifth District quota for the U.S. Military Academy class of 1972 was one. As of this date, one of my nominees has been appointed and has been notified to report to West Point on July 1, 1968. Another of my nominees is fully qualified as an alternate and I am confident that there is a good possibility that he will gain an appointment. I fact, he has been invited to enroll at the West Point Preparatory School.

Three of the young men I nominated for the U.S. Merchant Marine Academy at Kings Point have qualified as alternates and let the record show that Kings Point is already heavily populated with young men from Connecticut's Fifth Congressional District.

Mr. Speaker, I consider it a privilege each year to recommend young men from my district for the service academies and my staff and I spend considerable time and effort enlisting candidates, checking academic records, arranging civil service and physical examinations, and communicating with the academies and with constituents. But the statistics I have outlined above clearly demonstrate that the effort is certainly worthwhile. It pays dividends not only in bringing qualified young men to the fore and making available to them 4 years of education leading to a military career or civilian opportunity, but also in clearly demonstrating the potentials among our youth today in

striving and competing for the values in education offered by our service academies.

I could go on at length in extending compliments and expressing appreciation to those who have participated and to those who have assisted. I am proud of my district and of the young men who have in such large numbers qualified for academy appointments. I am privileged that the normal congressional quotas for academy appointments have been no shackle to the enthusiastic and qualified competitors from my district, and I am confident that this gratifying record will be sustained in the future.

I cite these statistics and make known my feeling of pleasure in them at this time because now that the 1968 appointments have been completed, I am announcing the acceptance of applications for the academy vacancies that may be available and for which I may be invited to make recommendations for 1969. Without reservation, I accept applications from any Fifth Congressional District resident between the ages of 17 and 22. He must be at least 17 and not have passed his 22d birthday on the date of entrance to an academy. I point out, however, that the competition is tough and that only those who can make a proper showing in academic and physical standings in preliminary examinations conducted at my request will be given the opportunity to meet the final tests of the several academies.

On the basis of my experience with academy appointments, Mr. Speaker, I feel that we have no reason to fear for the future of our Nation. I have full confidence in the ability and willingness of our youth, in the vast majority, to rise to the challenge, as demonstrated by the response and the success of my young constituents in service academy competition.

OUR REA PROGRAM

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

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

There was no objection.

Mr. NATCHER. Mr. Speaker, this week represents the 33d anniversary of the Rural Electrification Administration, an agency of the U.S. Department of Agriculture. This remarkable agency has an outstanding record of continuous leadership in the challenging task of bringing to light the vital importance of farm efficiency and rural development.

During the history of the REA program, since it was established May 11, 1935, our Nation has changed from an essentially agronomy-oriented society to an economy based upon industrialization and mechanization. Clearly, this transition would have been far more difficult than it was, had it not been for the availability of electric power in rural America, sparked largely by the REA. Indeed, in the economic vacuum of the 1930's local people with the help of REA stepped in to provide rural power when other electric suppliers were reluctant to do so.

Today, REA-financed rural electric systems are rural America. REA is one of the great achievements of our present-day government.

A new industrial load on the lines of an electric cooperative is a well-recognized revenue producer, as it is for any electric utility. But there is another important consideration. Rural industrial and commercial electric loads encourage diversity of economic development and opportunity in rural areas. This diversity and these new opportunities are important to opening the way for overcoming our current—and critical—rural-urban imbalance.

Rural people formed their own cooperatives and assumed the responsibility of providing essential electric service for themselves and their neighbors. In so doing, and with the help of their Federal Government, these rural people have in fact stimulated new opportunities to live, work, and thrive in the areas where they were born and reared.

The remarkable progress made so far in the past 33 years in this field stands as a tribute to our rural Americans. They have demonstrated—with the aid of REA—singular energy and imagination in helping themselves to fashion their own communities of tomorrow. We trust they will enjoy another 33 years of future growth, in advancing steadily toward a brighter tomorrow.

FREEDOM REPLACED BY FEDERAL FORCE

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

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

There was no objection.

Mr. FLYNT. Mr. Speaker, recently two field representatives of the Office for Civil Rights—HEW—descended on LaGrange and Troup County, Ga., like a two-man plague of locusts.

They spent about 29 hours in the county before declaring themselves experts on the school systems there. While in Troup County and LaGrange, they attempted to generate complaints and dissatisfactions where none previously existed and where none exist now.

These two 29-hour experts issued an ultimatum that will require extensive busing of students who will pass each other twice a day and that will probably require the closing of new modern school buildings. It is very clear that these bureaucrats are not interested in education or the quality of education.

For the last 4 years, the Troup County school system and the LaGrange school system have operated under the freedom of choice plan. During this period of time, no student or teacher has complained of being denied the opportunity to attend or teach in the school of his or her choice.

The policy of the Department of HEW with regard to "freedom of choice" is that if this does not accomplish the results which HEW desires, school officials are required to force the transfer of students instead of permitting them to attend the school of their choice.

The citizens of Troup County are disturbed, and rightly so, about this exercise of raw bureaucratic power, as is evidenced by an editorial in the May 8, 1968, edition of the LaGrange Daily News, which follows:

OUR FREEDOM IS REPLACED BY FEDERAL FORCE

In the past, the school systems in this area have operated under the "freedom of choice" plan with regard to integration of public schools.

Under this plan, all students, both Negro and white, decided which schools they preferred to attend. If a Negro student elected to attend a formerly all-white school, he could do so.

Tuesday, William Meredith of the Atlanta office of Civil Rights, told Troup County School Board: "The freedom of choice plan has failed." He went on to explain that it has failed because not enough Negroes are attending previously all white schools and no white children are enrolled in Negro schools.

If Mr. Meredith is correct in his statement, then the basic fundamentals of democracy has suffered what may well prove to be a fatal blow.

To say that the American citizen, whether he be Negro or white, cannot exercise his own freedom of choice is to take away one of the basic rights on which America was founded.

Indeed, this basic belief in a freedom of choice was the motivating force which led to the founding of this country.

The next logical question to raise is: If there can be no freedom of choice, what is it being replaced with?

Perhaps Mr. Meredith and the HEW will not agree with us, but we believe that it is "force."

We have moved from freedom to force, and this is a strange and startling direction for democracy to take.

Whose rights are being violated in this absurd approach by the Federal government?

The white man? Yes, he is being forced to lose his identity in a social upheaval which appears to be motivated for political purposes.

But the Negro's rights are being violated as well.

In the Troup County School system, some 100 Negro students have elected to attend previously all-white schools. The other 1,520 elected to remain in all-Negro schools, schools of which they were proud, surrounded by a race of which they were proud to be a part.

Now, the Federal government decides that the Negro can no longer take pride in the traditions of his school. He must lose these traditions to a social change which he already has demonstrated that he did not want through his own "freedom of choice."

Mr. Meredith and his HEW associate, Phillip Lyde, spent only 29 hours in the Troup County School system before giving their report Tuesday. And yet, in this brief time, they had come up with a plan designed to solve all of the educational-social problems for Troup County.

To say that this adds insult to the ridiculous would be a gross understatement.

The only explanation is that the Federal government, acting through its agents, Mr. Meredith and Mr. Lyde, has no real interest in education as such. The resulting chaos of the plan which they presented will be left as a problem to be faced by both white and Negro educators of Troup County.

But the really pathetic note that comes out of such an HEW report meeting is the sudden realization that your freedom is being taken from you by the government that was created by the individual states of America.

Whether you are Negro or white, you are losing your right to choose. Your freedom is

being replaced by force, and you ask yourself what is to come after democracy has been taken away.

THE CASE FOR USING EXISTING HOUSING TO FOSTER LOW- AND MODERATE-INCOME HOMEOWNERSHIP: SURVEY OF AVAILABILITY IN THE DISTRICT OF COLUMBIA

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

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

There was no objection.

Mr. WIDNALL. Mr. Speaker, the more than 150 Members of both the House and the Senate who introduced the National Home Ownership Foundation Act last year, were encouraged this session by the administration change of heart on the question of homeownership for lower income families. The administration bill does have its weak points, however, and perhaps the most glaring is its lack of attention to the potential for immediate homeownership impact contained in existing older housing now available in most urban centers. The emphasis with limited exceptions in the administration measure is on new or completely rehabilitated housing.

To make a more informed judgment on this potential, my office conducted a telephone survey of 151 realtors, real estate agencies and real estate brokers selected at random from the yellow pages of the Washington, D.C., telephone book. While existing apartment houses could of course be converted for cooperative or condominium ownership operations, in this instance I limited the inquiry to housing suitable for single-family homeownership. Of the 151 contacted, 14 either refused to respond, were no longer actively engaged in real estate, or were unavailable for comment.

Of the remaining 137, 92 firms reported dealing in a significant way with moderately priced homes. These 92 were then asked the following questions:

1. Do you currently have for sale any homes priced at the $18,000 or below category?

2. Based upon your activities for the last six months, would you say that homes of this type are listed frequently or infrequently with your agency?

3. Do homes of this type require extensive rehabilitation or repairs before they are considered suitable for family living?

The conclusions that I believe may be drawn from the staff survey, which I will include at the end of my remarks, can be summarized as follows:

First, a moderate number of existing single-family dwellings are available in the District of Columbia for under $18,000 in cost, at any point during the year. Estimates of the number now available ranged among the 50 firms answering affirmatively to the first question ranged from "a few" to a dozen or more. Even taking into account possible multiple listings, the number turned up by the survey could be estimated at 200 or more. It might be added that the cost per unit in the administration housing bill is $17,500 for high-cost areas, and $20,000 for families with five or more children.

Second, most of these houses require minor repairs, if any. Only 20 percent of those replying said houses they now had listed required extensive rehabilitation.

Third, and most important, there was considerable opinion expressed that a significant number of houses would come on the market if the potential buyers could secure mortgage financing. A number of firms, particularly Negro firms, indicated that housing was now being rented because the owner could not find buyers with satisfactory financing arrangements. So prevalent is the renter orientation in some parts of the minority community, and so limited is their present housing choice, that in one instance, when my office asked if the firm dealt with houses for sale to home buyers, the real estate office employee answered, "Oh, no, we do not handle white property, only black property."

I hope Members of this body, particularly those from urban areas, will carefully consider the possibility of similar results if such a survey were conducted in their localities. I am certainly going to press for greater use of existing housing in any bill coming out of the House Special Subcommittee on Housing of which I am ranking minority member.

It would also prove useful to open up FHA-insured mortgages to nonprofit groups like Home Buyers, Inc., a Washington, D.C., organization, who purchase and make available housing to lower income families under a lease with option to buy approach. Under present law, the nonprofit sponsor has to build or thoroughly rehabilitate five or more dwellings before it can qualify under the 211(h) program. Some nonprofit groups simply are unwilling or unable to take on this responsibility when they first enter the homeownership field, but they are quite capable of assisting low-income families in preparing for homeownership responsibilities, or in locating housing and financing, or even in handling minor repair work.

Allowing nonprofit groups FHA assistance in the purchase of existing housing not requiring extensive rehabilitation would also make more housing available for the rent certificate or leased public housing program which I authored in 1965. This would mean lower monthly payments at the outset, easing the tenant into a home-buying position through a lease with option to buy arrangement, with help from the nonprofit sponsor. The lease with option to buy under the rent certificate program has not been tried as yet in the District of Columbia, or, for that matter, in many areas around the country.

This use of existing housing would benefit the potential lower income home buyer by its immediate availability, and would show the concern of Congress for those left out of the mainstream of American abundance at a time when that concern is being questioned. At the same time, nonprofit religious, fraternal, labor, civic, and neighborhood organizations could gain experience and confidence, enabling them to move later into the more demanding, but no less necessary, field of increasing the available low-income housing supply through new construction or total rehabilitation.

The survey paper follows:

RESULTS AND FINDINGS OF TELEPHONE SURVEY OF SELECTED REALTORS IN THE WASHINGTON, DISTRICT OF COLUMBIA DOWNTOWN AREA, APRIL 29 TO MAY 6, 1968

(Prepared by the staff of Congressman WILLIAM B. WIDNALL)

This survey was undertaken to try and assess the availability of low and moderate income housing in the Washington, D.C. downtown area. The method used was random selection of a considerable segment of the realtors and real estate brokers listed in the advertising section of the telephone directory. Small as well as large real estate agencies were included to insure a representative sampling. Any agency whose telephone listing indicated a principal activity other than direct selling of real estate to private individuals was not contacted. All of the respondents were asked three basic questions: a) Do you currently have for sale any homes priced in the $18,000 or below category? b) Based upon your activities for the last six months, would you say that homes of this type are listed frequently or infrequently with your agency? c) Do homes of this type require rehabilitation or repairs before they are considered suitable for family living? Finally, it might be noted that almost all of those contacted were quite helpful, and only a handful were uncooperative and refused to give the needed information.

In all, 151 real estate agents or agencies were solicited. Of these, 92 replied that they engage in the sale of moderately priced homes as one of their principal activities, that is they solicit listings of this type and endeavor to sell homes of this category on a day-to-day basis. Another 45 replied that their principal activities were other than selling either residential housing, or housing in this price range. Most of these people were engaged in either the rental of housing they owned, real estate investments, management, speculation or building.

CHART I—PRINCIPAL ACTIVITY OF REALTORS

	Number	Percent
Dealing in significant way with moderately priced homes	92	61
Not dealing in significant way with moderately priced homes	45	30
Not responding, unavailable, or no longer engaged in real estate business	14	9
Total	151	100

The first question asked only concerned the 92 realtors who indicated significant activity in this area. Of the 92, 50 or 54.3% reported that they currently had homes for sale in the $18,000 or below price category, while 42, or 45.7% stated that they did not have any homes available. Thirty-three per cent, then, of the total realtors surveyed had moderately-priced homes currently for sale.

CHART II—REALTORS REPORTING MODERATELY PRICED HOMES FOR SALE

	Number	Percent	Percent of total realtors
Having current listings of moderately priced homes for sale	50	54.3	33
Not having current listings of moderately prices homes for sale	42	45.7	28
Total	92	100.0	

The second question concerned the frequency with which listings of moderately-priced homes were made with those realtors devoting a large part of their time to such sales. Forty-three, or 46.7%, of the 92 realtors indicated frequent availability of these homes, while 49, or 53.3% stated they obtained such listings rarely. The difference between the 50 realtors who showed current listings of moderately-priced homes and the lesser figure of 43 who report almost constant listings is probably due to the random nature of the sample; undoubtedly some respondents were contacted at one of the times when they had a home for sale costing less than $18,000. These 43 realtors represented 28.4% of the total sample.

CHART III—REALTORS REPORTING FREQUENT LISTINGS OF MODERATELY PRICED HOMES

	Number	Percent	Percent of total sample
Realtors reporting frequent listings of moderately priced homes	43	46.7	28.4
Realtors reporting infrequent listings of moderately priced homes	49	53.3	32.4
Total	92	100.0	

The last question related to necessary repairs on these homes; repairs that would be basic to providing an attractive, clean and safe family living unit. Of the fifty realtors reporting current listings, (this includes almost every one of the 43 obtaining frequent listings) 10, or 20% stated that massive repairs or almost total rehabilitation would be necessary before most of the homes they were selling could be inhabited. Another 26, or 52%, felt that extensive minor repairs, those costing no more than $2,000, would be needed on their homes, while 14, or 28% said that the houses they were selling were already in good or adequate condition and would need little or no work. It seemed as though most of these homes already in good condition were owned by persons who had invested in restoration for profitable re-sale later.

CHART IV—NECESSARY REPAIRS TO MODERATELY PRICED HOMES

	Number	Percent
Reporting major repairs or rehabilitation needed before occupancy	10	20
Reporting extensive minor repairs needed	26	52
Reporting no repairs needed	14	28
Total	50	100

What conclusions can be drawn from these figures? First, it seems that there is an available supply of moderately-priced homes in the Washington, D.C., area, although not as great as the supply of higher priced homes. There is, of course, the possibility of multiple listings, but of the 43 realtors who reported frequent listings of moderately-priced homes, only one was shown as a member of the Washington Board of Realtors, and only four as members of the negro Washington Real Estate Broker's Association. In fact, there may be a rather large potential supply of homes also. A number of firms stated that many owners of low or moderately-priced homes that are currently being rented could be persuaded to sell if only suitable buyers could be found. On the whole, then, the presumed housing shortage in Washington may not be as severe as some feel, although other factors are important in providing adequate living quarters for people as the availability of a building.

A second factor influencing the current housing situation is the problem of financing. The families most attracted to homes in the $18,000 category are usually the ones in the poorest financial position. Most of them cannot afford a large down payment or obtain a conventional mortgage. Even Federal Housing Administration financing may be difficult for these people, even though down payments are lower and qualifications that have to be met, easier. This inability to finance leads both to an inability to purchase and a reluctance to sell. In several instances realtors reported that owners were only willing to sell for cash, presumably to speculators, or that homes could be obtained only if the buyer could obtain proper financing. Others stated that they didn't attempt to sell low or moderately-priced homes because ". . . it's more trouble than it's worth," or, ". . . why go to all the trouble of trying to sell a home when the buyers can't buy." But the most vehement critics of present financing arrangements were non-white real estate agents who apparently suffered both financially and psychologically. They had large numbers of unsold low and moderately-priced homes in their files, but while each stated that people were available in many cases who wanted to buy these homes, they could not present financing agreeable to the seller.

Third, most of these low or medium-priced homes required anywhere from minor repairs to complete rehabilitation before they could be considered suitable living units. Seventy-two per cent of the realtors felt repairs of $1,000 or more would be needed to almost all of their homes they had for sale. Some realtors, in fact, commented that almost all homes in this price category would be considered substandard, although this view was not common. The dominant feeling was that a thousand dollars or more would have to be spent on the large majority of these homes. An aggravating factor has been the decline in building in the Washington, D.C. area in the last few years.

The decline in home building has had its greatest impact on homes selling for less than $20,000, the so-called moderately-priced home. In 1964, 284 of the 570 new housing units were priced at $20,000 or below; in 1967, however, only 81 of the 1173 new units were priced this low, and no new units were sold for less than $15,000. According to the Washington Post, March 16, 1968 edition, this decline indicates ". . . that it is no longer attractive or feasible to build single-family houses for less than $20,000, and that it is almost as hard to build them for under $30,000." The trend toward higher-priced homes apparently caters to the desire of people to "upgrade" themselves, and reflects the rise in building costs, especially land prices and inflation. In any event, this means the present and future market of moderately-priced homes lies in older homes in the central city, with their extra repair costs. Some realtors did indicate that older homes under $18,000 could be found in the suburbs, however.

In summary, then, it may be said that there is a supply of moderately-priced homes available in the Washington, D.C. area, although the full potential of this supply will probably not be known until some financing method is provided which allows individuals with limited resources to purchase homes. The supply will probably consist mostly of older homes, and money will have to be expended on rehabilitation of many of these homes. Essentially the problem is to create an opportunity for real estate agents to handle sales of moderately-priced homes, for owners to sell, and for buyers to have the ability to purchase.

THE IMPACT OF SUPERHARD ICBM SILOS ON ABM DEPLOYMENT

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

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

There was no objection.

Mr. WHALEN. Mr. Speaker, I would like to direct the attention of the Members of the House to testimony given last week before the Senate Appropriations Committee by Dr. Harold Brown, Secretary of the Air Force.

In his statement, Dr. Brown revealed for the first time a new development that could have a major bearing on the extent of the proposed ABM, or anti-ballistic-missile-defense system.

In my view, this new information brought out by Dr. Brown raises questions that demand careful scrutiny by the Congress concerning the potentially huge outlays encompassed in any massive deployment of the ABM.

At the very minimum, the Secretary's disclosures certainly call for a comprehensive analysis of what the timetable for the ABM should be.

What Dr. Brown outlined was an Air Force plan to build "highly survivable superhard silos" to house either the Minuteman III intercontinental ballistic missile, the up-coming replacement for the present Minuteman I, or the Advanced ICBM, currently designated as WS-120A. I am sure that there are those who will be inclined to dismiss the mention of "superhard" silos as another cute Madison Avenue euphemism which means very little in real strategic terms. But a look at the numbers associated with this plan is revealing.

What the Air Force expects to achieve in the construction of these new underground facilities for our missiles is an improvement in the ability of those containers to withstand nuclear detonations by a factor of 1,000 percent. The hardness ratings of the missile silos envisioned would be 2,500 pounds per square inch or approximately 10 times the current hardness. The related control areas would have hardness ratings approaching 7,000 pounds per square inch.

Silo strengths of this magnitude would require an attacker to deliver four times the megatonnage he would need today to assure destruction of our missiles. In addition, the accuracy of the incoming missiles would have to be virtually perfect.

The Soviet Union, however, is not believed capable of developing the striking power required to destroy our second-strike missile capability, with the superhard silo improvement, within the foreseeable future.

In his testimony, Dr. Brown made the following statement, which I consider to be significant:

> Against present estimates of Soviet missile capabilities it seems as efficient or more efficient for us to counter Soviet missile warheads by deploying the superhard missile silos than by deploying ABM defenses for our missile fields.
>
> In a sense, hardened silos are a form of ABM defense.
>
> Eventually, we also may need active ABM defenses around our missile fields.

In effect, Dr. Brown is saying that there may be a less expensive method of

insuring the survivability of our intercontinental ballistic missiles than that of employing the multibillion-dollar ABM system.

Last year, this issue of the ABM became one of great contention when it was disclosed that the Soviet Union was developing and appeared to be emplacing its own ABM system. Many reacted with demands for greater haste on the part of the United States to move ahead with its own ABM.

The superhard silo concept casts a justifiable shadow over the urgency of arguments advanced by advocates of a rapid and extensive deployment of an ABM system. Before we rush headlong into the creation of a $40-billion system at a time of serious financial crisis, we must assure ourselves that it is warranted.

We have had expensive projects in the past where billions of dollars have been expended needlessly as we now know with the wisdom of hindsight. An objective, unemotional analysis is what is required so that years hence we can conclude that we acted with foresight and responsibility.

I feel that a thorough analysis of the impact of the superhard silo concept on the deployment plans for the ABM is mandatory at this time. I call upon Air Force Secretary Brown to provide the committee with a comprehensive analysis of this question, including detailed comparative cost estimates.

I intend to seek the support of my committee colleagues on this airing and hope that the distinguished chairman of the committee will lend his full support to determine what the proper course of action should be.

HIGH SCORE HIT BY TRAINEE

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

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

There was no objection.

Mr. PICKLE. Mr. Speaker, I am pleased to note in the May 1 issue of the Corpsman the achievements of a young Texan—a high school dropout at the Gary Job Corps Center in San Marcos, Tex.

Eric Samuelson of Robert Lee, Tex., recently scored 93 percent on the general educational development test—the high school equivalency test—thus, placing him in the top 5 percent of students in 38,000 high schools nationwide which administer the test.

This is not the only achievement of Eric since he joined the Gary Center. With his year and a half experience in the Center's radio and television repair course, he hopes to obtain employment enabling him to continue his education.

I believe Eric typifies the Job Corps program and what it can do for a young person who makes the most of the opportunities the program offers.

I include the article about Eric which appeared in the Corpsman in the RECORD at this point:

HIGH SCORE HIT BY TRAINEE—SAMUELSON PLACES IN UPPER 5 PERCENT

Corpsman Eric Samuelson has nearly hit the top as far as scholastic rating is concerned.

The 17-year-old from Gary (Texas) scored an amazing 93% on his GED tests. This put him in the top five percent of students in 38,000 high schools all over the country that give the test. It was an all-time high for a Gary Corpsman.

Samuelson dropped out of high school in his home town of Robert Lee, Texas. A few months later he signed up in the Job Corps and was sent to Gary.

He's been there for over a year and a half studying radio and television repair. An excellent student in both his vocational and educational courses, Eric has been described as a model Corpsman.

In recent center elections he won a seat in the General Assembly and was elected secretary.

Eric Samuelson believes that "education and learning never stop" and plans to enter Texas Tech in Lubbock, Texas. He hopes to use the skills he learned at Gary to work his way through college and law school.

JOHN W. GARDNER AND THE URBAN COALITION

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

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

There was no objection.

Mr. BRADEMAS. Mr. Speaker, one of the outstanding public servants of our time is the Honorable John W. Gardner.

During his 2½ years as Secretary of Health, Education, and Welfare, Mr. Gardner brought to that immensely important post the qualities of intelligence, imagination, and compassion that are the highest marks of leadership in a free society.

Now, as chairman and chief executive officer of the Urban Coalition, Mr. Gardner is seeking to mobilize the resources of national leadership in business and labor, in religion and civil rights, as well as among the mayors of our great cities, in an attack upon the problems of the urban ghetto.

Mr. Speaker, I know of few figures in American life whose words and thoughts on the problems facing our country command such widespread respect, both from Democrats and Republicans, liberals and conservatives. Many of us are already familiar with Mr. Gardner's well known books, "Renewal" and "Excellence."

I believe, therefore, Mr. Speaker, that Members of Congress will read with great interests four recent addresses by Mr. Gardner. One of these, I am pleased to say, was delivered in my congressional district when Mr. Gardner received on March 6, 1968, the Annual Patriotism Award voted by the senior class of the University of Notre Dame.

The addresses to which I refer were delivered on the following occasions:

America's Democratic Legacy Award dinner, Anti-Defamation League of B'nai B'rith, New York, May 5, 1968.

Washington Day exercises, the University of Notre Dame, South Bend, Ind., March 6, 1968.

Silver Quill Award dinner, Washington, D.C., February 8, 1968.

American Statistical Association, Washington, D.C., December 27, 1967.

Mr. Speaker, under unanimous consent I insert the text of these addresses in the RECORD together with an editorial from the March 2, 1968, South Bend, Ind., Tribune, and articles from Business Week of April 27, 1968, and the Wall Street Journal of April 17, 1968:

REMARKS BY JOHN W. GARDNER, CHAIRMAN, THE URBAN COALITION AT AMERICA'S DEMOCRATIC LEGACY AWARD DINNER, ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH, NEW YORK, MAY 5, 1968

In the time immediately ahead the attribute that may prove to be most valuable to the American people is stamina.

Our afflictions are many. They will not diminish soon. We shall need cool heads and courage—and above all, staying power—if we are to get through the days ahead.

It does no good to oversimplify our problems. But the simplifiers are ever present. They have an understandable desire to roll all our troubles up into one ball. All the trouble, they say, is traceable to the war, or to the President, or to racism, or to the establishment, or to our economic system, or to people over thirty.

One way of suggesting to you the complexity of our troubles is to talk just a bit about the interlocking clusters of problems of poverty, discrimination and the cities.

THE PROBLEM OF POVERTY

The effort to combat proverty, rightly conceived, is far broader and more varied than is generally recognized. It begins with sound management of the economy and attention to the requirements of economic growth and full employment. It requires programs of income maintenance—unemployment insurance, Social Security, public assistance. And justified dissatisfaction with present assistance programs has led to lively debate concerning new forms of income guarantee.

But if we are to break the cycle of poverty we must also eliminate the urban and rural slums that foster poverty. Such environmental change requires massive urban efforts such as the Model Cities Program, as well as regional and rural development activities such as the Appalachian Program.

Equally essential if we are to prevent the continuous regeneration of poverty is to reach its victims—present and potential—with programs of prevention and rehabilitation. That requires programs of early childhood education; excellent schools in the low income areas, job training, health care, social and rehabilitation services.

Having had the opportunity to observe all of those varied attacks on poverty, I am not moved by those who say that the effort to combat poverty has failed. It has not failed. The fact is that the number of people living in poverty has decreased steadily. No social critic likes to mention that fact, but there it is.

Of the hundreds of specific measures we have taken to cope with poverty, some have failed, and some are so new and experimental that the verdict is not yet in. If we don't occasionally have resounding failures in specific programs, then we aren't being sufficiently experimental.

DISCRIMINATION AND THE NEGRO REVOLUTION

The issues surrounding the attack on poverty are of course deeply entangled with the issues raised by the Negro revolution. But they are not the same thing.

The Negro revolution is the most significant event of our day. We seek to cope with it in terms of jobs and low cost housing and other measures not dissimilar to the attack on poverty. But it's more than that. Listen to a well-dressed young Negro college student

who has eaten well all his life, and you know that he is talking of something other than poverty.

He's talking about acceptance on equal terms as a human being—and he is not pleading for such acceptance any more, he means to have it. And if you get the feeling as you talk to him that perhaps nothing you can presently do will quite placate him, that his resentment of centuries of subordination is too deep to eradicate quickly, that he is in a sense "raging against history", you are right. We may have to wait for that rage to spend itself.

We do not seek to do him justice because he threatens riots. That would be foolish. We seek to do him justice because it is right.

Unfortunately our task is vastly complicated by the actions of extremists on both sides. Acts of violence on one side bring responsive acts on the other side. Hatred brings responsive hatred. Extremists on each side point with glee to extremism on the other side. And the destructive interaction goes on.

It appears to be building toward a fearsome climax. And I'm sorry to say I believe there are decent people on both sides, white and black, liberal and conservative, who unconsciously want that climax. Don't ask me why. But as I've listened—and I've listened a lot—I have felt it. Being decent people, they of course want someone else to start the trouble. Like the good gunfighter in the western movie, they want bloodshed but want the other guy to draw first.

But no one who cares about the future of this country, whether he is white or black, liberal or conservative, will allow anger or resentment or an unconscious taste for violence to lure him into thoughts or acts that will bring that climax nearer. On the contrary, he will do everything possible to reverse the rapidly escalating mutual fears and hostility. Only in that way can we get back to the constructive task of removing the obstacles to a life of dignity and meaning for Negroes.

MUST COME TO GRIPS WITH PROBLEMS OF THE CITIES

Many of the difficulties facing the Negro today are created by the urban environment in which so many of them now live. Until we resolve the worst of our urban problems, it won't be a fit environment for either race.

The problems of the city are numerous and complex. The urgency of our present difficulties tends to mask those complexities. We now tend to concentrate on two or three desperately urgent matters—jobs, housing and the like. But sooner or later we shall have to get back to seeing the problem in all of its complexity. We shall have to face up to the fiscal starvation, the splintered jurisdictions, the absence of comprehensive planning, the problem of population, and so on.

NEED FOR EFFECTIVE LOCAL LEADERSHIP

In addition to all the other problems facing metropolitan areas, they face a deep running crisis of leadership. They need and must have far more effective leadership in and out of government.

I hasten to add that when I press the case for local leadership, I am not suggesting that Washington should have a diminished role. The argument over whether we should have a powerful Federal Government is over and done. Every sensible person now recognizes that this big and complex nation is always going to need a big and complex Federal Government. If we're lucky, it will also be wisely led and effectively managed. It will never be anything but powerful.

But the significant lesson of recent years is that the Federal Government, with all its wealth and strength, cannot be fully effective without the help of vital local leadership, in and out of government.

While the liberal and the conservative were arguing over the years about the proper role of the Federal Government, neither of them was asking how they could strengthen state and local government, neither of them was asking how the private sector, which in its very nature, is highly fragmented, could pull itself together to cope with major problems facing the nation.

THE URBAN COALITION

Now we must ask these questions.

The organization of which I am now the Chairman and Chief Executive Officer—The Urban Coalition—is designed to foster such leadership at the local level. Let me tell you about it.

After the riots last summer, a group of outstanding leaders in American life came together to form the Coalition.

The members of the Steering Committee included Mayors such as John Lindsay of New York and Jerome Cavanagh of Detroit, business leaders such as Henry Ford and David Rockefeller, labor leaders such as George Meany and Walter Reuther, Negro leaders such as Whitney Young and Roy Wilkins. In fact, no other organization in American life can equal the Coalition for the distinction and variety of its leadership.

I would emphasize the importance of the Coalition principle. Some people think of the Coalition as just another organization tackling the tough urban problems of the day. But it isn't "just another organization." It is unique, and its uniqueness lies in the way it goes about tackling the problems. Our distinction is that we bring together leadership elements that do not normally collaborate in the solution of public problems—in fact, we bring together segments of American life that have often been utterly out of touch with one another—and, in many cities, are still out of touch.

NEED FOR COLLABORATION AMONG SIGNIFICANT LEADERSHIP ELEMENTS

Today, no one leadership segment can solve the problem alone. City Hall can't go it alone. The Business Community can't solve the city's problems singlehandedly. There must be collaboration among all significant elements that hold power or veto power within the community.

Because of this need at the local level, our National Organization set out immediately to form local coalitions. We now have 33 and we hope to have 100 by year's end. As in the case of the National, each local organization includes representatives from a variety of leadership segments in the community—the Mayor, business, labor, minority groups, and religion. And we encourage the participation of other relevant elements—the universities, the schools, the press, the professions. Each local coalition raises its own funds, and is free to shape its own program in terms of its particular needs.

Now I still encounter leading citizens who say, "Why try to get all those people into the act?" "Why don't a few of us get together quietly, and try to solve some of these problems?"

It's a reasonable suggestion, but hopelessly old-fashioned. It won't work for long in any modern city. People are no longer willing to have solutions cooked up in the back rooms of the establishment and then served to them on a platter. They want to have their say. We won't re-establish stability in our cities until we bring into the same conversation all significant leadership elements that hold power or veto power in the life of the community.

The Coalition principle requires that minority groups be represented in the effort to solve community problems, and such representation is itself a step toward solving the toughest problem of all: effective dialogue between the black and white communities. When a crisis strikes, it is too late to begin the long process of building effective channels of communication. If there is to be fruitful collaboration between black and white leaders, it must begin and be tested in a non-crisis atmosphere. Then when trouble strikes, if it does, men who have worked together and trust one another can go into action together.

The creation of open, continuous and understanding communication between white and black communities is difficult. It requires hard work and patience and imagination on the part of every person involved. But there is no alternative, unless we are willing to see our cities torn apart.

The Urban Coalition will be concerned with unemployment, housing, education, entrepeneurship in the ghettos, race relations and many of the other problems that plague the cities today. We will try to make the public aware of those problems. We will try to bring the nation's best talent to bear on them. We will support constructive efforts to solve them.

We will seek to supplement and not supplant other efforts. We consider every organization constructively engaged in these matters to be an ally and we will hope to work with them and strengthen them where possible.

Thus we will work closely and cooperatively with the National Alliance of Businessmen, The Alliance, as you know, is under the Chairmanship of Henry Ford, who is a member of our Steering Committee.

Let me close with a plea that you lend your support and encouragement to the Urban Coalition—nationally and locally.

Our society is in serious trouble. It is a frighteningly complex society. It is undergoing extraordinarily rapid change. It is afflicted with the gravest dissension and internal conflict. If we are to gain command of the problems that threaten to overwhelm us, we are going to need all the talent, all the leadership that the nation can command. You can supply some of that necessary leadership.

A TIME TO THINK AND ACT IMAGINATIVELY

This is not a time for business as usual. This is a time to think and act imaginatively and responsibly to hold this nation together and move it toward a constructive future.

I don't know how many of you are conservatives and how many liberals, how many Republicans and how many Democrats. I will do you the credit of believing that you are all patriots in the best sense of the word, wanting to preserve this as a vital, coherent nation, wanting it to live up to the best in its tradition, wanting it to continue as a dynamic and free society.

Now, in these troubled days, the nation needs your wisdom, your steadiness, your willingness to deal patiently and calmly with difficult issues, working always to knit the nation together and to transmute destructive emotion into constructive action.

This nation can solve its problems. If we have the stamina and steadiness of purpose to keep our heads during times of conflict and controversy, we can make this society what it was always meant to be—a fit place for the individual human being—any and every individual human being—to live a life of dignity and fulfillment.

REMARKS BY JOHN W. GARDNER, WASHINGTON DAY EXERCISES, THE UNIVERSITY OF NOTRE DAME, SOUTH BEND, IND., MARCH 6, 1968

Let me begin with a bit of history.

The time is June, 1776. The scene—a second floor parlor in the brick home of a young German named Graff, at the southwest corner of Market and Seventh Streets in Philadelphia.

There shortly after the eleventh of June, beginning perhaps on the very evening of the eleventh, the lodger who occupied the second floor of Graff's home began to draft one of the great documents in our history. It would not be easy for me to tell you why my mind has for years lingered over that scene.

The lodger was, of course, the tall, lean, thirty-three year old Virginian known as Thomas Jefferson.

The document was, of course, the Declaration of Independence.

Jefferson said that he "turned to neither book nor pamphlet while writing" the Declaration. Beyond that, we know very little about how the actual drafting proceeded. If I could talk with the shade of Jefferson I think I would pass up a good many other exciting topics in order to question him about the drafting. I think I would question him in particular about the second and most famous sentence in the Declaration, the sentence that, as it stands in the final version, reads: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

THE DECLARATION A REMINDER OF OUR INFIDELITY

In the Rough Draft, he said: "We hold these truths to be sacred and undeniable . . ."

Jefferson later emphasized that he was giving expression to widely held views. The Declaration, he said, "was intended to be an expression of the American mind . . ." And we know that he had grounds for that assertion. As Julian Boyd put it "The idea that men were born equal, that they were possessed of certain inherent and unalienable rights, that those rights included life, liberty and the pursuit of happiness, that it was the duty of government to protect and preserve those rights, that the government which did not do so could be abolished—these were ideas familiar not only to . . . every pamphleteer, every lawyer, every minister of the gospel, but also to almost every American subject of George III in the epochal year 1776."

"We hold these truths to be self-evident . . ."

True to our modern temper, we have dissected the sentence, debated it, and impugned it. I myself have questioned it, defended it, argued over it and written about it. But the dignity of the sentence remains. To me nothing can detract from its beauty, nothing can detract from the significance for Americans of the moral strivings reflected in the sentence. It is the most seminal sentence in the history of American values.

But we must not let our admiration blind us to certain facts. After the great words were written, 89 years passed before we abolished slavery in this land of the free. Another half century passed before we enacted effective legislation against child labor. It wasn't until 1920 that women were allowed to vote. It wasn't until 1954 that the Supreme Court ruled against segregation. And even today human potentialities are warped and stunted in our slums.

Recognizing all that, what should be our attitude toward the words of the Declaration? I have heard it argued that in the light of attitudes and practices then prevailing, the words were sheer hypocrisy, the kind of lofty sentiment men express but never live by, and that for the sake of honesty, they might better not have been written.

I take a different view of the matter. I believe the later gains in human dignity would have come even more slowly, if the Declaration had not stood as a reminder of our infidelity.

The story of our failures and partial successes in the 192 years since the Declaration, is more than a story of the slow approach to an early goal. Not only is our practice becoming in some respects more compatible with the Declaration, our moral insight concerning the goal itself is in some respects deepening. We understand more now than we did then about the implications of those truths that were thought to be self-evident.

OBSTACLES TO INDIVIDUAL FULFILLMENT

One of the things we know now is that there are other and perhaps more stubborn obstacles to individual fulfillment than the tyranny and oppression that preoccupied our Founding Fathers. The other obstacles are poverty, ignorance, disease, discrimination, mental or physical illness or incapacity, and so on. And these cannot be romoved by mere assertion of inalienable rights, nor even by legally certified freedoms.

The most exciting declaration of our generation is the assertion that we must seek to remove *all* of these obstacles. Indeed we are now engaged in an unprecedented attack on all the conditions that prevent the full and free development of individual potentialities.

When we get down to the practical realities of that task—improving our schools, eliminating poverty, combatting mental illness, eradicating discrimination and the like, we find ourselves engaged in a hard and unglamorous business. That perhaps is why the unprecedented effort now being carried on is virtually unknown to the general public. Yet a very considerable number of Americans are participating in it, and for them it is the one wholly meaningful thing on the contemporary scene, the one thing that redeems all the idiocy and brutality of modern life.

None of the tasks we have set ourselves are easy. And they are made more difficult by the complexity of the problems that confront us and by the rapidity of the change the society is undergoing. The sheer task of managing the society, to say nothing of improving it, requires exceptional gifts of technical competence and vision and leadership.

NEED FOR EFFECTIVE LEADERS IN OUR NATIONAL LIFE

But in the matter of leadership, and the emergence of leaders, we face a considerable problem.

With all their extraordinary vision, the Founding Fathers failed to foresee one fairly central difficulty that this Nation would face. They did not see that leadership in a free society would not prove to be the only or even the chief magnet for good men. They did not see that with the rise of the professions a career ideal would emerge that would be far more attractive to our best young people than a career in public life or in any other leadership role.

Ask our brightest and best young men and women what careers they intend to follow. How many plan to run for office? How many plan to enter State or local government? How many into national affairs? Of 3106 National Merit Scholars selected during the first 4 years of the program, less than 2 percent of the boys and about 6 percent of the girls looked forward to careers in government service. A follow-up study of the same Scholars a few years later showed that even fewer retained an interest in government service, 1.7 percent of the boys and 1.5 percent of the girls.

Now in our kind of society, government has no monopoly on leadership, so you might imagine that these able young people have in mind some of the other areas of vital leadership in our society. But they do not.

They aren't particularly interested in being corporation presidents, or labor leaders or university presidents. They want to be professionals—unentangled, unencumbered, unbeleaguered, loyal only to their craft.

Now I am all for professionals. They have created the modern world—but I don't hold that against them. They are a priceless asset to any society.

But we also need a steady flow of extremely capable people into the decision-making roles in and out of government. And we aren't getting them.

I believe that there are few facts in our national life more disturbing than that. Our society and our world have grown so complex, social change occurs at such a bewildering pace, and the sheer technical demands of leadership have mounted so swiftly that in my judgment we're headed for disaster unless our ablest young people take a hand in running the society.

We need them as leaders, not just as buttoned-up and buttoned-down professionals living secure and tidy lives. We need them as leaders in business and education and in every other area of our national life—but most particularly we need them in public life.

We are producing the most educated, articulate and brilliant sidewalk superintendents the world has ever seen. We have a limitless supply of people with the intelligence and expertise to analyze the society's problems, but very, very few with the motivation and stamina to leap in and help solve them.

If enough of our young people are willing to commit themselves to the habardous business of leadership, then I have some hope for the years ahead. As some of you know, I have been keenly interested in what it is that makes nations decay. And as those of you who have read my book *Self-Renewal* know, the evidence convinces me that the decline of nations is not inevitable. As I said in the book if we go into a decline, we shall not be able to blame the inexorable forces of history. It will be an avoidable failure of the mind and heart and spirit of the American people. We now know beyond all doubt that nations die from within, and they are attacked less often by traitors within the gate than by traitors within the heart—complacency, apathy, cynicism, intolerance, self-deception and an unwillingness on the part of the individual to lend himself to any worthy common purpose.

"LET US RAISE A STANDARD"

Before the Constitutional Convention in 1789 George Washington is said to have made the statement: "Let us raise a standard to which the wise and honest can repair. The event is in the hands of God."

When I was a young man that seemed to me, and it still seems to me, a noble proposal. But as a youth, I was also attracted by its seeming simplicity. Life hadn't yet revealed to me how difficult it is to raise any kind of standard, nor for that matter how hard it is to be wise and how very hard to be honest—hard all the days of our lives.

I believe that Jefferson erected such a standard when he inserted into our first great national document a memorable expression of what have proven to be the most enduring values in American life.

We have been faithless and faithful by turns to the ideals Jefferson expressed. We have interpreted and reinterpreted his words. Our understanding of the values underlying them has evolved and deepened. Yet we are still struggling to do justice to the vision, heartened by a few successes, ashamed of many failures, and unable to predict what new moral insights of tomorrow will make present practice appear primitive. Perhaps that is simply a description of the reality surrounding all moral striving.

It may be, of course, that in the years ahead, moral progress will be swifter than we think. It may be that the human race, which for 10,000 years has been so uneven in honoring its ideals, will suddenly change when the generation now under 30 takes over. But it may not. We must face that dreadful possibility.

Perhaps we will have to face the fact that we are imperfect creatures.

But we are imperfect creatures who dream of something better.

The something better that Americans, with all their failings, have dreamed of so insistently down the years is a society in which every person is of value, in which no one is damaged by circumstances that can be prevented, a society in which ignorance and disease and want will tyrannize no longer, a society that does not assault the senses with

ugliness nor the mind with mediocrity nor the spirit with bleakness.

We will not redeem that ideal without great devotion and great effort. But there isn't anything we could be engaged in that will more surely give meaning to our lives.

REMARKS BY JOHN W. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, SILVER QUILL AWARD DINNER, FEBRUARY 8, 1968, 7 P.M., WASHINGTON, D.C.

These are difficult times, and those who care about the well-being of this land are more than ever concerned to serve it well. We want to strengthen the Nation and preserve its vitality. We want to expand its tradition of freedom. We want it to stand for the best. We want it to be true to itself.

But the problems of the Nation are complex, and—at least at the level of leadership—it can only be served well by those who are willing to understand and cope with complexity. I'm going to talk tonight about some aspects of that complexity.

In the course of my career I've been involved in the foundation world, the business world, the universities, the military services and government. And somewhere along the way I developed a strong interest in how the various pieces of this society fit together.

Many people now see that relations between the Federal Government and other elements in the society are in swift transition, and they see that the American people had better understand that transition if we want to shape it to their purposes.

The difficulties facing this society today are of the utmost gravity. They may get much worse before they get better. I do not believe that as a nation we have acknowledged the seriousness of our situation. We must bring to bear on those problems the best minds and energies that this Nation can offer.

We must find better means of appraising our problems as they emerge, better means of devising and testing social solutions, and above all, better ways of mobilizing the abundant talents, resources and institutional strengths of this society. Without such mobilized effort we stand little chance of gaining command of the problems that threaten to overwhelm us.

NEED FOR MUTUALLY RESPECTING PARTNERSHIPS

But as this audience knows so well, we have a system characterized by the dispersion of power and initiative, and we like that attribute of the system. So we must develop means of mobilizing talent and resources that will move us toward our goals and at the same time will disperse power and initiative. Stated in simpler terms this means:

We must find far more effective ways of relating the Federal Government to State and local governments.

We must find new and better ways of involving private enterprise in the pursuit of social goals.

We must ask the universities to become even more deeply involved in carrying out public functions.

We must utilize increasingly a wide variety of nonprofit agencies in getting public work done.

And we must make certain that the relations between the Federal Government and all these other elements—State, local or private sector—are such as to preserve the integrity and vitality of the non-Federal partner.

President Johnson has urged and encouraged the creation of just such mutually respecting partnerships.

When I came to the Department of Health, Education, and Welfare, I initiated a thorough review of relations between the Department and the States. After a year of study I met with the governors and told them there were many specific and concrete measures that the Department could and would take to provide them with greater initiative and flexibility. This has since resulted in organizational changes in the Department, in legislative innovations, and in a revolutionary improvement in communications between the governors and the Department.

Let me give you one example, from the field of health. We had developed—over the years—fifteen separate grant programs through which the Federal Government made money available to the States for specified purposes, after the State had met prescribed conditions. Last year we merged those fifteen programs into one. Now each governor is asked only to assure us that he has adequate machinery for assessing what his State's needs are and then he is free to use his Federal aid for what he and his senior health officials deem important. There's a lot more to be done in redesigning our relations with States, but we're taking the first steps.

The Department has taken comparable steps to review its relations with the universities. I have set up a committee of college and university presidents to provide a continuous channel of communication. And we're already taking some practical, down-to-earth steps to remove sources of irritation from that relationship.

Finally, let me turn to the relationship between the Federal Government and private business. I know that many of the organizations represented here tonight have shown a deep and constructive interest in improvement of that relationship.

Business serves the nation well and the Federal Government well when it preserves its own vitality and forward movement. It is not only this country's chief source of economic growth and vitality, but the principal source of opportunity for the individual.

From the earliest days of this Republic, businessmen have seen in their government not only a keeper of the peace, an enforcer of contracts, a collector of taxes and a regulator of ways of doing business but also a provider of subsidies (sometimes in cash, sometimes in credit or in tax concession).

More recently, government has been given heavy responsibilities in the effort to promote economic growth, to maintain economic stability and to foster full employment. And in the years since World War II the government contract has come to play an increasingly important role in accomplishing a broad range of national purposes.

Even in the Department of Health, Education, and Welfare, which does not deal primarily with the business world, there are innumerable examples of the relationship. Aerojet General has developed a computerized patient manikin which promises to revolutionize the teaching of anesthesiology. McDonnell-Douglas Corporation is working on a power source for the artificial heart. United Aircraft is working on radar devices to aid the blind.

Less conventional and less well known is the Department's relationship to Blue Cross and to commercial insurance carriers in administering Medicare. In the Medicare program, health care is purchased from private, State or local hospitals, and claims are handled and payments made by Blue Cross or commercial carriers—all without a Federal employee having a hand in it.

The Food and Drug Administration, one of the constituent agencies of HEW, is collaborating with General Foods on an interesting experiment in self regulation of food processing. General Foods and FDA have agreed upon standards, and General Foods is reporting periodically on the evaluation of its own operations, with a view to eventual reduction in government inspection.

These examples—involving the universities and State and local governments as well as business—demonstrate that as a nation we are developing new ways to relate the Federal Government to each of the nongovernmental elements.

If those relationships are to develop in such a way as to maximize this society's creative abilities while preserving our system of dispersed power and initiative it will be because we planned it that way. And by "we," I mean all who are involved—those in the private sector, and those in government.

STRATEGY FOR THE PRIVATE SECTOR

As leaders in the private sector address themselves to the future of the relationship, what should they be thinking about? Let me give you what I think of as a strategy for the private sector—and I refer not just to the business world but to all the nongovernmental sector—the universities, foundations, professions, and so on.

FACE UP TO THE PROBLEMS

First, face up to the largest and toughest problems of the society. No factor has been more conclusive in the emergence of big government than the failure of the private sector to look squarely at the real problems of the community and the nation. Even today there are many in the universities and in the business world who somehow imagine that their special worlds can flourish while the society decays. It cannot be. Our society is wholly interdependent today, and decay in one part endangers all.

Today each of the varied segments of the private sector appraises its own special problems, but none examines the larger issues facing the nation. As a result, those larger problems end up in the lap of government. And that makes little sense when one considers the extraordinary resources of talent and expertise available in the private sector. Individuals and institutions in the private sector are perfectly capable of appraising the major problems facing the society and of developing policy alternatives.

What should our future system of health care look like? How should it be organized and how financed? What should our higher educational system be like 20 years from now, and how do we get from here to there? What steps will have to be taken over the next two decades to control environmental pollution? How can we save our cities? The way in which these questions are answered will deeply affect the private sector.

UNDERSTAND PROCESSES OF GOVERNMENT

Second, understand the processes of government. The day is past when leaders in the private sector, whether they are corporation or university presidents or something else, can delegate to their Washington representatives the problem of understanding the Federal Government. The leaders in the private sector should be deeply and personally concerned about how the society is governed. Many should take their turn at governing. They should know how government functions.

I'm not talking about the shallow arts of influence—what official or what Member of Congress to see to get what results. I'm talking about a real comprehension of how the system works.

EXAMINE RELATIONSHIP BETWEEN FEDERAL AND NON-FEDERAL GOVERNMENT

Third, re-examine the relationship between the Federal Government and each non-Federal element. What are the principles that should characterize the Federal Government's relationships with State and local government, with business, with the universities? How can relationships be designed so that the non-Federal partner is not weakened and subordinated? These are questions that should be asked insistently and *they can be answered.* But they cannot be answered with rhetoric or generalities. It is necessary to get down to the specific principles governing the relationship—and those principles must be embedded in legislation, in regulations, and in tradition.

New forms of collaboration need to be devised even as existing relationships are re-examined. In the case of business, for example, we must seek ways of adopting established tools—the credit subsidy, the tax concession, the contract and the grant—to provide the inducement (in business terms, the market) that will bring the creative force of business to bear on social goals.

And in thinking about the Federal Government's relations with non-Federal elements, I urge that everyone give thought to the future of State and local government. Our system of dispersed power and initiative is anchored in two sets of relationships: the government-private sector relationship and the Federal-State-local relationship. Anyone who cares to preserve the system had better care about the latter as well as the former.

STRENGTHEN EXISTING INSTITUTIONS IN THE PRIVATE SECTOR

Fourth, strengthen existing institutions in the private sector and design new ones where needed. In the intricately organized society of the future, inefficient institutions will be squeezed out. To mention those that I see at close range, some of our private hospitals, private charity institutions and private schools are among the most inefficient institutions in the nation. They should be subjected to continuous re-examination and renewal. They are too important to our future to be neglected. (I don't need to add that government agencies need equally rigorous scrutiny.)

Let me conclude with a word about the way in which leadership is organized in this nation. It is characteristic of our system that a great deal of the significant leadership of our society lies outside of government. But today that non-governmental leadership is rarely an effective voice in the larger issues facing our society. That can and must be remedied. We need, outside of government, an effective body of leaders, local as well as national, who are committed to preserve the vitality and stability of the community despite the ups and downs of partisan conflict.

The need for such a layer is dramatically evident in our major cities where City Hall is virtually helpless without the strong assistance of local leadership by industry, labor and minority groups.

Our society has become so complex, change so swift, and the social forces impinging on us tumultuous that it's pretty close to being more than we can manage. If we are to retain any command at all over our own future, the ablest people we have in every field must give thought to the largest problems of the nation.

The whole point of my remarks tonight is that they don't have to be in government to do so. But they do have to come out of the trenches of their own specialty and look at the whole battlefield.

"ONE NATION INDIVISIBLE . . ."

One final comment. Even the ablest and most willing leadership will not be effective unless we can halt the deep cleavages that are appearing in our society.

Anyone who has listened to the messages from the ghetto, and the words uttered in paneled offices and country clubs knows that there are destructive and divisive sentiments in circulation that could tear this Nation apart.

The place to combat those sentiments is where they start—in our own minds and in the conversations of our friends and colleagues. And leaders in every segment of our national life have further responsibilities: To strive to diminish tensions in their own communities, to act constructively under stress, to bind the Nation together.

Every time we salute the flag we pledge allegiance to "one Nation indivisible." And one Nation indivisible it must remain.

REMARKS BY JOHN W. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, AMERICAN STATISTICAL ASSOCIATION, WASHINGTON, D.C., DECEMBER 27, 1967

A couple of years ago, when I was about ten years younger, Fred Mosteller asked me to give this speech. I said "yes" partly because I've known and admired Fred for many years, partly because I once taught statistics and have many friends in this Association, but mostly because I was flattered that someone thought I would last long enough to keep the engagement.

My days and my energies are now totally absorbed in handling some of President Johnson's major domestic programs, and I want to talk about some of the problems in our domestic effort, problems in the governing of this free society, in other words, problems facing the people.

I cannot speak with assurance, only with concern. I constantly marvel at the number of people outside the arena of action who know precisely how to solve our problems, and the number of people in the heat of action who lack that superhuman clarity. I've often wondered why this is so.

I want to talk about resources, expectations, planning, the public mood, institutional change and civil disorder.

HEIGHTENED AWARENESS OF SOCIAL PROBLEMS

We have seen in the years since 1961 a growth of domestic social programs unrivalled in our history except for the period 1933–37. I'm not speaking solely of government programs—I'm speaking of activities in and out of government, in every corner of this land. It has been an extraordinary outburst of social conscience, marked first and foremost by a heightened awareness of social problems.

There is no precedent for the scope of goals envisioned by the people in and out of government who concern themselves with the social fields today. We have declared war on ignorance, disease, poverty, discrimination, mental or physical incapacity—in fact, on every condition that stunts human growth or diminishes human dignity.

I am deeply committed to that effort and heartened by the progress we have made. But it is a struggle all the way, and there are grave problems ahead.

Consider, for example, the coming crunch between expectations and resources. The expectations of the American people for social benefits are virtually limitless. In the past six years we have opened up innumerable areas of constructive governmental activity—in early childhood education, work with handicapped children, special education for the disadvantaged, health research, work on artificial organs, programs for the aged, rural development efforts, conservation and beautification activities, manpower training and so on. We have begun most of these programs on a modest scale.

The proponents of every social institution or group aided by these programs believe passionately that support to *their* field must be vastly enlarged in the near future. The colleges and universities have ideas for future Federal support that would run to billions per year. And they ask little compared to the advocates of aid to elementary and secondary education.

The annual cost of a guaranteed income would run to scores of billions. Estimates of the cost of adequate air and water pollution control and solid waste disposal run even higher. Estimates of the cost of renovating our cities run to hundreds of billions.

Today we attribute budget constraints to the Viet Nam war, but if the war ended tomorrow, in 12 months we'd again be bumping against the ceiling of resource constraints.

PROBLEM OF LIMITED RESOURCES

How do you make rational choices between goals when resources are limited—and will always be limited relative to expectations? To those of you familiar with program budgeting, the question translates itself into several others: How can we gather the data, accomplish the evaluation, and do the planning that will make rational choices possible?

Forced choices are of course not the only consequence of a limit on resources. We can have our cake and eat at least some of it if we can get a higher yield from the dollars, talent and institutional strength available to us.

But that raises questions of good management and unit cost that are painful to most people active in the social fields. Once in talking with a physician who was ministering to poor people I asked about unit costs of his government-supported clinic, and he said "I'm not an efficiency expert, I just want to heal sick people."

What he was refusing to face is that somewhere up the line hard decisions will necessarily be made, and a limit placed on resources available for delivery of health care. So if he is in fact functioning with high unit costs, the number of sick people he can treat will be correspondingly few. Without knowing it he has made a decision on resource allocation.

RATIONAL USE OF RESOURCES

Now let me mention one more kind of problem that arises when demand is great and resources are limited.

Any effort to plan and rationalize the allocation of resources tends to reduce pluralism, and to introduce new kinds of institutional controls. If we have less than enough to spend in constructing hospitals, then we must be sure that those constructed are properly located and designed to accomplish the greatest good.

In doing so, we move toward a measure of social control. The Federal Government has avoided infringement of local autonomy by asking the States to perform the necessary planning functions.

But whether the controls are at the Federal, regional or State level, rational use of resources tends toward the creation of large-scale, interconnected systems, and to comprehensive planning of those systems.

Traditionally we have had no appetite for such systematic planning. And our non-governmental institutions, whether universities or hospitals or scientific laboratories, are not accustomed to think of themselves as parts of large-scale interconnected systems.

MUST MAINTAIN LOCAL AND INSTITUTIONAL AUTONOMY

I believe it is possible to accomplish a large measure of rational social planning and still retain the most important features of local and institutional autonomy. But it will require a conscious effort and a knowing grasp of the problems involved.

In the light of these requirements one can see the value of President Johnson's assertion that the Federal Government should operate more and more through mutually respecting partnerships with State and local government, with the universities and corporations, and with the other great estates of the private sector. Such partnerships, rightly designed, can maintain the dispersion of power and initiative that we cherish. But it will take a lot of skill and ingenuity to design the partnerships wisely and well.

NEED FOR FORMULATING GOALS

Another inevitable consequence of the effort to husband resources and allocate them wisely is the attempt to predict future needs and expenditures. Our tradition of stumbling into the future is expensive. Intelligent use of limited resources requires orderly formulation of goals, evaluation of means to achieve those goals, and development of strategies and cost-estimates for getting from where we are to where we want to be.

But I have been talking about social goals, plans and priorities as though the only significant considerations were rational and technical. In the development of public policy, that can never be. So let me talk a bit about people.

Once people were fatalistic about their problems because they attributed those problems to the will of God or the forces of Nature or simply to the unchanging order of things.

But for the past 3 centuries man has gained increasing confidence, justified or not, that he can have a hand in determining his own fate, can rid himself of at least some of the ancient afflictions.

Whatever else the consequences, that shift places a very heavy burden on man and his institutions. The individual who used to curse his fate now curses himself or his employer or the party in power.

The pressures and strains on institutions are particularly severe when people who have suffered oppression, as have some of our minority groups, begin to see the chance for a better life.

INSTITUTIONS MUST BE MADE MORE RESPONSIVE

Once the grip of tradition or apathy or oppression has been broken and people can hope for a better life, their aspirations rise very steeply. But the institutions that must satisfy those aspirations change at the same old glacial speed.

As things stand now, modern man believes—at least with half his mind—that his institutions can accomplish just about anything. The fact that they fall very far short of that goal is due, he believes, to the prevalence of people who love power or money more than they love mankind.

To my mind there is an appealing (or appalling) innocence to that view. I have had ample opportunity—perhaps more varied opportunity than anyone you know—to observe the diverse institutions of this society—the colleges and universities, the military services, business corporations, foundations, professions, government agencies and so on. And I must report that even excellent institutions run by excellent human beings are inherently sluggish, *not* hungry for innovation, *not* quick to respond to human need, *not* eager to re-shape themselves to meet the challenge of the times.

I am not suggesting a polarity between men and their institutions—men eager for change, their institutions blocking it. The institutions are run by men. And often those who appear most eager for change, oppose it most stubbornly when their own institutions are involved. I give you the university professor, a great friend of change provided it doesn't affect the patterns of academic life. His motto is "Innovate away from home."

We are going to have to do a far more imaginative and aggressive job of renewing, redesigning, revitalizing our institutions if we are to meet the requirements of today.

Just as the resistant character of institutions blocks constructive change, so does lack of resources. We discussed that subject earlier, but left out one crucial fact. The overall limit on resources available to government programs is determined not just by the economy, not just by the rational and technical processes of budgeting, but by the perception on the part of Congress and the public of what needs doing and how badly it needs doing, by the willingness of the public to let itself be taxed for relevant purposes, by the courage of the Administration in calling for taxes and of the Congress in enacting them.

GRAVE CONSEQUENCES OF INACTION

I believe we are now in a situation in which the gravest consequences for this Nation will ensue if we fail to act decisively on the problems of the cities, poverty and discrimination. The human misery in the ghettos is not a figment of the imagination. It can be read in the statistics on infant mortality, in the crime statistics, in the unemployment figures, in the data on educational retardation. We must deal responsively and not punitively with human need. But the resources available to cope with these problems will be determined by public awareness of the need, by the subtleties of public mood, and by Congressional action. At this writing, it does not seem to me that either the Congress or the public is fully aware of the alarming character of our domestic crisis.

We are in deep trouble as a people. And history is not going to deal kindly with a rich nation that will not tax itself to cure its miseries.

The modern belief that man's institutions can accomplish just about anything he wants, when he wants it, leads to certain characteristics contemporary phenomena.

One is the bitterness and anger toward our institutions that occurs when high hopes turn sour. No observer of the modern scene has failed to note the prevalent cynicism concerning all leaders, all officials, all social institutions. That cynicism is continually fed and renewed by the rage of people who expected too much in the first place and got too little in the end.

ASPIRATION AND DISILLUSIONMENT

The aspirations are healthy. But soaring hope followed by rude disappointment is a formula for trouble. Leaders arise whose whole stock in trade is to exploit first the aspirations and then the disappointment. They profit on both the ups and downs of the market.

The roller coaster of aspiration and disillusionment is amusing to the extreme conservative, who thought the aspirations were silly in the first place. It gives satisfaction to the left-wing nihilist who think the whole system should be brought down. It is a gold mine for mountebanks willing to promise anything and exploit any emotion. But it is a devastating whipsaw for serious and responsible leaders.

All of this leaves us with some crucial and puzzling questions of public policy. How can we make sluggish institutions more responsive to human need and the requirements of change? How can we mobilize the resources to meet the grave crises ahead?

How can we preserve our aspirations (without which no social betterment is possible) and at the same time develop the toughness of mind and spirit to face the fact that there are no easy victories? How can we make people understand that if they expect all good things instantly they will destroy everything? How do we tell them that they must keep unrelenting pressure on their social institutions to accomplish beneficial change but must not, in a fit or rage, destroy those institutions? How can we caution them against exploitative leaders, leaders lustful for power or for the spotlight, leaders caught in their own vanity or emotional instability, leaders selling extremist ideologies?

DIMINISH THE RESORT TO VIOLENCE

How can we diminish the resort to violence? Violence cannot build a better society. No society can live in constant and destructive tumult. We will have either a civil order in which discipline is internalized in the breast of each free and responsible citizen, or sooner or later we will have repressive measures designed to re-establish order. The anarchist plays into the hands of the authoritarian. Those of us who find authoritarianism repugnant have a duty to speak out against all who destroy civil order. The time has come when the full weight of community opinion should be felt by those who break the peace or coerce through mob action, or by-pass established democratic procedures in favor of coercive demonstrations.

In closing let me emphasize one or two points. Dissent is an element of dynamism in our system. It is good that men should expect much of their institutions, good that their aspirations for improvement of this society should be ardent.

But those elements of dynamism must have their stabilizing counterparts. One is a tough-minded recognition that the fight for a better world is a long one, a recognition that retains high hopes but immunizes against childish collapse or destructive rage in the face of disappointment. The other is an unswerving commitment to keep the public peace.

NEED FOR YOUNG LEADERS

But we need something else. An increasing number of very bright and able people—people like yourselves—must become involved in the development of public policy. Ours is a difficult and exhilarating form of government, not for the faint of heart, not for the tidy-minded, and in these days of complexity not for the stupid. We need men and women who can bring to government the highest order of intellect, social motivations sturdy enough to pursue good purposes despite setbacks, and a resilience of spirit equal to the frustrations of public life.

We face the gravest difficulties in the days ahead. But if we could bring to bear on our toughest problems all of the talent and resources of this Nation we could accomplish some things that would leave an indelible mark on the history books.

[From the South Bend Tribune, Mar. 2, 1968]

GARDNER WITHOUT HANDICAPS

It was widely agreed that John W. Gardner, who recently stepped down as secretary of Health, Education and Welfare (HEW), was among the most able men ever to serve in President Johnson's cabinet. Such judgments are never unanimous, but in Mr. Gardner's case the agreement was surprisingly broad.

It is, therefore, encouraging that Mr. Gardner has accepted the chairmanship of the Urban Coalition—an organization that has aspirations of becoming a kind of non-federal department of health, education and welfare.

Unlike the federal version, with its entrenched bureaucracy, its tradition-laden ways of doing things, and its emphasis on congressional appropriations as the solution to all evils, the Urban Coalition is young enough to be flexible and responsive instrument.

It is not likely to do away with the need for a parallel federal bureau. But it could prove to be an effective supplement to HEW, and perhaps an experimenter and pace-setter.

The Urban Coalition was born of last year's civil strife. It is an alliance of business, labor, local governments, civil rights groups and churches to seek answers to the social problems that give rise to America's urban agonies.

At its best, it could prove to be the healthiest counter-balance yet to the long trend toward federalizing domestic problems and their solutions. At worst, it will help spread awareness of problems among segments of society whose vision has not normally embraced such problems.

Mr. Gardner performed well as HEW secretary in spite of the built-in bureaucratic handicaps. It will be fascinating to see him in action without the handicaps.

The country may have gained rather than lost a skillful servant in John Gardner's job shift.

[From the Wall Street Journal, Apr. 17, 1968]

RESCUING THE CITIES—RACIAL TURMOIL SPURS NEW URBAN COALITION TO STEP UP ITS EFFORTS—GROUP LED BY GARDNER UNITES BUSINESS, LABOR, RIGHTS LEADERS IN ATTACK ON ILLS—THE "POOLROOM CROWD" IN GARY

(By Monroe W. Karmin)

WASHINGTON.—The day after the death of the Rev. Martin Luther King Jr. an emergency phone call from the nation's capital to

Puerto Rico furnished sudden impetus to a fledgling effort for social change—the Urban Coalition.

President Johnson wanted help from John Gardner, who just five weeks earlier had left the Cabinet to take charge of this national alliance of business, labor, civil rights, religious and urban leaders formed last August to mount a "broad public-private attack on the problems of American cities."

Mr. Gardner, who was in San Juan to deliver a speech, promptly wired local coalitions in 33 cities that the King murder attached "new urgency" to the need for "positive and constructive action in this time of national crisis." From this alert, and amid the post-assassination racial violence, came this response:

—Coalitions in some major riot cities rushed aid. In the District of Columbia, for example, the local unit set up emergency centers to find jobs, distribute food and arrange housing for residents of riot-torn neighborhoods. Though the Washington coalition was organized only a few weeks ago, Chairman Walter F. McArdle, a businessman, says the burning and looting "matured us in a hurry."

—Coalitions in other cities contributed in different ways. Detroit's coalition swung behind Federal civil rights legislation with messages to Congress from big business names: Ford's Henry Ford, General Motors Chairman, James M. Roche; department store magnate Joseph L. Hudson, as well as the board chairmen of Michigan Bell, Detroit Edison and Michigan Consolidated Gas (the rights bill cleared Congress a week ago). The Minneapolis coalition pledged action on 14 alleged grievances presented by the black community, ranging from job discrimination to the lack of Negro representation on the city council.

Cities without coalitions showed new interest. Last week national headquarters received inquiries from at least 11 communities wanting to form local units. Among these communities were Westchester County, N.Y., St. Petersburg, Fla., Madison, Wis., and Memphis, scene of the killing of Mr. King. "Since the assassination and rioting," says a national coalition staffer, "people have been calling in here with a new sense of urgency."

A SIGNIFICANT CALL

As significant as the cities' emergency response to Mr. Gardner was the fact that Mr. Johnson called him at all. At the Urban Coalition's birth eight months ago, there was no White House involvement whatsoever.

The Urban Coalition was founded at an "emergency convocation" here in August. The co-chairmen of the meeting were Andrew Heiskell of Time Inc. and A. Philip Randolph of the Brotherhood of Sleeping Car Porters. The organization had an impressive set of founders: General Electric's Gerald Phillippe, Chase Manhattan's David Rockefeller, labor's George Meany and Walter Reuther, Mayors Richard Daley of Chicago and John Lindsay of New York, and Negro leaders Whitney Young, Roy Wilkins and Mr. King—among many others.

Yet the White House greeted the new group with utter silence; the coalition's blueprint for "an attack on the urban crisis" exceeded, in many aspects, the Great Society's own domestic-spending plans.

But Mr. Gardner now is confident of Mr. Johnson's support. Indeed, the former Secretary of Health, Education and Welfare insists it was the President who suggested (when Mr. Gardner first revealed his wish to resign) that he consider becoming chairman of the Urban Coalition to "stay in the battle" to save the cities. Mr. Gardner did, and at the very next crisis the President called.

Fresh crisis, apparently, is what the Urban Coalition needed to generate momentum. Despite its bold purpose and blue-ribbon sponsorship, the alliance, prior to Mr. Gardner's takeover, could point to few solid accomplishments. Its national staff was small, and what was being done stemmed more from local initiative than from national direction.

OFFERS OF HELP

Mr. Gardner hopes to change all that. He's now recruiting staff talent to be paid from foundation grants, and, encouraged by last week's activity, he has set a couple of short-term goals:

First, he wants to enlarge local membership. With 33 cities represented now, he hopes for 50 by summer and 100 by the end of the year.

Second, he wants to give local units more forceful, precise leadership. By early June, he hopes to give city coalitions specific suggestions about jobs for the hard-core unemployed, education reforms and homes for low-income families plus open housing for Negroes. Jobs are especially urgent. "What we need in the worst way is a distillation of the experience of private industry with the hard core," Mr. Gardner declares.

Why does Mr. Gardner believe the Urban Coalition can be more effective than other organizations—including his former employer, the Federal Government—especially since the coalition's primary purpose is not the dispensing of funds?

The chairman views the coalition as a catalyst, bringing together community leadership elements that do not normally join hands to solve public problems. And he believes it can perform this task more easily than Government simply because the coalition is not Government. "I've gotten all kinds of offers of help that I would never have gotten as HEW secretary," he says.

This coalescing of community support is intended to have both national and local impact.

On the national level, Mr. Gardner hopes the coalition will generate grass-roots pressure on "an inert and apathetic Congress" to win lawmakers' acceptance of social welfare programs aimed at uplifting the urban poor generally and the urban Negro specifically. In this regard, the coalition has moved well out in front of the Johnson Administration in calling for "a reordering of national priorities." For example, it wants Congress to finance one million public-payroll beginner jobs for Negroes in police and fire departments, schools and hospitals. Mr. Johnson indicated late last week that he was not about to recommend any such dramatic—and costly—new program.

On the local level, Mr. Gardner wants to see member coalitions turn their talents and energies to a range of community problems, following the lead of some of the pioneers.

The New Detroit Committee, spearheaded by Henry Ford II, is the most publicized of these. Though the committee existed before the national Urban Coalition was formed, it is now the Motor City's local coalition. And while its success remains to be measured, the committee counts among its accomplishments the placement of at least 50,000 unskilled workers, more than half of them Negroes, in the past six months and the "adoption" of a city high school by Michigan Bell, which sends employes to teach at the school and provides on-the-job training at its own facilities.

In Gary, Ind., the Urban Coalition unit is a product of U.S. Steel Corp. initiative. Four of the coalition's 30 board members come from the corporation, which has also pledged $70,000 to help attack the city's problems. There's no question, says George Coker, executive director of the Gary Urban League and secretary of the Gary coalition, that U.S. Steel has been "a major mover."

Over the winter, the corporation hired 130 hard-core unemployed, described by Mr. Coker as "the poolroom crowd recently arrived from the South," Company-sponsored basic-education classes raised their reading proficiency to the sixth-grade level and taught work discipline. It's too soon to evaluate the newcomers' long-term performance, but only 7 of the 130 have dropped out, and Mr. Coker says the corporation has now revised its hiring standards to begin accepting applicants who aren't high school graduates.

The New York City coalition, as part of a broad attack on local problems, is considering the establishment of an "economic development" unit to provide venture capital and technical assistance for would-be Negro entrepreneurs. The economic unit might seek to obtain Government contracts and private franchises for the ghetto residents.

The Niagara Falls, N.Y., coalition, which came into being only in February, is helping teen-agers, mostly Negro, from a United Youth Corp. United Youth hopes to turn a profit by providing dances, shows and other recreation for local youngsters. Profits would be used to help finance the coalition and to provide scholarships.

The Fresno, Calif., coalition has pledged a modest $10,000 as the start of a city mortgage-insurance fund to help residents of slum neighborhoods buy homes. The 30-man steering committee includes representatives of the poor, Mexican-Americans, Negroes, youngsters and the aged.

The Minneapolis coalition saw one of its plans come into being in a hurry over the crisis weekend that followed the King assassination. To insure order, a mobilization call went out to a citizens' patrol known as the "Protectors"—organized through a Negro community center under the auspices of the city coalition—that had been under discussion for weeks. The coalition paid for gas for the Protectors' cars and provided them with walkie-talkies to keep in touch with the police.

But if the threat of violence spurred Minneapolis to quick action, the occurrence of violence poses a new problem for some other coalitions.

Despite the success of its relief operation in riot-torn Washington, some members of the city's coalition fear the destruction will erode future support. A coalition member reports "a helluva lot of businessmen are saying, 'I'll be damned if I'm going to help, now that the city has been burned.'" Thus, he believes a primary task for the coalition here will be to "try to get people to understand why the riot happened and the need for action" to alleviate its causes.

[From Business Week, Apr. 27, 1968]

BUSINESS JOINS WAR ON URBAN ILLS

The Urban Coalition, now headed by John W. Gardner, pulls in some powerful business backing. Its plan is for a low-key—but solid—drive to raise up the cities' ghettos.

John W. Gardner, the new head of the Urban Coalition, did the impossible when he was Lyndon Johnson's Secretary of Health, Education, & Welfare.

After 2½ years in a job that bruised and scarred other men, Gardner resigned with his prestige enhanced. He is now committed to a new venture: cementing together—and making effective—a brand-new organization that got off to a flying start last summer, but has been flying low and slow ever since.

His task is to make it possible for the country's hard-headed businessmen to stand up and be counted—alongside hard-headed Negro leaders, labor leaders, religious leaders, and big city mayors—for some of the most controversial and costly proposals for solving the urban crisis.

Says a labor union official who is a member of the coalition: "Without the business leaders, you've got the same lobbying organizations you had before. With the business leaders joining in the question becomes: Will they come in hard enough and strong enough to make it a lobbying organization that really is something more than we had before?" The coalition was officially launched last summer, while the horror of Newark and Detroit

still hung over the country. Gardner became the coalition's first full-time chairman on Mar. 1.

The coalition has already taken hard stands for more money for the war on poverty, more money for summer jobs for ghetto youth, more public housing and rent supplements, and for the new open housing bill.

It opposed last year's freeze on welfare payments, and supported a tax increase. And it asked the government to provide "public service jobs" in cities and towns for those of the unemployed who cannot find jobs in private industry.

Coming tests. The coalition's next big objective is its drive for public service jobs; its proposals carry a price tag of around $4 billion.

The coalition has discussed the highly controversial welfare system, and the alternative of some kind of guaranteed annual income or negative income tax. But Gardner is going slow on this and other new issues for the rest of this year.

One insider says hopefully that as the coalition takes on weight and momentum, its policy positions "will reverberate throughout the political leadership, and be perceived as important sentiment from around the country." He adds: "But as yet this is not the case. Gardner needs organization and community effort to bring this about. The test for the coalition has to be, 'When will the politicians sit up and take notice?' "

But there is also some doubt whether the coalition can move fast enough and hard enough to satisfy some of its key members. "Whitney Young (executive director of the National Urban League) is going to hold the coalition's feet to the fire," says one man in a position to know. "At Gardner's first news conference a few days after King's assassination, Whitney told the world publicly what he had told the executive committee privately—that he is as mad and as militant as H. Rap Brown. Young has upped the ante. His price for being agreeable has gone up. He would scare hell out of them if he threatened to walk out."

BIG UMBRELLA

The coalition idea began in the fall of 1966, when, as one staffer puts it, "The mayors could begin smelling the joint burning down."

One insider says the coalition was created because "people in leadership positions in business and other fields have been looking for an umbrella to get under, or a bandwagon to get on. The Urban Coalition is both respectable and acceptable—as an umbrella or a bandwagon, depending on how the man wants to use it."

At the moment, the coalition is no bandwagon. But under its umbrella are leaders from five major segments of American society: business, labor, religion, racial minorities, and local government. There are 36 members on the steering committee, with more to be added later to represent Mexicans and Puerto-Ricans, and perhaps educators. Fifteen of the 36 comprise the executive committee, which meets more frequently than the larger group.

Parallel. In its national role, the coalition can be likened to the Committee for Economic Development, which after World War II provided a mechanism through which businessmen attempted to prepare for the switch from wartime production and controls to peacetime competition and growth. The CED promoted the discussion of new ideas, policies, and programs—and particularly proposals for countering the postwar recession that was then expected.

Similarly, the Urban Coalition is providing businessmen with a forum for an exchange of ideas in an era of threatening social change that seems to grow increasingly ominous.

The coalition commits a businessman to a first-hand, do-it-yourself confrontation of ghetto and racial problems, and gives him an opportunity to hammer out programs with Negro and church leaders.

These leaders are also learning something from the pragmatism of the businessmen, according to coalition insiders. "They're learning they can win the backing of the businessmen, but only when they can satisfy them that the policy is right or that the program will work."

NEW DIRECTION

At the coalition's big convocation last August, the 1,200 community leaders represented, in Whitney Young's words, "enough power to turn this country around." Since then, however, Gardner admits that the prevalent impression of the coalition is of "an organization that meets in Washington, holds press conferences, and issues handouts."

Gardner's job is to change all that, but he is not going to be rushed into a splashy show of activity just to get attention. "Everybody wants the Urban Coalition to march out and do some big symbolic thing," Gardner says, "and I want it to move solidly and effectively." The coalition, he contends, could "dissolve in talk if we aren't careful. I'm going to try to move ahead one step at a time."

Satellites. One of the coalition's immediate goals is to create coalitions in each of the major cities, and about 30 have already been formed. "But only about 12 or 15 of these are really functioning," says one coalition source.

The Washington, D.C., coalition, formed only about a month before the riots, sprang into action almost overnight, working with existing church and other groups to provide housing, food, and an emergency fund for burned-out ghetto residents.

Gardner's goal for the next year is to push the total of local coalitions to about 100, each with the same leadership elements that make up the national coalition and each locally financed. The role of the coalitions at the local level is likewise to mobilize a broad base of community support for jobs, housing, and school programs. Like the National coalition, the local groups have task forces working on these problems. Some local coalitions have already sponsored projects of their own. The New York group, for example, organized a work-study program administered by the city police department, and financed by a grant from Standard Oil Co. of N.J. The Minneapolis coalition has organized and backed a citizens patrol of ghetto neighborhoods. The coalitions' normal role, though, will be to act as a catalyst for new programs, or to expand existing ones, and have them run by specialized agencies.

Gardner's role. The appeal of Gardner—a psychologist, educator, and foundation official—to businessmen puzzles some people. He is described by associates as "high-minded . . . low-key . . . idealistic . . . pragmatic." Gardner operates much the same way that President Lyndon Johnson does: He draws on his wide range of sources in industry, universities, foundations, government, and on his own aides for information and views on a given problem, keeping his options open, and disclosing his own conclusions only when everyone else has had his say.

"Businessmen respect him, especially big businessmen. Maybe it's because the bigger the businessman is, the more idealistic he's apt to be," says one man close to Gardner.

Part of Gardner's role, one source suggests, is to give the coalition's policies "a seal of legitimacy. People feel that if Gardner buys something, it must be legitimate, and people will buy anything if it's legitimized."

Gardner is not getting all his views from old friends. He has been busy building a staff in addition to the half-dozen former top aides at HEW that he took with him. And as a real believer, according to one coalition man, in the "generation gap," he has on hand a "youth group" which is encouraged to provide him with unconventional wisdom, information, and insights.

Gardner's strong connections with foundations, dating from his tenure at the Carnegie Foundation, is bringing in financial support. The Ford Foundation, among others, is helping with this year's $3-million budget. Because foundations cannot finance lobbying activities, though, the coalition has created a separate Urban Coalition Action Council with identical membership. Funds for its work will come from business, labor and religious groups. Further, business is kicking in substantially to local coalitions.

LEAP TO ACTION

The coalition's first major effort since Gardner took over was in behalf of the open housing bill, which passed a few days after King's death. At least 14 top businessmen, including such non-coalition members as General Motors Chairman James M. Roche and Kaiser Industries President Edgar F. Kaiser, wired the leadership of the House to adopt the measure as passed by the Senate.

No one knows how much of a difference the coalition's efforts made. But Gardner says his troops worked closely with government lobbyists, labor people, and others so that the coalition's leverage could be used most effectively.

Impact. On some issues there is at least coincidental evidence that the administration has been listening to the coalition.

For instance, the original convocation last August called for "a major expansion of private-sector programs to provide jobs and training for the hard-core poor." A few months later, coalition member (and Business Council member) Henry Ford II became chairman of the new National Alliance of Businessmen. The alliance, backed by some $350-million in government funds, is trying to persuade business to put 100,000 hard-core slum residents into special education and training programs.

Similarly, the coalition came out in January for repeal of "the repressive welfare program amendments"—the so-called welfare freeze—that would have shifted welfare costs from the federal to city and state governments. From all accounts, a one-year postponement of the freeze has been accepted by Chairman Wilbur Mills of the House Ways & Means Committee.

Meeting of minds. Not all these coalition stands are taken easily or quickly. Last fall, businessmen in the coalition would not be rushed into backing the welfare-freeze repealer; "They just didn't understand it," one source reports. But three months later, after they had time to study the issue in detail, they did support it.

The coalition has come out for a tax increase but in this case, the labor leaders were reluctant. George Meany and Walter Reuther have committed themselves and their memberships against a tax increase that does not include a lot of structural reforms to help low-income taxpayers. They are against the Administration's 10% across-the-board surcharge.

But they went along with a statement urging adoption of a tax increase to give credibility to the coalition's demand for "a specific re-ordering of priorities rather than identified in any way with the coalition's without regard to need or merit."

Common ground. The coalition operates on consensus in taking a stand: If any sizable number cannot be persuaded, the issue is put off until agreement can be reached—or the issue is just dropped. On the other hand, one businessman who will not go along cannot stop the coalition from taking a stand. On that one position, he just will not be identified in any way with the coalition's stand; he is free to go his own way.

A consensus "isn't easy nationally and will not be easy locally," Gardner told a Senate subcommittee recently when he testified in favor of a legislation creating a million public service jobs for the unemployed. But when you find a "common piece of ground to stand on," he said, "it is an immensely powerful and effective thing."

THE INCOME MAINTENANCE ACT, H.R. 17331

The SPEAKER pro tempore (Mr. RANDALL). Under a previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 20 minutes.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. RYAN. Mr. Speaker, today I have introduced the Income Maintenance Act (H.R. 17331) which would provide a comprehensive national income maintenance system for all Americans.

Present welfare laws seldom provide sufficient income for needy families to live at a minimum standard of decency. In order to receive minimum welfare benefits, citizens are often subjected to the indignity of intrusions into their private lives, which burden welfare social workers with police functions and tend to destroy the relationship of trust which is necessary if social workers are to provide services which are genuinely needed by deprived families.

Welfare standards vary widely from State to State. The few States with relatively progressive welfare standards find themselves bearing the burden of migration from States which fail to provide for their own indigent families. Yet the most needy are often barred from receiving assistance because of impediments, such as residency requirements, based on considerations other than need.

Moreover, because welfare benefits are usually reduced by $1 for every dollar of outside earnings, there is little financial incentive for the person on welfare to work; and welfare tends to become a way of life.

Last December Congress burdened this already oppressive system with new restrictions in the Social Security Act Amendments of 1967.

Deficiencies in our system of public assistance have been documented by the report to the Secretary of Health, Education, and Welfare by the Advisory Council on Public Welfare issued on June 29, 1966, which called for national standards of public assistance based solely on the criterion of need.

More recently, the report of the National Advisory Commission on Civil Disorders came to a similar conclusion about the failure of the welfare system and the indignities which it imposes. In the short run the National Advisory Commission on Civil Disorders recommended that benefits be raised and made uniform, that residency requirements be eliminated, and that the compulsory work training and the AFDC freeze enacted last December be repealed.

As a long-range goal the National Advisory Commission on Civil Disorders recommended a national system of income supplementation based strictly on need with two broad and basic purposes:

To provide, for those who can work or who do work, any necessary supplements in such a way as to develop incentives for fuller employment; and

To provide, for those who cannot work and for mothers who decide to remain with their children, a minimum standard of decent living, for aid in saving children from the prison of poverty that has held their parents.

Recently the concept of income maintenance, referred to in some instances as a guaranteed annual wage or a negative income tax, has been proposed by economists as diverse as Milton Friedman, Robert Lekachman, Robert Theobald, and James Tobin. It has been endorsed by several nationally known business executives, by major trade unions, and at least one presidential candidate, and also by liberals and conservatives in both parties.

A panel of 12 national business leaders recently recommended to Governor Rockefeller, of New York, an income maintenance program.

This week in a conference with a number of Members of Congress the Reverend Ralph Abernathy endorsed the idea.

Clearly, with this kind of diverse and wide support, income maintenance is an idea whose time has come.

Let me briefly cite some of the advantages which it offers compared with our present system of welfare.

First. It would close the poverty gap in the most direct and efficient way—by providing more money.

Second. By establishing a single national criterion of assistance—need—it would end the indignities and violations of personal liberty which characterize the existing welfare system.

Third. It would end the confusion of diverse and inconsistent State public assistance standards.

Fourth. It would end irrelevant residence requirements for assistance.

Fifth. By providing a minimum standard as a matter of right, payable upon simple application, it would remove the social stigma now attached to public assistance.

Sixth. By establishing national standards, it would slow down the migration of the poor to the overburdened cities.

Seventh. By reducing the monthly benefit by 50 cents for every dollar earned; it would provide an incentive to work which is now absent from present welfare systems.

Eighth. It would force the most menial jobs to pay decent wages.

Ninth. It would limit the need for emergency food programs by giving everyone at least a subsistence standard for living.

Tenth. It would free social workers to provide needed and wanted services, and save money by eliminating the welfare bureaucracy's "police" functions.

Eleventh. It would save the States and cities money by freeing badly needed revenues.

Twelfth. It would stabilize the economy by establishing a minimum floor level of purchasing power for the poor.

I have listed a long and formidable list of advantages for this program. Now let us look at the specific legislation which I have introduced.

Any income maintenance system should serve three separate and somewhat inconsistent requirements.

First, it must provide a minimum benefit for the family with no outside earnings.

Second, it must minimize leakage through benefits to families who are not really in need.

Third, it must not tax outside earnings at 100 percent, or it will create the same disincentives to work that the present welfare system includes.

Therefore, my bill proposes a relatively modest standard which I would expect would gradually be increased as the system is perfected, hopefully to close the poverty gap entirely within 5 years.

The plan would work as follows: Persons with low incomes could apply for income maintenance benefits by submitting monthly income statements at intervals which would be determined. They would simply receive from the Bureau of Income Maintenance in the Treasury Department monthly income maintenance checks similar to social security checks based on a formula.

Under the formula, at zero outside income, a family would receive an income maintenance payment equal on a yearly basis to two-thirds of the dollar amount of its personal income tax exemptions plus the minimum standard deduction. Translated into monthly benefits, this equals $50 a month for the head of a family plus $39 for each dependent, as provided for in H.R. 17331. The benefit would be reduced by 50 percent of outside income. In other words, the income maintenance benefit would be reduced by 50 cents for every dollar earned.

For example, a family of four with no outside income would receive $50 per month for the head of the family plus $39 per month for each of three dependents or $2,004 a year. That benefit would decline as income increased. I include at this point in the RECORD a table which shows that progression for a family of four.

Outside income	Benefit	Total income
0	$2,000	$2,000
$1,000	1,500	2,500
2,000	1,000	3,000
3,000	500	[1] 3,500
4,000	0	[1] 4,000

[1] Positive tax.

Under this formula there is an incentive to earn; benefits are not reduced at a rate that discourages beneficiaries from working.

Benefits are included in gross income for the purpose of positive taxation, so that, as total income goes beyond the $3,000 level for a family of four, income maintenance benefits would be reduced at a rate slightly greater than 50 percent of earnings.

An amount of $2,000 a year for a family of four is below the poverty line, but it is above the subsistence level and above the present average AFDC payments pertaining in 38 States—States

which have the greatest concentration of poverty. In the case of States which now have more generous standards of public assistance, benefits over and above the minimum Federal income maintenance benefit would be paid by State or local governments. I would expect that, as the Federal standard is gradually increased to meet the poverty line, the already reduced burden on the States would be completely eliminated. The maximum income maintenance benefit, regardless of the size of a family would be $284 a month or $3,408 a year. The maximum break-even point for the largest family at which all income maintenance benefits would cease and at which payment of positive income taxes would begin, therefore, would be $6,816 a year. I believe these are realistic limits.

I should also note that my bill provides for an enforcement system based not on a detailed investigation of every applicant as under the present welfare practice, but, rather, on a sampling or spot-checking basis similar to that of the Internal Revenue Service's enforcement system with regard to income tax returns. It is demeaning to build into a new social program the assumption that most recipients are likely to cheat. If all applications are examined routinely for errors and inconsistencies but full-scale investigations are limited to 1 in 10 or 1 in 20—compared to 1 in 35 under the Internal Revenue Service—then the system will operate with less intrusion and greater personal dignity.

It has been estimated that my bill would cost about $4 billion a year over and above present welfare costs. Those States which now have the most liberal welfare services would be saved hundreds of millions of dollars. Although the level of subsidy would not totally close the so-called poverty gap, it would be of major benefit to the majority of the estimated 22 million Americans who now live in poverty but who receive no public assistance whatsoever.

It would improve the income of approximately 60 percent of the approximately 8 million Americans who now are receiving some form of public assistance. It would certainly stimulate earnings from work.

Most importantly, I should point out the fact that this is not designed as a Utopian proposal, but one which is sound and reasonable and one which can and should be enacted into law this year.

This represents the first step toward replacing the present ineffective and burdensome welfare system with a comprehensive and uniform income maintenance program which would eliminate abject poverty in America at a cost which America can afford and should willingly assume.

I should also point out that this proposal is not intended to be, nor can it ever be, a substitute for full employment. If one responsibility is to provide decent incomes for those who cannot work or who cannot find work at a living wage, another responsibility is to assure that more and better jobs are available to all who are able to work.

This is a complicated bill, and I include with my remarks a section by section summary of its provisions. I hope other Members of the House will join in cosponsoring this bill and in the debate which it will arouse.

We must reorient our thinking toward the entire welfare system. And this legislative proposal should help stimulate that reorientation.

A section by section analysis of H.R. 17331 follows:

SECTION-BY-SECTION ANALYSIS OF H.R. 17331, THE RYAN INCOME MAINTENANCE ACT

Section 1: Short title: "The Income Maintenance Act."

Section 2: Amendments to Subtitle A of the Internal Revenue Code of 1964 as follows:

SUBCHAPTER A

Section 1601—Definition

An individual eligible to receive income maintenance assistance must be at least 18 years of age or married, a resident of the U.S. and not the spouse of an ineligible individual nor the eligible dependent of any other individual.

Section 1602—Income maintenance benefits

Eligible individuals making application are entitled to income maintenance benefits.

Section 1603—Maximum benefit

The maximum benefit shall be $50 per month, plus $39 for each eligible dependent, in no case to exceed $284 per month. For rural residents, this shall be reduced by 10 percent, unless the applicant certifies that he did not consume home-grown produce equal to that amount.

Section 1604—Reductions on account of income

The maximum benefit for a month shall be reduced by 50% of the income received by an individual and his eligible dependents during such month.

If an individual is receiving public assistance payments, his income maintenance benefits shall not be reduced until outside income is sufficient to reduce his public assistance payments to zero. At this point, his income maintenance benefits are reduced by two-thirds off such outside income until his position is identical to that of a non-public assistance recipient, at which point income maintenance benefits are reduced by 50%.

Income, for the purposes of this act, includes gross income plus death benefits, interest on Government obligations, workman's compensation and certain disability compensation, income from wage continuation plans, combat pay, Armed Forces mustering out pay, dividends, scholarships and grants, gifts, unemployment benefits, Social Security and retirement benefits.

Section 1605—Imposition of tax on excess annual income

In the case of persons who have received income maintenance benefits for some months of the year due to seasonally fluctuating income, if their annual income exceeds 150% of the sum of the minimum standard deduction and personal exemptions, income maintenance benefits are taxed at a 50% rate until they are repaid.

Section 1606—Ineligibility of individuals receiving public assistance on account of blindness or disability

Individuals eligible for public assistance due to blindness or disability may opt for income maintenance benefits or public assistance, but not both.

SUBCHAPTER B

Section 1611—Regulations

The Secretary may prescribe necessary regulations.

Section 1612—Application for benefits

An individual may apply for benefits by stating his income for a given month. The application may be submitted for a period covering more than one month, but specifying income on a monthly basis, to be determined by regulation. Two or more individuals may apply jointly.

Section 1613—Payment of benefits

The Secretary shall pay benefits not later than 180 days after the close of a month for which application for benefits is made.

Section 1614—Procedure and enforcement

Right to a hearing.

Judicial review.

Overpayments may not be collected except by withholding future payments.

Except for routine examination of applications, detailed investigations shall be conducted on a "spot check" basis on not more than—percent of applicants in any one year.

Income maintenance benefits are considered as taxable income.

This Act shall become effective as of June 30, 1969.

Section 3: Changes in amounts of income to be disregarded under public assistance needs tests.

All Federally aided public assistance programs shall disregard the first thirty dollars a month of earned income and one third of the remaining income in making deductions in public assistance payments. Effective after June 30, 1969.

Section 4: Establishment of a Bureau of Income Maintenance in the Department of the Treasury.

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

Mr. RYAN. I yield to the gentleman from Arkansas.

Mr. PRYOR. I thank the gentleman for yielding. Would the distinguished gentleman from New York answer whether or not his proposal—I would assume that we would call this a guaranteed income proposal—would his guaranteed income proposal that he has presented to the House at this point be in lieu of or in addition to the existing welfare programs that are now in existence in the country?

Mr. RYAN. I call this an income maintenance system. It is along the idea of a guaranteed annual income. We have estimated that in 38 States this proposal would replace their current welfare programs, because their level of AFDC benefits today is lower than would be provided for under this bill. In other States, where there are more liberal benefits provided, the income maintenance system can provide a minimum monthly benefit; and the States would still carry or make up whatever the difference might be. Hopefully, if this became established and it were accepted, then the income benefit levels would eventually be increased to the point where the present welfare system in the various States would be phased out.

Mr. PRYOR. Mr. Speaker, if the gentleman will yield further, has there been any prediction or estimate made at this time as to how many additional employees would be necessary to administer this proposal?

Mr. RYAN. No; but I would estimate that it would require less personnel to administer this proposal than are presently required by the Federal, State, and local governments under the present welfare programs. This system would be supervised under the jurisdiction of the Treasury Department where a mechanism already exists for auditing and checking returns which is well established.

I would think this would reduce the number of employees at the local, State, and Federal level which would be needed to operate the program.

Mr. PRYOR. Mr. Speaker, if the gentleman will yield further, does the gentleman have any idea at this point—it might be a little too early—to ascertain as to which committee his proposal might be referred?

Mr. RYAN. I presume it would be referred to the Committee on Ways and Means.

Mr. PRYOR. I thank the gentleman for yielding.

Mr. RYAN. I thank the gentleman for his interest, and I hope that other Members of the House will also raise questions because I believe this is an area which should be explored, and which should be debated. All of us, I hope, are searching for some alternatives to the present welfare programs.

Mr. PRYOR. If the gentleman will yield further, let me make this one statement to the gentleman: that I believe all of us are searching for solutions, but I believe we should not be so overly zealous in our search for answers to the problems which face this Nation that we destroy or damage individual initiative. It is in this area that I have certain fears with regard to the proposal made by the gentleman. Therefore I am interested, and I am interested in studying it, and to see what the gentleman has to offer, and to hear the debate in the ensuing months, because I believe this will become one of the great debates of our time in the next few months—the issue of the guaranteed income.

Mr. RYAN. I thank the gentleman. I feel that this legislation does provide the incentive to work with which the gentleman is concerned to a much greater extent than the present welfare system.

Mr. TIERNAN. Mr. Speaker, would the gentleman yield for a question?

Mr. RYAN. I am happy to yield to the gentleman from Rhode Island.

Mr. TIERNAN. Would the gentleman just clarify this for my own mind: The plan the gentleman submits would guarantee a certain amount of income in lieu of any payments from any welfare program in existence at this time. What kind of a floor does the gentleman intend to establish in the bill, or is that left for determination at a later date?

Mr. RYAN. No. Under H.R. 17331, as I pointed out, a family of four without any outside income would be eligible for $2,000 annually. A family of six would be eligible for $3,000 annually; but there would be a maximum payment of $284 per month which comes to a little less than $3,500 a year, I believe.

Mr. TIERNAN. The gentleman states that there are 38 States that do not provide benefits equalling $2,000 annually for a family of four in this country.

Mr. RYAN. That is correct as related to the average benefit under the aid to families with dependent children program in those States.

Mr. TIERNAN. And then that there are only 12 States that provide benefits of more than $2,000 a year for a family of four at this time on welfare?

Mr. RYAN. That is right, average benefits.

Mr. TIERNAN. I thank the gentleman for yielding, and for the discussion we have had here. I see that the time of the gentleman is expiring.

Mr. RYAN. I thank the gentleman for his contributions.

The SPEAKER pro tempore (Mr. RANDALL). The time of the gentleman from New York has expired.

TITLE I—FEDERAL AID TO EDUCATION OF THE DISADVANTAGED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, education for the disadvantaged has a major commitment from Congress. It is expressed in title I of the Elementary and Secondary Education Act of 1965.

In the present school year we are spending approximately $1,180,000,000 to help educate 6,669,796 children from low-income families. This, to me, signifies a major response by Congress to a crying national need. And, as chairman of the General Subcommittee on Education, I am proud to have been part of its germination.

But now, after 2 years of title I programs in operation, the evaluation reports are in. And the results seem confusing.

We have heard from the Center for Urban Education in New York. The National Advisory Council on the Education of Disadvantaged Children. Project TEMPO at General Electric. We have read the title I reports from State departments of education.

Overall, they challenge the high hopes expressed by Congress for immediate success.

They tell us that children of poverty are not reading much better than before.

We had hoped they would.

They say you cannot tell whether teacher aids, smaller classes, breakfast, counseling programs, and special field trips help them learn better.

Some educators were certain that they would.

Yet, in every school district we have exceptions. Pockets of excellence where title I funds do get through. And make a difference in the children. And the children learn better. They feel better about being in school. They get a small taste of success that makes them want more. And gives them the courage to fight their way through some of the elements—at home and in the neighborhood—that stand in their way.

California's title I program gets results.

So does the McDonaghue School in Chicago.

The Ardmore School in Prince Georges County.

And P.S. 146—one of the "more effective schools"—in New York.

Why do these schools reach the disadvantaged? And what lessons can they provide for the rest of the Nation? These are the fundamental questions.

An AP reporter recently quoted me concerning title I and incorporated this question in a feature story about title I carried by newspapers throughout the country:

> "The Title I program obviously has not even begun to make any impact on motivating ghetto youngsters," said Rep. Roman Pucinski, (D-Ill.), chairman of the House General Subcommittee on Education. "You go across the length of the country and you find the money being spent on the same tired old ideas. It is a monumental flop and the outbreak of recent riots speaks louder than anything I can say about the total collapse of the program."

This statement, standing alone, only tells part of the story, but there is the other side of the Federal aid program—particularly title I—which needs telling if we are to intelligently appraise the present status of our efforts to help local communities improve their schools.

I would like to place the above quotation in proper context.

The General Subcommittee on Education, under my leadership, has been conducting an informal inquiry into education of the disadvantaged. We have been searching for some insight into this perplexing problem.

In our pursuit of answers, we invited a distinguished list of scholars to meet with us in early morning, informal "coffee chats." The participants were: Prof. James S. Coleman, the Johns Hopkins University; Prof. Urie Bronfenbrenner, Cornell University; Dr. Robert Dentler, director of the Center for Urban Education, New York; Prof. David Fox, City University of New York; Prof. Jeanne Chall, Harvard Graduate School of Education; Dr. David Cohen, Harvard-MIT Joint Center for Urban Studies; Dr. Alice M. Rivlin, Assistant Secretary-designate, Department of Health, Education, and Welfare; Dr. Mario Fantini, program officer, the Ford Foundation; Dr. Ralph W. Tyler, director emeritus, Center for Advanced Study in the Behavioral Sciences, Stanford; and Prof. Charles S. Benson, University of California at Berkeley.

I went beyond my conversations with these stimulating thinkers, however. I conducted my own study of title I programs in Chicago. And I have quizzed some onsite evaluators of many programs in other parts of the country.

This inquiry has convinced me of two things:

First, title I continues to merit strong support from Congress. The need to improve education of disadvantaged children remains enormous, and we cannot turn our backs on this human challenge.

Second, after 2 years of operation, title I's grace period has ended. The time for blind experimentation is over. Now we need some positive feedback. We have to choose those programs and methods which will benefit children in all our title I programs. Without the waste and inefficiency in program planning that has existed.

In line with these priorities, therefore, I want to offer the following recommendations for the continued operation of title I:

First. Title I efforts should be concentrated on target populations. At present, they are being spread so thin that their

efforts are virtually washed out. With limited resources, no school system can expect to reach all of its needy children overnight. Therefore, they must set "priority areas" for initial concentration of funds.

Little driblets of money do little good. Past experience has shown us that. Impact requires massive direction of our investment. The California report shows that when you fund programs this way, you get positive results.

Second. Program design must be tightened up. Some school districts have 10 or 12 separate title I programs. My own city of Chicago has over 50. Clearly, this represents an absurd waste of money in a time of national economy. But it would be grossly inefficient any time. No school system should channel its spending into more than one or, at the most, two different projects for title I children.

Third. Priority in title I of the Elementary and Secondary Education Act of 1965 should be placed on reading and communications skills.

As Dwight W. Allen, dean of the University of Massachusetts School of Education, has stated:

> All the problems of school financing, staffing, housing and organization are secondary to the problems of that boy smoldering in the back of the room who cannot read.

The entire reward system in formal education derives from verbal facility. Therefore, we should be spending Federal money where it will have the greatest benefit.

No one can deny that, given unlimited resources, a school district could profitably utilize additional monies for psychological counseling programs, recreation, cultural enrichment activities, and other worthy enterprises. We are all aware that emotional problems, disruptive home backgrounds, and a variety of other intervening variables affect the child's ability to learn.

But, as long as title I funds remain limited, they must be spent where they will do the most good.

The ability to read gives a child dignity in the classroom. It provides the key to every other skill he acquires while in school. As Bayard Rustin told the U.S. Civil Rights Commission last fall: "We want our children to be able to read, and to do arithmetic."

Therefore, I propose that we place legislative priority on reading and communications skills in title I. With the provision that local districts may only spend their funds on nonlanguage arts activities if they can show that a majority of their title I children are reading at least at grade level or above.

Fifth. Evaluation of title I programs should be comprehensive and systematic. Data should be made available by the local school district on a longitudinal basis, in order to compare results from one year to the next.

An analysis of the costs and effects of compensatory education programs must take into account all major school programs, not just compensatory education programs and certainly not just title I programs. At the operating level of the school and the child, the definition of what is "compensatory" and what is the "regular" school program become extremely blurred.

The data should include the social class of individual students, of whole classrooms, and of the whole school.

Most school district standardized testing programs are not systematic or consistent. Districts make use of a number of national tests, each of which is based on a different population. At present it is impossible to equate, with any confidence, performance of different students on different tests.

Description of compensatory programs is difficult and very time-consuming for the local school district. However, it is absolutely essential. They must be sufficiently detailed to differentiate per pupil inputs, and to compare individual pupils and classrooms with one another.

Sixth. Title I funds should stimulate some fundamental changes in education. More of the same does almost no good. That is the message of the evaluation reports. After-school programs are largely a waste of time. Most children are too tired to study at the end of the day. Or they have to help at home. Or work.

Title I must effect changes in the regular school day. And it should be accompanied by dramatic commitment from the school systems, themselves, to use their resources for training teachers and principals in working with the disadvantaged.

Seventh. Local school districts should be given complete latitude in developing title I programs with the U.S. Office of Education setting only the broadest of regulations dealing with general policy as intended by Congress. It should be recalled that Congress stated explicitly and unequivocally that there shall be no interference by Federal authorities with local school districts in their development of standards and curricula.

Where do we go from here? Our directives are clear. The educators must seize upon this opportunity for leadership. We have entrusted them with the future of our nation. We will back them as long as they show results. Now it is up to them to fulfill their responsibilities to all of our children.

AMERICAN LEGION HONORS FRANCES LANGFORD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 15 minutes.

Mr. ROGERS of Florida. Mr. Speaker, Florida takes great pride when one of her sons or daughters gains national acclaim for his or her talent.

Frances Langford is such a person. Born in Lakeland, Fla., she became an actress, entertainer, radio and TV personality, columnist, and writer.

But the fame of Frances Langford also came from her generous sharing of her many talents with the fighting men during times of war and with our veterans after the war.

When Bob Hope gave his first show for servicemen in 1941, Frances Langford was part of that show. She became an integral part of the show as it toured from Alaska to Africa, from Panama to the Pacific.

Between 1941 and 1944, she hit every theater of the war, including the Aleutian Islands, England, Algeria, Morocco, Tunisia, Sicily, Iceland, Australia, and Hawaii.

She became the "GI Nightingale." As the jacket on the cover of Hope's book, "I Never Left Home," said:

> It is the story of the mad, concerted enthusiasm of thousands of soldiers every time they saw Bob Hope step to the loudspeaker—and announce that Frances Langford was going to sing a song.

General Eisenhower, who had misgivings about women entertainers in battle zones, paid her tribute, as did many of this Nation's leaders. But maybe the highest tribute she received came from thousands of servicemen as they watched her. An excerpt from one letter from a fighting man indicates this best:

> The amazing part of it was that Frances Langford was just a woman with a voice, a marvelous, rich, delicate voice. She will never know what that did for us. For a few seconds we were back in our natural surroundings and completely happy. I could not have been closer to Mary (his wife) had she been right there holding my hand.

In 1952 our men in Korea and Japan also were brought closer to home as she again joined Bob Hope and toured our bases there. And since then in 1966 she has visited Vietnam, Thailand, and the Philippines to cheer and give comfort to our men.

Frances Langford is now a resident of Jensen Beach, Fla., and I am proud that I can call her a constituent as well as a friend.

Since moving to Jensen Beach, she and her husband, Ralph Evinrude, have taken an active part in the community. They have helped in civic drives and charity programs, contributing greatly to the growth of Jensen Beach.

The Jensen Beach American Legion Post 126 is paying tribute to Frances Langford for the many contributions she has made over the years to lift the spirits of our servicemen.

I regret that I will be unable to attend this fete for Fran, Monday, May 20. The honor is much deserved, as are the many others she has received. I am sure that the Members of the House will join me in congratulating her on this occasion and send our thanks for her contributions.

RESTORATION OF LAW AND ORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 15 minutes.

Mr. WHITENER. Mr. Speaker, events of recent weeks cause me to have a grave apprehension as to the future well-being of our Nation. The unseemly conduct of many individuals and groups in America will destroy this Nation from within unless brought to a halt immediately.

Rioting, looting, and burning in many of the great cities, including Washington, should not be tolerated further. It is a national disgrace to have seen things happen which we have seen with our own eyes here in the Nation's Capital.

For several years we have observed a continuing increase in the incidence of serious criminal offenses. The record

shows that most of these offenses have been committed by repeaters who have been coddled by the courts of our country.

No one would suggest cruel and inhumane treatment of any individual. I do not recommend that, but I do say, Mr. Speaker, that the time has come when the law-abiding citizens are entitled to the protection of the law.

Law-enforcement agencies have been hamstrung and stifled in their efforts to preserve a safe society. No one who is familiar with the record can controvert the proposition that the namby-pamby attitude of some of our courts, particularly the Federal courts, have contributed heavily to the insufferable increase in criminal conduct.

Today we see throughout our land groups affiliated with private organizations and students on the campuses of tax-supported and privately supported institutions of higher learning participating in lawlessness and revolution which no free society should countenance. Through all of these college revolutions and riots we can see a thread of similarity in the methods employed by insurgents which gives credence to the contention that organized direction is being given by some external force. It is time that this matter be fully explored and that steps be taken to expose those who would destroy higher education in our country through the indefensible tactics that we have witnessed in the past few months.

There are those who tell us that a minority of college students are rebelling against constituted authority because they are oppressed and suppressed and not given the freedoms to which a college or university student is entitled. The record will show that this revolutionary minority and their fellow students have the greatest freedoms ever known to college students in any period in our history.

This misguided minority of college students might get a real lesson from looking at what has happened to university life in many of the Latin American universities where similar riots by a minority of students have brought about a chaotic condition in which the cause of education has been greatly impaired.

Those who engage in mass riots and destruction assert lofty reasons for their misconduct and contend that they are striving for some goals which will in some way change life in America. They say that firm police methods should not be used to deter them in their violence as they destroy the property and lives of their fellow Americans. They and some of their supporters contend that there must be police leniency in the handling of their conduct in the interest of saving lives and maintaining communication between lawful authority and the insurgent groups.

It might be well for those to whom I have referred to take into account that police leniency in time of riot leads to even greater riots and that many more lives may be lost in the end if their misdeeds are permitted to go unpunished. They might also take thought of the proposition that communication between lawful authority and the citizens cannot survive a period of rioting and destruction. The net result, if their misconduct is permitted to go unpunished, will be a state of anarchy. When anarchy comes, the people of a free society will demand that steps be taken which will destroy the freedom of all of us in the interest of establishing a measure of orderliness in our society.

Mr. Speaker, I am familiar with the arguments of the apologists for crime and misconduct. They say that the causes are poverty, unemployment, and hunger. Those of us who were raised in an economic status which would now be described as poverty have little patience with these contentions. While we do not blind ourselves to the need in our Nation for provision for the unfortunate, we do not accept the charge that economic status justifies the commission of offenses against one's fellow men or his nation.

Each of us can give strong testimony to the thesis that some of the most God-fearing and law-abiding citizens that we have known have been persons of limited economic means. As this nation seeks an answer to alleged imbalance in economic opportunity, we must never make the mistake of casting reflection upon the Christian character and morality of the underprivileged as has been done recently by many in high places.

We hear the accusation from many that those who speak for law and order and a restoration of sanity in our country are racists. Nothing could be further from the truth. Crime, rioting, and disorderly conduct are equally bad regardless of the race of those engaging in it. No particular race has a monopoly upon misconduct or upon good conduct.

A majority of the people in every race in our nation believes in law and order and the preservation of the basic features of our nation which have made it the greatest the world has ever known. I do not accept the contention that the good name of any group of our people should be impugned by attributing to their race the stigma of the conduct of the small percentage of their race who now attack our peaceful existence.

During my service in Congress I have had a broader opportunity to deal with legislation relating to crime than comes to most members of Congress. This has been due to my membership on the Committee on the Judiciary and the Committee on the District of Columbia. As the author of the omnibus crime bill, which was signed into law last year, I have been pleased to see that provisions in that legislation have given to the law enforcement officers and the courts statutory provisions which can be used in the trial of the thousands arrested in the Nation's Capital within the past few weeks.

As a member of the Judiciary Committee it has been my opportunity to support the Law Enforcement Officers Assistance Act, the Safe Streets Act, the Bail Reform Act, the Anti-Racketeering Act, and the Work-Release Act, among other measures. These measures are not only of assistance in meeting the threat of crime but also provide consideration for those who are charged with crime and who show an honest desire for reformation.

Our studies show that because of crime the basic quality of life for many Americans has been seriously affected. We are told that 43 percent of the people of our Nation stay off the street at nights because of their fear of crime; 35 percent do not speak to strangers any more because of their fear of crime; 21 percent use cars and cabs at night because of their fear of crime; 20 percent of the American people say that they would like to move to another neighborhood because of their fear of crime. These statistics were developed after a national survey of 10,000 representative American households.

Mr. Speaker, under our constitutional system every citizen is clothed with great protection and is assured many personal liberties not known to the people who live under other systems of government. This is as it should be. The enjoyment of these protections and privileges places upon every American a heavy responsibility to conduct himself in such manner as to preserve these constitutional guarantees.

The recent conduct and demands of some of our citizens that they be given privileges over and beyond those privileges accorded to the citizenship in general will ultimately erode the freedom of all of us. The use of public parks and grounds by one small group in such a way as to deprive all other Americans of the enjoyment of those facilities is not a privilege or right guaranteed by our Constitution.

In discussing this proposition the late Justice Roberts said:

> The privilege of a citizen of the United States to use the streets and parks for communication of views on national questions may be regulated in the interest of all; it is not absolute, but relative, and must be exercised in subordination to the general comfort and convenience, and in consonance with peace and good order.

The recent action of some of our Government officials in disregarding this basic tenet in granting privilege to the one group which it denies to other Americans is totally indefensible.

I am genuinely concerned about the future of our Nation. I am equally concerned that so many of our people, some of whom have the loftiest aims, are completely overlooking the lessons of history as they encourage the destructive course that is being traveled by many Americans today.

We have a lesson in history in the decline and fall of the Roman Empire. Edward Gibbon in his famous work quoted Petrarch, the Roman historian, as follows:

> Behold the relics of Rome, the image of her pristine greatness! Neither time nor the barbarian can boast the merit of this stupendous destruction: it was perpetrated by her own citizens, by the most illustrious of her sons; you have done with the battering ram which the Punic hero could not accomplish with the sword.

Those of us who love our country and have reveled in her "pristine greatness" should see to it that it does not experience the "stupendous destruction" visited upon the Roman Empire. We must not permit this destruction of America to be "perpetrated by our own citizens" even

though they may be "the most illustrious of her sons."

There are many evidences that "the battering ram" is now being applied in our Nation by those who participate in, and promote, criminal and riotous conduct such as we see about us today. There is reason for apprehension that those who batter our domestic tranquility may accomplish results which our foreign enemies have not been able to accomplish "with the sword."

Mr. Speaker, the obligation and the opportunity which private citizens and public officials in the United States have today exceed that of any other generation. I call upon our colleagues and all Americans of every race, religion, and philosophy to come to the aid of their country by demanding that the patterns and practices now prevalent in our Nation be abandoned to the end that law and order and individual freedom might be reestablished and preserved.

NORWEGIAN INDEPENDENCE DAY, MAY 17

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ROONEY] is recognized for 10 minutes.

Mr. ROONEY of New York. Mr. Speaker, 154 years ago on tomorrow the Norwegian people rejoiced to hear that their new Constitution had been adopted. As the good news filtered into every village and hamlet that Norway had established a governmental structure which would assure every citizen protection and permit him to live and work with maximum freedom all Norway was jubilant.

The far-seeing statesmen who drafted their Constitution zealously maintained the long-tested Norwegian legal traditions but added to them the finest elements of the French Revolution and the American Declaration of Independence. Since 1814 this Constitution with only a few of its articles amended has provided Norway with the basic law of the country.

It is small wonder that Norwegians celebrate this day with such enthusiasm, and it is fully understandable why our fine citizens of Norwegian birth or ancestry in this country observe the anniversary of the adoption of the Constitution of the land of their forebears.

Mr. Speaker, I need not remind you of the magnificent contribution which these stalwart sons of the Vikings have made to this country. They have helped to establish our maritime industry and they were in the vanguard of the intrepid pioneers who made the wilderness of our northern tier of States from New York to the Pacific Ocean a massive granary and dairyland. They have helped to give this country a stable and prosperous economy akin to that which prevails in Norway today. They have enriched this country's moral and religious growth with the same honest fundamentals which characterize the lives of the people of that great country.

I salute these fine Americans today, Mr. Speaker, not only for who they are, but for what they have done. I congratulate them for continuing to honor a great manifesto and the magnificent democratic system of government which they have derived from it. I know that many of my colleagues join me in wanting to share with all our Norwegian-American citizens the celebration of this historic and beneficial step taken in Eidsvoll on May 17, 1814.

FOUNDATIONS SHOULD CARRY A FAIR SHARE OF THE TAX BURDEN

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, from time to time, I have called attention to the widespread concern generated by the huge increase in the number and wealth of tax-exempt foundations. I present here, for the consideration of the Members, three thought-provoking editorials on this subject which appeared in the Durham, N.C., Herald of April 1, 1968; the Columbus, Ga., Enquirer of March 29, 1968; and the York, Pa., Dispatch of March 30, 1968:

[From the Durham (N.C.) Herald, Apr. 1, 1968]

THE FOUNDATIONS AND TAXATION

Rep. Wright Patman's, D-Tex., proposal that tax-exempt foundations donate their receipts to the federal government during the Vietnam crisis fails to come to grips with the real issue. That issue is whether so great a portion of the nation's wealth, with all the impact it can have on the economy through sales and purchases of securities and property, is rightly exempt from taxation.

To suggest that the foundations give their income to government during a time of crisis not only is a sentimental evasion of the issue but it would create a situation in which such income would henceforth be contributed to the government.

The tax-exempt foundation stands in succession to the entail of estates in the colonial period and the trust or monopoly at the turn of the 20th century as a privileged institution. The question is, does it merit this special privilege?

While there is the principle involved, the issue has been made acute by the growth, both in number and in volume of wealth, of foundations. Although eleemosynary considerations entered into the establishment of a number of foundations, the motive provided by the opportunity to avoid taxation is not to be discounted and may have been the determining factor.

Undoubtedly some foundations have abused their tax-exempt privileges, and these have given Mr. Patman and others concern. Where there has been abuse, confirmed through judicial proceedings or admitted by foundation officials, the foundation should lose its tax-exempt status, and it should pay income tax on its earnings as any private corporation.

A more complex issue is involved in the question of whether any foundation should enjoy the privilege of having its income and holdings exempt from taxation. Does such privilege involve hazard to the economy through the ability of great foundations to sell and buy securities and property in large amounts and thereby influence prices to the disadvantage of the public? Is the public interest damaged because so great a portion of wealth is untaxed, and in consequence add unfairly to the tax burden of those, individuals and corporations, subject to the tax? Here are issues for Rep. Patman's subcommittee to explore; here are pertinent questions for which it should seek answers.

[From the Columbus (Ga). Enquirer, Mar. 29, 1968]

THE FOUNDATION STUDY

The investigation of tax-free foundations by Rep. Wright Patman deserves careful attention and scrutiny by the American people.

In this area, the charges made against the LaGrange-based Callaway Foundation have naturally received major attention.

But the broader—and the much more important—aspect of the Patman investigation concerned those foundations which it found to be providing money to unfriendly nations, and to domestic organizations that are militantly antagonistic to the U.S. government, and to the free enterprise system.

Rep. Patman suggested that the tax-free foundations donate their money to the federal government for the duration of the Vietnam War, so the money can be used to reduce the national deficit, and for financing vital programs here at home.

Patman's suggestion probably will not be greeted too warmly by the foundations.

But there is a lot of sense in it.

Some foundations are using their tax-free dollars for what actually amounts to political activity. Yet, a citizen can't deduct the money he contributes to politicians.

Many of the causes and institutions which are either wholly or partially financed by foundations are thinly-veiled political pressure groups, no matter what their stated purpose might be.

Yet, the money that supports them is tax free, meaning that taxes have to be collected on the dollars of average citizens to make up the tax not collected on the foundation's income.

It is not unfair to say that a lot of the strife and turmoil in the nation today has been stirred and kept boiling by the activities of groups and studies financed from foundation grants.

That was the disturbing national finding Patman's committee made. He'd rather see the money given to the U.S. government.

But a more practical solution is for Congress to revise the tax exemption laws, and more carefuly define the use of tax-free money, and the kind of organizations to which the money can be given.

[From the York (Pa.) Dispatch, Mar. 30, 1968]

FOUNDATIONS AND TAXES

As the April income tax deadline draws nigh, it's well to ponder, or envy, the fate of the millionaires who, because of loopholes in the law, pay less to Uncle Sam than the average York county industrial worker who makes $5,500 a year.

One of the gimmicks is the establishment of tax-free foundations, which ostensibly are to serve charitable or humanitarian purposes, and to which rich individuals make tax-deductible "gifts."

Congressman Wright Patman (Dem., Tex.) has just taken the foundations over the coals once again. As he said and as the record seems to bear out, foundations represent a "pattern of 'living high' while 'doing good'."

The luxury of such charities as well as the high living of others in welfare work and even in the ministry does not contribute to the image of sacrifice in the service of others. Subterfuge might be the more appropriate word.

MOTHER'S DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, when yesterday's legislative work was over, and I had returned to my office after listening to several hours of brilliant debate, I read the May 9, 1968, edition of the Roll Call and when I came to the editorial I called in the members of my staff and read aloud to them the editorial entitled "Mother's Day."

Mr. Speaker, this is beautiful sentiment and it is fine writing. It deserves a place in the literature of the heart that speaks a universal language for all times and for all peoples. By unanimous consent I am extending my remarks to include an editorial by Editor Sidney Yudain which as it is a tribute to the memory of his mother is likewise a tribute to the memories of all mothers. I repeat, Mr. Speaker, it is a beautiful sentiment and it is fine writing.

The editorial referred to follows:

MOTHER'S DAY

In one respect every person in the world shares equality at his time of birth. He is endowed with life's most priceless gift—a mother.

In the recent convulsion of our mores and standards, it is perhaps neither fashionable nor cool to extol the virtues of one's mother. You risk charges of "Momism" and accusations of being square. Well, perhaps they don't make mothers like they did anymore. Or perhaps there's a new breed of kids.

Well, there were eight kids in a little Connecticut town who grew up in the Depression without benefit of the Dodge Rebellion, acid, surfboards, hotrods, a collection of rock and soul music, or a penchant to own all of the material things of life.

We were lucky to have an open home where our friends and assorted kids from the neighborhood could flop and play. We made our own baseballs out of rags and we used a stick for a bat. But we never had the slightest trouble fielding full ball teams on the vacant lot beside our house.

It was the warmth and understanding of my mother that made our home the headquarters for others' sons. She fed them, she counseled them, and throughout the years, she was their friend.

Too, she was our friend, our confidante, our encouraging voice, our spur to achievement. She was the most placid person I have ever known, maintaining her calm through the battles and squabbles of a large family and all its conglomerate problems.

When the Depression hit us, she assumed control of the family, and we named her "Blum" after the French Premier who had recently assumed responsibility for the wavering French government.

As I think back, I am most impressed with her complete selflessness, her concern only for her family. It was a standing joke at Christmastime or other occasions that any gift of money be accompanied by a warning that the largesse was to go for a hat or a coat for herself, and not to buy an extra chop from the butcher.

She imparted to us a love of beauty—in music, nature, the person. The things most dear to her could not be bought—the sun shining through her windows, the blooming of the apple trees, the first crocus, a ride in the country when the dogwood was in bloom, an inspirational article in the newspaper.

She had a green thumb and was proud of the flowers and trees that surrounded her. But her first love was her brood. We had little preaching from her, but by example we were taught right from wrong, good from bad, and were instilled with an appetite for knowledge, an appreciation of art and music and literature, an awareness of the world, a desire to be good citizens and a desire to create, build, and accomplish.

Her health was excellent for some 70 years—at least we never heard a complaint and she rarely saw a doctor. Three years ago she suffered a heart attack, and the end was in sight. Throughout the trying period of hospitalization, bed confinement, and the stoppage of activity—the hardest to bear—she maintained her good spirits, and she amazed all with the maintenance of her good humor which sprang from a well within her that long should have been exhausted.

On a bright May day "Blum" surprised my younger sister by asking to be taken for a ride in the country. She marveled at the panorama of dogwood and blooming fruit trees, the flowers and the green grass. Here and there she would ask that the car be stopped so that she might drink in all of the beauty.

Upon her return home, her heart stopped beating.

It was Sunday, May 6, 1966. It was my birthday. And Mother's Day.

MISINTERPRETATION OF COMMITTEE REPORT ON GUERRILLA WARFARE

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

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

There was no objection.

Mr. WILLIS. Mr. Speaker, on May 9, my colleague on the Committee on Un-American Activities, the gentleman from Iowa, made remarks which, if not clarified, might create the mistaken impression that the Assistant Attorney General in charge of the Internal Security Division of the Department of Justice has rejected, refuted, contradicted, or taken issue with, a recommendation of the Committee on Un-American Activities.

This is not the case and I am sure the gentleman from Iowa did not mean to imply by his remarks that it is. The committee has made no recommendation which the Assistant Attorney General, Mr. J. Walter Yeagley, has questioned or contradicted, even though some might get that impression from the contents of the letter from Mr. Yeagley to Mr. Culver which was made a part of the RECORD.

The facts in the case are these:

On May 6, the committee released a report entitled "Guerrilla Warfare Advocates in the United States." This 65-page document names and gives background information on organizations and individuals in this country who are promoting guerrilla warfare against the Government. Quoting from their own publications and documents, the report spells out the strategy, tactics, the weapons and devices these elements say they would use against the people and Government of the United States. The report also reveals the role played by some of these elements in the Harlem, Watts, Cleveland, and Chicago riots.

In addition, it summarizes some basic principles of guerrilla warfare enunciated by various Communist theoreticians and, applying these principles to the United States, draws the conclusion that while guerrilla warfare organizations might initially create havoc in this country, they would face certain defeat. It spells out some of the steps the Government could take to suppress guerrilla warfare operations carried out within our major cities, where its proponents say they would operate.

This report, as I indicated in my foreword to it, was prepared by a man who, as a former activist in the Chinese Communist-oriented Progressive Labor Party, had firsthand experience with that group's guerrilla warfare doctrines and plans. This led to a continuing interest in the subject on his part and, following his break with communism, much reading, research, and study in the field. The author, I might mention is a professional writer and editor with a graduate degree in political science.

It is clear to anyone who has read this report that it contains extensive factual information, plus various findings and recommendations of the FBI and grand juries and, in addition, what is obviously the author's personal analysis of and belief about certain matters.

The committee, of course, stands 100 percent behind the factual material in the report. It always very carefully checks and rechecks statements of fact contained in any report it publishes, whether the report is prepared by its own staff or, as occasionally happens, by an outside authority.

At the same time, it should be apparent to any normally intelligent reader that the report material which is not factual in nature does not represent a committee position but only the opinions of the author which, the committee believes, as stated in the foreword, "are worthy of consideration."

Now, in the concluding chapter, the author suggests seven steps that "could be taken" by the Government in dealing with guerrilla warfare operations, should they be attempted. There is no basis for anyone's claiming they are unreasonable, undemocratic, reckless, or in any way inconsistent with our Constitution, or the practices of any democratic nation which has faced an insurrection. They are routine, obvious measures.

It is an unfortunate fact that the Washington Post, in reporting on this committee document, took one sentence out of the 33,000-word report—a sentence from one of the seven steps suggested—and not only played it up out of all proportion but also twisted its meaning. In this sentence, the author had pointed out that the Internal Security Act of 1950 provides for detention centers and wrote:

> These might well be utilized for the temporary imprisonment of warring guerrillas.

The gentleman from Iowa, in his May 9 remarks, stated that he had contacted the Department of Justice for clarification of the detention camp provisions of the Internal Security Act and had received a reply from Assistant Attorney General J. Walter Yeagley, in charge of the Internal Security Division, stating:

> There is no support therein for the establishment of detention centers for the purpose set forth in the House Committee on Un-American Activities report.

I would like to point out that I was aware of the provisions of this section of the Internal Security Act—as I am sure was the author and other members of the committee—long before Mr. Yeagley's letter was written. As I have pointed out in a letter to one newspaper correcting a misleading account of the committee report, the Internal Security Act provides only for the detention of persons who will probably engage in, or conspire with others to engage in, acts of espionage or sabotage when the President has proclaimed a state of "internal security emergency" because of war, invasion, or insurrection in support of a foreign enemy.

I have also been well aware of the fact mentioned by Mr. Yeagley in his letter to the gentleman from Iowa, that, while a number of detention centers were established years ago in keeping with the provisions of the Internal Security Act, none of these centers was ever activated and all have been used for other purposes for some years.

The important fact, however, is that if certain elements should launch guerrilla warfare against the United States, the Government would have to react: it would undoubtedly capture a considerable number of these guerrilla fighters and it would have to hold them somewhere. Neither I, the other members of the committee, nor the author of the report, know just what the Government would do to meet the latter problem.

Our Federal prisons, of course, are overcrowded. I would say there is no possibility they could be used for what would be, in effect, prisoner-of-war camps. It is my information that existing military stockades are far from adequate for the purpose. The Federal Government, however, does own, or has access to, the previously mentioned detention centers which were established for the purpose of holding large numbers of persons under security conditions. Most are abandoned World War II Army training centers with barracks, mess halls, hospital buildings and similar facilities.

What could be more logical than to suppose, as the author of the committee report did, that the Government might well decide to use these existing facilities for, as he wrote, the "temporary" imprisonment of captured guerrillas?

Importantly, despite the wording of Mr. Yeagley's letter, I want to stress the point that even though the Internal Security Act, as I said, does not provide for the creation of centers to detain captured guerrillas, there is nothing in that act, there is nothing in any other statute, there is nothing in the Constitution, and nothing in logic barring the use of these centers for that purpose.

They would be utilized for that purpose, of course, not under the authority of the Internal Security Act but under the President's authority as Chief Executive and Commander in Chief of the Armed Forces to deal with insurrection and rebellion.

It is most unfortunate that the wording of Mr. Yeagley's letter and the placing of it in the RECORD has created the false impression that such use of the centers would be illegal or improper. The fact is that the Government, owning these properties, can use them for any one of a variety of purposes and is actually doing so now.

I very much regret that the wording of the May 9 remarks of the gentleman from Iowa could be said to imply that the committee report contains "reckless reprisal statements" which can have no other effect but to help those who are doing everything they can to further inflame emotions in already highly charged ghettos. The report, most emphatically, makes no recommendations or suggestions whatsoever about the handling of ghetto rioters. The sentence at issue deals only with captured guerrillas in a case of actual insurrection against the U.S. Government. It has no other application.

Also regrettable, in reference to the report, is the gentleman's statement:

> A disproportionate concentration on presumed conspiratorial danger diverts us from the principal sources of urban unrest and protest, which are essentially social and economic.

Regarding this statement, I would like to call attention to two facts. First, the report is primarily concerned not with riots and not with some vaguely "presumed" conspiracy, but with actual guerrilla warfare plans, instruction, and training. Guerrilla warfare is much different from "urban unrest and protest," as the gentleman from Iowa referred to riots. The roots of the guerrilla warfare some elements are planning against the United States, as the report makes clear, are conspiratorial and clearly alien. No government deals with alien-inspired armed guerrilla uprisings by social and economic reforms.

Second, insofar as the report concerns urban riots, and it does to some extent, it makes due note of their economic and social causes—the denial of basic rights and related matters. It quotes at some length, for example, the findings of the Cleveland grand jury on the evils in the Hough area which contributed to the riots there. Also quoted on the subject of injustice is an excerpt from an excellent study, "Prevention and Control of Mobs and Riots," which was compiled by the FBI in cooperation with law-enforcement agencies in all parts of the country. Moreover, this is done in a manner which indicates clearly that the report supports the correction of such evils.

Is it to be expected that a Federal report on guerrilla warfare should go further and contain a blueprint for complete social and economic reform which will supposedly solve the separate issue of local urban rioting?

I understand the concern of the gentleman from Iowa about the matter but I strongly disagree with his words that it is "most regrettable" that the report "has served to again stimulate baseless and highly misleading rumors about detention camps, as a solution to uprising which it admits are not likely to occur."

The fact is that it is not the report which has stimulated these rumors but slanted and biased accounts of the report published by a newspaper, the Washington Post, which has a long public record of bias against the committee, coupled with continuing effort to discredit it by any and all means. Comparison of the Washington Post account of the report with those published by many other newspapers makes this abundantly clear.

I must express my regrets, too, that the gentleman from Iowa, if he had reservations, complaints, disagreements, and so forth, concerning the report, did not bring them to the attention of the committee at any time during the months before its publication when he had galleys in his possession and, particularly, that he did not raise them at the meeting when the committee, with his concurrence, approved its release.

Finally, it is regrettable that the gentleman from Iowa, if he had some questions about title II of the Internal Security Act, did not endeavor to obtain clarification from other committee members and staff personnel who were thoroughly familiar with the report and could have informed him of the correct meaning of the reference to it in that document.

The May 9 letter of Mr. Yeagley which was placed in the RECORD of that day by the gentleman from Iowa is poorly worded. I have no desire to be over critical of Mr. Yeagley who as head of the Internal Security Division of the Department of Justice, has tried to do a good job in the face of many difficulties.

Having served as the head of the Internal Security Division here in Washington for many years, however, he must be familiar with the extent to which the Washington Post has traditionally and consistently published distortions and falsehoods about the Internal Security Act, the Subversive Activities Control Board, security laws, various governmental agencies dealing with security, and particularly the Committee on Un-American Activities. Despite this he based his letter to the gentleman from Iowa largely on what the Washington Post reported about the committee document instead of basing it on what the document itself actually states.

The result is that, although the wording of his letter is technically correct, it definitely creates the impression that the committee has made a recommendation it has never made and, further, that it has made an improper recommendation—one that is actually contrary to the provisions of the Internal Security Act. By doing so, it also creates the misleading impression that an official committee position is giving credence to the false rumors now being circulated that the Government has "concentration" camps which will be used for the mass detention of militant Negroes.

THE DEVELOPMENT OF A POSITIVE U.S. EXPORT POLICY

Mr. REES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous matter.

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

There was no objection.

Mr. REES. Mr. Speaker, as a member of the Banking and Currency Subcommittee on International Trade, I have been very concerned with recent devel-

opments in this overall area. We have been dealing not only with balance-of-payments problems, but various proposals which would unfortunately reverse the progress this Nation has been making in the recent Kennedy round tariff discussions.

I place in the RECORD an address by our colleague, Congressman THOMAS LUDLOW ASHLEY, chairman of the Subcommittee on International Trade, given before the Toledo Society of Professional Engineers on May 7, 1968. This speech, I believe, represents an excellent approach toward the development of a positive U.S. export policy:

ADDRESS ON FOREIGN TRADE BY THE HONORABLE THOMAS LUDLOW ASHLEY, BEFORE THE TOLEDO SOCIETY OF PROFESSIONAL ENGINEERS ON MAY 7, 1968

I appreciate this opportunity to discuss with you the problems arising from our international trade agreements and how these problems relate to the current imbalance of payments.

Being aware of the opposing views of a previous speaker on this topic, let me say that I especially appreciate your open mindedness in wanting to hear both sides of the case.

I'd like to start with a brief review of current trade policy generally, the Kennedy Round more specifically, and then try to identify resulting difficulties that face us.

As a general proposition, I think it can be said that trade policy at any given time in our history has reflected the state of the national economy during that same period.

Certainly the vitality of the early years of the 20th century helped produce the famous Underwood Tariff of 1913, the most comprehensive ever undertaken to that date, resulting in an average tariff rate of 27%.

The depression which followed World War I, in turn, produced the Fordney-Macomber Tariff of 1922, with an increased average tariff of 38½%, which was in force until 1930.

Then came the Smoot-Hawley Tariff of 1930 in response to the crash and the beginning of the depression. While it was in force between 1930 and 1934 the average tariff was 59%—the highest level in history. This triggered reciprocal tariff, raising all over the world, with the result that world trade went down two-thirds during the 4 years from the 1930 level. U.S. exports alone dropped 70%, while the U.S. share of world trade dropped one-third.

The first phase of the trend toward liberalization of U.S. policy is identified with the Reciprocal Trade Agreements Act of 1934. By that Act Congress gave the President authority to reduce then existing tariffs by 50%. Perhaps the most significant aspect of the Act was the inclusion of the most-favored-nation clause which limits discrimination in trade by extending to third parties the same terms agreed to by contracting parties. This clause became a fundamental principal of U.S. trade policy, as well as a cornerstone of international trade.

The purpose of the 1934 Act was to make bilateral agreements that would increase U.S. exports and employment, as long as there would be no injury to domestic industry. Actually there was little possibility of injury because of high rates and the item-by-item approach to negotiations which allowed certain commodities to be excluded if a decrease in rates would result in an increase in imports.

The 1934 Act was a permanent one but authority to negotiate specific amounts of reduction required renewal. These extensions were made every 3 years and by 1945, when the President was again given authority to cut rates by an additional 50%, the U.S. had concluded agreements with 29 countries.

A second phase of the trend toward liberalization of trade policy came in 1947 when the U.S. and 22 other major trading nations negotiated simultaneously for both reduction of tariffs and removal of trade barriers. These multi-lateral negotiations were conducted at Geneva and culminated in the General Agreements on Tariffs and Trade. GATT membership now includes some 70 nations that account for about 80% of total world trade. Agreements under GATT were made again in 1949, 1951, 1956, 1962 (Dillon Round) and 1967 (Kennedy Round). The value of world trade involved in these negotiations (in billions of dollars) grew from $2.5 billion in 1956 to $4.9 billion in 1962 to $40 billion in 1967, while the percent of average tariff reduction grew from 4% in 1956 to 7% in 1962 to 35% in 1967.

The Trade Expansion Act of 1962—the next major move in U.S. trade policy—gave authority to the President to reduce tariffs up to 50% of the rates existing as of July 1, 1962; to eliminate tariffs on products in which the U.S. and the EEC together accounted for at least 80% of the world trade; and to eliminate rates that did not exceed 5%. The 1962 Act empowered the President to negotiate across-the-board tariff reductions (rather than item by item) and modified the safeguard provisions of the old trade agreements program.

An important practical objective of the 1962 Act was to assure U.S. access to the EEC because in the absence of broad changes in U.S. commercial policy, it was seen that EEC tariffs would be discriminatory and restrictive to U.S. trade.

The 1962 Trade Expansion Act was geared to stimulating not only U.S. exports but also world trade in general, with mutual benefits expected to accrue to all nations as a result of international specialization and trade and the more efficient use of resources which in turn fosters more rapid economic growth. The Kennedy Administration acknowledged that further tariff reductions could lead to increased imports as well as exports. Hence the President was provided with authority to institute various new types of "trade adjustment assistance" such as readjustment allowances to unemployed workers, vocational training, and loans and tax benefits to employers affected by increased imports.

In brief, then, since 1934 we've seen average U.S. tariff rates decline from 59% to 12% in 1967, while our exports rose from $2 billion in 1934 to $30.9 billion in 1967, a period during which imports climbed from $1.7 billion to $26.8 billion.

Turning to the Kennedy Round, the most far reaching ever in reduction of barriers to international trade, it was agreed that tariff reductions would go into effect in 4 stages: in January and July of 1968, January of 1970 and January, 1972.

Based on the year 1964 and summarized primarily in terms of the value of trade covered by concessions and by the depth of the duty reductions, total tariff concessions exchanged in the Kennedy Round covered about $40 billion of trade.

The U.S. granted tariff concessions on about $8.5 billion of its imports and received concessions on $8.1 billion of its exports.

As between the industrialized nations (U.S., EEC, UK, Austria, Denmark, Finland, Norway, Sweden, Switzerland and Japan, the countries negotiating on a linear or across-the-board basis) the U.S. received concessions covering trade of $7.6 billion while granting reductions of $6.7 billion.

If the past is any guide to the future, new export opportunities will be created for American goods as tariffs are reduced abroad, and as exports increase so will the earnings of American businesses and the number of jobs for American workers. As U.S. tariffs are reduced on materials and components used by American manufacturers, both the imported items and the competing domestic materials will be cheaper, production costs will be thereby reduced, and as a consequence the competitive position of American manufacturers using these inputs will be improved in both export and domestic markets.

Conversely, if imports were to be sharply reduced, through quotas or other means, the individual American consumer, as well as industry, would have less choice in the variety, quality, style and price of goods available for purchase. Many things bought from abroad cannot be produced in the United States except at prohibitive costs; other imports are competitive with U.S. products and thereby help keep price levels down. There is nothing new or startling about this: trade among nations is, after all, only the extension beyond our borders of the basic elements of the free enterprise system—competition, specialization, the price mechanism, the free market, freedom of choice, and mutually advantageous exchange.

This is by no means to say that there will not be problems if we continue to pursue a liberal trade policy. Broadly speaking, it seems to me that the general or overall problem we face is that we live in a rapidly and vastly changing world where we must expect a growing number of industrial countries with every improving technology that are just as anxious as we are to advance their standards of living by more actively participating in growing market opportunities throughout the world.

The issue, also broadly stated, is whether we are going to continue our present leadership role, accepting as we must the complex problems which must be overcome if liberal trade is to benefit and serve the community of free nations, or whether we are once again to withdraw from participation and retreat into economic isolationalism.

There's no argument, as I've indicated, that there are problems to be met if we continue our liberal trade policy.

Among the future developments which may confront us are:

The possible expansion of existing regional trading blocks and the emergence of new ones.

The mounting importance of non-tariff barriers to trade, as tariffs go down.

The building of new productive facilities throughout the world, bringing new buyers and sellers into the world market.

The growth of American investment abroad which is making many of our large corporations truly multi-national in character.

The determination of developing nations to widen their export markets and reduce their dependence on basic commodities, and

The desire of both east and west to expand two way trade across the vanishing Iron Curtain.

Immediate attention is being given to the problem of non-tariff barriers.

While all trade problems require for their solution the close cooperation of industry and government, this is probably even more true of non-tariff barriers than of others because their very existence is often first known to the businessman seeking to sell his product abroad. U.S. negotiators during the Kennedy Round were handicapped by lack of documented specifics with respect to the effect of non-tariff barriers and by lack of explicit authority to deal in a negotiating framework with this difficult area. The United States, too, has its own non-tariff barriers against the exports of other nations and negotiations requires reciprocity and the ability to move toward compromise.

It should be noted that very comprehensive efforts have been made over the past 5 years to obtain documented data with respect to non-tariff barriers, including consultations with some 60 different industries, public hearings held pursuant to provisions of the Trade Expansion Act, discussions with

the International Affairs Committee of the Business Council, a study by the National Industrial Conference Board, introduction of the issue into the Organization for Economic Cooperation and Development and, most recently, formal raising of the problem by the U.S. in GATT where a Working Party is now actively reviewing the ruling which govern these adjustments.

A full evaluation of the impact of the Kennedy Round must also recognize that there will be some adverse effects as well as beneficial to American industry. Although the overwhelming majority of American industries that face competition can adjust in stride, increases in imports resulting from reduced U.S. tariffs can cause dislocations which require adjustment assistance. New and more constructive means for dealing with the problems which imports may create for particular firms or groups of workers, or even entire industries, are being fully explored as we seek to liberalize the present criteria for adjustment assistance.

The guiding principal in this effort is that tighter quotas or higher tariffs are not necessarily the most appropriate or effective form of relief for injury due to import competition. It may be better in the long run to promote the economic flexibility needed to cope with the ever-changing currents of world trade and their varying effects on different segments within a specific industry, rather than to attempt to insulate whole sectors of our economy against these changing currents.

Let me also be clear about another problem of considerable magnitude, namely, inflation. If we are to successfully pursue a policy of liberal trade, ability to compete will depend upon ability to meet price competition. Since inflation is a significant component of cost reflected in price, nothing could be more obvious than the conclusion that unchecked inflation, whether it be cost-push, demand-pull or the classical definition of too many dollars chasing too few goods, can put us in an extremely exposed position.

I think it is probably true that protectionism provides a degree of insulation against competition but quite honestly I don't think this is good for either the American producer or the American consumer.

There are other problems as well. In recent days we have read that the first quarter U.S. trade surplus is at the lowest level since World War II—$731 million on a seasonally adjusted annual basis as against about $4 billion in calendar 1967. A number of reasons have been given for this precipitous decline: the New York dock strike, steel inventories, increased imports of small automobiles, the surge in copper imports because of the 3 month tie up in the domestic industry, and the different timing of U.S. and foreign business cycles.

These, too, suggest areas of vulnerability which we must recognize and be responsive to if we really mean to protect our own markets and compete successfully abroad.

In all truth, I think that it can be said that the Federal Government must be more vigorous in all of these areas of actual or potential vulnerability. But whether the finger is pointed at the Administration or the Congress, or both, failure to bridge the current $20 billion deficit gap through a combination of federal expenditure cuts and a temporary tax increase is fiscal irresponsibility at its worst because it can only result in a permanent inflation, obviously to the detriment to our trade efforts.

We have also failed to provide effective guidelines which could at least help minimize the wage-price spiral which also inhibits our ability to meet foreign competition and, in a somewhat removed but nonetheless important area, we have been slow to provide competitive export credits—the loans that make it possible for foreigners to purchase U.S. products.

These are some of the difficulties we face and which are inherent in pursuance of a liberal trade policy. They can be met if we have the will and choose to do so. To revert to a protectionist course might obviate some of these problems in the short run but it would also beget others. We can hardly overlook that if new tariffs are imposed, or if quotas are established by the United States at the insistence of one industry, some other American industry or industries must be made to pay the price for that new protection, either by compensatory reductions in tariffs on imports in their field or through consent by the U.S. to increases of foreign tariffs on U.S. exports. In its simplest terms this involves robbing Peter to pay Paul—a regrettable degree of direct participation by government in the allocation of foreign trade between industries. Under the present circumstances, with the President's power to negotiate such compensatory adjustments in tariffs having lapsed, the only remedy available to the foreign governments affected is by way of retaliation—in each case affecting third country trade as well—which inevitably would be followed by a chain reaction of counter-retaliatory moves around the world, affecting all foreign trade. This is precisely what happened when the Smoot-Hawley Tariff Act of 1930 triggered a wave of retaliatory trade restrictions—an important factor in deepening the great depression of the 30's.

Nor do I think that protectionism can affect our balance of payments problem except adversely. A leading proponent of this course suggests that an easy cure is available: cut off all foreign trade and grant important licenses only on a high priority basis. This is both simplistic and illogical. It might not kill his golden goose—although I'm not sure of this in the long run—but it would certainly kill others. The fact is that we can't cut ourselves off from our international responsibilities—responsibilities which promote both our short and long range national interest—with a press of the button or a flip of the switch. Were we to follow this advice, our trade balance—which has been a major asset in our balance of payments—would be decimated through retaliation, compounding an already difficult problem even further.

Certainly liberal trade is not THE answer to bring our payments into balance but in my view it forces upon us the range and system of disciplines which are essential if we are to remain competitive and innovative—the two basic requirements for meeting the challenges which face us in our national life both at home and abroad.

A REPLY WILL BE INTERESTING

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I am in receipt of a letter from Mr. Floyd E. Wilson, superintendent of the North County Public Schools in Desloge, Mo., in which he enclosed a copy of a letter he had addressed to the President of the United States, requesting an answer to a question by one of Superintendent Wilson's students, which Mr. Wilson could not answer; which I cannot answer, and which I believe only the President can answer.

The letter to the President follows:

MAY 14, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

SIR: As a leader of youth in the capacity of Superintendent of Schools, I am confronted with a question to which I do not know the answer.

In the recent months, there has been two deaths of leaders who are known throughout the country. When Dr. Martin Luther King was so unjustly assassinated, you as President of the United States by having this power invested to you by the virtue of your office, ordered the flag to be flown at half-mast.

Just recently, Mrs. Lurleen Wallace, Governor of Alabama, died, and the flag was not ordered to be flown half-mast for her.

I am not against recognition of people who are dedicated to be leaders of what is right, but I have always been under the impression that our flag is flown at half-mast only for heroes or government officials.

I realize that you have the most responsible position in the world, and I admire you for your ability in this capacity. I am sure that you receive all kinds of letters, and receive more criticism than praise.

The only reason I write this letter is so that I can answer the questions of the young citizens of America.

Respectfully yours,

FLOYD E. WILSON,
Superintendent.

IN MEMORY OF SPEAKER MARTIN

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, in the passing of the late Honorable Joseph W. Martin, Jr., America lost one of its most distinguished citizens and a great patriot. As a member of the minority when he served as Speaker of the House of Representatives, I think I came to appreciate more fully the sterling qualities of this individual who enjoyed the esteem, respect, and friendship of all those with whom he had served. While the two districts which we represent in Congress had very little, if anything, in common, I was impressed as a new Member that here was a man, a leader in this House, who while he might not have a comprehensive understanding of the problems of the area I was attempting to serve, was sympathetic to my problems and would take the time to listen and to advise me as to how these problems might be alleviated. Over the years we became, what I like to believe, close friends, and I remember at least three or four occasions when Mrs. Jones and I would be "eating out," we ran onto Speaker Martin, dining alone, and we would enjoy informal visits with him. Perhaps it was these occasions which caused me to regard him as a lonely man. He was indeed, a gracious gentleman, one who served his district, his State, and his Nation well, and whose memory will linger on in the minds of those who were privileged to know and work with him.

TRIBUTE TO MEMORY OF PAST COMMANDER IN CHIEF ARCHIE HOUSE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, belatedly, and with deep sadness, I have learned of the death of Archie J. House, past national commander in chief of the United Spanish War Veterans. He was a great and good American who set for future generations a pattern of service and patriotism.

The last time I saw and talked with Archie was at the White House just 2 weeks before the black and tragic day of President Kennedy's assassination. I had gone with Archie and his wife Blanche to the White House to pay respects to the Chief Executive of our Nation, representing as we did the veterans of the war of 1898 meeting with the honored veteran of World War II, the President of our beloved country, and President Kennedy personally had escorted us around the garden and amidst the flowers, and on bidding us farewell had said: "BARRATT knew my grandfather," the last words I was to hear from President Kennedy, whose grandfather I had indeed known and long had counted among the heroes of my boyhood. In the period of the Spanish-American War, when the 33d Volunteer Infantry of Michigan was brigaded and served in Cuba with the Ninth Massachusetts Infantry, the Kennedy grandfather was mayor of Boston. No man ever had a bigger and a kindlier heart, and he was in a large sense a national idol.

Archie House was born in January of 1882 and I in April of the same year. We were sophomores in the high school at Benton Harbor, Mich., when the *Maine* was sunk in Havana Bay and war with Spain followed. We enlisted together in Company I, 33d Michigan Infantry, trained together at Island Lake in Michigan, later at Camp Alger at Falls Church, Va., and then together were off to Cuba and the siege of Santiago.

The last I had heard from Archie, and that was not long ago, he and his wife were living in Florida, he seemed in good health and certainly as always in good and cheerful spirits. I learned of his passing from the news bulletin issued by the Department of Michigan, United Spanish War Veterans. It was a blow that brought home the realization that the trail of the youth of the last years of the 19th century is rapidly approaching the end. I am told that less than 9,000 remain.

To the wife and loved ones of my high school buddy, later my comrade in march and battle in a foreign land, and later my commander in chief, goes my deepest sympathy.

CONGRESSWOMAN SULLIVAN IS PRAISED FOR REHABILITATION HOUSING PROGRAM

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, recognition has again come to Congresswoman LEONOR K. SULLIVAN, one of our esteemed colleagues and a senior member of the House Committee on Banking and Currency, for her sponsorship of what now is called the 221(h) section of the National Housing Act. This law provides funds to buy and rehabilitate old housing for resale to low-income people at reasonable interest rates.

The Washington Post has written up the first project under the Sullivan rehabilitation housing program. This project in St. Louis has succeeded beyond all expectations as the newspaper article points out.

Most significant is the fact that this housing program successfully involves everyone within the community and allows all to participate in rebuilding what previously had been a slum. The importance of this program is perhaps best summed up by Father Kohler, who has involved himself in this program, when he was quoted as saying:

If we get enough homes built, we'll make it go—homeowners aren't home burners.

Mr. Speaker, I recommend this article to our colleagues and I hope that this program will continue to receive the full support of HUD for it has already become in just the 1 year it has been in existence one of the most successful housing programs we have.

The article follows:

HOUSING PLAN INSPIRES HOPE

(By Eve Edstrom)

In the living room on the second level of his sturdy row house, Theodore Forte leaned back on the sofa and talked about building a barbecue pit, setting up summer furniture, and landscaping the patio.

The conversation, like the floor plan of Forte's home, was not a world apart from swank Georgetown. Yet Forte lives in one of St. Louis' worst slums.

He is a truck driver for that city's rubbish department and the father of seven children—but he is able to save dollars every week and buy his own home because of "Mrs. Sullivan's law."

I'VE GOT A FUTURE NOW

That law is Section 221(h) of the National Housing Act and what it means to Forte is this:

"I'm living for something now—my own front yard, my own back yard, my own basement. It's a pleasure every night I get home. You can't beat it. You see, I've got a future now and so do my children."

That same kind of future is in sight for 1340 low-income families in 62 cities, including Washington. In these cities, nonprofit organizations are borrowing Federal funds at 3 per cent interest, as authorized under 221(h), to buy and rehabilitate old housing for resale to the poor at the same low-interest rates.

While this program is just getting under way in most cities, its prototype began in St. Louis in 1963 when two priests began a "find and fix-up" housing effort for one large family whose income had priced them out of public housing.

EIGHTY FAMILIES REHOUSED

That effort provided the basis for 221(h), which was pushed through Congress by Rep. Leonor K. Sullivan (D-Mo.) ranking member of the Banking and Currency's Housing Subcommittee.

The first Federal loan under the legislation went to the St. Louis project which, in the last four years, has rehoused about 80 families in rehabilitated dwellings that are about 70 years old.

Other cities, such as Washington where one project involving nine properties is under way and other nonprofit organizations have been established to do similar work, can profit from the St. Louis experience.

It shows that neighborhood corporations can do an effective housing rehabilitation job. But it also shows that a number of self-help measures ranging from job-finding programs to credit unions, must be folded into the program if the rehoused families are to become stable home owners.

The St. Louis results have been dramatic. There have been no defaults in payments. Some family heads have almost doubled their income. Others, like the Forte family, have the same income but are saving money because they no longer pay fantastic heat and gas bills for drafty, ill-equipped dwellings.

IMMIGRANTS MOVED OUT

The St. Louis project area, on the Near North Side, consists of nine blocks where formerly Irish and Polish immigrants lived in the solidly-built brick rowhouses. As the immigrants moved out, slum landlords took over and let the houses deteriorate. Several of the houses are now vacant and boarded up, and others have been demolished, giving the area a war-torn appearance.

Across the avenue and towering over the project site is one of the Nation's largest public housing developments (Pruitt-Igoe), which has 2900 units and is described as a high-rise "jungle" by those who have lived in it. Its shattered windows and grounds littered with debris and clusters of unkempt toughs make it one of St. Louis' sorriest sights.

It was in Pruitt-Igoe that Mr. and Mrs. Oscar Straughter and their seven children lived.

"At first I thought it was heaven—six rooms all to ourselves when we only had two rooms before," Mrs. Straughter said.

DECIDE TO LEAVE

But she soon found that the family was living in a "madhouse," with thousands of children so sandwiched together that there were constant fights. And each time the Straughter family tried to get ahead through pay raises or additional income from a daughter who went to work, their rent went up. The Straughters decided to quit the neighborhood.

That's when the Rev. John A. Shocklee, pastor of St. Bridget of Erin Church, and his former assistant, the Rev. Joseph M. Kohler, stepped in.

"We wanted to keep the Straughters in the area," Father Kohler said. "You know how everyone talks about indigenous leaders these days. I can't spell indigenous, but I know real leaders and we couldn't afford to lose the Straughters."

Until that time, Father Kohler had been principally concerned with finding better paying jobs for area residents. Through VIP—Voluntary Improvement Program—scores of residents have been able to obtain high school equivalency ratings that paid off in qualifying them for jobs at higher wages. Now Father Kohler, who "never had bought anything in my life," decided to buy houses.

LIST OF HOUSES OBTAINED

He and Father Shocklee obtained a list of available houses for sale, mustered up funds through voluntary contributions and bought their first house.

"When Father Kohler asked me how I would like to have a place of my own, I didn't

know what to say," Mrs. Straughter said. "I still don't. I love it so."

The interior of the house was brought up to city standards by adding a furnace, electric wiring and bathrooms. The yard was fenced in and Mrs. Straughter now has the garden she always wanted.

From this informal effort, the Bicentennial Civic Improvement Corporation (BCIC) was formed in November, 1964. It has mobilized wide-ranging voluntary support, not only from St. Bridget's Church but from such organizations as the American Jewish Congress and the League of Women Voters.

FINANCING PROVIDED

Most importantly, in terms of the housing venture, BCIC found a strong friend in M. A. Burdzy, president of the Pulaski Savings and Loan Association. Pulaski, with BCIC assisting in collecting mortgage payments, worked out a financing device which, in effect, provided poor families with 100 per cent financing repayable over 15 years.

Dwelling units were acquired for between $2000 and $3000. Rehabilitation costs—replacing roofs, installing new kitchens, furnaces, heating systems, bathrooms and inside stairs—averaged about $4000 to $5000 a unit.

This type of rehabilitation has had an important byproduct—providing jobs for the area's Negroes working under the supervision of an excellent craftsman, Richard Woods, who is on the staff of BCIC.

"I've lived in this neighborhood for 40 years," Woods said. "It was a beautiful neighborhood. It's going to be beautiful again."

But the piecemeal operation of BCIC has had its drawbacks. As fast as a few houses have been rehabilitated, more decayed. Now, with both Federal antipoverty and housing money, BCIC has set up a sister corporation with a master plan to complete rehabilitating 300 houses in the nine-block area.

COMMUNITY ORGANIZER

Mrs. Straughter is now a fulltime community organizer, who screens the families who will buy the houses.

"I still have to earn my title when we really become a community," she said. "Right now, I'm just a people's worker."

Among her "people" are the Fortes. They are paying $71.92 for their three-level home, with its huge basement, living room, dining room, kitchen, three large bedrooms and 1½ baths.

"You don't know the thrill it is to know that this is all yours," said Mrs. Forte.

Forte added: "I now live for my home and my family. They're happy and that makes me the happiest."

And that's why Father Kohler said "if we get enough homes built, we'll make it go—home owners aren't home burners."

TRUTH-IN-LENDING BILL CLEARS CONFERENCE COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, this morning's Washington Post contains a succinct summary of the major provisions of the truth-in-lending bill which the House and Senate conferees finished yesterday.

I am sure all Members will be interested in looking at this summary in anticipation of the conference report being brought to the floor in the very near future.

This time is being taken so that I can personally compliment the gentlewoman from Missouri, the Honorable LEONOR K. SULLIVAN, chairman of the Consumer Affairs Subcommittee of the House Committee on Banking and Currency, for her superb performance in conducting the House hearings on this legislation, her participation in the House floor debate, and the leadership she evidenced in the conference.

Every consumer owes Mrs. SULLIVAN, whom I consider to be the outstanding consumer champion in Congress, a great debt of gratitude.

My words of praise for Mrs. SULLIVAN in no way imply any criticism of the other conferees on the truth-in-lending conference who, in my opinion, all carried out their responsibility in the true tradition of conferees on a very complicated piece of legislation.

I want to emphasize that we also owe a debt to two distinguished Members of the other body, Senator SPARKMAN of Alabama, chairman of the Senate Banking and Currency Committee, and Senator PROXMIRE of Wisconsin, chairman of the subcommittee which handled this legislation in the Senate. I am most grateful to both Senator SPARKMAN and Senator PROXMIRE for their able and informed contributions to the progress of this vital legislation.

Let no one be misled, however, into believing that this legislation has concluded congressional responsibility in this most vital area. This truth-in-lending legislation is nothing more than a mere beginning. I would personally feel that the American consumers have been let down if legislation is not considered in the very near future going beyond that which we now have before us.

I conclude, Mr. Speaker, by also paying homage to that great American, Senator Paul Douglas, for it is to this great American that we owe the original debt for his conception of the legislation and his tenacity in attempting to secure its enactment.

The article follows:

TRUTH-IN-LENDING BILL CLEARED—CONFEREES ADOPT DISCLOSURE RULES ON CREDIT COSTS

(By Richard L. Lyons)

House-Senate conferees agreed yesterday on a "truth-in-lending" bill modified somewhat from the tough House version but still one of the strongest consumer protection bills ever written.

It now goes back to each house for a final vote and expected approval, the climax of an eight-year fight to tell consumers the full cost of credit when they buy on time.

The bill requires full disclosure of credit costs and interest rates in credit advertising. department store revolving credit and other installment purchases and loans.

It imposes restrictions on garnishment of wages to satisfy debts, writes a new Federal anti-loan shark law and protects poor homeowners from unknowingly signing second mortgages to finance home repairs.

The second mortgage protection would be of special importance here in Washington. Recent surveys have shown many cases of poor homemakers learning too late that the loan paper they signed for repairs was in fact a second mortgage, by which they incurred long-term debt and possible loss of their homes.

Rep. Leonor K. Sullivan (D-Mo.) who had pushed through the House a bill requiring full disclosure on consumer credit transactions totaling about $100 billion a year, called the final product a "good bill," but added she was sorry she had to give up some good provisions.

Senate conferees, bargaining for the much weaker Senate bill, said the House hadn't given up five per cent of the difference between them.

President Johnson called the conference agreement "a great victory for the American consumer. I applaud the action of the conferees and I urge the House and Senate promptly to make this long-overdue measure a reality for the American people."

Following is a brief summary of major provisions in the compromise bill:

Garnishment. The bill would exempt from garnishment the first $49 or 75 percent of an employee's weekly take-home pay, whichever is greater. This would take effect July 1, 1970; the rest of the bill, July 1, 1969.

Credit Advertising. Published or broadcast advertising which includes any figures must give total credit costs and period of repayment. The bill would bar offerings of "$1 down and $1 a week", but vague language such as "easy credit" need not be spelled out. The Senate had not considered this, but accepted the House provision.

Revolving Credit. The bill requires department stores charging interest on unpaid charge accounts to state interest charges at both monthly and annual rates. They may also state the "effective rate" charged if they can show that because of grace periods allowed or repayment in less than a year the average customer pays less than the "nominal annual rate."

$10 Exemption. The House had eliminated a Senate provision exempting from disclosure charges on installment buying (not revolving credit) where finance costs were $10 or less. This was modified to permit exempting costs up to $7.50 in some cases.

Loan Sharks. The conferees rewrote a House provision to come up with a stronger Federal law to crack down on loan sharks. The final version defined loan sharks as lenders charging more than 45 per cent annual interest or using threat of violence or other illegal means to collect. For the first time, Federal law enforcement officials could investigate and police loan sharks.

Second Mortgages. The bill would still require lenders to inform homeowners that papers they were given to sign were second mortgages. But instead of requiring notice three days in advance, the bill would give the homeowner three days after signing to withdraw.

Mortgages. Dropped was a requirement that first mortgages state the total, interest charges during the life of the mortgage.

Advisory Commission. The conferees added a provision creating a national advisory commission to make a two-year study in the field of consumer credit costs.

Other Credit. The bill also requires full disclosure of actual credit costs for all other purchases or loans—such as bank loans and auto purchases in addition to revolving credit purchases—but these provisions were not in dispute at the conference.

CONGRESSMAN SAMUEL S. STRATTON REPORTS TO THE 35TH DISTRICT ON THE RECORD OF THE FIRST SESSION OF THE 90TH CONGRESS

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

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

There was no objection.

Mr. STRATTON. Mr. Speaker, I take this time, belated as the occasion is, to

give the people of the 35th District of New York a summary of the accomplishments of the first session of this 90th Congress. Each year I have made such a report immediately after the end of the session. But when the session ended last December I was in Asia on an inspection trip as a member of the National Defense Posture Subcommittee and thus was unable to prepare and circulate my report at the usual time. Since then the demands of the present session have further delayed this document.

MAJOR LEGISLATION

The first session was not the most productive one I have seen, but it did generate a number of significant pieces of legislation. For example:

A measure boosting social security benefits by 12½ percent, and increasing the amount recipients may earn on the outside without losing their benefits, is something I have long urged.

Included in this new law were some very strict limits placed on the costs of State-supported medicaid plans, such as the one now operating in New York. This represented victory in my long fight to cut the heavy costs of medicaid, and in the long run will save the American taxpayers as much as $1.5 billion a year.

Pay of postal and other Federal employees was raised in two stages, bringing their earnings more into line with comparable private jobs. The same bill also raised rates for all three classes of mail.

We extended the draft for another 4 years. College deferments were retained but deferments for graduate students were ended.

Adam Clayton Powell was denied a House seat early in the session, in part because he had defied the New York courts and could not enter his own district without being arrested.

In the wake of the Powell and Dodd cases the House created a special committee to establish ethical standards of congressional conduct.

Additional funds were voted to continue the war in Vietnam and furnish economic help to the civilian government of South Vietnam.

Faced with an increasingly large budget deficit, Congress insisted on sharp spending cuts, and ended the year by reducing the President's budget more than $6 billion.

A bill was passed and sent to the Senate to punish those inciting to riots and other violence.

Another measure was sent to the Senate to help local police departments deal more effectively with crime and rioting.

A bill was also sent to the Senate to make it a crime to deface or burn the American flag.

A move was begun to transform the old Union Station in Washington into a National Visitors Center. If successful this should put an end to the drive to spend $34 million to extend the west front of the Capitol, something, as you know, I have long opposed.

A new, tougher Federal meat inspection law was enacted.

A bill to give the Nation's reserve forces more permanent status was also passed.

The government of the District of Columbia was reorganized to make it more representative and effective.

Legislation was passed to provide $40 million for the rat control. I supported the bill. An earlier measure, however, which would have created a new Government bureau for this purpose, was defeated since it would have meant an unwarranted expansion of the bureaucracy.

STRATTON LEGISLATIVE ACCOMPLISHMENTS

I regard enactment of the amendments putting strict cost limits on the medicaid program as my major legislative accomplishment. I introduced such legislation nearly 2 years ago and pushed hard with the Ways and Means Committee for its adoption.

Of course the major share of my time and attention was devoted to the work of my own Armed Services Committee. The Subcommittee on Antisubmarine Warfare, which I chair, continued its inquiry into the adequacy of our defenses against the growing Soviet submarine threat. In addition I made two trips to Vietnam and other parts of Asia as a member of two other subcommittees, subsequently reported on my conclusions from these visits, and spoke dozens of times before all kinds of groups and organizations about Vietnam, illustrating these talks with colored slides I took with my own camera.

I have also been active in other legislative areas, helping to move various matters through legislative and administrative channels.

For example, my 10-year fight to put several of our major holidays on Mondays moved much closer to victory as formal hearings were held in both the House and in the Senate. My legislation was later reported by the Rogers subcommittee to the full House Judiciary Committee, and further action is expected.

Congress still refuses to approve the costly $34 million proposal to extend the west front of the Capitol, so we are winning that fight.

I also won my fight to prevent the Defense Department from moving the east coast branch of our Defense Language Institute to western Texas. Secretary McNamara caved in completely on that one.

My bill to stop foreign dairy imports was not enacted, but the President did impose similar restrictions by Executive order. The Department of Agriculture also approved increases in the price paid to dairy farmers for fluid milk.

The drive I began 2 years ago to force General De Gaulle to pay up his World War I debts by boycotting French wines and substituting New York Finger Lakes wines has continued to pick up support in Congress and across the country.

Congress refused to appropriate further funds to carry out the controversial highway beautification program. I had opposed the original legislation because of the damage it could do to upstate New York's tourist industry, and had sought to amend the basic law.

At my insistence funds were included in the military construction program to rehabilitate Army Reserve and National Guard training facilities at Camp Drum, an installation long neglected for southern training sites.

Late last year I protested an Army requirement that personnel serving in Korea make "voluntary" contributions out of their own pockets to hire Korean civilians to perform KP duties. In response to my demand the Defense Department, early this year, announced plans to begin a phaseout of all KP operations and hire civilians on a regular basis, as I had originally recommended.

I have continued to push for improved airline service and safety. Two years ago I called attention to the practice on some airlines of refusing to serve meals to military standbys. As a result of that protest airlines now serve meals regularly to all military standbys.

Last summer I called attention to the hazards disclosed by the midair collision in North Carolina that claimed the lives of a new Secretary of Navy-designate, his wife, and young son. As a result of public interest stimulated by these comments Congress appropriated special funds to improve safety procedures at several airports including those not adequately equipped to handle modern jet airliners.

In February 1967 I was named chairman of a Special Subcommittee to Investigate the Tragic Fire at Brooks Air Force Base in Texas, which claimed the lives of two young airmen, one from Auburn, in an experimental oxygen atmosphere test chamber. The circumstances of this fire were very similar to the Apollo fire which claimed the lives of three astronauts only 2 weeks earlier. Our subcommittee's findings were made public and led to important safety changes in both military experiments and space activities designed to prevent similar tragedies in the future.

LOCAL ACCOMPLISHMENTS

During the year actions by Congress or other agencies of the Federal Government have resulted in benefits to communities, groups, industries, and individuals in our congressional district. Let me mention some of the highlights.

In response to pleas by myself and others, the Department of Agriculture put grape juice on the school lunch program for the first time, thus helping grape growers and grape-juice processors in Yates, Ontario, and Seneca Counties.

Several Members of the House and Senate, myself included, met with the President in November and persuaded him to continue special tariff relief to the Wilton and velvet carpet industry, located in Amsterdam and Auburn, for at least another 2 years.

Early in the session I took the lead in forming a new informal northeast dairy bloc of Congressmen to see that the interests of dairy farmers in our Northeastern States were fully protected by mobilizing the support of Congressmen from the whole area, without regard for party, behind measures of benefit to dairy farmers. Our interest was one factor in persuading the Department to grant several price increases to dairymen in our area.

Programs were approved and funds released for urban renewal projects in Norwich, Amsterdam, Auburn, Penn Yan, and Oneonta.

Funds were provided to complete the expansion and modernization of the Cortland County Airport. Federal funds

were also appropriated to continue the construction of new facilities at the Federal fish hatchery and laboratory in Cortland.

As for Federal aid to education, two items are worth special mention. One was Federal approval of a new comprehensive high school and community living and learning center for Amsterdam. Additional loan funds were also made available to Eisenhower College in Seneca Falls, whose first class will enter in September. Incidentally, I introduced legislation last summer, scheduled shortly for formal hearings, to grant $5 million to Eisenhower College as a living memorial to the former President.

Federal help for water and sewer projects still led in terms of local interest. During the session aid for planning or building projects was approved for the following communities: water projects in Auburn, Oxford, and the Town of Seneca; sewer projects in Victor, Bainbridge, Greene, Weedsport, Port Byron, Cooperstown, Moravia, and Dundee.

The new Oneonta post office was formally dedicated. Earlier plans for a new post office in Sherburne were withdrawn at the request of the successful bidder, and steps were taken to build on a site more acceptable to the community.

Low-rent housing was approved for Geneva.

On-the-job training programs were funded for Amsterdam and Auburn. Under the economic opportunity program a sheltered workshop program got support in Cortland County, and an ambitious on-the-job training program was approved for the Fulmont Development Corp. in Fonda.

GENERAL COMMENTS

Because the last session ran almost until Christmas it was impossible for me to hold my usual open-air office hours at area post offices. I look forward, however, to an earlier adjournment this year, and hope to be able to carry out these office hours in warmer and more agreeable weather.

Until our subcommittee trip to Vietnam last November my attendance record for the session stood at better than 90 percent. But because of rollcall votes I missed during the trip—mostly on issues the House had already voted on—my percentage slipped to just below 80 percent.

I continued to maintain my record for voting independence during the session. My tabulated score was the highest of any New York member of my party. I was also listed as the most conservative member of my party from our State.

On a personal note, I was honored last summer by being named an honorary citizen of Seneca Falls, and in October was awarded an honorary doctor of laws degree by Hartwick College.

During the session we issued our newsletter regularly, as well as a weekly report for weekly newspapers, a weekly radio report, periodic television reports, and an annual questionnaire which evoked a very substantial response, for which I am most grateful. We also maintained our summer intern program in my Washington office, giving several college students from the district an opportunity to learn more about the operations of Congress.

Let me conclude by saying again how much I appreciate the honor of continuing to serve as your Congressman here in Washington. Please call on me whenever I can be helpful, either in my Washington office, 202 225–5076; my Amsterdam office, 518 843–3400; or my Auburn office, 315 252–8575.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STRATTON, for May 20–May 27, on account of official committee business.

Mr. PEPPER (at the request of Mr. FOUNTAIN), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN, for 20 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. PUCINSKI, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. WHITENER (at the request of Mr. TIERNAN), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. ROONEY of New York (at the request of Mr. TIERNAN), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. ROGERS of Florida, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. NATCHER.

Mr. HARRISON to revise and extend remarks made in Committee of the Whole today and to include extraneous matter.

Mr. KARTH and to include extraneous material.

Mr. MADDEN and to include a speech by I. W. Abel.

Mr. DON H. CLAUSEN and to include extraneous matter.

Mr. JOHNSON of California.

Mr. THOMPSON of New Jersey and to include extraneous matter in five instances.

(The following Members (at the request of Mr. WYLIE) and to include extraneous matter:)

Mr. FULTON of Pennsylvania in five instances.

Mr. DERWINSKI in three instances.

Mr. REINECKE in three instances.

Mr. ASHBROOK in two instances.

Mr. CURTIS.

Mr. RUMSFELD.

Mr. KLEPPE.

Mr. CLEVELAND.

Mr. SCHERLE in two instances.

Mr. HORTON.

Mr. WHALLEY.

Mr. BATES.

Mr. ROUDEBUSH.

Mr. BROTZMAN.

Mr. BIESTER.

Mr. WIDNALL.

Mr. DEVINE.

Mr. BRAY in two instances.

Mr. UTT.

Mr. CUNNINGHAM in two instances.

Mrs. BOLTON.

Mr. MORTON.

Mr. BURKE of Florida.

Mr. ROBISON.

Mr. WYLIE.

(The following Members (at the request of Mr. TIERNAN) and to revise and extend their remarks:)

Mrs. MINK in two instances.

Mrs. GREEN of Oregon in six instances.

Mr. LONG of Maryland.

Mr. POOL.

Mr. MATSUNAGA.

Mr. ULLMAN in five instances.

Mr. MOORHEAD.

Mr. BRINKLEY.

Mr. HÉBERT.

Mr. HATHAWAY.

Mr. BEVILL.

Mr. PEPPER in two instances.

Mr. ANDREWS of Alabama in two instances.

Mr. RESNICK.

Mrs. SULLIVAN in four instances.

Mr. BOLAND in two instances.

Mr. BRASCO.

Mr. HULL.

Mr. BINGHAM.

Mr. O'NEAL of Georgia in two instances.

Mr. RARICK in four instances.

Mr. DULSKI in three instances.

Mr. GONZALEZ in three instances.

Mr. THOMPSON of New Jersey in three instances.

Mr. BURTON of California.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 34 minutes, p.m.), under its previous order, the House adjourned until Monday, May 20, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

No. 1849. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment for the quarter ending March 31, 1968, pursuant to Subsection 201(h) of the Federal Civil Defense Act of 1950, as amended, and Executive Order No. 10958 of August 14, 1961; to the Committee on Armed Services.

No. 1850. A letter from the Assistant Secretary for Congressional relations, Department of State, transmitting a draft of proposed legislation to amend the Foreign Service Act of 1946, as amended, and for other purposes; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. DULSKI: Committee on Post Office and Civil Service. Report entitled "Postal Systems of the United States Armed Forces—Vietnam and the Far East" (Rept. No. 1391). Referred to the Committee of the Whole House on the State of the Union.

Mr. DULSKI: Committee on Post Office and Civil Service. Report on manpower management in the Federal Government (Rept. No. 1392). Referred to the Committee of the Whole House on the State of the Union.

Mr. NIX: Committee on Post Office and Civil Service. H.R. 15395. A bill to provide salary step advancements and adjustments for employees moving to and from different pay systems, and for other purposes; with amendment (Rept. No. 1393). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee of Conference. H.R. 15131. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes (Rept. No. 1394). Ordered to be printed.

Mrs. HANSEN of Washington: Committee on Appropriations. H.R. 17354. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes; without amendment (Rept. No. 1395). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MILLS (for himself, and Mr. BYRNES of Wisconsin):

H.R. 17324. A bill to extend and amend the Renegotiation Act of 1951; to the Committee on Ways and Means.

H.R. 17325. A bill to amend the Internal Revenue Code of 1954 with respect to advertising in a convention program of a national political convention; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 17326. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. HATHAWAY:

H.R. 17327. A bill to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain uses of gasoline and lubricating oil; to the Committee on Ways and Means.

H.R. 17328. A bill to amend section 4481 of the Internal Revenue Code of 1954 to allow a credit against the truck use tax where the taxpayer, during the taxable period, disposes of a truck and acquires another truck; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 17329. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PRICE of Illinois:

H.R. 17330. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 17331. A bill to provide for a comprehensive income maintenance program; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 17332. A bill to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain uses of gasoline and lubricating oil; to the Committee on Ways and Means.

By Mrs. HECKLER of Massachusetts:

H.R. 17333. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

By Mr. HUNT:

H.R. 17334. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. HUTCHINSON:

H.R. 17335. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 17336. A bill to amend title 10 of the United States Code to exempt reservists who are local law enforcement officers from active duty; to the Committee on Armed Services.

By Mr. MILLER of Ohio:

H.R. 17337. A bill to provide a comprehensive national manpower policy, to improve the Manpower Development and Training Act of 1962, to authorize a community service employment program, and for other purposes; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 17338. A bill to authorize the Secretary of Agriculture to make indemnity payments to honey producers for losses sustained by reason of the application of Government-approved insecticides on adjoining croplands; to the Committee on Agriculture.

By Mr. ST GERMAIN (for himself, Mr. TIERNAN, Mr. ANNUNZIO, Mr. EILBERG, Mr. DONOHUE, Mr. GONZALEZ, Mr. HICKS, Mr. CLARK, Mr. PEPPER, Mr. ROSENTHAL, Mr. KYROS, Mr. FRIEDEL, Mr. RIEGLE, Mr. CARTER, Mr. MATSUNAGA, Mr. DINGELL, Mr. BYRNE of Pennsylvania, Mr. DOW, Mr. HORTON, Mr. HATHAWAY, Mr. WALKER, Mr. QUILLEN, Mr. EDWARDS of California, Mr. NEDZI, and Mr. ST. ONGE):

H.R. 17339. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. ST GERMAIN (for himself, Mr. CHARLES H. WILSON, Mr. DANIELS, Mr. REUSS, Mr. SISK, Mr. HELSTOSKI, Mr. MURPHY of New York, Mr. DENT, Mr. ADDABBO, Mr. O'NEILL of Massachusetts, Mr. ROYBAL, Mr. BINGHAM, Mrs. HANSEN of Washington, Mr. BEVILL, Mr. HOWARD, Mr. FLOOD, Mr. CONYERS, Mr. FEIGHAN, Mr. BUTTON, Mr. BROWN of California, Mr. POLANCO-ABREU, Mr. HALPERN, Mr. ANDERSON of Illinois, Mr. UDALL, and Mr. BURKE of Massachusetts):

H.R. 17340. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 17341. A bill to provide for the issuance of a special postage stamp honoring the 100th anniversary of professional baseball; to the Committee on Post Office and Civil Service.

By Mr. BARRETT (for himself, Mr. NIX, Mr. BYRNE of Pennsylvania, Mr. EILBERG, and Mr. GREEN of Pennsylvania):

H.R. 17342. A bill to authorize the Administrator of General Services to construct the foundation and substructure of a U.S. court house and Federal building at a certain site in Philadelphia, Pa.; to the Committee on Public Works.

By Mr. DONOHUE:

H.J. Res. 1275. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 17343. A bill for the relief of Antonio Giaimo; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 17344. A bill for the relief of Nedeljko Korunic; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 17345. A bill for the relief of Catherine Maria Szonyi; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 17346. A bill for the relief of Carolina Messina; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 17347. A bill for the relief of J. Burdette Shaft; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17348. A bill for the relief of Angelo Conteduca and his wife Marianna Conteduca; to the Committee on the Judiciary.

H.R. 17349. A bill for the relief of Corazon Paca; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 17350. A bill for the relief of Filiberto Piciucco; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 17351. A bill for the relief of Sgt. Theodore J. Violissi; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 17352. A bill for the relief of Wincenty Bioniarz; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 17353. A bill for the relief of Elon Ting; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

317. Mr. HOSMER presented a petition of certain residents of the 32d Congressional District of California, who request enactment by Congress of legislation to have this administration stop, promptly and completely, giving aid in any form, directly or indirectly, to our Communist enemies, which was referred to the Committee on Foreign Affairs.

SENATE—*Thursday, May 16, 1968*

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Rev. Dean W. Miller, minister, Palm Desert Community Presbyterian Church, Palm Desert, Calif., offered the following prayer:

O Lord our God, who rulest the world from end to end, and whose will is the good of all Thy sons and daughters under the sun, look in mercy upon us as we

raise our prayers to Thee for this good land in which our lot is cast.

We pray for the peace of the world. Our intercessions rise for the Paris conference seeking disarmament and peace, for our President and his Cabinet, the Members of Congress, and all who influence our Nation's policies. May they have an overarching sense of Thy providence, and the wisdom to know that where there is no spiritual vision the people perish.

O God, what we ask for ourselves we ask for all nations of the world. Forbid that we should think our country to be Thy favorite, or ourselves alone to be the object of Thy concern. We pray that every nation may seek the way that leads to peace; that human rights and freedom may everywhere be respected; and that the world's resources may be ungrudgingly shared. Hasten the day of abiding peace and justice for all. Make each one of us to be an instrument of Thy peace.

We ask it in the name of the Prince of Peace. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, May 15, 1968, be approved.

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

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Flood Control of the Committee on Public Works be authorized to meet during the session of the Senate today.

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

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged against either side.

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

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 (Mr. METCALF). Without objection, it is so ordered.

CHANGE OF REFERENCE

Mr. TALMADGE. Mr. President, S. 3165, to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to public bodies which upon sale by the Farmers Home Administration shall bear taxable interest, was referred to the Committee on Agriculture. It does not relate substantively in any way to any agricultural law but rather to a matter of taxation.

I therefore ask unanimous consent that the bill be referred to the Committee on Finance.

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

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Intergovernmental Relations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations be authorized to meet during the session of the Senate today.

Mr. KENNEDY of Massachusetts. Mr. President, reserving the right to object—and I have no intention to object—if I could have the attention of the distinguished Senator from Nebraska, I believe we are about to embark on a matter of considerable importance, a matter which has been given a great deal of time by many Members of the Senate, and it is of great concern to members of the committee.

As I understand, we entered into a consent agreement last evening about setting a definite time to vote this morning, at 9:30. This was done, as I understand, for the convenience of the Members of the Senate, so that they would have an understanding as to when we would vote and in order to give them a precise time.

The distinguished Senator from Nebraska and other Senators had not used all their time, and there might be a misunderstanding as to the time. We are all interested in a speedy and expeditious vote on this matter, but we are all interested, as well, in having at least some attention given to this matter by our colleagues. I would certainly hope that we would not delay the proceedings, but that we might ask for a live quorum.

Notice has been given to the Members of the Senate that we are going to vote at 9:30, and if we do not have a majority present at 9:30, the vote will not count, anyway. I believe we could expect to get a live quorum quickly, and we could proceed from that point, with the time running.

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

Mr. KENNEDY of Massachusetts. I yield.

Mr. DODD. Do I correctly understand the Senator to mean that until we get a live quorum, the vote will not take place?

Mr. KENNEDY of Massachusetts. As soon as we have a live quorum, the 20 minutes will begin to run.

Mr. DODD. I have no objection.

Mr. HRUSKA. I have no objection to that. In fact, I would encourage it. But it strikes me as a little inconsistent. Three minutes ago, three subcommittees were granted permission to meet, and now we ask for a live quorum. We should get together on this.

The ACTING PRESIDENT pro tempore. The last request for a subcommittee to meet has not been granted. Is there objection to the request?

Mr. KENNEDY of Massachusetts. I should like to have some indication, first, from the acting majority leader with respect to this matter, because it does not seem to me to make sense for us to vote at 9:30 and to grant such permission.

Mr. BYRD of West Virginia. The Senator says that it does not make sense to start voting at 9:30. This request was cleared with his office last evening, that we vote at 9:30.

Mr. KENNEDY of Massachusetts. I can understand that. It was cleared because, as I understood from the leadership, we are all trying to be reasonable. A great deal of time remained, and we are trying to expedite the proceedings of the Senate, and I am always willing to do that.

Mr. BYRD of West Virginia. So am I.

Mr. KENNEDY of Massachusetts. And I also expect, as all of us who are interested in this matter, the consideration from the leadership to which I believe any Member of this body it entitled.

Mr. BYRD of West Virginia. The Senator has had consideration from the leadership. The acting majority leader yesterday sent word to the Senator's office that we wanted to vote at 9:30 today, if it was agreeable with the Senator from Massachusetts; and I received word in reply that it was agreeable.

If the Senator from Massachusetts had wanted to institute a request for a live quorum this morning before having that vote, he could have made that request. He did not make the request, so I asked unanimous consent yesterday that the vote occur at 9:30, which would give the Senator from Massachusetts his 20 minutes, to be divided equally between him and the Senator who opposed his amendment.

Word was sent to all Senators to be on hand to vote at 9:30 a.m. I think if we are going to send word to all Senators to be on hand and vote at 9:30 a.m., we should keep our word.

I want to accommodate the Senator, work with him, and show him consideration, and I have done so. I did that yesterday when I asked, through an aide, if he was willing to vote at 9:30. It seems to me if he wanted a live quorum, that was the time to indicate his desire.

Mr. KENNEDY of Massachusetts. Everything that the Senator stated about inquiring of an aide is correct. I think all of us realize that in the press of business these things take place. Out of a matter of accommodation I felt at that time, as it was presented to my office, since there was a great deal of unfinished time, and to make it more convenient for Members of this body because they would not otherwise know whether the time was going to be used by the Senator from Nebraska, that it would be desirable to set a precise time.

My only request this morning is that prior to 9:30 we have a live quorum so that we could at least notify Senators

without delaying the Senate. As the Senator stated, Senators are on notice, and we are not interested in delay.

The ACTING PRESIDENT pro tempore. The Chair would like to suggest that the time is under control. There is only 20 minutes remaining. If the Senator from Massachusetts desires a quorum before the vote, under the rules of the Senate, he is entitled, after the close of debate, to call for a quorum, even though the hour of 9:30 arrives. Under the rules of the Senate there is always an inflexible rule that a Senator can call for a quorum before a vote.

Mr. KENNEDY of Massachusetts. But prior to that time, as I understand, one of the reasons for the calling of the quorum is to have the presence of at least some Members of the Senate.

The ACTING PRESIDENT pro tempore. The time is now running.

Mr. KENNEDY of Massachusetts. I would like to determine if there will be any kind of objection. I have no objection to having other committees meeting during the morning.

Mr. BYRD of West Virginia. Mr. President, may we have the Chair put the question on the unanimous-consent request?

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from West Virginia that the Permanent Subcommittee on Investigations of the Committee on Government Operations be permitted to meet during the session of the Senate?

The Chair hears no objection, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I believe I had other requests.

The ACTING PRESIDENT pro tempore. The other requests had been agreed to.

Mr. BYRD of West Virginia. Both of them?

The ACTING PRESIDENT pro tempore. Yes.

Mr. BYRD of West Virginia. I understood the Chair to put only one request. I beg the pardon of the Chair.

The ACTING PRESIDENT pro tempore. The Chair put each request in order, and it was the last request with respect to which a reservation was made by the Senator from Massachusetts.

Mr. BYRD of West Virginia. Mr. President, I want to work with the Senator from Massachusetts, as I have already indicated. I tried to do that yesterday, and I thought we had an agreement. I am willing to suggest a request which I understand will meet with his approval. I have tried to do everything I could at all times to accommodate all Senators, and I want to do that now. However, I do not think we can have our cake and eat it, too. I think if we agree to something to take place on the following day, we should understand what we are doing and stick to that agreement so that other Senators are not inconvenienced.

Mr. President, I ask unanimous consent that a live quorum occur now, that when a quorum is established the 20 minutes which has been earlier agreed to on the amendment offered by the distinguished Senator from Massachusetts [Mr. KENNEDY], start running, and that at the close of that 20 minutes a vote occur on the perfecting amendment offered by the Senator from Massachusetts.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears no objection and it is so ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 133 Leg.]

Bayh	Ellender	McIntyre
Boggs	Hansen	Metcalf
Byrd, W. Va	Hickenlooper	Miller
Church	Hruska	Nelson
Cooper	Kennedy, Mass.	Talmadge
Dirksen	Lausche	
Dodd	Mansfield	

Mr. BYRD of West Virginia. I announce that the Senator from Utah [Mr. Moss] is attending the Fourth Anglo-American Parliamentary Conference on Africa that is being held in Malta.

I also announce that the Senator from Hawaii [Mr. INOUYE] is absent on official business.

I further announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from California [Mr. KUCHEL] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business attending the Fourth Anglo-American Parliamentary Conference on Africa at Malta.

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott	Eastland	Long, Mo.
Anderson	Ervin	Long, La.
Baker	Fannin	McClellan
Bartlett	Fong	McGee
Bennett	Gore	McGovern
Bible	Griffin	Mondale
Brewster	Gruening	Mundt
Brooke	Hart	Murphy
Burdick	Hatfield	Muskie
Byrd, Va.	Hayden	Pastore
Cannon	Hill	Pearson
Carlson	Holland	Pell
Clark	Jackson	Percy
Cotton	Javits	Proxmire
Curtis	Jordan, N.C.	Randolph
Dominick	Jordan, Idaho	Ribicoff
Russell	Stennis	Williams, Del.
Scott	Symington	Yarborough
Smathers	Thurmond	Young, N. Dak.
Smith	Tower	Young, Ohio
Sparkman	Tydings	
Spong	Williams, N.J.	

The ACTING PRESIDENT pro tempore. A quorum is present.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Mr. KENNEDY of Massachusetts. Mr. President, I yield myself 3 minutes.

Domestic tranquillity, peace on our streets, an end to riots and crime and violence; these are today the foremost hopes of every American citizen, and every American official. We want law. And we want order. And we want security at home, at work, and at leisure.

In the long term we can achieve this security only by getting to the roots of crime and violence, by eradicating the poverty and ignorance, and disease, and deprivation, and discrimination that now leave some Americans without a stake in the Nation's progress and stability. That effort is absolutely necessary if we are to survive as a culture, but it will take many years and many billions of dollars.

Yet there are also immediate measures which can be taken as well to help provide short-term relief from tension, fear, and danger.

One of these measures is now before us. It has the support of the National Riot Commission and the National Crime Commission, the National Council on Crime and Delinquency and the American Bar Association, the Attorney General of the United States, and his predecessors and the Director of the FBI, Governors, mayors, State attorneys general, police chiefs, district attorneys, and other officials from all over the Nation. And most of all it has the support of the overwhelming majority of the American people. They support it because they want deadly firearms of all kinds kept out of the hands of criminals, addicts, mental incompetents, thrillseeking juveniles, and others who should not have them.

State and local governments have tried to meet this need through their own laws and ordinances, but they cannot do the job alone. They need Federal help to prevent their citizens from evading their laws by traveling to neighboring States to purchase guns or by making mail-order purchases from distant suppliers. Amendment No. 786, when added to the present title IV can provide them with this help. Title IV now requires that over-the-counter purchases of handguns be made in the State of the purchaser's residence. It requires that mail-order purchases of handguns be made through local dealers. Amendment No. 786, on which we will vote this morning, merely insures that mail orders of long guns, too, will be placed through local gun dealers, so that these licensed dealers can assure compliance with local,

State, and Federal law in the purchaser's place of residence. It is clear that such coverage of long guns must be provided if we are not to leave a gaping loophole in our efforts to assist States and localities. Under this amendment, as a concession to traveling hunters and gun competitors, rifles and shotguns will still be permitted to be purchased in person over the counter in any State if the laws of the buyer's State and seller's State are complied with. As a further concession to those who have complained about the breadth and language of the preamble to title IV, my amendment would delete that preamble.

Mr. President, we have it within our power to make this Nation a little safer today, to help keep guns out of the hands of those who should not have them. The only real objection to this amendment has been that it may inconvenience a few people in remote areas when they want to buy guns. In fact, as drafted, neither the amendment nor title IV would be likely to inconvenience anyone at all. But even if a few such cases could be found, I think that handful of people would be willing to make a slight extra effort in purchasing their firearms, in order that 200 million Americans can sleep and walk and work and play with greater peace of mind. That is the question before us, and the results of the way we answer today will be measured in lives saved, robberies avoided, injuries prevented and snipers disarmed. If we are really serious about doing something about crime and riots and violence, here is our chance.

Mr. DODD. Mr. President, yesterday and today I have sat and listened, with astonishment and sadness, to the arguments by the opponents of gun control legislation.

I have been distressed, above all, by the blind and unreasoning opposition to the modest controls over the interstate sale of rifles and shotguns proposed in the amendment submitted by the distinguished senior Senator from Massachusetts.

On every single point, the arguments advanced by those who oppose any control over the interstate sale of long guns avoid a direct confrontation with the facts.

The opponents of the amendment tell us that the rifle and shotgun are sporting weapons and that they are rarely used in the commission of crimes. But a questionnaire which the Juvenile Delinquency Subcommittee sent out to various police departments across the Nation developed the following very revealing statistics on the role of long guns in illegal activities of all kinds for a 5-year period for the 40 cities that responded to the questionnaire: 805 rifles and shotguns were confiscated from juveniles; 1,210 rifles and shotguns were used to commit murder; 2,908 robberies were perpetrated with long guns; 4,179 assaults were committed with long guns; 14,035 long guns were misused in other crimes; 23,130 rifles and shotguns were confiscated from persons involved in illegal activities; and 4,478 long guns were seized on illegal weapons charges. This makes a total of 50,745 cases where long-arms were used in crimes of violence or other illegal activities.

These are facts which cannot be ignored.

The opponents of this amendment pretend that they speak for the American people, or, at the very least, that they speak for a majority of those who own guns.

But the fact is that 73 percent of the American people, according to the Gallup poll, favor registration of rifles and shotguns, a measure far more stringent than the provisions of this amendment. And in a recent Harris poll, taken only a short while ago, it developed that 65 percent of all gun owners favor the registration of all weapons.

The fact is further that gun control legislation has had the editorial backing of papers which between them account for 93 percent of all newspaper circulation in the United States.

The Senators who have spoken against the amendment assure us that it is their desire to do everything in their power to help our law enforcement authorities combat crime.

But when FBI Director J. Edgar Hoover points to the increasing use of long guns in crimes of violence across the country and appeals for controls on long guns as well as handguns, they ignore this advice.

And when Mr. Quinn Tamm, representing the International Association of Chiefs of Police, tells us that "the long-arm has taken its place in 20th-century crime with a demolishing force," and when he also urges controlling legislation, they ignore this advice, too.

And when the chiefs of police of our major American cities, almost to a man, echo the opinions expressed by Mr. Hoover and Mr. Tamm, and urge the enactment of strict controls over the sale of all firearms, the opponents of long-gun control treat their opinions with the same cavalier disdain they display for the opinions of Mr. J. Edgar Hoover and Mr. Quinn Tamm.

After all, what do people like Mr. J. Edgar Hoover and Mr. Quinn Tamm and the chiefs of police of our major cities know about the problems of crime and law enforcement?

The gun lobby understands the problem. The National Rifle Association knows what to do about crime. And the Senators who oppose this amendment apparently believe that they share the omniscience of the gun lobby.

Mr. President, I believe the time has come to put an end to such nonsense.

If we claim to represent the American people, we cannot as a body persistently vote against legislation which 75 percent of the American people want.

And if we claim to be truly concerned about our growing crime rate and truly desirous of giving our law-enforcement authorities the legislative assistance they need in order to combat crime, then we cannot go on ignoring the advice of the Department of Justice and the FBI and of our law-enforcement authorities at every level.

We cannot ignore the fact that one-third of all murders and more than one-third of all gun crimes involve the use of rifles and shotguns or sawed-off rifles and sawed-off shotguns.

We cannot ignore the fact that the high-power rifle is the favorite weapon of the assassin.

We cannot ignore the fact that the rifle is the favorite weapon of the berserk killer.

We cannot ignore the fact that the rifle has been the main weapon of the snipers who have taken so murderous a toll in our big city riots.

Mr. President, I ask for a vote of confidence in our law-enforcement authorities.

I ask for legislation which will give them the assistance they themselves have asked for in the fight against crime.

I ask for the enactment of this amendment.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 1 minute to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I think that the basic reason for much of our gun control activity in the Senate had its genesis in the assassination of President Kennedy in 1963. A long-barreled gun was used in that case. It mystifies the Senator from Rhode Island why we should be seeking to exempt, in this legislation, the long gun. No one who has a right to have a long barreled gun—and that, of course, includes all the sportsmen of this country—will be impeded in any way. Their rights will not be impinged upon.

The purpose of this measure is to get at the criminal. The purpose of this measure is to stop the flow of guns to people who acquire them for unlawful reasons. As the Senator from Massachusetts has pointed out, there is nothing in the bill that prevents a good man, a well-meaning man, a properly motivated man, who loves to use a gun for sportsmanship, from having one.

So I say to the Senate today that it would be incongruous, it would be inconsistent, it would be inconceivable to say that we are going to stop the traffic on the pistol, on the short gun, and yet, in so far as the long gun is concerned, which has caused us so much trouble in the past, which accounted for the assassination of a President in 1963, which is the root reason why we are considering much of this legislation today, to say that it should be exempted on the basis of the frivolous argument that to do otherwise would impede the constitutional right to carry guns.

That, to me, does not make sense at all. I compliment the Senator from Massachusetts for proposing his amendment, and I hope that the amendment will be agreed to today.

I thank the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, I reserve the remainder of my time.

Mr. HRUSKA. I yield myself 5 minutes.

Mr. President, the amendment upon which we will shortly vote really demonstrates the crux of the matter. It springs from the curious combination of trying to deal, in one bill, with destructive weapons and sporting arms. Sporting

arms are under the purview of the Federal Firearms Act of 1938. There are implementing regulations, and there have been for a long time. They have not been enforced, Mr. President, and that is admittedly true from the testimony in the hearings.

The crux of the problem presented by this amendment results from this fact: the real sporting weapon is the long gun, the shotgun and the rifle. I venture to say there is not a Member of this body who did not start using a long gun in his early teens, and some of us, perhaps, before that.

The question is asked, "Why should we regulate handguns more strictly than long guns?" For the simple reason that handguns are the real offender in the crime picture. There is no question about that. The Federal Bureau of Investigation has said that the handgun accounts for 70 to 75 percent of the crimes involving guns; and cities which have kept track of it in greater detail say the percentage is as high as 90 percent.

That is why it is necessary to be more concerned with the handgun than with the long gun. Some say—and repeat, hoping that repetition will make the idea a fact—that the impact on the legitimate user will be small. They say that it is only a matter of inconvenience.

Mr. President, that is not so. Under the terms of the bill (S. 917), as reported by the committee, title IV fastens upon the dealer the responsibility of enforcing the provisions of that bill, the responsibility of keeping guns out of the hands of the wrong people—a very difficult, if not impossible, task. The proponents of title IV say it is a task too great, too burdensome, too costly, and in fact impossible for police departments; but at the same time, they seek to put that burden on the dealer.

What will be the effect of that provision on the dealer who sells firearms, including, of course, long guns?

It will have two effects. Many of the present dealers will refuse to renew their firearms license. Those who stay in the business will say. "The risk is too big; I am going to play this carefully." They will be overcautious, because, if they should indulge in a course of conduct of which some Federal prosecuting attorney might say, "This is not good business judgment," then such dealers would be subject to prosecution, with penalties up to $10,000 in fines and 5 years in the penitentiary.

There lies the burden on the purchasers of long guns under the Kennedy amendment. Further, this proposed amendment to the Dodd bill is not a measure which would affect only interstate sales. It would also ban intrastate mail sales, so that someone living in Miles City, Mont., who may wish to send to Helena, Mont., for a gun, cannot get it by mail. He cannot order it directly; he has to look himself up a licensed dealer. Residents of most outlying communities would probably have a long way to go to a dealer; and when they found one, they would find him only an agent for mail-order sales, because he could not afford to keep a stock of firearms on his shelves; it would be just totally impracticable.

So he would go to the dealer, and the dealer would order it by mail—within a State, Mr. President. The fact is that this would be a great burden; it would increase the price; it would be a disaster to those who buy guns and who have a right to buy them.

Mr. President, there were about 10,000 willful killings, from all sources, with and without firearms, in the year 1966. Only 22 percent of those were felony killings not occurring within or near a home.

Of those crimes, those killings that we know as crimes of passion, only 22 percent are in the felonies bracket, and 75 percent or more of those, by the estimates of the FBI, are committed by handguns. So, there would be some 500 felonious killings by the long gun. And here we are going to forbid mail-order sales that will affect some 15 million to 20 million licensed hunters who have a right to hunt. And hunting is a wholesome and good sport.

We propose to penalize that large a number and what will be the impact on crime? Very little, if anything.

Anyone bent on a felonious killing with a rifle will get a rifle if necessary. He does not have to use the mail-order route.

Several Senators addressed the Chair.

Mr. HRUSKA. Mr. President, I yield first to the distinguished Senator from California.

Mr. MURPHY. Mr. President, are there any statistics that would reflect the percentage of guns used in felonious crimes that were not purchased by the user? I refer to cases in which the possession of a firearm, be it long or short, has been transferred from one to another or stolen.

Mr. HRUSKA. The testimony shows that many of the guns used for this purpose are stolen guns in the first place. I do not know that the pending measure contains any provision against stealing.

Mr. President, I yield now to my distinguished colleague from Nebraska.

Mr. CURTIS. Mr. President, is it conceivable that an orderly and regular process for acquiring guns would put murder in the heart of an individual? An individual does not murder because a gun is available. He murders for other reasons.

Mr. HRUSKA. Not in felonious killing. The Senator is correct.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. KENNEDY of Massachusetts. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts has 2 minutes remaining.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 1 minute to the Senator from Hawaii.

Mr. FONG. Mr. President, during the years 1960 through the first 6 months of 1965, in 107 cities having populations of more than 100,000: 805 rifles and shotguns were confiscated by law enforcement officials from juveniles; 23,130 rifles and shotguns were confiscated; 505 rifle murders were committed; 705 shotgun murders were committed; 919 rifle robberies were perpetrated; 1,989 shotgun robberies were perpetrated; 1,812 rifle assaults were committed; 2,361 rifles were seized on illegal weapons charges; 2,217 shotguns were seized on illegal weapons charges; 6,151 rifles were misused in crimes; 7,784 shotguns were misused in crimes; and, 14,884 crimes were committed in which rifles or shotguns were used.

According to the FBI Uniform Crime Report for 1966, 1,747 persons were murdered in the United States with rifles and shotguns that year.

In a report dated August 11, 1967, the Director of the Alcohol and Tobacco Tax Division wrote that the strongest argument for including long guns in a firearms control law is the fact that they can be, and frequently are, converted into concealable weapons for criminal use.

We have reviewed 200 recent firearms violation case reports—

He said—

and found that there were 98 sawed-off shotguns and 14 sawed-off rifles out of a total of 207 guns involved in these cases.

It seems obvious to me that if strict controls are imposed on handguns without imposing similar restrictions on long guns, the criminal element will continue to have ready access to concealable weapons by the simple expedient of purchasing an uncontrolled long gun and converting it into a handgun.

The controls proposed in S. 1 would reduce the easy availability of rifles and shotguns to persons with criminal records by prohibiting federally licensed dealers from making sales to felons and by making it a criminal offense for a felon to give false information to the dealer concerning his criminal record.

There is absolutely no doubt in my mind that a good, strong Federal firearms control law is long, long overdue.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 20 seconds to the Senator from Ohio.

The ACTING PRESIDENT pro tempore. The Senator from Ohio is recognized for 20 seconds.

Mr. LAUSCHE. Mr. President, I subscribe to the theory that there should be a provision in the pending bill against the acquiring of guns across State lines. I cannot see the difference in principle in applying one rule to long guns and another to short guns. They are both criminal weapons.

If the principle is right that interstate traffic should not be tolerated in the sale of short guns, it then follows, Mr. President, that it also ought to be applicable in the sale of long guns.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 15 seconds to the Senator from Kentucky.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky is recognized for 15 seconds.

Mr. COOPER. Mr. President, I think my State of Kentucky is known for its love of guns. However, I do not think that restricting only the interstate mail-order sale of long guns would hurt the sportsman. If it is logical to prohibit the mail-order sale of handguns used in cases of crime and violence, it is logical to similarly restrict the interstate mail-order sale of long guns used for the same purpose.

I support the amendment of the Senator from Massachusetts.

Mr. HRUSKA. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator from Nebraska has 3 minutes remaining.

Mr. HRUSKA. I am willing to yield back my 3 minutes if the Senator from Massachusetts will yield back the remainder of his time.

Mr. KENNEDY of Massachusetts. Mr. President, I desire to make a statement.

Mr. HRUSKA. Mr. President, I will give the Senator from Massachusetts 25 seconds of my time in addition to his.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

Mr. KENNEDY of Massachusetts. Mr. President, in the final minute of debate on the pending amendment, I wish to point out that we have Federal regulation on drugs and Federal regulation on liquor.

There is absolutely no reason at all why we should not have the same minimum standards established for guns. We have strict standards applied to drugs and liquor. I wonder how many policemen will be shot down by rifles purchased through the mails or in contravention of State and local laws. We have direct testimony before the committee that 87 percent of the weapons confiscated in one strict gun law State were obtained from outside its boundaries. How long can we tolerate these State laws being undermined by neighboring States?

How many firemen will be shot down in the performance of their duties?

How many public officials will be lost?

It is true that handguns are used in crimes. It is equally true that long guns are used with nearly the same frequency, more important, it should be noted that the long gun is the symbol of violence—the very violence we are seeking to decrease throughout this land.

The Senate this morning has an opportunity to speak out on this matter. And I am hopeful that the Senate will support the amendment.

Mr. HRUSKA. Mr. President, I yield 60 seconds to the Senator from Utah.

The ACTING PRESIDENT pro tempore. The Senator from Utah is recognized for 60 seconds.

Mr. BENNETT. Mr. President, I think we are going at this entire matter backward.

We are assuming that the manner in which the gun is acquired controls its felonious use. It seems to me that instead we ought to be passing laws to impose very severe penalties in addition to the penalties for the crime when a weapon is used in that crime.

I think that we would then begin to deter this practice. However, if a man wants to murder with a gun, he is going to find a gun. There is not any question concerning that in my mind.

Mr. HRUSKA. Mr. President, I yield back the remainder of my time.

Mr. KENNEDY of Massachusetts. Mr. President, I yield back the remainder of my time.

Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Massachusetts, as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE (when his name was called). On this vote I have a pair with the senior Senator from Oregon [Mr. MORSE]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. [McCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

I also announce that the Senator from Utah [Mr. Moss] is attending the Fourth Anglo-American Parliamentary Conference on Africa that is being held in Malta.

I further announce that the Senator from Hawaii [Mr. INOUYE] is absent on official business.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Arkansas [Mr. FULBRIGHT] would each vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from California would vote "yea," and the Senator from South Carolina would vote "nay."

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from New York would vote "yea," and the Senator from Washington would vote "nay."

On this vote the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from California [Mr. KUCHEL] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business attending the Fourth Anglo-American Parliamentary Conference on Africa at Malta.

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from California would vote "yea," and the Senator from South Carolina would vote "nay."

The result was announced—yeas 29, nays 53, as follows:

[No. 134 Leg.]

YEAS—29

Brewster	Kennedy, Mass.	Smathers
Brooke	Lausche	Smith
Byrd, W. Va.	Long, Mo.	Spong
Clark	McIntyre	Symington
Cooper	Mondale	Tydings
Dodd	Pearson	Williams, N.J.
Fong	Pell	Williams, Del.
Gore	Percy	Yarborough
Griffin	Randolph	Young, Ohio
Javits	Ribicoff	

NAYS—53

Allott	Ellender	McGee
Anderson	Ervin	McGovern
Baker	Fannin	Metcalf
Bartlett	Gruening	Miller
Bayh	Hansen	Mundt
Bennett	Hart	Murphy
Bible	Hatfield	Muskie
Boggs	Hayden	Nelson
Burdick	Hickenlooper	Proxmire
Byrd, Va.	Hill	Russell
Cannon	Holland	Scott
Carlson	Hruska	Sparkman
Church	Jackson	Stennis
Cotton	Jordan, N.C.	Talmadge
Curtis	Jordan, Idaho	Thurmond
Dirksen	Long, La.	Tower
Dominick	Mansfield	Young, N. Dak.
Eastland	McClellan	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Pastore, for.

NOT VOTING—17

Aiken	Inouye	Montoya
Case	Kennedy, N.Y.	Morse
Fulbright	Kuchel	Morton
Harris	Magnuson	Moss
Hartke	McCarthy	Prouty
Hollings	Monroney	

So the amendment of Mr. KENNEDY of Massachusetts (No. 786), as modified, was rejected.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. GORE in the chair). Under the previous order, the question recurs on the amendment of the Senator from Nebraska, who has 92 minutes remaining. The Senator from Connecticut has 38 minutes remaining.

The Chair has not been advised as to the need for the presence in the Chamber of those persons who are not Members of the Senate.

Will the Sergeant at Arms ascertain the propriety of the large number of guests on the floor of the Senate and advise the Chair.

The Chair will suspend business temporarily until the Sergeant at Arms advises the Chair of the propriety of the large number of guests in the Senate Chamber.

[After a little delay.]

The PRESIDING OFFICER. The Chair is advised by the Assistant Sergeant at Arms on the side of the majority. We will temporarily await the report of the Sergeant at Arms on the side of the minority.

[After a little delay.]

The PRESIDING OFFICER. The Chair

is advised by the Assistant Sergeant at Arms on both sides that those now remaining in the Chamber are properly certified to be on the floor of the Senate.

The Senator from Connecticut is recognized.

AMENDMENT NO. 789

Mr. DODD. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. DODD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. DIRKSEN. I object. I would like to hear it.

The PRESIDING OFFICER. Objection is heard. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. PASTORE. Mr. President, we are having the amendment read. I cannot hear a word, and I do not think anyone else can. There is too much noise in the Chamber.

The PRESIDING OFFICER. The Senate will be in order. The Chair has ascertained that approximately 30 staff members are properly certified to be on the floor of the Senate, but that does not entitle them to engage in conversation. Only conversation with the Senator that the staff member serves is permitted. If there is not order in the Senate, the Chair will take further action.

The amendment will be stated.

The legislative clerk resumed and concluded the reading of the amendment, as follows:

On page 81, line 1, strike out "other than a rifle or shotgun".

On page 81, line 16, strike out "other than a rifle or shotgun".

On page 82, line 4, strike out "other than a rifle or shotgun".

On page 89, line 20, strike out "other than a rifle or shotgun".

On page 90, between lines 15 and 16, insert the following new paragraphs:

"(C) This paragraph shall not be held to preclude licensed importer, licensed manufacturer, or licensed dealer from shipping a rifle or shotgun to an individual who in person upon the licensee's business premises purchased such rifle or shotgun: *Provided*, That such sale or shipment is not otherwise prohibited by the provisions of this chapter;"

"(D) This paragraph shall not apply in the case of a shotgun or rifle (other than a short-barreled shotgun or short-barreled rifle) shipped or transported into a State which has elected by the enactment of a State law to make the provisions of this paragraph inapplicable with respect to the shipment or transportation of such shotguns and rifles into such State, such inapplicability to take effect upon notification to the Secretary by the Governor of such State of the enactment of such law and the publication of such notice in the Federal Register; and"

On page 90, line 16, strike out "(C)" and insert in lieu thereof "(E)".

On page 93, line 12, strike out the period and insert in lieu thereof: "; or to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age, if the firearm is a shotgun or rifle."

The PRESIDING OFFICER. The Chair inquires of the Senator from Connecticut if he desires to have the amendments numbered 789 considered en bloc.

Mr. DODD. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and the amendments are considered en bloc.

Mr. DODD. Mr. President, the amendment which has now been called up is similar to the amendment which was just rejected except for one major change. It is my hope that this change will make the amendment acceptable to a majority of the Senate.

The provision is brief, and it is the essence of simplicity. Like the amendment offered by the senior Senator from Massachusetts, it provides for Federal control over the interstate sale of shotguns and rifles. But, in the case of those States that are opposed to such regulations, my amendment would allow the State legislature to enact a statute that would relieve its citizens from compliance with the provisions governing the mail-order purchase of rifles and shotguns.

My amendment would make one further change in title IV. It would prohibit anyone under 18 years of age from purchasing a rifle or shotgun, unless accompanied by his parents or guardian, who would make the purchase for him.

Mr. President, we all know of the violence that ripped many of our major cities last summer and, again, since the assassination of Martin Luther King, Jr.

We all know of the deadly sniper fire that took the lives of innocent victims and frustrated the efforts of law enforcement officers in combating what amounted to guerrilla warfare on the streets of our great cities.

We all know that the rifle and shotgun is the tool of the sniper and that these weapons have been misused during the height of the fury in the riot-torn areas.

Yet there are those who still argue that the rifle and shotgun are strictly the instruments of sportsmen and hunters and that they play little or no role in our soaring crime rates.

It has been painfully apparent from 1933 until today, that the inclusion of rifles and shotguns in any legislation has been a major stumbling block to its enactment.

It is my hope that the option provision which has been written into the amendment I now call up, will remove, or at least substantially reduce, the opposition of the sportsmen and farmers and legislators of our less-populated Western States.

The amendment, in adhering to the principle of assistance to the States, would not, in my opinion, greatly reduce the overall effectiveness of this legislation. It would only be applicable in those States which feel that they do not want these controls to apply to their own citizens or that they do not need the help of the Federal Government in enforcing their own laws.

There is no constitutional bar to this legislative approach. And there is ample precedent in principle for its adoption.

I urge that this amendment be given favorable consideration by the Senate.

I offer it in an effort to loosen the log-jam that has characterized the progress, or more accurately, the lack of progress of firearms legislation in the Senate over the years.

I am hopeful that it will meet, or at least reduce, the objections that have been raised by some of our citizens in the rural and Western States.

The record that the subcommittee compiled during the years is clear that there are certain of our States that do not want and do not feel the need for Federal assistance in controlling the acquisition of firearms.

Witnesses from these States have indicated that a mail-order ban or stringent controls on mail-order rifles and shotguns would effect a hardship on sportsmen, ranchers, and farmers whose primary access to sporting rifles and shotguns is through the mail-order route.

For example, Senator FRANK CHURCH presented to the subcommittee a petition of some 44,000 signators from the State of Idaho who oppose, categorically, any Federal firearms legislation.

Nine of our Western States have petitioned the Congress to oppose legislation of this type mainly because of the inclusion of long arms.

I believe that this amendment should remove the basis for such opposition.

If the controls need not apply to these States, there is, after all, no reason why they should oppose it.

In urging adoption of this amendment, I am also mindful of those responsible State and local officials who have pleaded with the Congress to act affirmatively and to enact meaningful Federal gun control legislation.

Their plea should not go unheeded.

And I hope that my colleagues who object to this legislation because of opposition of a minority of their constituents, will not ignore them either.

The record that the Juvenile Delinquency Subcommittee has compiled over the last 7 years conclusively demonstrates the existence of a serious firearms problem in the United States.

Long arms, rifles, and shotguns contribute significantly to this problem. And it is increasing every year.

The gun lobby insists that rifles and shotguns are strictly sportsmen's weapons.

Yet, in 1966, 1,747 persons were murdered with rifles and shotguns, not to mention the major role they played in the summer riots of that year and 1967. Moreover, according to the Department of Justice, the sawed-off rifle and sawed-off shotgun, which are almost as concealable as handguns, are figuring increasingly in crimes of violence. All of our law enforcement authorities, in fact, are agreed that the fight against crime demands some kind of controls over the sale of long guns.

The gun control issue has been before the Congress for 5 years.

The problem of firearms misuse has increased substantially in each of those years.

We simply cannot afford to delay any longer.

We must enact legislation this year that will do the job of allowing the States to control the traffic of all firearms across their borders.

We have such legislation in this

amendment. And with the option provision that I offer today, I believe that we can get on with the task of affording protection to our highly populated States from the virtually uncontrolled interstate commerce in illicit firearms that today threatens our cities with destruction.

I commend the adoption of this amendment to my colleagues and urge that we act on this legislation without further delay.

There has been an awful lot of confusion about this legislation. I wish more Senators were in the Chamber today because I think this matter is of great importance. It is the first time in 30 years that such a measure has been before the Senate. It is hard to keep up with and try to clear the confusion about the bill. For instance, yesterday, I was in colloquy with the distinguished Senator from Wyoming and the distinguished Senator from California when it was stated without equivocation that the theft of one orange in the State of California could constitute a felony. My response was that I was quite surprised because I had never heard of that, although I know that the laws in other States do vary. I looked into that last night. I called up out there and I find it is different from what appears in the RECORD on yesterday's colloquy. I was told that the theft of one orange is a felony only if that orange is worth $50. I did not know they grew oranges that expensive in California. I never ate or saw one. That is the kind of confusion to which I refer. I do not suggest, of course, that the Senator from Wyoming or the Senator from California were purposely confusing the issue, but it is the kind of thing we have had to face. The basic grand theft law of the State of California is contained in section 487 of the penal code. Subsection 1 decrees that the total value of the theft must be $200 or more before it becomes a felony.

Subsection 2 of that same code makes an exception. Subsection 2 is a holdover from the days when California had a principally agrarian economy, and I am told this subsection is about to be rewritten.

That exception is that a felony has been committed when there has been a theft in excess of $50 only of the following items:

Horses, cows, sheep, cattle, domestic breeding stock of all kinds, along with fruits, avocados, olives, domestic fowl, artichokes, citrus fruits and deciduous nuts. I do not know whether that would cover "gun nuts" or not.

I thought the record ought to be straight on that, Mr. President.

The thief in possession of a firearm when he stole that California orange would be committing only a misdemeanor, and thus not subject to the provisions of title IV—except, of course, if the orange he stole was a particularly valuable orange.

I know Florida oranges are not quite that expensive.

Mr. TYDINGS. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. TYDINGS. Do I correctly understand that the pending amendment is the same as the amendment previously offered, except that any State that did not wish to be bound by the provisions of the long-gun amendment would have the right to take itself out from under the protection, and, therefore, it is not so strong or so effective an amendment as the one just rejected?

Let me further ask, is it not a fact that in the hearings before the Subcommittee on Juvenile Delinquency, extending over the past 3 years, testimony was given to the effect that in Atlanta, Ga., police files show that 80 percent of confiscated crime guns were foreign imports; namely, guns brought in from outside the United States? In Los Angeles, the figure runs to 45 percent. In Massachusetts, for example, the State police have traced 87 percent, or 4,506 guns which were misused in the State of Massachusetts over a 10-year period due to over-the-counter purchase in neighboring States which have no restrictions on selling guns to felons, junkies, juveniles, and criminals.

Many States who wish to have the benefit of that protection for their citizens and do not wish mail-order guns to be brought into their State, have a right to that protection and in Western States that do not wish that, they have at least the right to option out and not come within the protection of this amendment; is that not correct?

Mr. DODD. The Senator is absolutely right. His figures are right, too. The State of Massachusetts—and the Senator from Massachusetts [Mr. KENNEDY] can bear me out on this—found that 87 percent of the guns confiscated in the course of the commission of crimes, were guns purchased outside Massachusetts, in States with weak gun laws, and then brought back into Massachusetts and used for the commission of crimes.

Mr. TYDINGS. I wish the Senator from Michigan were in the Chamber so that I could ask him if it is not a fact—I know that it is—that in the arrests made in connection with the riots and civil disorders in Detroit, there were a number of confiscated weapons, and the majority of those confiscated weapons were acquired by individual rioters outside of Michigan, outside of Wayne County, where they would not have been able to purchase such guns because they had prior criminal records, but they slipped across the State line into Toledo, Ohio, and purchased guns along that strip of pawnshops and gun stores—it has a special name which escapes me for the moment—but they will sell a gun to anyone regardless of his record of criminality or regardless of his character. All we are asking is some type of protection for the law enforcement officials in Michigan, in Maryland, and in every other State in the Union. Those States that do not want that protection have the right to option out; is that not correct?

Mr. DODD. The Senator is right, of course, in every detail. He is a valued member of our committee. We sent staff people out to Detroit and they ascertained just what the Senator has said. A large percentage of the guns confiscated by the police were purchased over the State line, in Ohio, in the neighborhood of Toledo. I believe they are called "Saturday night specials." It is all surplus military stuff from abroad. A great deal of crime was committed with those guns in Detroit. It is going on all the time, so that the Senator is quite right in his observations.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 18 minues remaining.

Mr. DODD. I thank the Chair.

Mr. CANNON. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. CANNON. I wonder would the Senator state whether it is not possible at this time for a State to enact as stringent gun laws as they wish, that there is no prohibition in the law to prevent any State that wants strong gun laws from enacting them.

Mr. DODD. No. Many States already have strong gun laws, but it does not do them very much good. Someone can put a few dollars in an envelope and send it to a gun store in California, and the authorities would never know anything about it.

Mr. CANNON. Is it not reasonable to assume that if a man is going to violate the law, even a strong law, he will violate it regardless of how strong a law it may be? If we enact legislation such as this, is it going to be a deterrent?

Mr. DODD. I reply to the Senator by asking, is it not sensible to do all that we can to make it as difficult as possible for a law violator to violate the law? That is the purpose of the amendment. It is that simple. I had never said, and I do not know of anyone who has, that this would stop all crime. However, it will help to stop some of it. That is the best we can do in any area of crime legislation. That is why I offered the amendment.

Mr. CANNON. Is it not a fact that the theory of proposed legislation of this kind would apply across State lines so that it would involve the commerce clause and, therefore, we have authority to act; is that not correct?

Mr. DODD. Yes, under interstate commerce.

Mr. CANNON. Interstate commerce, yes. Is it not also a fact that the Senator's amendment would, in effect, give a State the right to say that it does not desire to be bound by the interstate commerce clause, which raises the question in my mind as to the constitutionality of such a provision?

Mr. DODD. I can only say to the Senator that I sought the best constitutional advice I could get and was assured that it is constitutional, that we have done it before in other legislation. I would not have offered such an amendment, of course, if I thought it was unconstitutional.

Mr. CANNON. Would the Senator cite some other legislation based on the commerce clause of the Constitution which would apply broadly across interstate lines where we have given a specific State or any number of States individually the right to exempt themselves from the commerce clause? I doubt that there is any such legislation.

Mr. PASTORE. If I may interject

there, if we give those States permission to do that, what we are enacting here we could force them into, but we are given that leeway and, therefore, it is a grant on the part of the Federal Government to the States. The Federal Government cannot raise the constitutional question, because here in the Legislature, or in Congress, we are giving the States that prerogative. We are excluding that prerogative in this amendment.

Mr. CANNON. I would be very much interested to learn of some parallel legislation in which Congress has enacted a broad general law on the basis of the commerce clause applying to all the States, and then giving any one State, or two or three or four States, the right to exempt themselves from the application of the law. If any such law has been enacted, I would like to hear it.

Mr. DODD. It has been done. I am sure we are right.

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

Mr. DODD. I yield to the Senator from Pennsylvania.

Mr. CLARK. I have no doubt that this amendment is entirely constitutional. The commerce clause can be invoked at the option of the Federal Government in whole or in part in cases where the State disagrees with the Federal Government. I am confident there is no constitutional prohibition against this exemption. I regret that the Kennedy amendment was defeated a few moments ago. I want to commend the Senator from Connecticut for the present amendment, which is much stronger than the bill as presently written. I congratulate him.

Mr. DODD. I thank the Senator from Pennsylvania. He has been a great help in getting this legislation to the floor.

I may say one other thing. We are not just offering this option to a few States; we are offering it to all the States, which can take it or leave it.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. HRUSKA. Mr. President, I yield myself 5 minutes.

I assure my colleagues that, while there are 30 minutes available to the opponents of the amendment, it is my intention to use only about 5 or 6 minutes.

The issues are clear here. It is a very simple question. There are two parts to the amendment proposed by the Senator from Connecticut. The first part is to have the Senate vote all over again upon the very question which it rejected by a substantial vote when Senators voted down the Kennedy amendment. In other words, the Senator wishes to include long guns in the prohibition of mail-order sales. The temper of the Senate has been expressed on that point.

It is proper to pose that question again, because there is a second part in the amendment which states that the legislature of any State may, by positive legislative action, say it does not want to be bound by this ban on mail-order sales. Each State may declare mail-order sales proper and legal within the boundaries of that State.

The arguments used to support this amendment are surprising. For example, the Senator from Maryland cited the Michigan situation. He said it has been shown that in the disorders in Detroit and Michigan many persons had gone into Toledo and bought many guns from pawnshop brokers, and that they took those guns back into Michigan.

I point out that there is now, and for 30 years there has been a law on the books, which states that if any State requires a permit for one to own a gun—such as may be the case in Michigan—no federally licensed dealer in any other State may send a gun into that State without seeing the permit on which the prospective purchaser will base his right to buy that gun.

We had testimony in our committee that this law has not been enforced. There was no attempt to go into the surrounding States among the eight or 10 States that have license or permit laws to ascertain whether the licensed dealers were obeying the law. They were also required by law to keep records of the sales that they made into those States. In short, Mr. President, there is already a law in that field.

The second argument advanced for the amendment is that we want to make it as difficult as we can for the criminal to get a gun. That is a fine goal. I think perhaps if we could label criminals, as they did in medieval times, by branding them on the forehead with a red mark, so such a person could not buy a gun, it might be a workable plan. But here we are asked to impose upon millions of law-abiding citizens obstacles to purchasing long arms as well as pistols.

The fact is that relatively few people will be deterred and/or obstructed when they are criminally inclined. For the relatively few people deterred, millions will be heavily burdened and in some cases will find it impossible to get guns. The price is too high. The Senate voted on that issue this morning.

As to the merit of giving a State legislature the option, that option is available now. It is available under title IV, which is in the bill as it was reported by the Judiciary Committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HRUSKA. I yield myself 3 additional minutes.

I may say that was done by a very close vote. That option is also included in amendment No. 708, upon which the Senate will vote later this morning. It simply provides that no shipment will be made into any State when that type of shipment would be in violation of the law of that State. Nor may a man go across a State border, buy a gun, and take into his home State if bringing it into the State is violative of State law.

Of course we could reverse the process, that is something else again; but any State that wants to bring itself within the purview of the law may do so without this amendment.

Such an option with each State is proper. The testimony repeated again and again that in areas of the Middle West and Far West conditions are different than they are in the more populous States and cities.

I urge my colleagues to vote the amendment down, first of all, if for no other reason, to reaffirm the expression of judgment the Senate made earlier today; and, second, because we already have in the law the means by which the legislatures can bring themselves within the purview of this act.

I wish to make just one other observation. The amendment of the Senator from Connecticut has the same direction, intent, and effect as the amendment offered by the Senator from Massachusetts had, and the effort that will be made later this morning by the Senator from New York. All three of those amendments are calculated to amend title IV as reported by the committee. There is no effect upon amendment No. 708, upon which the Senate will vote later in the morning.

I want to say again that the superiority of amendment No. 708 emerges even more clearly as we consider these attempts to amend title IV that will make it burdensome, oppressive, and highly undesirable.

It is my hope the Senate will turn down the amendment as decisively as it did the first one.

I yield 5 minutes to the distinguished Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, there is a principle involved here with which I think we ought to come to grips. I recall in House days, when reorganization plans came up from the executive branch, that they had to work out a technique so that unless Congress acted affirmatively, the plans would go into effect. So the onus was upon the Congress. It did not make any difference how busy it was. It did not make any difference what engaged its time at that particular moment. There was a deadline, and it had to act.

So we began to adopt this so-called back-door, left-handed approach. I think I have resented it in all those years.

Now, here we have got the same thing. All you have to do is read this language. I am afraid we sometimes get a little careless when we look at language and do not spell it out:

> This paragraph shall not apply in the case of a shotgun or rifle (other than a short-barreled shotgun or short-barreled rifle) shipped or transported into a State which has elected by the enactment of a State law to make the provisions of this paragraph inapplicable.

What we would be saying to the 50 States by that language is: "Whether you like it or not, we are going to put it on you, and if you do not like it, you can convene your legislatures, in regular or extraordinary session, and say you do not want it." But that means convening 50 legislatures, specially or otherwise, and in some cases the Governor has to include the purpose in the call, if it is an extraordinary session.

What will we have done? We will have transferred the battleground to 50 jurisdictions, because, just as surely as a legislature undertakes to take itself out from under Federal law, there is going to be a fight. There will be lobbying from both sides. I do not propose to put that kind of burden upon the 50 legislatures. The Federal-State partnership is all too fragile now, and we are fragmenting it day after day. This is just another evidence of it, as the proponents of the

amendment try to march through the back door.

I will have none of it. This amendment ought to be voted down by a resounding vote, to show that the Congress of the United States still has some respect for the Federal-State union and the Federal-State partnership, and that we do not propose to take advantage of the States by saying, "Well, we will put it upon you, and you see how you can get out from under, no matter how much trouble may be involved."

That reminds me a little of all these neckties that come to my desk, from somewhere or other, every month. I think last month there were five. You look at them, and they look so lovely when they are new, but they only last for one wearing, in most cases; and you are supposed to put a dollar or $2 in an envelope and send it back.

Suppose you do not do it? What do you think they are going to say, in the office out in St. Louis or elsewhere?

"Well, the Senator is a heel," if you know what I mean. "Let's take him off the list."

So you either send the money, or otherwise. Maybe you do not want to keep the merchandise, and lay out $2 for a tie you will wear only once. After all, even in these inflated days, money is not that cheap and easy. But, after all, they give you no choice, because the one way it is an invasion of your pride, and the other way you send a little money that you really do not want to send.

So you take it or leave it. That is the way this is. We say to the States, "Take it or leave it; the only way you can get out from under is to have your legislature take you out from under." That adds to their burdens and their expenses.

This is just a back-door approach. I trust it will be roundly defeated.

Mr. LAUSCHE. Mr. President, will the Senator from Nebraska yield me 5 minutes?

Mr. HRUSKA. I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, by my previous vote I indicated my conviction that long guns ought to be included in the bill just as short guns are.

However, the Senator from Nevada [Mr. CANNON] a moment ago raised a question which I believe each of us ought to consider with deep seriousness.

The proposal is made that Congress pass a law which will not be uniformly applicable to the whole country, even though interstate commerce is the basis upon which the law would be passed.

First, can Congress pass a law that would be applicable only to a part of the States and not to all of them? The answer is obviously in the negative.

Second, if Congress cannot pass such a law, how can we, by indirection, achieve what Congress cannot do by direction?

That would be to say, in effect, that while a majority of Senators rejected the proposal that was generally applicable, we will now allow the will of the minority to become applicable in those States that do not want to comply with the uniform law.

I have been a Senator for 11 years, and I do not recall a single instance in which that issue has come before this body.

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

Mr. LAUSCHE. I will yield on the Senator's time.

Mr. DODD. It will only take a minute.

Mr. LAUSCHE. Will the Senator from Connecticut permit me to finish my statement?

Mr. DODD. I wish to answer the Senator's question. I do not know whether it has been in the last 11 years or not, but we have taken such action with respect to oleomargarine, television fights, and a number of other items. This is not the first time such a proposal has been suggested.

Mr. LAUSCHE. If that is the fact, I stand corrected. But I nevertheless do not abandon the position which I have taken.

Is it not a dangerous practice to allow laws of a Federal nature to be applicable only to a part of the country? Federal laws are supposed to be uniform in their operation, applicable equally to all individuals in all States. But in this instance, we would say that inasmuch as a majority of the Senate refused to adopt the Kennedy amendment, we will adopt a partial amendment by bringing to our cause Senators who represent States that do not want the law.

I believe this proposal is most dangerous. I repeat that while I supported the original Kennedy amendment, I think there is great strength in the argument of the Senator from Nevada that there is danger in permitting bills to be passed that, by the will of some States, can be applicable in all other States except those which seek to exempt themselves.

Mr. DODD. I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, while I do not wish to enter into a debate or a controversy with my distinguished colleague from Ohio, because I think he makes a rather substantial point, I should like to present this thought: It is true that possibly if the amendment proposed by the Senator from Massachusetts had been agreed to, that would have been a better solution. But after all, we are confronted here with a diversity of opinion or point of view which is predicated upon well establish tradition. There are many States of the Union where traditionally long guns have been used freely and for good purpose. I am speaking now of the Western States.

It is true that in those States, they may not have had the same trouble we have had in some of the Eastern States, where we have areas of congested population, and where, in many instances, such guns have not been used for lawful purposes, but by gangsters, thugs, and criminals employing such weapons as sawed-off shotguns.

Only recently, we had an incident in my State where such a gun was used in a gangland killing.

Recognizing the sincerity of those who feel that we ought not to impinge upon the freedom of those States which wish otherwise, we ought also to recognize that there are many States of the Union where the situation is quite different and desire such a regulatory law.

The question is, How do we overcome this? Do we exempt States that do not want it, or do we oblige those States which do? I think that the vote awhile ago was a little overwhelming in indicating that the Senate does not feel that it ought to have a national scope law with respect to this.

I come from a State in which I believe the large majority of the people would like to have such a law.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DODD. Mr. President, I yield 2 more minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 2 additional minutes.

Mr. PASTORE. Mr. President, the States that do not care to have the law apply to them could says so. Then it would not apply to them. No harm would be done to those States. However, States that would like to have the law applied to them can say so, and they can have the benefit of the statute. They can then work against gangsterism and hoodlumism and criminality. That is all this amounts to.

I realize that this question could be argued to and fro, and many questions of a legal nature could come up. However, as a practical proposition, we are confronted with the fact that the Senate of the United States said awhile ago: "You want it in Rhode Island, but you cannot have it because too many States do not want it."

Should there be that compulsion on the people of the State of Rhode Island?

The Senator from Connecticut [Mr. DODD] comes along, therefore, and says: "Let us do something different. Let us make it provide that a State can have it if they want it." I do not see anything wrong with that.

Mr. LAUSCHE. What difference would there be between that case and the case in which southern Senators ask that the civil rights bill not be made applicable to them, but be made applicable to the country as a whole?

Mr. PASTORE. I think it would be wrong to do that because we would be talking about humanity there and not about fighting gangsterism.

I hope that when we begin to promote the dignity of man, we do not confuse it with fighting gangsters. In one case we are talking about gangsters, and in the other we are talking about the dignity of man.

We ought to talk about the Constitution. I remember that the first thing I learned in high school was the Declaration of Independence and that all men are created equal.

We have an entirely different situation in the example cited by the Senator from Ohio. I hope that we do not get dignity of man mixed up with criminals.

Mr. LAUSCHE. Mr. President, will the Senator from Nebraska yield me 3 minutes?

Mr. HRUSKA. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Nebraska has 9 minutes remaining.

Mr. HRUSKA. Mr. President, I yield 3 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. Mr. President, the discussion thus far between the Senator from Rhode Island and me has divided itself into two parts. One relates to the uniformity of humanitarian treatment of the citizenry. The other refers to the uniform application of laws passed by the U.S. Congress.

Laws should be uniform. My fear is that if we begin to adopt the principle advocated here, intermittently there will be amendments before the Senate seeking to give States the right to exempt themselves.

When we divide the question into two parts, one on the basis of the humanitarian approach and the other on the basis of the uniform applicability of law, we must realize that we are dealing with two different things.

Laws must be uniform. If Nevada and North Dakota and South Dakota can be given the right to exempt themselves from the gun-control law, it follows, in my judgment, that Senators from the Southern States could offer amendments and say: "Our situation is different. We want to be immunized from Federal law." They would, therefore, ask that provisions be included in the bill to give them the privilege of exempting themselves.

I concede that the argument of the Senator from Rhode Island is sound. I would like the law to be applicable to all States. That is how it ought to be. We ought not to adopt a law in the United States and provide that it shall apply in some jurisdictions or Commonwealths and not in others.

That principle is completely contrary to every concept of law and justice that I know.

"Equal justice under law" is the legend over the door of the Supreme Court of the United States. Equal justice means equal justice to the individual and equal justice to the States, especially when the law is predicated upon the commerce clause of the U.S. Constitution.

Mr. PASTORE. Mr. President, will the Senator yield for a short observation?

Mr. LAUSCHE. I yield.

Mr. PASTORE. Mr. President, self-determination is justice. Self-determination is democracy. Self-determination has nobility.

Mr. LAUSCHE. That is why I say the Southern States could say, "We want self-determination." And I am against that.

Mr. PASTORE. We cannot have that self-determination in contravention of the Constitution of the United States, amendments 14 and 15.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DODD. Mr. President, do I correctly understand that each side has 9 minutes remaining?

The PRESIDING OFFICER. Each side has 9 minutes remaining.

Mr. DODD. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 3 minutes.

Mr. DODD. The Senator from Nebraska cited the case of an individual who went to Toledo, Ohio, and bought a gun. The Senator said this was forbidden under the Federal Firearms Act. I do not believe that it is.

These are over-the-counter sales, and there is nothing in the Federal Firearms Act at present that would forbid a dealer in Toledo, Ohio, from selling any kind of weapon he wants to sell to anybody over the counter. And they do it.

As a matter of fact, the mayor of Detroit said they sold some 5,000 guns there in the period of approximately 1 year. Those guns were used in the terrible disturbances that took place in that city.

I do not think it is accurate to say that the Federal Firearms Act forbids such sales.

The Senator from Illinois argues that we are burdening State legislatures. I point out that we are burdened with a terrible problem in this country.

I am told that last year there were 600 firearms bills introduced and considered by the State legislatures of our country.

I think the States are aware of the problem, and I think that they are willing to take up the matter.

I do not think that the States consider it any great burden. It is easy to argue that this is a terrible task and a terrible burden. However, my answer is that we have a terrible burden of crime in this country, and I do not think that these very smooth arguments about our placing a burden on the States have much effect on the American people.

The American people are worried to death. They are buying guns like crazy every day. They are fearful. They do not want to have to buy guns. They want guns to be controlled.

If we do anything to make the Nation a country of pistol-packing people, the first thing we know the situation will be worse than it is now.

That is why all the polls indicate that 70 or 75 percent of the people of the country want strong gun legislation.

I have already answered as well as I could the argument of the Senator from Nevada. I said that I am told that we have on occasions done the same sort of thing with respect to liquor and prizefight films and oleomargarine, and I believe, cigarettes as well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut.

Mr. DODD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HRUSKA. Mr. President, I yield back the remainder of my time.

May I request a short quorum call?

The PRESIDING OFFICER. Does the Senator from Connecticut yield back the remainder of his time?

Mr. DODD. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The Chair observes the absence of a quorum, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The question is on agreeing to the amendment of the Senator from Connecticut. 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. YOUNG of Ohio (when his name was called). On this vote I have a pair with the distinguished senior Senator from Oregon [Mr. MORSE]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

I also announce that the Senator from Utah [Mr. Moss] is attending the 4th Anglo-American Parliamentary Conference on Africa that is being held in Malta.

I further announce that the Senator from Hawaii [Mr. INOUYE] is absent on official business.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. MONRONEY] and the Senator from New Mexico [Mr. MONTOYA] would each vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from California would vote "yea" and the Senator from South Carolina would vote "nay."

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "yea" and the Senator from Utah would vote "nay."

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from New York would vote "yea" and the Senator from Arkansas would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from California [Mr. KUCHEL] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business attending the Fourth Anglo-American Parliamentary Conference on Africa at Malta.

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOL-

LINGS]. If present and voting, the Senator from California would vote "yea," and the Senator from South Carolina would vote "nay".

The result was announced—yeas 29, nays 54, as follows:

[No. 135 Leg.]

YEAS—29

Brewster	Kennedy, Mass.	Proxmire
Brooke	Long, Mo.	Ribicoff
Clark	McIntyre	Smathers
Cooper	Mondale	Smith
Dodd	Muskie	Spong
Fong	Nelson	Symington
Gore	Pastore	Tydings
Griffin	Pearson	Williams, N.J.
Hayden	Pell	Yarborough
Javits	Percy	

NAYS—54

Allott	Eastland	Mansfield
Anderson	Ellender	McClellan
Baker	Ervin	McGee
Bartlett	Fannin	McGovern
Bayh	Gruening	Metcalf
Bennett	Hansen	Miller
Bible	Hart	Mundt
Boggs	Hatfield	Murphy
Burdick	Hickenlooper	Randolph
Byrd, Va.	Hill	Russell
Byrd, W. Va.	Holland	Scott
Cannon	Hruska	Sparkman
Carlson	Jackson	Stennis
Church	Jordan, N.C.	Talmadge
Cotton	Jordan, Idaho	Thurmond
Curtis	Lausche	Tower
Dirksen	Long, La.	Williams, Del.
Dominick	Magnuson	Young, N. Dak.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Young of Ohio, for.

NOT VOTING—16

Aiken	Inouye	Morse
Case	Kennedy, N.Y.	Morton
Fulbright	Kuchel	Moss
Harris	McCarthy	Prouty
Hartke	Monroney	
Hollings	Montoya	

So Mr. DODD's amendment (No. 789) was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, the Committee on Commerce, and the Subcommittee on Constitutional Amendments of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

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

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill, S. 917, to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

AMENDMENT NO. 739

Mr. JAVITS. Mr. President, I call up my amendment No. 739 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated, but before the amendment is stated the Chair requests order in the Chamber. Senators will be seated before debate begins. The Chair is grateful for the cooperation of staff members recently, but the Chair wishes to remind staff members that they are here by permission of the Senate upon request of the Senators they serve. Staff members are not here to engage in conversation. Conversation will not be permitted except with the Senator who requests the staff member's presence.

The Senator from New York is advised that under the previous order 15 minutes remain to the Senator from New York.

The Senator from New York will be recognized after the amendment is stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 89, line 20, strike out "other than a rifle or shotgun,".

On page 90, between lines 15 and 16, insert the following new clause:

"(C) this paragraph shall not apply in the case of a shotgun or rifle (other than a short-barreled shotgun or a short-barreled rifle) of a type and quality generally recognized as particularly suitable for lawful sporting purposes, and not a surplus military firearm, which is shipped, transported, or caused to be shipped or transported, in interstate or foreign commerce by an importer, manufacturer, or dealer licensed under the provisions of this chapter to any person who has submitted to such importer, manufacturer, or dealer a sworn statement, in duplicate, in such form and manner as the Secretary shall by regulations prescribe, attested to by a notary public, to the effect that (i) such person is eighteen years or more of age, (ii) he is not a person prohibited by this chapter from receiving a shotgun or rifle in interstate or foreign commerce, (iii) there are no provisions of law, regulations, or ordinances applicable to the locality to which this shotgun or rifle will be shipped which would be violated by such person's receipt or possession of a shotgun or rifle, and (iv) that (title --------, Name ----------, and Official Address ----------) (blanks to be filled in with the title, true name, and address) are the true name and address of the principal law enforcement officer of the locality to which the shotgun or rifle will be shipped. It shall be unlawful for an importer, manufacturer, or dealer, licensed under the provisions of this chapter, to ship, transport, or cause to be shipped or transported, in interstate or foreign commerce any such shotgun or rifle unless such importer, manufacturer, or dealer has, prior to the shipment of such shotgun or rifle forwarded by United States registered mail (return receipt requested) to the local law enforcement officer named in the sworn statement, and the description (including manufacturer thereof, the caliber or gage, the model and type of shotgun or rifle but not including serial number identification) of the shotgun or rifle to be shipped, and one copy of the sworn statement, and has received a return receipt evidencing delivery of the registered letter or such registered letter has been returned to the importer, manufacturer, or dealer due to the refusal of the named law enforcement officer to accept such letter as evidenced in accordance with United States Post Office Department regulations, and has delayed shipment for a period of at least seven days following receipt of the notification of the local law enforcement officer's acceptance or refusal of the registered letter. A copy of the sworn statement and a copy of the notification to the law enforcement officer along with evidence of receipt or rejection of that notification, all as prescribed by this subparagraph, shall be retained by the licensee as a part of the records required to be kept under section 923(d). The Governor of any State may designate any official in his State to receive the notification to local law enforcement officers required in this subparagraph. The Secretary shall be notified of the name and title of the official so designated and his business address and shall publish the title, name, and address of that official in the Federal Register. Upon such publication, notification of local law enforcement officers required in this subparagraph shall be made to the official designated. The Governor of any State may request the Secretary to discontinue in his State or any part thereof the notification to local law enforcement officers required in this subparagraph. Upon publication of the request in the Federal Register, the notification to the law enforcement officers in the area described in the request will not be required for a period of five years unless the request is withdrawn by the Governor and the withdrawal is published in the Federal Register; and".

On page 90, line 16, strike out "(C)" and insert in lieu thereof "(D)".

Mr. JAVITS. Mr. President, I yield myself 8 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 8 minutes.

Mr. JAVITS. Mr. President, if I may have the attention of Senators, I think we can all get the feeling of what this amendment is about in short order. I explained the amendment in detail yesterday and I call the attention of the Senate to page 13345 of the RECORD of yesterday, the middle column, where my remarks begin.

The fundamental concept of this amendment is to pick up from the Hruska plan of control for handguns, which is the subject of his amendment upon which we will ultimately vote sometime today, and to apply it to shotguns and rifles which are, in the words of my amendment, "generally recognized as particularly suitable for lawful sporting purposes, and not a surplus military firearm." I am reading from my amendment No. 739, page 1, line 1 through page 2, line 8.

In short, this is a way to use the affidavit procedure. The affidavit is submitted to the seller of the gun, assuming it is an interstate sale, and the seller is required to send the affidavit to the local law enforcement official authorized to receive it. If he does not hear within 7 days, he can ship the gun. That is what it comes down to. That is what the Senator from Nebraska [Mr. HRUSKA] has argued in his amendment, with his customary skill, for some time, and we are familiar with that.

My amendment would do the same thing for long guns. That is all.

It is a compromise. I proposed it when

I was a member of the Judiciary Committee, and I also sat on the subcommittee of which the Senator from Connecticut [Mr. DODD] is chairman, when we then had a number of bills before us. The Hickenlooper bill was one with respect to this particular situation, which is essentially the fundamental philosophy that the Senator from Nebraska has, as well as the Dodd bill.

I made a strong effort, because I wanted gun legislation, and realized exactly what we would be up against, and we are up against it, and sought to compromise; to wit, that we would take the Dodd plan for handguns, which everyone agrees are hidden weapons and useful in crime, and we would take the Hruska plan for long guns. I do not know whether the Senator from Nebraska [Mr. HRUSKA] agrees on that. He does not wish any such regulations applied to long guns. That is my impression, but pick up the Hruska scheme for long guns and take the Dodd scheme for handguns.

What the committee did was to take the Dodd plan for handguns and leave out anything on long guns. That is what all this debate and all these efforts are about today.

In that compromise effort, I won in the subcommittee. It approved the plan, but it did not prevail in the Committee of the Whole, although the committee was practically evenly divided—eight members agreed with the compromise and the rest did not. Therefore it did not carry.

Now, Mr. President, why do I propose this matter now? It is a fact, and it is only fair to say, that there are two deeply conflicting philosophies which obtain here.

One philosophy is traditional American pride in the fact that a man should be entitled to own a weapon if he wants one without any encumbrances or difficulties. It is imbedded, as we know, in our traditions, and in the Constitution.

The other philosophy is the necessity, due to the burgeoning crime rate, which must sandbag us all because it is so serious, and the deep concern all over the country over what is going on. It has its aspects in the riots and the violence.

There is also tremendous concern on the part of the police who are faced with a riot in a city which may be based upon a racial problem, or a college problem, or some other problem.

The first thing the police want to know is, "Are there any snipers?" Once that has been ascertained, then a different order of magnitude prevails as to the character of the disturbance with which the police will have to deal.

Snipers, as we all know, use rifles and shotguns. It is a long gun operation. So when we couple that with the fact that 30 percent of murders are committed with long guns, we find a situation where there has to be some accommodation between the two philosophies. That is what is really taking place on the Senate floor today. The effort I am making to have my amendment adopted is an effort to find an accommodation between these two philosophies.

Now, whatever regulation there was, was really a small notice. It has properly come at this stage of debate because it is true that the Kennedy amendment was a much stricter form of regulation than the last amendment of the Senator from Connecticut [Mr. DODD], which was rejected by the Senate.

It is time to do something about long guns. In my judgment, if a Senator is inflexibly of the view that every American is entitled to a rifle and should be allowed to go down to the corner drugstore and buy it, or purchase it through the mail, then my amendment will not satisfy him. There is no use fooling about that.

But, it must be realized that we are living in a different society from the pioneer days of the 18th and 19th centuries, that a rifle is just as lethal today as it was then. That is a fact. I do not think anyone can controvert it. If we take even the most extreme figures, say, of 90 percent murders with handguns, that still leaves 10 percent. We say 30 percent. The figures bear that out, as will the various analyses now on Senators' desks—it would indicate that in States where there are controls, there seems to be less incidence of crime by the use of firearms in a material way—by one-third to one-half.

Therefore, I say, I cannot hope to satisfy men with this amendment who feel that it is an inalienable American right to own a gun and they are not going to touch it so far as the long gun is concerned. But I would point out that the minute we are willing to do something about hand guns, in view of the fact that—and it is a fact—that long guns are used in the same way, not so often, but in the same way, as I point out, its particular character in respect to what we are so concerned about now—to wit, riots and civil disturbances, where long guns seem to be the key as to whether it is or is not a riot or a civil disturbance, is a critical question for the police.

From all my information, what has been discussed here, and what has been going on, this is really an effort to compromise. It is not inhibitive. At the same time, it is not politically permissive. An affidavit for a long gun must be certified as to the facts and it can be held against one upon a given occasion. Then the law enforcement officials will know in every town who has a rifle, which they do not know today, which is itself a very useful piece of information. As we all know, when the police blockade an area, they will tell us——

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask for an additional 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 additional minutes.

Mr. JAVITS. The police will tell us everything that is in that area. One of the things they should be able to tell us is how many rifles are in that area, as well as handguns, so that they will know what kind of situation to face in the event of a civil disturbance.

It is on that ground, without laboring the issue unduly, that I feel this is a fair middle ground between the two philosophies. A fair middle ground is essential, in view of the urgent problems which face the country, not only present but also prospectively. I hope that inasmuch as such a large number of members of the Judiciary Committee itself saw the value of this compromise, a majority of Senators will see it also.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. DODD. Mr. President, I would like to comment on the amendment offered by the distinguished Senator from New York [Mr. JAVITS] to title IV of S. 917.

This body is well aware of my views on the need for stringent and effective gun control legislation. I need not reiterate my efforts over the last 7 years to place before the Senate a gun control proposal that is stringent, enforceable, and just.

Any comprehensive gun control measure that the Senate adopts must include controls over the acquisition of mail-order rifles. We should not bow to the blandishments of the firearms lobby, which has vehemently fought to strip from any comprehensive gun control measure restrictions on rifles and shotguns.

There is absolutely no justification for excluding from the Federal law the weapons which have been used in this the age of snipers to gun down a President, to sustain rioting in our cities and to take the life of Dr. Martin Luther King.

The Juvenile Delinquency Subcommittee's lengthy hearings of 1965 and 1967 have documented at least to my satisfaction that long arms, rifles, and shotguns, are not only the weapon of the sportsman, but are also the tool of criminals. I would add that law enforcement concurs with my view in this regard as attested to in those hearings.

The subcommittee considered this long arm issue carefully both during consideration of S. 1592 during the 89th Congress and S. 1 and amendment No. 90 to S. 1, during this Congress.

A majority of the subcommittee felt that there should be controls over the acquisition of mail-order rifles and shotguns, but as my colleagues now know, the Judiciary Committee did not concur with those views and thus rifles and shotgun proscriptions on the mail-order traffic were deleted from what is now title IV.

I believe that rifle and shotgun controls should be restored by this body and I cannot emphasize that enough.

It is in this regard that I commend the Senator from New York for offering an amendment to title IV that would restore a measure of control over mail-order rifles and shotguns, and a measure, I might add, that would be helpful in controlling their acquisition.

I, of course, have urged this body to completely prohibit the interstate mail-order sale of rifles and shotguns to nonlicensed individuals. In so doing, I have stated that I believe that any responsible person should be willing to shoulder the slight inconvenience of ordering such a weapon from a local dealer.

In view of the fact that this body has not concurred with my judgment in this regard, I am certainly amenable to and wholeheartedly support the amendment

now offered by my colleague from New York.

In effect, the distinguished Senator's amendment would control mail-order rifles and shotguns in the same manner that the subcommittee proposed during consideration of S. 1592.

I of course refer to the notarized affidavit and notification to local law enforcement provision as a means of regulating the acquisition of mail-order rifles and shotguns.

It is noteworthy in considering this amendment, that it provides that a person completing the notarized statement be 18 years of age.

One of our prime concerns has been the ease with which juveniles can and do acquire mail-order guns.

This amendment insures that persons purchasing mail-order rifles and shotguns are not juveniles, but persons of 18 years of age or older.

Juvenile crime, and especially armed crime, is increasing in America each year, and unless this Congress makes every reasonable effort to curb the availability of firearms to juveniles, then we cannot hope to make inroads into this problem.

Mr. President, I support my colleague from New York in his effort to reduce armed crime by America's youth and I urge this body to give favorable consideration to his amendment and to adopt it.

However, I am worried about one point, that is the 7 days. I wonder if that will ever work. Will it be possible to get this thing properly cleared through the law enforcement authorities? I wonder what the Senator from New York thinks about that.

Mr. JAVITS. I think 7 days is adequate for a matter of this character. In a big city like New York, for example, in all likelihood there will be a breakdown by counties with respect to the officials handling it. In other areas, perhaps other sectional arrangements will be required.

Frankly, I made the time as short as humanly possible because I wanted people to feel there is no great interference with their ability to buy; so long as they are law abiding and honest citizens there is nothing to be ashamed of. In fact, they are proud of it. That is the whole intent. It is not the same as was involved in the vote against the Dodd amendment and again the Kennedy amendment. People who attribute a certain manliness to the fact that they own a weapon, are not concerned about letting the world know they have guns, but those who have reason to be concerned are going to be much more cautious about buying guns when they can be identified.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself 1 minute.

That is the situation as I see it. I would rather leave it at 7 days. I think it can be managed.

I am grateful for the support of the Senator from Connecticut [Mr. DODD], which he gave me originally. He was a party to it.

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

Mr. JAVITS. Mr. President, how much time do I have left?

The PRESIDING OFFICER. Three minutes.

Mr. JAVITS. I yield myself 1 minute, and yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, yesterday I was persuaded by the argument of the Senator from Massachusetts against the proposal of the Senator from Nebraska [Mr. HRUSKA] that 7 days was a totally inadequate time for the local officials to make adequate investigation concerning the truth or falsity of the information set forth in the affidavit. Figures were submitted by the Senator who made the argument, and I believe the Senator from Maryland also discussed the subject, that to make an adequate investigation of the truth of the affidavit could not be done in the 7-day period. It was pointed out that in Chicago and Detroit, I believe, 5,000 guns a week are purchased and that the State government or local government simply could not investigate 5,000 affidavits. They simply could not do it.

Mr. JAVITS. Mr. President, may I answer?

Mr. LAUSCHE. Yes.

Mr. JAVITS. My answer is that the type of regulation I have in mind——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, may I ask unanimous consent to have 2 minutes added to my time?

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

Mr. JAVITS. I yield myself 2 minutes.

The scheme that I have in mind is different from that of the Senator from Massachusetts [Mr. KENNEDY]. Under it we could not stop the sale or shipment. The most that would happen in the 7 days would be that the police official would be able to tell the gun seller, "Look, you are selling a gun to a fellow that is a crook, and we hope you will not do it." That is all that happens under my amendment. The authorities can pick that up, because they know the known criminals, crooks, et cetera. As to the investigation that would follow, they could take all the time they wanted. If they wanted to prosecute someone for a false affidavit, they could take 6 months.

The scheme I have in mind lends itself to 7 days, whereas, if there were to be veto power over the shipment, it is true that 7 days would be inadequate. That is my answer. It is a different scheme.

Mr. LAUSCHE. The argument made yesterday was tremendously effective that 7 days would be inadequate to make an investigation.

Mr. JAVITS. To do what the Senator from Massachusetts [Mr. KENNEDY] wanted done under his amendment, but for my purpose, it is adequate, and that is to flag the criminal. The authorities can do it because they have records. As to the longer investigation for perjury, the authorities are not limited to 7 days.

Mr. LAUSCHE. Then, I understand the Senator's amendment is better than what was discussed yesterday, because his amendment would only enable the police to know that known criminals were attempting it, but as to the many others who were not known criminals, the sales would go through.

Mr. JAVITS. That is correct.

Mr. LAUSCHE. I think that is reasonable.

Mr. HRUSKA. Mr. President, I yield myself 3 minutes. I shall talk only briefly.

I again call to the attention of my colleagues the fact that this amendment does not apply to amendment No. 708. It would apply to title IV of the bill, which the committee reported by a vote of 9 to 7.

It is my hope that the amendment will not be agreed to.

I respect the Senator from New York for his sincerity and his eagerness to achieve acceptable and workable legislation, but I do not believe the material contained in his amendment would be consonant with the objective sought in amendment No. 708.

First of all, I want to say that amendment No. 708 is not based upon the idea that everyone who is qualified under applicable law is entitled to a rifle, shotgun, handgun, or pistol. The opposition to the amendments which have already been voted upon, and the opposition to the amendment offered by the Senator from New York, is not based on the idea that there is an absolute right for everyone to have a gun. Under present law as amended by amendment No. 708, it would be illegal for any shipment to go into a State in violation of the law of that State. If the law of that State requires that there be a permit or license, then the mail-order vendor would have to have a copy of that permit or license before he could send the weapon into that State.

The same thing applies in the case of the buyer. The buyer could not receive a gun in his own State if the receipt of that gun would be in violation of the law of that State. So it is not an absolute right.

There is one additional objection to the amendment of the Senator from New York. Yesterday some Senators spent much time arguing against the presale affidavit procedure contained in amendment No. 708 as it applies to handguns. The burden of that argument was that the police would not enforce it.

I do not agree that the police cannot enforce the law through the use of a presale affidavit. However, I admit it does place a burden on the police. But the idea is that with the limitation on handguns alone, we will determine how great that burden will be. We know it will be great, but it will be more than double that if it is applied to long guns.

I say, let us deal with the real offender, as amendment No. 708 does. The real offender is the one who uses the handgun. It is said that 20 percent or more of crimes are still committed with shotguns and rifles, and I do not disregard that figure—but I mean to say that the impact of this legislation, and particularly the impact of this amendment, will not, in my opinion, reduce that crime rate or statistic. On the other hand, it will interfere with the more efficient functioning of amendment No. 708 as it applies to the presale affidavit procedure with respect to short guns.

I ask my colleagues to reject this amendment as they have the previous amendments.

Mr. JAVITS. Mr. President, I yield myself 2 minutes just to say this to the Senator from Nebraska: I am not going to ask the Senator to answer me, but I would point out that if the Senator agrees with this amendment, which is not at all inconsistent with the Senator's amendment, and fits into it, if he wishes to take it, I believe the likelihood is that this is what is going to happen anyway, whether we stay with the committee or whether the Senate agrees to the Hruska amendment.

In this case, with respect to the Hruska amendment, the Senate is voting on something very substantive, because if the Senate says, "We want something," even a very mild form of notice with respect to this long gun business, this is where they are going to get it, and this is the only place they are going to get it, and I predict we will either get it either on the bill itself or on the Hruska amendment. It fits completely with it. I would propose it as an amendment to the Hruska amendment, but I am not for the Hruska amendment, as I think I have made clear, because I believe more tight regulation is needed. But I have never been so little of a lawyer that I would not try to find a way out where practical men have a deep difference in philosophy, as they have here.

I say to Senators, in all due respect, this is a substantive question, and if we decide to do at least this, it will get into this bill, I feel sure of that, and I am sure everybody else does.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York. Does the Senator from Nebraska yield back the remainder of his time?

Mr. HRUSKA. Mr. President, I yield 3 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, this is the third attempt to do something about long guns—the first one quite strict, the second a backdoor effort, and now a compromise effort.

I notice, in going through the amendment, of course, there have to be rules and regulations; there has to be an affidavit; things have to be published in the Federal Register; these are all of the various requirements, like return by registered mail, but I noticed yesterday when I was out home that, I think it was the last or nearly the last day for registration of firearms in the city of Chicago, and I am not sure that I have the figure correctly in mind, but I thought they said 163,000 guns had been registered.

All those people have got to go down and register, and make out a form, and probably swear to it. Now the Illinois Legislature is dealing with the same problem, in the form of a statute for the State. The distinguished president of the Illinois Senate was here, and he testified on the bill in the subcommittee. He expressed a preference for the substitute that has been offered by the distinguished Senator from Nebraska.

But it looks to me as though this is just another effort to encumber this thing, and make it difficult, even though on its face it seems to have appeal. I am of the opinion that it ought to be voted down. I yield back my time.

The PRESIDING OFFICER. Does the Senator from Nebraska yield back the remainder of his time?

Mr. HRUSKA. I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from New York. 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. MUSKIE (when his name was called). Mr. President, on this vote I have a pair with the distinguished senior Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. INOUYE] is absent on official business.

I also announce that the Senator from Utah [Mr. Moss] is attending the Fourth Anglo-American Parliamentary Conference on Africa that is being held in Malta.

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Oklahoma would vote "nay."

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from New York would vote "yea," and the Senator from Arkansas would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from California would vote "yea," and the Senator from South Carolina would vote "nay."

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Florida [Mr. SMATHERS] is paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Florida would vote "yea," and the Senator from New Mexico would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from California [Mr. KUCHEL], and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New Jersey [Mr. CASE], is absent on official business attending the Fourth Anglo-American Parliamentary Conference on Africa at Malta.

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from California would vote "yea," and the Senator from South Carolina would vote "nay."

The result was announced—yeas 28, nays 52, as follows:

[No. 136 Leg.]

YEAS—28

Bayh	Long, Mo.	Ribicoff
Brooke	McIntyre	Scott
Byrd, W. Va.	Mondale	Smith
Clark	Nelson	Spong
Dodd	Pastore	Symington
Fong	Pearson	Tydings
Gore	Pell	Williams, N.J.
Griffin	Percy	Williams, Del.
Javits	Proxmire	
Kennedy, Mass.	Randolph	

NAYS—52

Allott	Ellender	Mansfield
Anderson	Ervin	McClellan
Baker	Fannin	McGee
Bartlett	Gruening	McGovern
Bennett	Hansen	Metcalf
Bible	Hart	Miller
Boggs	Hatfield	Mundt
Burdick	Hayden	Murphy
Byrd, Va.	Hickenlooper	Russell
Cannon	Hill	Sparkman
Carlson	Holland	Stennis
Church	Hruska	Talmadge
Cooper	Jackson	Thurmond
Cotton	Jordan, N.C.	Tower
Curtis	Jordan, Idaho	Young, N. Dak.
Dirksen	Lausche	Young, Ohio
Dominick	Long, La.	
Eastland	Magnuson	

PRESENT AND ANNOUNCING A LIVE PAIR

Muskie, for.

NOT VOTING—19

Aiken	Inouye	Morton
Brewster	Kennedy, N.Y.	Moss
Case	Kuchel	Prouty
Fulbright	McCarthy	Smathers
Harris	Monroney	Yarborough
Hartke	Montoya	
Hollings	Morse	

So Mr. JAVITS' amendment was rejected.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BENNETT. Mr. President. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Utah is recognized.

The Senator will not proceed until the Senate is in order. Senators will take their seats. The Senate will be in order.

Senators in the rear of the Chamber on the majority side will please take their seats.

The Senator from Utah is recognized.

AMENDMENT NO. 794

Mr. BENNETT. Mr. President, I call up my amendment No. 794.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. BENNETT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, reads as follows:

On page 107, between lines 2 and 3, insert the following new title:

"TITLE V—USE OF FIREARMS IN THE COMMISSION OF CERTAIN FELONIES"

SEC. 1001. (a) Part I of title 18 of the United States Code is amended by adding immediately after chapter 115 the following new chapter:

"CHAPTER 116.—USE OF FIREARMS IN THE COMMISSION OF CERTAIN FELONIES

"Sec.

"2401. Definitions.
"2402. Use of firearms in the commission of certain felonies.

"§ 2401. Definitions

"As used in this chapter—

" 'Crime of violence' means any of the following crimes: arson; assault with intent to kill, rob, rape, or poison; assault with a dangerous weapon; embezzlement and theft; kidnaping; killing certain officers and employees of the United States; murder, voluntary manslaughter; narcotic offenses punishable by a prison term exceeding one year; Presidential assassination, kidnaping, and assault; rape; racketeering and extortion; robbery and burglary; sabotage; treason and sedition; rebellion and insurrection; seditious conspiracy; and advocating the overthrow of the Government.

" 'Firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device. Such term shall include any handgun, rifle, or shotgun.

" 'Destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

" 'Handgun' means any pistol or revolver originally designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition, or any other firearm originally designed to be fired by the use of a single hand.

" 'Shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

" 'Rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"§ 2402. Use of firearms in the commission of certain felonies

"Whoever, while engaged in the commission of or an attempt or conspiracy to commit any offense punishable under this title which is a crime of violence, employs, displays, carries upon his person, or possesses under his custody or control at or in the vicinity of the place at which such offense is committed or attempted or at any place at which any act in furtherance of such conspiracy is performed by such person, any firearm shall, upon conviction of such offense, attempt, or conspiracy, be punished for his first offense under this section by a fine of not more than $5,000, or imprisonment for a term of not more than five years, or both, and for any subsequent offense and conviction under this section by the same person by a fine of at least $5,000 but not more than $10,000 and imprisonment for a term of at least five years, but not more than ten years, or both. The punishment so imposed under this section shall be in addition to the punishment provided by law for the offense, attempt, or conspiracy for which such person was so convicted."

(b) The analysis of part I of title 18, United States Code, is amended by inserting immediately before the last item the following:

"116. Use of firearms in the commission of certain felonies_____ 2402".

Mr. BENNETT. Mr. President, I appreciate the opportunity to cosponsor the Hruska amendment No. 708, on firearms legislation. I commend the distinguished Senator from Nebraska for his role in this critical legislative battle.

In considering firearms legislation, Congress faces the very difficult task of resolving the vital question of freedom versus Government controls. Related to this dilemma is the unfortunate and very perplexing crime situation in the United States.

Before any gun legislation is passed, I think it is necessary that Congress define and understand the issue of constitutional rights as they apply to firearms. There has been considerable emotional appeal both for and against gun legislation. Much of this has been centered around the deaths of President Kennedy and Martin Luther King, Jr. In the process, however, we cannot ignore the second amendment to the Constitution. May I, for the purpose of my statement, define what I think this amendment means? It reads:

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

THE RIGHT TO KEEP AND BEAR ARMS

Unfortunately, this amendment is shrouded in controversy. Some people have taken the position that the amendment guarantees the right to keep and bear arms only to the militia. This, Mr. President, I believe is both mistaken and dangerous. The amendment states that "the right of the people to keep and bear arms shall not be infringed." It does not state that the right of militia or National Guard, or the Army Reserve, to keep and bear arms shall not be infringed. Consequently. I believe that Congress must accept the amendment for what it really says and for what it intended to say. The people themselves have been guaranteed the right to keep and bear firearms. Thus, any proposed gun legislation which comes before us must be considered in this context. I do not believe that we are dealing with a hazy indefinite provision such as the "general welfare" or the "interstate commerce clause." We are talking about a specific limitation upon the powers of Government and a specific right of the people.

POLICE STATE CONTROLS

I wish to emphasize that the Senate and Congress are dealing with crucial and long-range issues in firearms regulations. Precedents will be set that could be used in future years to affect seriously the nature of our Republic and the rights of our people. We must realize that control of the ownership of firearms carries with it the inherent future possibility of police-state controls. This requires a great deal of wisdom, understanding, and thoughtful consideration.

Conversely, we now face, Mr. President, a crime situation in this country which is fast becoming the greatest scourge of our national life. Some of it, perhaps a good part of it, is perpetrated by the persons misusing firearms, particularly handguns. Thus, as crime rates skyrocket each year, there is a requirement and an obligation by Congress and by the States to protect the general public from those elements in society who abuse it and perpetrate acts of violence against our citizenry. I believe that the Hruska amendment is the best answer to these dual problems of constitutional rights and and skyrocketing crime rates.

GUNS ARE NOT THE CAUSE OF CRIME

Let me say very clearly and emphatically that we, as a legislative body, should not blame a gun itself for any crime or any acts of violence, any more than we can blame a pen for misspelling a word. The time has come when Congress and the American people must face up to the fact that crime itself must be attacked, reduced, and punished, and its causes must be identified and eradicated.

We must realize, as I am sure most people do, that crime in this country if not encouraged by many recent Supreme Court decisions is at least made easier. We must further realize that many procedures and practices used by the courts are turning criminals loose to perpetrate a second, third, and even a fourth crime while out on bond or parole for an earlier conviction or arrest. We must realize that the attitude taken by certain elements in our society that these people are sick and therefore not guilty is one reason why we have such a growing crime rate.

The point I am trying to make, Mr. President, is that there are many causes of crime, and to blame it entirely upon the ownership and possession of a handgun or a long gun is to force upon the general public a mistaken piece of legislation and to limit unjustly, and I believe in a dangerous manner, a constitutional right. I will support moderate firearms legislation that will control effectively sales of guns through mail-order houses to youngsters, to incompetents, and to criminal elements where they can be identified. I do not believe that in this category Congress should include rifles or shotguns, with the exception of sawed-off shotguns. Of course, such weapons as machineguns and other nonsporting weapons should be carefully regulated. I think the Congress in this legislation should place the blame where the blame really belongs. We should write into any bill stern and severe

penalties for the misuse of firearms and make doubly certain that persons found guilty of offenses are not allowed once again to perpetrate further crimes of violence upon our law-abiding citizens.

In this context I believe that any legislation passed by the Congress should also contain severe penalties for the misuse of firearms in the commission of felonies covered by Federal law. Therefore, I am offering an amendment to this effect.

The purpose of this legislation is twofold. Under the provisions of the bill and most of the amendments, individuals convicted of illegally selling or purchasing a firearm are subjected to severe penalties. This, I think, is reasonable and acceptable to most Americans. On the other hand, for example, a person who has in his possession a firearm and uses it in robbing a U.S. Government insured bank or killing someone on a Federal reservation or Federal property is not penalized for the misuse of that firearm. I think no one can deny that the misuse of a firearm is a graver threat to the peace and tranquillity of law-abiding citizens than is the illegal sale or purchase of a firearm.

A second reason for my amendment is to serve as a model to the 50 States should they wish to adopt strong penalties for firearms misuse themselves. My amendment is carefully worded and so drafted that State and local jurisdiction will not be affected. The felonies herein described are felonies which fall under the jurisdiction of the United States.

Under my amendment persons convicted for the first offense of Federal crimes, wherein firearms were used would be punished by a fine of not more than $5,000 or imprisonment for a term of not more than 5 years, or both. This provision has a great deal of flexibility and will allow courts and judges to impose fines less than 5 years and $5,000 on the first offense if the occasion calls for such leniency. Under this provision courts dealing with first offenders would not be required to impose the maximum penalty.

The second provision is aimed at the person convicted of a Federal felony for the second or subsequent time. Thus, anyone convicted of a subsequent offense under the amendment would be subjected to a fine of at least $5,000 and not more than $10,000 and imprisonment for a term of at least 5 years and not more than 10 years, or both. The complete flexibility which existed under the first offense is thus generally removed from the second conviction. I feel this is necessary and justified because much of our crime in this country is committed by individuals who are repeat offenders. The law-abiding citizens of America must be given protection from repeat offenders and my amendment will go far in providing it, insofar as those crimes involve the use of guns.

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

Mr. BENNETT. I yield.

Mr. TYDINGS. It is my understanding that amendment No. 794 is a perfecting amendment to title IV.

Mr. BENNETT. That is my understanding, also.

Mr. TYDINGS. And that, basically, it would increase the penalties for the commission of certain enumerated crimes on Federal property or Federal reservations, by increasing the punishment by fine and imprisonment and by setting a minimum punishment for second and subsequent offenses for the commission of certain crimes.

Mr. BENNETT. It sets both a minimum and a maximum. The Senator is correct.

Mr. TYDINGS. So that it relates only to the penalties for the commission of a Federal crime with the use of a firearm.

Mr. BENNETT. In which a firearm has been used.

Mr. TYDINGS. And it is my understanding that it is not intended to be a substitute for title IV.

Mr. BENNETT. Mr. President, I have discovered an error in the printing of the amendment. It is to be inserted between lines 4 and 5 on page 107, instead of between lines 2 and 3. I ask that the amendment be so modified.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The amendment will be so modified.

Mr. BENNETT. It also shows reference to title V. The amendment, of course, refers to title IV. I ask that that correction be made.

The PRESIDING OFFICER. The amendment will be so modified.

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

Mr. BENNETT. I yield.

Mr. LAUSCHE. With respect to the specific crimes for which the Senator's amendment proposes to increase the severity of the penalty, will the Senator, for my information, state what the present penalty is and what his increased penalty would be?

Mr. BENNETT. I do not have a record of the present penalties for the crimes referred to, which effectively include the commission of a bank robbery, interstate kidnapping, or murder on a Federal reservation; but I am certain I can get that information.

Mr. LAUSCHE. What would the penalties be under the Senator's proposal?

Mr. BENNETT. Under my proposal, for a first offense the judge would be permitted to impose a fine of up to $5,000 and imprisonment for up to 5 years, at his discretion.

For the second offense it sets a minimum sentence of a fine of $5,000, and imprisonment for at least 5 years but not more than 10 years. So it is a mandatory sentence for a second or subsequent offenses but it is a permissive sentence for the first offense.

Mr. LAUSCHE. With regard to the first offense, the judge would have complete discretion; is that correct?

Mr. BENNETT. The Senator is correct.

Mr. LAUSCHE. For the first offense the judge would have complete discretion in determining the monetary fine or length of imprisonment.

Mr. BENNETT. The Senator is correct; up to 5 years and $5,000.

Mr. LAUSCHE. But on the second offense the sentence would be mandatory.

Mr. BENNETT. The Senator is correct, within limits. It would have to be mandatory with respect to at least a fine of $5,000 and imprisonment for at least 5 years, but not more than $10,000 or 10 years.

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

Mr. BENNETT. I yield.

Mr. NELSON. In a casual reading of the bill, there is something that bothers me a little. On page 2, at the end of the first paragraph, there is included "advocating the overthrow of the Government."

Then, on page 3, if I interpret the bill correctly, it is provided that if a person advocates the overthrow of the Government and at the time he advocates it has in his possession a gun, or on the premises, a gun under his control, that that constitutes a felony and meets the standards of this bill for punishment.

Mr. BENNETT. That was not my intention in connection with "advocating." These definitions are general definitions taken out of the general law. It is my intention to involve only active crimes involving violence with the use of a gun.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BENNETT. I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 5 additional minutes.

Mr. BENNETT. I would be happy to eliminate the words on page 2 "seditious conspiracy; and advocating the overthrow of the Government."

Mr. NELSON. Is the Senator proposing to eliminate that language?

Mr. BENNETT. Yes.

Mr. NELSON. Someone might have a political rally outside his home and there might be a gun in the house.

Mr. BENNETT. I had not realized that implication.

I would be happy to withdraw that language.

The PRESIDING OFFICER. Does the Senator modify his amendment?

Mr. BENNETT. I do modify my amendment by eliminating from page 2, lines 11, 12, and 13 the words: "seditious conspiracy; and advocating the overthrow of the Government."

The PRESIDING OFFICER. The amendment is so modified.

Mr. HRUSKA. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, again, this is not an amendment to amendment 708, but to title IV of the bill.

I am most heartily in sympathy with the objective of the Senator from Utah. I know of no Senator who is more deeply concerned about the present deterioration of law and order than the Senator from Utah. I am confident that he and most other Senators have found that the No. 1 concern within their home States is the problem of crime, the increase in crime, and the methods with which to deal with crime.

Therefore, I wish to commend the Senator for his efforts in fashioning the amendment we are considering. The amendment is carefully drawn because

the Senator has limited it to Federal crimes in which firearms are misused. He does not impose a mandatory sentence in the initial instance. It is only in the repeat offenses that there is the mandatory feature.

Mr. President, the Committee on the Judiciary has considered from time to time mandatory sentence situations. They are a most difficult subject to justify and to put into effect. All of the arguments against mandatory sentences would apply to the amendment which the Senator proposes. There are many of them.

There are three or four reasons why I doubt very much that the effect intended and sought by the distinguished Senator from Utah would be achieved by this amendment. First of all, the mandatory sentence may be unjustified by reason of the man's record, and extenuating circumstances. In cases where it would be unjustified it is difficult to get a prosecuting officer to prefer a charge that would subject the man to a mandatory sentence. Therefore, the alternative is used. Instead of putting a charge against the man for that offense, a soft charge is made.

Then, we have a second approach. Where the court might see that a mandatory sentence would be unjust, he looks for possible technicalities to insure that the sentence is not imposed. I do not intend to attack or to justify the practice, but it is the fact of the matter. So excuses are sought and the end result will not be that which the Senator so earnestly and sincerely seeks.

One of the other undesirable attributes of a mandatory sentence is that there is a restraining and stifling influence on the corrections and rehabilitation procedure. The judge has no alternative himself but to impose that sentence, although a man might be ready for discharge because he has been rehabilitated and has changed his viewpoint.

That is the reason why in amendment 708 the penalties for violation of the National Firearms Act and the Federal Firearms Act are increased to up to 10 years in prison or $10,000 fine or both. It is subject to the indeterminate sentence procedure, and then we can get away from the harsh effects approach by mandatory sentence.

I wish to make one other reference. This matter is also subject to consideration by the National Commission on Revision of the Federal Criminal Code. We are going into the matter of mandatory sentences in great depth.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HRUSKA. I ask unanimous consent that I may proceed for 5 additional minutes.

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

Mr. HRUSKA. Mr. President, we are going into the matter in depth.

I would trust that we would be willing to go along on these two propositions. First, the Committee on the Judiciary considered this approach and discarded it; second, it is the subject of study, and we hope something can be done within the moderate approach to to penology which will be useful in this area.

I wish to make one additional observation with respect to what is an increasing realization by many people in America: What is involved is not so much a matter of added criminal penalty; it is a matter of getting an increasing percentage of convictions for crimes committed. That will be the real deterrent. We can make the penalty three times as great but unless we succeed through law enforcement channels and criminal justice to increase the rate of convictions, we will not make progress.

I commend the Senator for bringing up this measure but I would hope that we would leave it for another day for consideration.

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

Mr. HRUSKA. I yield.

Mr. LAUSCHE. What is the Senator's opinion, on the basis of his broad experience, about the course followed generally by the courts, and especially the Supreme Court, in the ability to get more convictions, which is the ultimate goal in trying to bring people to the understanding that law and order must prevail?

Mr. HRUSKA. I should like to reply to that question in this fashion: I support titles II and III of S. 917. They spell out my position well, because both will deal with some of the harmful effects of the Supreme Court's decision in this field. Title III is an effort to comply with the decisions of the Supreme Court declaring that wiretapping is constitutional if properly controlled. Title II deals with confessions, eyewitness testimony, and so forth.

Accordingly, I would say that recent developments in jurisprudence in this country will be dealt with constructively by titles II and III. I hope it will result in a higher rate of convictions in those cases which warrant conviction.

Mr. LAUSCHE. Yes. In those cases which warrant conviction, they should be had, and convictions should not be prevented by tenuous and sophisticated philosophies as expressed by the Supreme Court about the rights of criminals and the absence of rights for innocent citizens.

Mr. HRUSKA. The Senator makes a meritorious observation.

Mr. BENNETT. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized for 2 minutes.

Mr. BENNETT. Mr. President, I am not a lawyer, but I realize that problem the Senator from Nebraska has presented on the question of a mandatory sentence. I do not know of any other way to underscore the problem that we face in the misuse of firearms than to indicate that it is the feeling of Congress the sentences for the commission of crimes in which firearms are used should properly be longer and more difficult than those in which firearms are not used.

If by adoption of the amendment we are actually going to come up with fewer convictions, in fact fewer indictments, then, of course, I would not want to be responsible for that. But I think that the fact the amendment was offered and is in the record will serve to notify the country that we feel we cannot solve the firearms problem merely by trying to control the sale of firearms but that we must consider the punishment of crimes committed with firearms.

Mr. President, I shall not ask for a yea-and-nay vote, but I hope that the Senate will at least express itself on my amendment.

I am prepared to yield back the remainder of my time.

Mr. DODD. Mr. President, I want to ask a few questions. I am somewhat confused. I should like to refer to the mimeographed sheet which describes the Bennett amendment. As I read it, it says that no individual may use a firearm in the commission of a bank robbery, kidnaping, or murder, on a Federal reservation, and that misuse of a firearm in the commission of such felonies is not now prohibited by law.

I think I am right when I say that in the commission of a bank robbery, if the robber uses a firearm, there is an additional penalty involved.

Mr. BENNETT. I was not able to get that information. Can the Senator give me the reference?

Mr. DODD. It is title XVIII, section 2113. Under that section, a person who commits a bank robbery by armed force is subject to a penalty of 25 years in prison and/or a fine of $10,000, or both. The general penalty provision for the commission of a bank robbery is 20 years and a $5,000 fine. So that there is an additional penalty there.

Mr. BENNETT. That is not mandatory. That is within the discretion of the court.

Mr. DODD. No; it is not mandatory. I do not say that it is mandatory. I thought the Senator would be interested in that point. I am not trying to split hairs but I thought it would sustain the position of the Senator from Nebraska [Mr. HRUSKA] on the mandatory sentence question. The Senator from Utah might consider that in offering his amendment.

Mr. BENNETT. I had not known of that difference. That reference is, I suppose, only to this one crime and does not apply to kidnaping across State lines——

Mr. DODD. I do not think so.

Mr. BENNETT (continuing). Or to murder on a Federal reservation.

Mr. DODD. No; but I knew that there was an additional penalty involved for using a gun in a bank robbery.

Mr. BENNETT. I appreciate the fact that the Senator has supplied this information for the record.

Mr. President, I am prepared now to yield back the remainder of my time.

Mr. HRUSKA. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the pending amendment has now been yielded back. The question is on agreeing to the amendment of the Senator from Utah.

The amendment was rejected.

AMENDMENT NO. 744

Mr. BROOKE. Mr. President, I send an amendment to the desk and ask that it not be read but lie on the table.

I rise to a point of clarification. I have

an amendment which I will not call up until I can get clarification——

The PRESIDING OFFICER. Who is yielding time? Time is under control now. Who is yielding time?

Mr. HRUSKA. The Senator from Massachusetts has an amendment.

The PRESIDING OFFICER. But the Senator has not offered it.

Mr. BROOKE. Mr. President, I call up my amendment and yield myself such time as I may need.

The PRESIDING OFFICER. That will require unanimous consent.

Mr. BROOKE. I ask unanimous consent that my amendment may be called up.

The PRESIDING OFFICER. Will the Senator please identify his amendment?

Mr. BROOKE. This amendment is numbered 744.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read, as follows:

On page 91, line 8, after the word "State" insert a comma and the following: "except that this clause shall not prohibit an individual engaged in a bona fide change of residence from one State to another from transporting to his new State of residence any firearm which said individual has lawfully purchased or possessed in his former State of residence, if it is lawful for said individual to purchase or possess such firearm in his new State of residence;"

Mr. BROOKE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Massachusetts may proceed.

Mr. BROOKE. Mr. President, I think that I may be able to avoid asking for the yeas and nays on my amendment merely by asking one question of the distinguished Senator from Connecticut for clarification.

I refer the Senator to section 922(1)(3) of the bill and ask whether that language prohibits an individual engaged in bona fide change of residence from one State to another——

Mr. DODD. Mr. President, there is so much noise in the Chamber that I cannot hear the Senator from Massachusetts.

The PRESIDING OFFICER. The Senate will please come to order. There are too many attachés in the room. Will the Senate please come to order so that the speaker may be heard.

The Senator from Massachusetts may proceed.

Mr. BROOKE. I ask the Senator from Connecticut whether that language prohibits an individual engaged in a bona fide change of residence from one State to another to transport any firearms which said individual has lawfully purchased or possesses in his former State of residence and if it is reasonable for said individual to purchase or possess such firearms in his new State of residence.

Mr. DODD. I do not want to burden the Senator, but would he be good enough to repeat the question? I do not fully understand it.

Mr. BROOKE. I am sorry. I did not hear the Senator.

Mr. DODD. Will the Senator repeat the question? Either I did not fully hear it or I do not understand it.

Mr. BROOKE. My question was whether, under section 922(1)(3), the language contained therein would prohibit an individual engaged in a bona fide change of residence from one State to another transporting to his new State of residence any firearm which said individual had lawfully purchased or possessed in his former State of residence; if it would be lawful for such individual to purchase or possess such firearm in his new State of residence.

Mr. DODD. It is my understanding that under that section it will not be unlawful.

Mr. BROOKE. In other words, if it is lawful to own a firearm in State A and it is lawful to own a firearm in State B, and an owner of a firearm gives up his residence in State A and moves to State B, he is not prohibited under this language from carrying the firearm from State A to State B?

Mr. DODD. That is correct.

Mr. BROOKE. He does not have to divest himself of that firearm when he moves from State A, if it is permissible for him to own firearms in State B, his new State of residence?

Mr. DODD. The Senator is correct.

Mr. BROOKE. I thank the Senator.

I yield back my time.

Mr. TYDINGS. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. Yes.

The PRESIDING OFFICER. The Senator from Nebraska has control of the time.

Mr. HRUSKA. I yield 3 minutes.

Mr. TYDINGS. Mr. President, in further clarification of the point raised by the Senator from Massachusetts, it is my understanding—and I would wish the Senator from Connecticut to verify it—with respect to the provisions referred to by the Senator from Massachusetts and the Senator from Connecticut, on page 91, section 922 of the bill, subsection (3), that subparagraphs (A) and (B) are to be read so that there is nothing in the section which is intended to prohibit otherwise legal travel between States and communities by persons involved in sporting activity such as shooting, rifle matches, pistol matches, or the taking of families into any sort of sporting competition or hunting trip.

There is nothing in the language, nor is there any intent in the language, nor is the language to be construed to place any restriction on the otherwise lawful movement or travel of an individual or family from one State to another, taking any sporting guns or weapons he legitimately has obtained and owns. The purpose of those two sections is not to restrict any normal, legal travel by citizens. Is that correct?

Mr. DODD. That is exactly right. That is precisely stated and that is clearly its intent.

Mr. TYDINGS. And that sections (A) and (B) should be so considered together, and not exclusive of each other?

Mr. DODD. That is right.

Mr. HRUSKA. Mr. President, I yield myself 2 minutes.

I have engaged in conversation with the Senator from Massachusetts and in discussion of the proposed amendment. In my judgment, there may be some question as to the clarity of the language in title IV as now drawn on this subject. It is certainly contemplated by the introducer of that amendment, the Senator from Connecticut, that the kind of situation referred to should be permissible. It is within the clear intent of the language. Whether that interpretation would be placed on it, I am not sure.

The Senator from Maryland makes a good point when he says that if this amendment were to be considered as such a limitation, it might raise new problems. What is the definition of "residence"? Would it mean that if I went duck hunting in Arkansas for 3 weeks, but did not intend to live there, I might be held to be in violation of the law? Because there is involved a transfer of residence from one place to another, would it exclude other provisions of law?

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

Mr. HRUSKA. I yield.

Mr. BROOKE. This language applies only to handguns.

Mr. HRUSKA. I would have no great objection to this amendment. If a vote were called for, I would vote for it, as I have mentioned to the Senator.

Mr. BROOKE. The purpose of calling up the amendment was to make legislative history and get a clarification. I am not going to press the amendment.

Mr. HRUSKA. I want to commend the Senator for clarifying the point, which needs this kind of legislative history.

Mr. DODD. Mr. President, this colloquy has been helpful certainly by way of legislative history. I commend the Senator from Massachusetts for raising the point. It ought to be clear now, from the colloquy and discussion, what the intention of the Senate is. I think it is clear.

Title IV simply does not deal with personal transportation of weapons, and the kind of situation the Senator from Massachusetts has raised a question about is certainly not intended to be covered by this section of title IV.

Mr. HRUSKA. Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts. Those in favor, say "Aye." Those opposed, "No."

Mr. DODD. Mr. President, I thought the Senator withdrew his amendment.

Mr. TYDINGS. Mr. President, I understood that the Senator withdrew it.

Mr. BROOKE. Mr. President, I did not answer because I did not know what we were voting on. I did not press my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. BROOKE. I ask unanimous consent to withdraw the amendment.

The PRESIDING OFFICER. The amendment has been withdrawn.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 4(b), Public Law 90–301, the Speaker had appointed Mrs. SULLIVAN and Mr. BROCK

as members of the Commission to Study Mortgage Interest Rates and the Availability of Mortgage Credit at a Reasonable Cost to the Consumer, on the part of the House.

The message announced that the House had passed the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

S. 68. An act for the relief of Dr. Noel O. Gonzalez;

S. 107. An act for the relief of Cita Rita Leola Ines; and

S. 2248. An act for the relief of Dr. Jose Fuentes Roca.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime. To increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

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

The PRESIDING OFFICER. To whose time is it to be charged?

Mr. MANSFIELD. I ask unanimous consent that the time not be charged to either or any side.

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

The bill 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.

AMENDMENT NO. 743

Mr. BROOKE. Mr. President, I call up my amendment No. 743, and ask unanimous consent that it be modified.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. BROOKE. I modify my amendment to read as follows:

On page 94, strike lines 4 through 16, inclusive, and insert in lieu thereof the following:

"(4) to any other than those categories of persons specified in Section 4 of the Federal Firearms Act of 1938 (15 U.S.C. 904) any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle."

The PRESIDING OFFICER. Will the Senator send forward his amendment as modified?

Mr. BROOKE. I send my amendment to the desk.

The BILL CLERK. The Senator from Massachusetts [Mr. BROOKE] proposes an amendment identified as No. 743.

The PRESIDING OFFICER (Mr. BURDICK in the chair). How much time does the Senator yield himself?

Mr. BROOKE. I yield myself 15 minutes.

Mr. President, section 922(b)(4) of S. 917 as reported provides that it shall be unlawful to sell "to any person any destructive device, machinegun (as defined in section 5848) of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, unless he has in his possession a sworn statement executed by the principal law enforcement officer of the locality wherein the purchaser or person to whom it is otherwise disposed of resides, attesting that there is no provision of law, regulation, or ordinance which would be violated by such person's receipt or possession thereof, and that he is satisfied that it is intended by such person for lawful purposes; and such sworn statement shall be retained by the licensee as a part of the records required to be kept under the provisions of this chapter."

Mr. President, the Senate has spoken as far as long guns are concerned.

Under the law, however, it will be permissible for a private individual to own a machinegun, a bazooka, a hand grenade, or any other weapon which has been classified as a destructive weapon so long as he does not have a criminal record and so long as his local law enforcement authorities attest that no violation of any regulation, law, or ordinance would be committed by his possesion of that destructive weapon.

What are destructive weapons? They are clearly set out in the law as follows:

The term "destructive device" means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

Mr. President, it seems unconscionable to me that we in this country, with all of the problems we are experiencing at the present time—the riots we have had in our urban centers, our increasing crime rate, and all of the acts of violence to which our Nation has been subjected—should permit private individuals to own destructive weapons.

A man may not have a criminal record, and his local law-enforcement officer very well may attest that there is no violation of any regulation or ordinance by reason of his ownership of a destructive weapon. However, should we in Congress agree that any private individual who desires and who qualifies to do so—and these restrictions and exceptions are most minimal—should have a right to own and possess a destructive weapon?

The mere fact that he has it or possesses it means that he might at some time use it. If it is a hand grenade, he might in the future throw that hand grenade and cause death to many people and much destruction of property.

If it is a machinegun, he might use it in the future and kill scores of people in a short time.

If it is a bazooka or an antitank gun, he could use it on a building.

Even if a private individual has such a weapon in his possession, it does not mean that he might use it for unlawful means. The mere fact that the weapon is available means that someone might break and enter and steal it and use it for unlawful purposes. I refer to a person who is a criminal and who could not qualify for purchase, ownership, and possession of that weapon. Nevertheless, it would be available and accessible, and he might be tempted to break and enter and take the weapon and use it to cause great destruction.

I cannot see any justification whatsoever for a private individual—not a member of a law-enforcement body, not a member of our society who has to protect the life, liberty, and property of people possessing such a destructive weapon.

I think that the Senate would do a great service to the country if it were to agree to the pending amendment and prohibit the sale of any of these destructive weapons to any private individual who does not qualify under the United States Code, which does permit the ownership of such weapons by persons who lawfully should have them.

Mr. President, I therefore urge that the Senate agree to the pending amendment. I think it would be an important step forward in the control of destructive firearms in our country and would be advantageous to us in controlling the riots in the country. It would certainly be helpful in decreasing the high crime rates which, unfortunately, we are experiencing at the present time.

Mr. HRUSKA. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 minutes.

Mr. HRUSKA. Mr. President, the Senator from Massachusetts has a very exemplary record as the chief law-enforcement officer of his State, and he speaks well. And I know he intends a very good result when he proposes the pending amendment.

It would be difficult to justify the possession by a private individual of a destructive weapon as defined in the National Firearms Act, or as it would be redefined by the adoption of amendment 708.

In amendment No. 708, an effort is made to modernize the coverage of the National Firearms Act to take in expressly certain of the destructive devices and firearms, which were not contemplated or in existence in 1934 when the act was passed.

This Senator made an effort in the Judiciary Committee during the hearings to do just what the Senator from Massachusetts seeks to do now. From the bill introduced on May 24, 1967, No. S. 1854, at page 6, I read:

It shall be unlawful for any person who is not 21 years or more of age to possess a firearm.

And a firearm in the context of this law meant a destructive device as covered by the National Firearms Act.

We referred this matter to the agencies involved, and particularly to the General Counsel of the Treasury, because it is the Treasury Department that enforces this particular act.

A letter was received from the Department which appears starting on page 1086 of the hearings on Senate Resolu-

tion 35 and S. 1 and other bills in the hearings held in July and August of 1967.

The letter recites:

New section 5857 would make it unlawful for a person under 21 years of age to possess a National Firearms Act firearm.

The Treasury Department says:

It seems doubtful that the second provision—

That is the one I just read—

can be justified under the taxing or commerce powers, or under any other power enumerated in the Constitution, for Federal enactment. Consequently, the Department questions the advisability of including in the bill a measure which could be construed as an usurpation of a (police) power reserved to the states by Article X of the United States Constitutional Amendments.

That stopped us cold, and the bill which was introduced was modified accordingly to exclude the objectionable provision.

The letter said in an earlier paragraph:

The Department—

Meaning the Treasury Department—

would welcome authority to refuse approval of transfers which would violate state law. We do, however, have some doubts as to the desirability of including this measure in a bill to amend the National Firearms Act which has always relied on the Federal taxing power as authority for its control provisions.

I wish again to commend the Senator from Massachusetts for making a worthy effort. I would like to see this matter considered thoroughly, but I should like to see it acted upon in a constitutional manner and with the normal processes of legislation, including reference to the Treasury Department, the Department of Justice, and such other agencies as might be involved. We need to explore this matter and find some other way to achieve, at least in some degree, what the Senator from Massachusetts wishes to accomplish.

Reluctantly, I suggest that this amendment be withdrawn or, if not, that it be rejected by the Senate.

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

Mr. BROOKE. Mr. President, I yield to the Senator from Connecticut.

Mr. DODD. Mr. President, I am happy to find myself in agreement with the Senator from Nebraska, at least on this matter.

I understand the motive of the Senator from Massachusetts. It is entirely laudable, and I agree with it. I do not believe anyone should be permitted to buy one of these destructive devices. I believe that is the real thrust of the amendment. But the trouble I fear is that unless we provide some form of hearing, by some person who will hear an application for the possession, for lawful purpose, of one of these devices, such as a testing laboratory, a museum, or something of that sort, we will put a weakness in the legislation that will be overruled by the courts.

My understanding is that the whole purpose of the Administrative Procedures Act is to avoid that sort of situation. I have talked with the Senator privately about this matter. He is a very good lawyer. I still believe that would be a basic difficulty if we went ahead with this amendment.

I believe the Senator from Nebraska has made a good suggestion to the Senator from Massachusetts. I should like to be satisfied that the Treasury Department, which will enforce this law, says, "All right." But I do not believe they say that now. I do not know about the Department of Justice.

I repeat—it cannot be repeated too often—I join wholeheartedly with the Senator from Massachusetts in the conviction that no one should be allowed to buy these devices. But I am also fearful that if we do just that and make no further provision for hearing or appeal or anything of the sort in order to avoid an arbitrary decision by some officer, we will be in even deeper trouble.

I wonder what the Senator thinks about that.

Mr. BROOKE. Mr. President, I believe the only authority that has been cited which raises a question of the power of the Federal Government to legislate and to deal is that of the Treasury Department; the Treasury Department is the final authority. I believe that this entire bill finds its justification and its basis in the interstate commerce clause.

There is no doubt that these weapons, the machineguns and grenades and other destructive weapons, travel from State to State and are being used and could be used in riots in this country. Certainly, it is in interstate commerce and should be regulated by the Federal Government.

I do not believe that the argument that the Treasury Department has raised some question necessarily means that this is the final authority. I believe if the Supreme Court of the United States were to be called upon to act upon the proposed legislation, they very clearly would rule that it is constitutional and within the authority of the Congress of the United States, within the Federal Government's authority, because of its powers derived from the interstate commerce clause.

We would be doing a great disservice if we were not to prohibit the sale of these destructive weapons, particularly at this time, to private citizens in this country.

Because I feel so strongly about this matter, Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

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

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROOKE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. HRUSKA. Mr. President, I yield back the remainder of my time, if the Senator from Massachusetts is willing to yield back his remaining time.

Mr. BROOKE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Massachusetts. 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. BYRD of West Virginia (after having voted in the affirmative). Mr. President (Mr. CLARK in the chair), on this vote I have a pair with the distinguished Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

I also announce that the Senator from Alabama [Mr. HILL], the Senator from Hawaii [Mr. INOUYE], and the Senator from New Hampshire [Mr. MCINTYRE] are absent on official business.

I further announce that the Senator from Utah [Mr. Moss] is attending the Fourth Anglo-American Parliamentary Conference on Africa that is being held in Malta.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Arkansas [Mr. FULBRIGHT] would each vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from California would vote "yea," and the Senator from South Carolina would vote "nay."

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from New Hampshire [Mr. MCINTYRE]. If present and voting, the Senator from New York would vote "yea," and the Senator from New Hampshire would vote "nay."

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from California [Mr. KUCHEL], and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New Jersey [Mr.

CASE] is absent on official business attending the Fourth Anglo-American Parliamentary Conference on Africa at Malta.

The Senator from Colorado [Mr. ALLOTT] and the Senator from Kansas [Mr. CARLSON] are detained on official business.

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from California would vote "yea," and the Senator from South Carolina would vote "nay."

If present and voting the Senator from Colorado [Mr. ALLOTT] would vote "yea."

The result was announced—yeas 30, nays 47, as follows:

[No. 137 Leg.]

YEAS—30

Baker	Javits	Proxmire
Bayh	Jordan, Idaho	Randolph
Brooke	Kennedy, Mass.	Ribicoff
Clark	Lausche	Scott
Cooper	Mondale	Smathers
Cotton	Nelson	Smith
Dominick	Pastore	Talmadge
Fong	Pearson	Williams, N.J.
Griffin	Pell	Williams, Del.
Hart	Percy	Young, Ohio

NAYS—47

Anderson	Gore	Metcalf
Bartlett	Gruening	Miller
Bennett	Hansen	Mundt
Bible	Hatfield	Murphy
Boggs	Hickenlooper	Muskie
Burdick	Holland	Russell
Byrd, Va.	Hruska	Sparkman
Cannon	Jackson	Spong
Church	Jordan, N.C.	Stennis
Curtis	Long, Mo.	Symington
Dirksen	Long, La.	Thurmond
Dodd	Magnuson	Tower
Eastland	Mansfield	Tydings
Ellender	McClellan	Yarborough
Ervin	McGee	Young, N. Dak.
Fannin	McGovern	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Byrd of West Virginia, for.

NOT VOTING—22

Aiken	Hayden	Monroney
Allott	Hill	Montoya
Brewster	Hollings	Morse
Carlson	Inouye	Morton
Case	Kennedy, N.Y.	Moss
Fulbright	Kuchel	Prouty
Harris	McCarthy	
Hartke	McIntyre	

So Mr. BROOKE's amendment was rejected.

Mr. HRUSKA. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. CLARK in the chair). The question now recurs on the amendment of the Senator from Nebraska [Mr. HRUSKA].

MESSAGES FROM THE PRESIDENT

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

REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 312)

The PRESIDING OFFICER laid before the Senate the following letter from the President of the United States, which, with an accompanying report, was referred to the Committee on Public Works:

To the Congress of the United States:

It is my pleasure to submit to Congress the 1967 Annual Report of the Saint Lawrence Seaway Development Corporation.

The Seaway had its second best year in nine years of operations—registering a total of 44 million tons of cargo. The record season for Seaway tonnage was 1966 when 49.2 million tons were moved through the Montreal-Lake Ontario waterway. We hoped that the Seaway would reach the 50-million ton mark in 1967, but a strike plus some slackening in demand for grain, resulted in reduced traffic.

While overall tonnage was somewhat disappointing, there are many bright spots in the report. General cargo, for example, increased to six million tons from 5.5 million. Iron ore shipments also were higher with 16.4 million tons moving through the Seaway locks to the steel mills of the Midwest. These increases indicate the growing appreciation of the waterway's advantages as a means of reducing transportation costs.

The Seaway has truly placed Midwest ports on the sealanes of the world. More than 600 salt-water vessels made 1,284 trips into the Lakes in 1967.

However, reduced traffic, along with an adjustment in the division of toll revenue between Canada and the United States caused income to fall from $7.1 million to $6.1 million.

Despite this loss, $4 million was returned to the U.S. Treasury. This makes a total repayment of $28.9 million since the Seaway opened in 1959.

A major concern of the Corporation is the need to repair Eisenhower Lock. The Corporation retained the Corps of Engineers to direct the work which will continue until 1971. Fortunately, it will not interfere with the navigation seasons. In my budget for fiscal year 1969, I requested that funds be made available to cover the cost of repair.

I commend this report to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *May 16, 1968.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, under the previous unanimous-consent agreement, 130 minutes of time remains on the Hruska amendment. I am advised that the various parties who have been discussing this amendment among themselves within the last few minutes have agreed that original unanimous-consent agreement be vacated, and that the time on the Hruska amendment be limited to 40 minutes of debate, to be equally divided between the Senator from Nebraska [Mr. HRUSKA] and the Senator from Connecticut [Mr. DODD].

I ask unanimous consent that the previous agreement be modified accordingly.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

Mr. McCLELLAN. Reserving the right to object, what is the request?

Mr. BYRD of West Virginia. The request is that time remaining on the Hruska amendment be limited to 40 minutes, to be equally divided between the Senator from Nebraska and the Senator from Connecticut.

Mr. McCLELLAN. I have no objection.

The PRESIDING OFFICER. The Chair hears no objection, and the previous unanimous-consent agreement is accordingly modified so that the time remaining on the Hruska amendment shall be limited to 40 minutes, 20 minutes to be controlled by the Senator from Nebraska [Mr. HRUSKA] and 20 minutes by the Senator from Connecticut [Mr. DODD].

Who yields time?

Mr. DODD. I yield 5 minutes to the Senator from Maryland [Mr. TYDINGS].

Before yielding, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 5 minutes.

Mr. TYDINGS. Mr. President, a vote on the Hruska amendment is really a vote on whether or not to sustain title IV of the bill as reported by the Committee on the Judiciary.

Title IV, the concealed weapons title, is a very limited, stripped down, bare minimum gun traffic control bill, primarily designed to restrict access to handguns by criminals, juveniles, and fugitives. This concealed weapons amendment does not affect the domestic sale of rifles or shotguns in any fashion which is now legal. It does not affect mail-order and over-the-counter sales of rifles or shotguns.

Regarding handguns, title IV provides only that handguns must be purchased in the purchaser's home State, or that, if they are purchased through the mails, they must be purchased from a licensed gun dealer in the State where the purchaser resides.

Basically, I think that the Senator

from Nebraska and the proponents of title IV as reported agree that something should be done to limit unrestricted access to weapons by dangerous people. I think all agree—and there was just testimony to that effect during the hearings—that there should be some Federal assistance to local law-enforcement officials in this field.

So the sole issue before the Senate, Mr. President, is what is the best and most effective method to aid and assist local law-enforcement officials in their fight against crime.

In title IV, as I have indicated, the committee has provided a flat prohibition against the sale of handguns to any except residents of a State, and a flat prohibition against mail-order handgun sales, except when the purchaser buys through a licensed dealer in his own community.

Title IV puts the burden on the local licensed gun dealer, whereas the amendment (No. 708) of the Senator from Nebraska puts the burden, if there is such a burden, on local law enforcement officers, by means of a so-called affidavit.

The amendment of the Senator from Nebraska places no additional responsibility on the Federal licensees, other than to raise their license cost from $1 to $10, whereas title IV provides criminal sanctions for violation of the law, including possible loss of licenses, requires the keeping of records, and permits the inspection of records of licensed gun dealers by officials of the Treasury Department.

A major weakness in amendment No. 708 is that it puts the entire burden of policing a rather weak affidavit on local law enforcement officers.

This is what it would do: A nonresident goes into a hardware store to purchase a gun, he is required to sign an affidavit that it is not illegal for him to receive that weapon under the laws of his State. He has only to sign his name—no witness, no notarization, no photograph, no fingerprints, and then the dealer sends that affidavit to the local police department in the home State or the community of the purchaser. Seven days after the receipt of that affidavit, the sale may be consummated.

So the Hruska amendment, Mr. President, would place the entire burden of research on an already overburdened local police force. First of all, they would have to find out the address, and make certain that such a person existed. Then they would have to find him and make certain that he was the person who signed the affidavit. Then if, as is the case in many States and local communities, it is illegal to sell a weapon to someone who has a record of a felony conviction or a felony indictment pending, or is an alcoholic, a juvenile, or a narcotic addict, the burden would be on the local law enforcement officers to try, within 7 days, to research all of the records necessary, after they initially determine whether or not the individual was the actual person who signed the affidavit.

They would have to determine whether or not he has a police record locally or nationally, and whether or not he has ever been committed to a mental institution. They might have to search hospital records for any record of alcoholism, or court records for pending indictments.

Mr. President, I submit that this is an unfair burden to put on the local law enforcement officers.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. TYDINGS. I ask for 1 additional minute.

Mr. DODD. I yield the Senator 1 more minute.

Mr. TYDINGS. Mr. President, title IV is a very minor step forward. To put on an already overworked local law enforcement establishment, the entire burden of research on these affidavits is to my mind unfair, and weakens further an already too weak title IV. I sincerely hope that the amendment of the Senator from Nebraska will be rejected, and that title IV as reported by the committee will stand.

The PRESIDING OFFICER. Who yields time?

Mr. HRUSKA. I yield 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I first direct the attention of the Senate to the fact that the Hruska substitute, on which we shall be voting very directly, would provide that no shipment of weapons can be made into a State in violation of State law.

That is the place where the emphasis should be. When all is said and done, law enforcement is a local problem. I think J. Edgar Hoover expressed it very well when he said:

> We can't have a National Federal Police Force. What we need is to rely upon the people in the communities to enforce the law and to assist them directly and indirectly with money and training and whatever else we can offer by way of facilities in order to make a given community a law-abiding place.

And if we fail in that and if we divert the emphasis from that principle, then this whole effort will fail and all the hundreds of millions of dollars that are committed in this bill for the purpose of planning and action grants to communities will have exactly no significance.

The Hruska substitute makes provision for that, and it puts the emphasis, therefore, where it belongs. It provides also that one cannot transport these weapons into a State where it is unlawful to do so. That is a principle that we have carried out over a long period of time.

I remember when I first encountered it in the House of Representatives long years ago in connection with our efforts to do something about sweated child labor in this country. And we had to operate in that fashion and take advantage of the fact that when a State had a legislative proceeding established, we could preserve the integrity of that proceeding and we could protect the State. That is precisely what the Hruska substitute does now.

The Hruska substitute provides also that there shall be no delivery of handguns to any person under 21 years of age. That is a salutary provision. It is very basic. And it would be notice to all dealers and to all manufacturers with regard to the sale of these weapons to those who would be considered legal minors under the pending measure.

The Hruska substitute provides also that the purchase of handguns can be made only when there is an affidavit of eligibility, and that affidavit has to be first expressed by the prospective purchaser of a handgun. And it has got to qualify and be approved through the local law enforcement agency. So that it is pretty well tied down.

And when it is in affidavit form, obviously the person making such an affidavit is subject to indictment for perjury if he undertakes to distort the truth. That provision can be very helpful in this matter.

The Hruska substitute provides also that the affidavit has to go to the dealer so that the dealer is put on notice. It has to go to the chief law-enforcement agency, and it is put on notice and can report on the background and the character of the prospective purchaser. And if, perchance, he has been a felon, if he has been convicted, or if he is under indictment, that procedure would obviously be a help.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. HRUSKA. Mr. President, I yield 2 additional minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 more minutes.

Mr. DIRKSEN. Mr. President, I believe, therefore, that the approach which the distinguished Senator from Nebraska has developed in the substitute on which we will next vote is the answer to the problem that has been besetting us for a long period of time.

There is not a Member of the Senate who does not want a safe streets and crime control bill and for that matter, a gun control bill. At the same time, we want to be sure that it is reasonably well done, that it is a measure that can stand up as a good and efficient exercise of Federal power. And, along with it, we want to be sure that it preserves the authority at the grassroots level where the law must be enforced.

I had a brief experience long ago in running a police department. It was not very large, but it was large enough, I think, for my city.

I had a chance at that time to give some attention to exactly what techniques ought to be employed in order to make it efficient and worthwhile. I think we discovered what had to be done, and I am proud to say now that after the first bout with a number of criminals who used it as a thoroughfare from one place in the State to another, we came to grips with the program in a thorough-going way, and once we did, that was the end of it. And while the city is not entirely free from crime, because always there will be some petty crime, I am rather proud to say that that town is reasonably free from all criminal elements and that in the main all we must contend with are the petty crimes that are committed from time to time.

I point out that the Hruska substitute is fundamental, and it places the em-

phasis where it belongs. And, in my judgment, it ought to be agreed to by the Senate by an overwhelming vote so that we can dispose of title IV in the pending measure and then go on to other titles and finally complete action on the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time?

Mr. HRUSKA. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, there is no question that there will be a revision of the present Federal statutes on firearms control. The only question, as has often been stated on the floor of the Senate, is what kind of measure will be adopted. Whatever measure is adopted, it must be remembered that we operate under certain limitations. One of the limitations is this simple statistic: 3.4 percent of the 3,250,000 serious crimes committed in America are committed with the use of firearms—or perhaps we should say the misuse of firearms. If there were some way in which we could wave a magic wand and say, "Firearms disappear," and then start new life under a new regime, perhaps the number of crimes could be reduced from the 3,250,000 major crimes that were committed in the United States in 1966 to a figure of 3,200,000. That is limitation No. 1. If we abolished firearms, we would still have this vast area of crime to contend with.

Another limitation is the availability of firearms that are now personally owned by the 40 million to 50 million private owners. And there are between 100 million and 200 million firearms. That is a factor to contend with.

Then there is the factor of zip guns, which are easily made. Anyone having inventiveness or who is persistent in mechanical ability can make them, use them, disassemble them, and dispose of them.

Those are some limitations. That is regrettable; nevertheless it is quite realistic.

How do we go about fashioning a law that will have maximum impact upon crime prevention or reduction of the crime rate when we deal with the control of firearms?

There are two proposals. There is title IV, which is pending, and there is amendment No. 708, upon which we shall shortly vote. I shall comment only briefly upon the different features of the proposals. The idea of joining the subject matter of the National Firearms Act and also the Federal Firearms Act in title IV, is, I think, bad parliamentary and statutory practice.

Item 2, the matter of imports, is another subject on which there is difference in the two bills. It is still difficult for me to understand why a starter pistol that comes from abroad and sells for a very nominal amount of money and has the same characteristics as a starter pistol that is manufactured in this country, and sells competitively, should be outlawed as it is by title IV, and why the domestic starter pistol should be suffered to enter the channels of commerce and find its way into the hands of private owners.

The fourth category, destructive devices, is intended to bring up to date the law which was enacted in 1934. It adds new devices. It would strengthen the provisions of the bill, and, in my judgment, it would serve that purpose well.

However, as to the commerce in firearms themselves, long guns and handguns—pistols, revolvers, rifles, and shotguns—there is this difference in approach: Title IV prohibits mail-order sales of handguns, and the proponents apparently feel that by this method we are going to get rid of murder by mail. It is not very realistic because unfortunately, even after that were done, there would remain the other source of acquiring ownership of guns—over-the-counter sales. Title IV imposes upon the over-the-counter dealer the major part of the burdens of enforcing the sales pursuant to the provisions of this law. That is unfair. It is not right. It would reduce the number of dealers in vast areas where dealers are necessary, and it would result in a situation in which many people, legally entitled to guns, who put them to wholesome, lawful, and proper uses would be deprived of the chance to get a gun with any reasonable expenditure of effort, time, and expense.

As opposed to the number of those who misuse firearms, we have, some 15 to 20 million licensed hunters who are in the business of lawfully and wholesomely and properly using guns. There should be some sense of balance observed with reference to any limitations that are sought to be imposed by legislation of this type.

Reference has been made to the affidavit procedure, the presale affidavit procedure, which is specified in amendment No. 708. It is said, "Don't let us have this kind of thing. This presale affidavit is insufficient; it is inadequate. You don't even have to have a notary on it. It will put a horrible and unbearable burden on police departments, the sheriffs, and the State patrol, and therefore it won't be enforced."

My answer to that argument is this: The more the description becomes a lurid and an impossible one, the worse becomes the position of those who advocate title IV, because all those burdens would be imposed upon the licensed dealer in the over-the-counter sales. That is something that the opposition has not been able to answer, because it is a duty and a responsibility the dealer would not be able to sustain, as a result, many merchants would refuse to become dealers and many others would simply say, "I do not know you. I'll not make a sale to you." That certainly would not be a good result.

The burden under amendment No. 708 is well distributed, for enforcement, Mr. President. First, the buyer would have to fill out the affidavit—and it is an affidavit—and it is an affidavit; let there be no fooling about that. It is not a notarized affidavit, but the definition of "affidavit" does not include notarization.

There is the penalty in this bill, which is a fine of up to $10,000 and imprisonment of up to 10 years, or both, for making any material misrepresentation or deceitful statement in the application.

Mr. President, the affidavit and basis for prosecution in that event would be a writing which would have a signature and an address on it. It is not one of the requirements set out in the statute, but it would be required by the regulations issued by the Secretary of the Treasury, without any question. The false purchaser would manufacture the key that would open the jail door, because upon conviction for putting false material in the application, that kind of prosecution would be based upon the evidence that he, himself, manufactured.

It seems to me that this would be ample deterrent for anyone to become too careless as to how he handled the affidavit.

The second point burden of the enforcement duties finds its way into the office of the dealer, the mail-order dealer, who must take steps in accordance with good commercial practice to verify the sale and must give a copy of that affidavit to the police chief. The police chief then would have the duty of checking it out and of informing the dealer if there is something in the man's record making him ineligible, or something false in the affidavit. Then the sale would be stopped.

There is a further provision which also bears on the enforceability. Any common carrier of a weapon of this kind would be barred from making, and it would be unlawful for him to make, delivery of a handgun to anyone under 21 years of age and of a shotgun to anyone under 18 years of age. It seems to me that that would result in a workable, and enforceable, well-balanced method by which we could regulate the mail-order sale. It would make as much progress as could practicably be made to achieve the objective of firearms legislation.

We have heard many figures recently and all kinds of lurid descriptions of crimes committed in metropolitan areas, with crime clocks and figures comparing murders and other crimes committed with firearms in States that have control to those that do not have control. Mr. President, it is not a matter of trying to convince anyone that there is a great deal of crime in America. The figures are regrettable and deplorable, but the recital of all these statistics means nothing unless it is connected with the impact of a firearms control bill upon those statistics. Will those figures be reduced in the years to come?

Mr. President, I ask unanimous consent to have printed in the RECORD that portion of the committee report dealing with S. 917 which appears on page 247, commencing with the subtitle "Crime Factors" down to and including all subindented material.

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

CRIME FACTORS

Uniform Crime Reports give a nationwide view of crime based on police statistics made possible by the voluntary cooperation of local law enforcement agencies. Since the factors which cause crime are many and vary from place to place, readers are cautioned against drawing conclusions from direct comparisons of crime figures between individual

communities without first considering the factors involved. The national material summarized in this publication should be used, however, as a starting point to determine deviations of individual cities from the national averages.

Crime is a social problem and the concern of the entire community. The law enforcement effort is limited to factors within its control. Some of the conditions which will affect the amount and type of crime that occurs from place to place are briefly outlined below:

Density and size of the community population and the metropolitan area of which it is a part.

Composition of the population with reference particularly to age, sex and race.

Economic status and mores of the population.

Relative stability of population, including commuters, seasonal, and other transient types.

Climate, including seasonal weather conditions.

Educational, recreational, and religious characteristics.

Effective strength of the police force.

Standards governing appointments to the police force.

Policies of the prosecuting officials and the courts.

Attitude of the public toward law enforcement problems.

The administrative and investigative efficiency of the local law enforcement agency, including the degree of adherence to crime reporting standards.

The PRESIDING OFFICER (Mr. SPONG in the chair). The time of the Senator has expired.

Mr. HRUSKA. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. HRUSKA. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 minutes.

Mr. HRUSKA. Mr. President, this material points out the crime factors. It enumerates some eight crime factors which account for the commission of crime.

It is notable that the availability of firearms is not included in this enumeration of the crime factors, which has been drawn carefully and expertly by the Federal Bureau of Investigation.

Mr. President, in conclusion I wish to emphasize that it is our purpose in amendment No. 708 to devise a method whereby the interstate shipment of firearms will be regulated. They would be placed under regulation in such a way as to help local authorities and State authorities to enforce the laws.

During our hearings local law enforcement officers came before our committee and said, "We could do all right in our area but help us in connection with the interstate shipment of guns, the weapons which come across State lines."

Considered with all of its provisions, and they have been thoroughly debated here, this is a strong measure and a strict measure, and it is enforceable and workable. In my judgment, it would be effective for the purpose for which it is written.

It is my hope that the Senate will approve this measure in line with previous votes we have had.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DODD. Has the Senator yielded back all of his time?

Mr. HRUSKA. I do not know if I have any time remaining.

The PRESIDING OFFICER. The Senator from Nebraska has 1 minute remaining.

Mr. HRUSKA. I thank the Chair. I yield back all my time.

Mr. DODD. Mr. President, in view of that situation, I have no desire to delay the Senate. In 7 years I have said all that can be said for the necessity for this title IV.

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

Mr. DODD. I yield.

Mr. CLARK. The Senator was kind enough to place on my desk, and I have been very much impressed with the statistics which the Senator submitted showing the number of murders from guns, long guns, and other weapons.

I hope very much that the Senator's gallant fight to defeat the Hruska amendment will be successful and that we can sustain the position of the Committee on the Judiciary. I wish we could do better.

Mr. DODD. I thank the Senator. For 7 years, to the best of my ability, I have tried to explain the necessity for this measure. I have tried to point out the weaknesses of the measure of the Senator from Nebraska. We have discussed the matter over and over again. I do not believe we will change many minds at this hour. I believe we are right with respect to title IV, as the Committee on the Judiciary voted.

We must stop this dreadful traffic in handguns and concealable weapons. The proposal of the Senator from Nebraska would not accomplish that result. We must stop the illegal sale of the States in which they are purchased; we must stop the sale of handguns to youngsters under 21 years of age, and we must stop the importation of military junk from all over the world. Not another country in the world will let it be sold to its people but we let is be sold here to hoodlums, insane people, and children.

That is what I am trying to stop by title IV, and that is all.

Mr. President, I have said all I can say. I have done the best I can do. I have been supported by many able men in this body. We need title IV. God help us if we do not get a strong bill. I do not know how we can talk about an omnibus crime bill and Safe Street Act and not have this title. There have been things deleted that should be in the bill, but, for heaven's sake, let us do this.

Mr. President, I urge the Senate to reject Senator HRUSKA's motion to substitute his amendment No. 708 for Senator DIRKSEN's amendment No. 782.

Before the Senate can intelligently vote on this matter it must understand the differences between title IV and the Hruska substitute. I have already discussed these differences at some length. I now propose to summarize the major differences for the information of Senators.

I must confess that I find it difficult to compare the Hruska substitute with title IV because the Hruska substitute is so inferior that it almost defies a logical comparative analysis.

After all, if someone were to ask you to explain the differences between a Rolls Royce and a Volkswagen, how would you go about pointing out the differences?

The differences between title IV and the Hruska substitute are even more monumental because at least a Volkswagen will take you somewhere, whereas the Hruska substitute will take our country absolutely nowhere in terms of effective gun control legislation.

The Hruska substitute is so inadequate, so unenforceable, and so burdened with the thinking of the gun lobby that its enactment would do little, if anything, to give our law-enforcement officers the tools for which they have asked.

It would be a travesty on the needed legislation and a sad day for the American people.

I agree with the administration's view that the Hruska substitute is as inadequate as, and perhaps even more difficult to enforce than, the existing Federal Firearms Act.

Let me review some of the major difficulties of the Hruska substitute before Senators are called upon to vote on it.

First, the Hruska substitute does not assist law enforcement. True the Senator from Nebraska assures us that his substitute would assist law enforcement. But those that are in a position to know deeply and vehemently disagree.

The law enforcement authorities who appeared at our hearings testified that the Hruska substitute would hinder, inconvenience, and strain the resources of our law enforcement agencies throughout the land.

Ramsey Clark, the Attorney General of the United States, testified that it would "impose a burden and an unnecessary burden on the law-enforcement officer." He said further that it would neither be efficient nor effective.

Second, the Hruska substitute is the gun lobby approach to firearms control and nothing more than that.

The gun lobby will readily concede that it would prefer no firearms control legislation at all. But they are willing to go along with the Hruska substitute because the Hruska substitute so closely resembles nothing at all.

The support this substitute is receiving from the gun lobby is reminiscent of the 1930's when the National and Federal Firearms Acts were being considered. At that time the Congress was asked to pass meaningful and reasonable controls over long guns but they caved in under pressure from the gunrunners.

Then, as now, the NRA had its bill introduced, had tons of letters written to an unsuspecting Congress, and got the bill it wanted passed. As we all know, this bill turned out to be completely inadequate.

If, in the face of 30 years' experience with the patent inadequacy of the Federal Firearms Act and in the face of the soaring crime rates of the past two decades, we now proceed to pass a second completely inadequate measure at the behest of the gun lobby, then we shall not be able to escape the verdict of history. We shall not be able to escape re-

sponsibility for the countless hundreds of Americans who will be gunned down in homes and streets and shops because we, the Congress of the United States, did nothing when we had the opportunity to curb the availability of guns to criminals and juveniles and other socially irresponsible elements.

Third, public sentiment of this country is overwhelmingly in favor of this legislation.

Every public opinion poll since 1959 has reflected the public support for stringent gun control legislation.

Unlike public opinion polls on other issues, successive polls have shown consistent majorities in favor of gun control legislation, ranging from a maximum of 80 percent to a minimum of 70 percent.

Even the gun owners of this country are in favor of strict gun control legislation. In a recent poll 65 percent of this country's gun owners expressed support for gun registration, a measure which goes much further than anything proposed in my bill.

Gun control legislation has been endorsed editorially by the overwhelming majority of our newspapers and national magazines. A study conducted just over a year ago by the staff of the Juvenile Delinquency Subcommittee showed that our legislation had the editorial backing of papers which, between them, accounted for 93 percent of all newspaper circulation in the United States.

The American Bar Association, the International Association of Chiefs of Police and the National Association of Citizens Crime Commissions have endorsed this gun legislation and have urged the Congress to act favorably upon it.

Finally, the need for such legislation has been strongly endorsed by the Department of Justice, by FBI Director J. Edgar Hoover, and by the law-enforcement authorities in virtually all our major cities.

And when I talk about gun control legislation, I do not mean the sadly inadequate legislation represented by the Hruska substitute, which has the unstinting support of the gun lobby. I mean title IV as the absolute responsible minimum.

I do not propose to again go into all the weaknesses and deficiencies of the Hruska substitute. This would take far more time than has been allotted to me. But let me at least examine a few of its more glaring deficiencies.

THE INTERSTATE MAIL-ORDER SALE OF GUNS AND THE OVER-THE-COUNTER SALE TO NONRESIDENTS

Unlike title IV, the Hruska substitute fails to strictly and effectively control the interstate mail-order sale of handguns and the over-the-counter sale of handguns to nonresidents of a State.

Title IV requires that all such sales be channeled through licensed dealers in the purchaser's State of residence, thereby keeping these sales under the control of State and local law. In this way title IV provides for the maximum effective use of State and local law and for maximum protection against circumvention.

There is very substantial reason for believing that these provisions, if enacted, would do a lot to curb sales of deadly weapons to felons, fugitives, juveniles, and other crime-bent individuals.

The Hruska substitute, on the other hand, seeks to control this traffic by means of a sworn statement, which has not been notarized and which furnishes incomplete identifying information about the purchaser to the licensed dealer.

The defect of this approach has been pointed out and lamented by every law enforcement official to appear before the subcommittee.

Quinn Tamm, the executive director of the International Association of Chiefs of Police, testified that such affidavits "are absolutely worthless. They have no value. They would serve no purpose."

There was similar testimony from many of other law-enforcement officers and other interested witnesses.

But the sponsors of the Hruska amendment, as I have pointed out, show a cavalier disdain for the opinions of the Justice Department and Mr. J. Edgar Hoover and Mr. Quinn Tamm and our chiefs of police and for all those who have intimate personal knowledge of the problems of law enforcement.

I regret that I cannot accept their pretense to omniscience. I am certain that the overwhelming majority of the American public would agree with me that, when it comes to the exceedingly important matter of law enforcement, Congress should be guided by the advice of men like Mr. Hoover and Mr. Tamm and our metropolitan chiefs of police, who have devoted their entire lives to the theory and practice of law enforcement.

It is characteristic of the gaping loopholes in the Hruska amendment that under its nonnotarized sworn statement approach, a Federal licensee is not obliged to refuse an over-the-counter sale, even if he has been notified by local law enforcement authorities that the applicant is ineligible to purchase firearms in his State or hometown.

The real irony here is that, even if the Federal licensee carefully complies with the sworn statement procedure, and even if the law enforcement authorities in the purchaser's place of residence dutifully notify the licensee that the applicant is not eligible to purchase a firearm, the sale still may be completed.

The sworn statement procedure in the Hruska amendment, ostensibly, applies to all interestate purchases of handguns except for sales to licensed dealers. But under the loose provisions of the licensing section of the Hruska substitute, there would be a very easy way of circumventing this requirement. All an individual would have to do would be to take out a dealer's license even though he is not a dealer and has no intention of becoming one.

Title IV establishes rational standards for the granting of dealer licenses. If enacted, it would have the effect of protecting legitimate dealers and eliminating the fraudulent dealers and the fly-by-nights.

But under the Hruska substitute the standards established are so minimal as to be nonsensical.

Any individual over 21 years of age who is not a felon and who has not violated the act would be eligible to receive such a license upon the payment of a $10 annual fee, whether or not he intends to engage bona fide in the business of selling firearms. Inasmuch as the Treasury Department estimates that some 25,000 dealer licenses are now held by persons not genuinely engaged in the business, this failure to strengthen the licensing requirements would create a major avenue for evading the sworn statement procedure. Theoretically, it would be possible for every gun owner and would-be gun owner in the country to become a gun dealer.

This same situation has rendered the present act useless.

SALES TO JUVENILES

Of all the weaknesses in the Hruska substitute, none is more glaring than the failure to prohibit the sales of firearms to minors and juveniles.

All the substitute does is to establish some very inadequate controls over sales to juveniles.

The Senator from Nebraska claims that these controls will be effective. This is simply not the case. Entirely apart from the glaring inadequacy of the sworn statement approach, the Hruska substitute does not prohibit the intrastate sale of firearms, even handguns, to minors.

Despite the sworn statement requirement in the interstate area, the language of the Hruska substitute does not prevent a licensee from completing a sale to a minor even where the licensee knows or has reason to believe or, indeed, has been informed pursuant to the sworn statement procedure, that the applicant is under 21.

Again, I must profess amazement at this deplorable statutory situation.

Title IV on the other hand specifically prohibits the sale by Federal licensees of firearms, other than rifles or shotguns, to persons under 21 years of age.

There are many good reasons for this complete prohibition in title IV.

First, it is simply commonsense not to allow federally licensed dealers to dispense weapons of death to the young and immature. Unless they are properly supervised, firearms in the hands of juveniles can result in great tragedy. There are scores of thousands of tragedies in the police files of our country to attest to this.

Second, minors are responsible for a growing number of crimes across the country.

In 1966 minors under 21 accounted for 35 percent of the arrests for serious crimes of violence, including murder, robbery, and aggravated assault.

Twenty-one percent of our arrestees for murder in 1966 were under 21; and since 1960, juvenile arrests for murder have increased 45 percent.

Fifty-two percent of our robberies in 1966 were committed by persons under 21; and in this category, since 1960, arrests of juveniles have increased 55 percent.

In 1966, 28 percent of our assaults were committed by minors; and since 1960, arrests of juveniles in this category have increased 115 percent.

Mr. President, law enforcement experts virtually to a man agree that we

can curb these serious increases in crimes of violence by young people, by restricting the availability of guns to them.

On this point, all the evidence taken by the Subcommittee on Juvenile Delinquency leads me to agree with the views of our law enforcement authorities.

On this issue, as on other issues, it is clear that there are others in this body who are not prepared to be guided by the advice of our law enforcement experts.

Title IV does prohibit such sales. And on the sale of firearms, except long guns, to minors, title IV requires that purchasers of firearms identify themselves and provide proof of age.

There is no similar provision in the Hruska substitute.

SALE OF FIREARMS TO CRIMINALS

Title IV specifically prohibits the intrastate sale of firearms to felons.

The Hruska substitute does not.

Unlike title IV the Hruska substitute does not prohibit a Federal licensee from selling over the counter to a known criminal including felons, fugitives, and those indicted for felonies.

This omission could be particularly significant in the case of pawnbrokers, who frequently know, or have reason to know, of the criminal background of some of their clients, but who under the substitute amendment, could sell to such a person with impunity.

It makes no sense to me to allow federally licensed dealers, or for that matter, unlicensed dealers, to sell firearms to felons.

Against the background of the recent assassination of Dr. King, I fail to understand how anyone can rationalize or justify an omission which makes possible the sale of a gun to a felon.

LICENSING PROVISIONS

Another crippling shortcoming in the Hruska substitute is that it retains the present inadequate provisions of the Federal Firearms Act with regard to the licensing of dealers and manufacturers in interstate commerce.

On the other hand, title IV requires that all persons engaged in the business of importing, manufacturing, or dealing in firearms be licensed as Federal dealers and it applies standards that would insure that only bona fide businessmen would become licensed.

The Hruska substitute does not require all dealers or manufacturers to be licensed. It only requires a license for a dealer or manufacturer to ship, transport, or receive firearms in interstate commerce.

Thus, it is possible that substantial firearms business could be conducted by a person with no Federal license, including over-the-counter sales of handguns or other firearms to nonresidents without complying with the affidavit procedure.

For example, a pawnbroker who deals only in second-hand firearms might not be required to obtain a license. Or a dealer could operate in one State by purchasing firearms, including handguns, directly from the manufacturer, and conduct a massive over-the-counter trade to neighboring State residents, without having to comply with the affidavit procedure provided for in the Hruska substitute.

It is clear from the foregoing that there is a necessity to license everyone in the firearms business, if we are to have effective Federal controls.

The provision of title IV regarding licensing are clearly preferable to those of the Hruska substitute.

IMPORT CONTROLS IN TITLE IV

The Hruska substitute fails to provide controls over the importation of firearms, except for minimal controls over destructive devices.

Title IV, on the other hand, bans the importation of military surplus handguns, other nonsporting handguns, and destructive devices.

Reasonable exceptions are provided for which include an exemption for sporting rifles, sporting handguns, and shotguns, including military surplus longarms.

There are many good reasons for these restrictions on firearms importation. The hearing records of the Juvenile Delinquency Subcommittee are replete with testimony in support of these prohibitions.

There is overwhelming evidence that the inexpensive, imported, small-caliber revolver plays a role of major importance in gun crimes throughout the United States.

Law enforcement officials from South Carolina to California have told the subcommittee that the importation of these weapons should be stopped, and the files of law enforcement agencies indicate that as high as 80 percent of the confiscated crime guns are foreign imports.

The subcommittee's recent study concerning the profile of a gun murderer in this country shows that in over half of the cases where murder guns are positively identified, it is the small-caliber foreign import that is used by the defendant. This is so for the simple reason that, in the case of the low-grade amateur criminals who account for most of our crime and so much of our murder, the bargain-basement price on imported handguns is an inducement of major importance.

The entire intent of the importation section of title IV is to prevent other countries from using the United States as a dumping ground for inexpensive nonsporting weapons which are used almost exclusively by criminals and juvenile delinquents.

During yesterday's debate on title IV and the Hruska substitute, the senior Senator from Nebraska took issue with the provisions of title IV and offered his reasons for preferring his amendment No. 708.

He advanced several arguments to which I take strong exception. I object to some of them because they completely distort the intent of title IV; I object to others because they fly full in the face of the facts as established by the Juvenile Delinquency Subcommittee during the last 7 years of investigations and public hearings.

First, my distinguished colleague referred to the intrastate aspects of title IV and he indicated that the imposition upon licensees in this area would be excessively burdensome.

My response is that the Hruska substitute does not restrict intrastate sales at all. This means that there would be no controls on the sales of firearms to minors, felons, or other criminals ineligible under State or local law to purchase firearms.

The impositions upon licensees in this area are conditioned by the language "knows or has reasonable cause to believe." I point out that the Senator from Nebraska uses virtually identical language in several subsections of part A of his substitute.

The "impositions," if they can be called that, are really very minor; they are not overly burdensome. A licensee in the gun business should know the laws of his State and locale with regard to the purchase and possession of firearms. If he does not know them, he does not deserve to be a licensee.

Moreover, if a State or locality takes the trouble to enact gun control statutes, the least the Federal Government can do is to help them enforce their statutes. It seems to me grossly unbecoming for a Federal legislator to argue that it will impose an excessive burden on gun merchants if we enact legislation that simply requires of these merchants a closer conformance with their own State and local laws.

A second argument raised by the Senator from Nebraska had to do with the criminal misuse of firearms. In support of his contention that guns play only a minor role in crime statistics, he triumphantly trotted out the fact that guns are used in only 3 percent of serious crimes.

If we equate murder with bicycle theft, or car theft, or burglary of other nonviolent property crimes, then it is true that firearms would only be reflected in some 3 to 4 percent of the total number of crimes committed. But I hope no one will be misled by this statistical sleight of hand.

There are crimes against property which involve no violence, but these are not the kinds of crimes we are trying to get at when we talk about the need for gun control legislation. If one considers the incidence of gun abuse in crimes of violence against the person—that is, murder, rape, assault, armed robbery, kidnaping, and mayhem—then one finds that guns are used in a very substantial percentage of instances. In fact, they are used in 27 percent of them.

Let me briefly recapitulate the major failures of the Hruska substitute:

First. Unlike title IV, the Hruska substitute does not prohibit the interstate mail-order sale of handguns or over-the-counter sale of handguns to nonresidents of a State.

Second. Unlike title IV, it does not provide any intrastate controls over the sale of firearms by Federal licensees.

Third. Unlike title IV, it would not prevent the intrastate sales of handguns to felons or to persons under 21, nor intrastate sales in violation of State and local gun laws.

Fourth. Unlike title IV, it does not require that all dealers, manufacturers, and importers be licensed.

Fifth. Unlike title IV, it does not establish standards for Federal licensees

which would eliminate fraudulent and fly-by-night dealers.

Sixth. Unlike title IV, it does not provide controls which would ban the importation of cheap nonsporting firearms.

Seventh. Unlike title IV, it does not even provide effective controls over the importation of destructive devices. For example, a Finnish Lahti antitank gun would not come within the definition of destructive device, because of its nomenclature as a rifle.

Eighth. The Hruska substitute does not even provide effective controls where it ostensibly seeks to impose controls. Law enforcement authorities are agreed that the Hruska sworn statement approach, for example, "would be absolutely worthless."

Mr. President, the choice before the Senate is clear.

We have the choice between a restrained, but effective, gun control bill which has the support of virtually all of our law enforcement authorities.

Or we have the choice of a weak, ineffective, bill endorsed by the gun lobby but strongly opposed by our law enforcement authorities.

I ask the Senate to reject the Hruska substitute because of its total inadequacy and to vote for title IV.

Mr. President, I yield back the remainder of my time. We have requested the yeas and nays.

The PRESIDING OFFICER. All time has been yielded back. The yeas and nays have been ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 2 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. KENNEDY of Massachusetts. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

VISIT TO THE SENATE BY FIRST LADY OF THE REPUBLIC OF THE PHILIPPINES

Mr. MANSFIELD. Mr. President, the Senate is extremely fortunate to have at this time in its family gallery a very distinguished lady, a woman who has made her mark in her country and in the Pacific part of the world.

It was the privilege, pleasure, and honor for a number of us to have lunch with this lady this noon and for some of us to renew old acquaintances, others to renew old friendships, and for some of us to have the opportunity to become acquainted with her for the first time.

She and her husband, the President of the Philippines, have done a remarkable job in greatly improving the production of rice and other commodities in their country, in inaugurating a series of social and welfare projects for the benefit of their people, and in undertaking many other innovations seeking to bring about a better way of life to those close friends of ours, the people who comprise the population of the Republic of the Philippines.

Mr. President, at this time I would like to break the rule of the Senate and to introduce to Senators, the distinguished First Lady of the Philippines, Mrs. Imelda Romualdez Marcos. [Applause, Senators rising.]

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill S. 917, to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Mr. KENNEDY of Massachusetts. Mr. President, we have now come to the final stage in our tortuous quest for a responsible, responsive firearms policy. In our next vote we will answer a very simple question: Do we or do we not want to have effective controls over handguns in those States that have determined that they want to have such controls. For right now, we are, in essence, being given a choice between a workable, effective straightforward system of Federal restrictions on the interstate traffic in pistols and revolvers, and, in the alternative, a proposal which is a sham, a veneer without substance, a complex, unworkable, incomplete procedure which would burden sportsmen and dealers and police departments all over the country, but would produce little if anything in the way of results. Let us call a spade a spade. There is good reason why the NRA supports amendment No. 708, and that reason is that amendment No. 708 is not gun control legislation in any sense of the word. Let us not fool ourselves. Let us not fool the American people. Let us not represent that we are doing something about the interstate flow of weapons of terror and destruction, when, in fact, if we adopt amendment No. 798, we will be doing nothing at all.

Mr. CANNON. Mr. President, I am concerned today that America may be in the process of moving dangerously in two unfortunate directions—on the one hand toward increasing violence and on the other toward an understandable but unfortunate reaction to lash out blindly in a frenzied effort to stem the violence.

Those of us who are seriously concerned about both trends welcome and support Senator HRUSKA's amendment to title IV of the Safe Streets and Crime Control Act.

I support and am cosponsor of the Hruska amendment which, through national legislation, strengthens the hands of local and State law enforcement authorities to better protect their communities from increased lawlessness due to lax firearm control. At the same time it would protect the rights of those overwhelming majority of law-abiding citizens who own and use firearms for legitimate purposes. This amendment would apply only to handguns—the firearm used in over 70 percent of armed crime.

Far too often we find that firearms have been transported across State lines in violation of State laws, but State officials had no way of finding this out and preventing it. This amendment would insure that proper authorities are notified of all such impending transactions.

Let me briefly outline the major provisions of this amendment:

First. No manufacturer or dealer may ship in interstate commerce any handgun to any person in violation of State law.

Second. No person may transport into his State of residence any firearm acquired by him outside of the State, if the acquisition or possession of such firearms is unlawful in his State.

Third. No carrier may deliver any handgun to a person under 21 years.

Fourth. Destructive devices are strictly regulated.

Fifth. The purchaser of a handgun in interstate commerce must make an affidavit of eligibility to purchase.

The last provision is the key to strict control. Under this legislation law enforcement officials will be able to check every transaction of an interstate measure before the sale is consummated. Any State or local community, which is extremely aware of its particular crime control problems, can enact its own statutes or ordinances and be assured that its provisions will have the protective umbrella of this Federal legislation.

Further, I support this measure because it has the double-edged purpose of protecting the interests of the legitimate sportsman or gun collector. It does not assume by prohibitive features that those who want to purchase guns have criminal intentions. It does, instead, provide assistance to State and local officials who have the responsibility of keeping their communities free from crime and fear.

Mr. TOWER. Mr. President, during the last few months there has been a great deal of talk about crime in the streets of America and how to curtail it. The crime bill before us today will aid in such curtailment. I commend the members of the Judiciary Committee for doing overall a good job in reporting out the legislation which is before us now. However, while I agree with the general intentions of this legislation, some specifics of the bill trouble me greatly.

One of the most perplexing sections is title IV, which concerns gun control. The necessity for enacting some form of control is generally acknowledged. The point of contention, however, is the form that this legislation will take.

The last piece of legislation of this nature, the Federal Firearms Act, was enacted by the Congress in 1938. Now, some 30 years later, we are in need of a measure which would prohibit the sale of firearms to convicted felons and minors while, at the same time, would preserve the constitutional right of the American citizen to keep and bear arms.

The overriding responsibility of the Senate is to enact legislation which would assist State officials in enforcing the gun laws enacted by the respective State legislatures. I do not view it as the responsibility of the Congress to usurp still another part of the States' police powers and to enlarge the Federal scope of criminal law enforcement.

Mr. President, title IV as now written would repeal the Federal Firearms Act

of 1938 and would enact a new chapter to the Federal Criminal Code. I do not believe that we have to repeal the Federal Firearms Act of 1938 in order to have effective gun control legislation. In fact, there are rather good judicial and legal reasons why this should not be done. By so doing, we shall be moving away from established case law and into an area in which the effect cannot be presently determined and which could very possibly be unconstitutional.

This measure would immediately repeal the Federal Firearms Act, but the new legislation would not go into effect for some 6 months. However, when legislation is hastily drawn, as this gun control measure seems to have been, some inequities are bound to arise. In short, we must not abandon the generally sound legal system which we now have governing gun control for an alternative approach which has been hastily constructed. What we should concentrate on is improvement of what now exists.

Mr. President, it is my considered opinion that title IV in its present form is not in the best interest of the Nation. It creates too many restrictions upon legitimate gun users and inadequately deals with other problems of gun control. I therefore join my colleague from Nebraska, Senator HRUSKA, in support of his amendment, as a substitute for title IV. This measure would prohibit the interstate or foreign shipment of handguns unless the receiving individual submits a sworn statement that he is at least 21 years of age, is not prohibited by Federal or State law or local ordinance from receiving or possessing the handgun, and, in addition, he must submit the title, name, and address of the principal law enforcement officer of the locality to which the handgun is to be shipped. If a gun permit or license is required by local law, a copy of this permit or license must also accompany the order. The gun dealer is then required to forward a copy of the customer's sworn statement to this local chief law enforcement officer and wait for 7 days until shipping the ordered gun.

There are many other provisions of this amendment which have been thoroughly detailed by Senator HRUSKA. What these provisions accomplish is to strengthen existing legislation in this field and to give the States and local communities the tools they need to control the firearms problem. The Hruska proposal accomplishes this goal yet does not trample on the Federal-State relationship which is so important within the system of American law enforcement techniques. With the adoption of this amendment, the States will be able to enact any gun control legislation which they desire without being hampered by Federal legislation. The amendment makes the violation of a State gun control law by an individual engaging in interstate commerce a Federal crime. Thus, what we are in fact doing is to give added emphasis to the laws that the States decide best deal with their particular situations. This is as it should be and is a good approach for gun control legislation to take. The States must remain primarily responsible for this as well as the other aspects of crime control.

In summation, Mr. President, I believe that it is important that we have meaningful gun control legislation. We in the Senate must affirm our support for law and order. However, I do not believe that it is wise that we enact hastily drawn legislation, as is evident in title IV, which would seriously damage the Federal-State relationship in law enforcement built up over the years. The Hruska amendment will assist the States in solving their gun control problems by giving emphasis to any State gun control laws. It is as good a piece of legislation as the Congress could possibly adopt for the control of gun sales. I urge the adoption of the Hruska amendment, for America needs this sound approach to gun control legislation.

Mr. McGEE. Mr. President, there is nobody present here today who would deny that one of the major issues confronting this Nation today is crime and violence. Some call it crime in the streets, but to others that carries the connotation that our concern is more racial than anything else. So I want to make it clear that I am not addressing myself to riot situations alone, but to the month-by-month upward trend of violence which cuts across the entire fabric of our society and evidences itself outside the so-called ghetto as well as within it. Crime is a problem practically everywhere, but more so in areas where large numbers of people are congregated. We need to get at its causes and root it out. We need to make our streets safe from hoodlums, our merchants safe from burglars as well as looters, and our society safe from the panderers of graft and corruption.

Mr. President, having said that, I want to state that I fear we are kidding ourselves here today if we think that by tightening the controls on the sale of firearms that we are going to have made our streets safe, or put an end to crimes of violence, or to the viciousness of the well-padded, quiet criminal activity that goes on out of sight. We will have done something about these very real criminal problems when we decide, Mr. President, to quit tolerating lawlessness, when we decide to stop putting up with violence, and when we decide to stick the guilty with the penalties rather than slapping restrictions on the innocent as well.

I am not going to vote for any gun control measure which is before us because I view these measures as an infringement upon the rights of those who have possessed weapons for many good and valid reasons without every using them for illegal purposes. I am going to cast my vote against such legislation because I think it takes a back-door approach to the real problem of crime in America.

I say this, Mr. President, fully aware of the arguments which have been made about the necessity to get at the instruments of death. I do not believe that Lee Harvey Oswald, Charles J. Whitman, or the man who shot Dr. Martin Luther King, Jr., to death in Memphis would have had any difficulty acquiring the weapons with which they killed and so shocked our society whether laws such as we have before us today, or even stricter ones, existed or not. If the desire to diminish crime and avert tragedies such as I have enumerated were the only factors involved, new gun legislation would have been enacted long ago. But these are not the only factors to be considered, Mr. President. In my own State, the possession of firearms is a long tradition. Individual citizens possess guns for a myriad of reasons—as hobbies, for protection of home and property, and, of course, for sporting purposes above all others.

It is argued, I know, that the bill before us would work no hardship upon these people. But they disagree. To a man, almost, they disagree, if the people with whom I have discussed this issue in Wyoming, or those who have communicated their feelings to me, are any indication. And I happen to think they are. One might go so far as to say that many honest, mentally sound gun owners are up in arms about this question because they view it as a step toward ever-tighter controls over firearms without regard to their local and regional attitudes and conditions. Nor are these people I gladly represent here today simply being hardheaded. They are cognizant of the problems of law enforcement, particularly in more populous parts of the country. They appreciate the efforts to deal with these problems. They do not, however, appreciate the efforts to make these solutions applicable to people who live in a different environment, with a different tradition and with, very often, a way of life which makes of a firearm an instrument of recreation and enjoyment, rather than an instrument of crime and human tragedy.

Scarcely anyone would object to improvement of the National Firearms Act in order to impose better controls over weapons not suited for sporting use. But the measures at hand go much further and, in fact, invade the area of sporting arms. In my own State, where we are concerned about the future of wildlife management programs supported by the taxes on sporting arms and ammunition, the concern runs deep. Because game animals and birds abound in Wyoming, the attitude which we take toward guns may be entirely different from that in another place. And it is this variety of situations and points of view which must be taken into serious consideration by this body.

Quite frankly, Mr. President, for my own part I would rather the laws pertaining to firearms be locally written. That way they will be enforceable.

Mr. JAVITS. Mr. President, I ask unanimous consent that the statement which the Senator from New Jersey [Mr. CASE] has prepared on the subject of title IV of the pending bill may be printed at an appropriate place in the RECORD.

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

The statement of Mr. CASE is as follows:

STATEMENT BY SENATOR CASE

For years the Senate has been wrestling with the problem of controlling the sale of guns.

Since the Senate Subcommittee on Juvenile Delinquency embarked on its investigation of the sale of firearms in 1961, volumes of testimony have been presented by Governors, Attorneys General, police chiefs, prosecutors and concerned citizens. This testimony has been impressive, not simply in

its volume, but in demonstrating the total inadequacy of the Federal firearms law that has been on the books since 1938.

As the chairman of the Subcommittee on Juvenile Delinquency has pointed out, the wording of the key provision of the 1938 law is so vague and unsatisfactory that the Government has not been able to get a single conviction under this section since it was enacted 30 years ago.

The title we are considering today would revise and strengthen the sadly inadequate 1938 law. The purpose of Title IV, very simply, is to assist the states in enforcing their own firearms laws by requiring that all sales of guns, other than rifles and shotguns, to residents of a state be made only through local dealers in the purchaser's state of residence and under the control of that state.

This step forward is long overdue. Yet, it, too, is inadequate. If we are truly to assist the states in controlling the indiscriminate interstate traffic of firearms, the provisions of Title IV must be extended to rifles and shotguns.

Experience has shown that without Federal regulation of these deadly firearms, gun controls passed by state and local governments are ineffective.

Two years ago, the state of New Jersey enacted a gun control law which applies to rifles and shotguns as well as handguns. The primary purpose of the law is to keep these weapons from getting into the hands of persons who are clearly unqualified to use them. These include criminals, mental defectives, drug addicts, habitual drunks, persons physically incapable of handling guns safely, persons under the age of 18 and others, such as mental patients and alcoholics, to whom the issuance of guns would not be in the public health, safety or welfare.

Basically the New Jersey law works as follows:

A permit is required for the purchase of each pistol or revolver and a special permit is required in order to carry a handgun. These permits may be obtained from the local police department or from the Superintendent of State Police, as the case may be. The person applying for such a permit must have his finger prints taken and filed. These are checked against state and the Federal criminal records. For a special permit to carry a pistol or revolver, the applicant must also show that he is mature enough and possesses sufficient skill and knowledge in handling firearms to not constitute a hazard.

With respect to rifles or shotguns, a purchaser is required to have a simple identification card, the number of which is recorded by the seller in each sale of a shotgun or rifle for police inspection. This card is good for any number of purchases and remains valid unless the holder subsequently becomes disqualified. The same ID card is also sufficient to permit carrying rifles or shotguns.

In addition, strict licensing standards are maintained for manufacturers, wholesalers and dealers, each of whom must maintain careful and accurate records of the disposition of each firearm.

Now, how has this law worked?

According to the New Jersey Attorney General, in the 20 months the law has been in effect state and local police have processed some 85,000 applications for guns. Over seven percent of the applicants were found to have had arrest records and a total of 1,606 applications have been denied. Approximately 75% of the denials were for criminal arrest records, including such crimes as first degree murder, burglary, rape, breaking and entering, lewdness and sex crimes.

Under our New Jersey law, these 1,606 people cannot buy a gun in our state. But they are not prevented from going to another state to make their purchase.

Last July, one year after the new state law took effect, Federal agents from the Alcohol Tobacco and Tax Unit of the Internal Revenue Service made a quick check of gun dealers in jurisdictions surrounding New Jersey. They checked some 56 dealers and found, by examining their records, that 690 New Jersey residents had gone outside the state to make over-the-counter purchases of firearms.

Has there been any effect on crime in New Jersey?

While it is difficult to draw definitive conclusions at this stage, preliminary statistics from New Jersey's new uniform crime reporting system indicates, according to the Attorney General, that firearms were used in 44% of all murders committed in New Jersey in 1967 as compared to 60% nationwide in 1966. Rifles and shotguns were used in 9% of all murders as compared to 16% nationwide, a rate nearly twice as high. Furthermore, firearms were used in nearly 19% of all atrocious crimes nationally as compared to 12% in New Jersey.

Most opponents of the New Jersey law have argued that it would inconvenience and place undue restrictions on legitimate hunters and sportsmen. The New Jersey Division of Fish and Game reports, however, that the sale of hunting licenses has continued to increase since the gun law was enacted. In 1967 a total of 156,000 licenses were sold compared to an average sale of 150,000 in recent years.

The experience we have had in New Jersey indicates, I believe, that our state law is accomplishing what was intended. It is preventing the sale of guns in New Jersey to those who should not have them, and it is not deterring legitimate sportsmen from hunting or shooting.

There is one qualifier; the New Jersey law is preventing criminals from buying their guns in *New Jersey* only. It does not and cannot prevent the 1,606 persons whose applications have been denied from going across the state line to buy a gun. Several months after the New Jersey law was enacted, a New Jersey State trooper was killed by a convicted criminal with a gun bought the day before in a sporting goods store in a neighboring state. He could not have bought the gun in New Jersey.

The volatile situation in our cities has added yet another dimension to the problem. Last summer during the Newark riots the U.S. Attorney for New Jersey reported 91 arrests for weapons offenses. At least 60 guns were confiscated in connection with these arrests. Law enforcement authorities, I am told, are convinced that many of these weapons were used by snipers and rioters who could not have purchased them legally in New Jersey.

The soaring crime rate and the dangerous proliferation of arms sales to juveniles and socially irresponsible elements represent a danger that increasingly menaces our society. It is an incredible fact that 795,000 people have been killed by firearms in our country since the year 1900, 245,000 *more* than have died in all of our wars from the Spanish-American to Vietnam.

A stronger firearms bill covering long guns as well as handguns has been endorsed by the National Advisory Commission on Civil Disorders, the National Crime Commission, the American Bar Association, the National Council of Churches, the AFL–CIO, the General Federation of Women's Clubs and by many other distinguished groups and citizens.

The Senate cannot afford to forfeit this opportunity to pass a meaningful gun control law.

Mr. TYDINGS. Mr. President, 3 years ago President Johnson first asked Congress to enact the State Firearms Control Assistance Act. That bill provided modest Federal controls on the interstate commerce in firearms. Its purpose was to assist the States in enforcing whatever gun laws they wish to enact. Three years and 2,040 pages of congressional hearings later, the Senate is finally voting on a limited portion of that legislation as title IV of the Safe Streets and Crime Control Act.

Title IV, the concealed weapons amendment, is a very limited, stripped-down, bare-minimum gun-traffic control bill, primarily designed to reduce access to handguns for criminals, juveniles, and fugitives.

This concealed weapons amendment does not provide for registration of any firearm or require any permit for purchase of firearms.

This concealed weapons amendment does not affect domestic sale of rifles or shotguns in any fashion. Mail-order and over-the-counter sales of rifles and shotguns are totally exempt from the bill.

Regarding handguns, title IV provides only that handguns must be bought in the purchaser's home State. Mail-order sales of handguns, except between licensed dealers, are prohibited. Likewise, dealers cannot sell handguns to out-of-State purchasers, or minors, fugitives, or felons.

Title IV affects long guns in only two ways. First, it authorizes the Treasury Department to control imports of weapons not suitable for sporting purposes. Second, title IV prohibits sale of any handgun or long gun in violation of the law of the State where the sale is made, or which the seller knows will be used in a felony.

As an avid hunter, who first learned to shoot at his father's knee in the duck blind at the age of 9, I can fairly say that this concealed weapons amendment does not significantly inconvenience hunters and sportsmen in any way. The people it does frustrate are the juveniles, felons, and fugitives who today can, with total anonymity and impunity, obtain guns by mail or by crossing into neighboring States with lax or no gun laws at all, regardless of the law of their own State.

This concealed weapons amendment does not violate any State's right to make its own gun laws. Quite the contrary, title IV provides the controls on interstate gun traffic which only the Federal Government can apply, and without which no State gun law is worth the paper it is written on.

The purpose of this concealed weapons amendment is simply to help the States enforce whatever gun laws each wishes to enact. Without such Federal assistance, any State gun law can be subverted by any child, fugitive, or felon who orders a gun by mail or buys one in a neighboring State which has lax gun laws.

The President, the Attorney General, the Director of the FBI, the President's Commission on Law Enforcement and the Administration of Justice, the International Association of Chiefs of Police, the American Bar Association, and State and local law enforcement officials all across the country have recommended Federal firearms control legislation much more stringent than title IV, the concealed weapons amendment, provides.

The overwhelming majority of Americans, including gunowners, want strong gun controls. A nationwide Harris poll of public opinion released on April 22, 1968, reports that three out of every four Americans, and two out of every three

gunowners, want far more stringent gun controls than title IV provides.

Gunowners and non-gun-owners alike recognize that today's virtually unlimited gun traffic threatens every law-abiding American. In September 1966, Gallup reported that 56 percent of all gunowners favored registration. By September 1967, a Harris poll reported that this support has risen to 66 percent of all gunowners. The April 22, 1968, Harris poll shows gunowner support of Federal laws compelling registration remains at the same high level, with more than two out of every three gunowners in favor of federally required registration of all gun sales. These findings have been confirmed again and again by an entire series of public opinion polls by the Harris and Gallup organizations during the past 2 years.

The almost limitless gun traffic must be brought under control. More than 100 million guns are already in private hands in our country. More than 1 million more a year are being dumped in this country through imports alone. Americans tolerate a rate of gun murder unthinkable in other countries. In 1962, for example, the 4,954 gun murders in this country compared to 29 in Great Britain, nine in Belgium, six in Denmark, five in Sweden, and none in Holland. The soaring gun crime rate endangers every American and is killing and maiming many new thousands of citizens every year.

Effective Federal legislation to protect the American people from gun traffic is long overdue. The time for action is now.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Senate will be in order during the rollcall. Attachés will retire to the rear of the Chamber; Senators will be seated.

The assistant legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the distinguished senior Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from South Carolina [Mr. HOLLINGS], the the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Oregon [Mr. MORSE], are necessarily absent.

I also announce that the Senator from Utah [Mr. Moss] is attending the Fourth Anglo-American Parliamentary Conference on Africa that is being held in Malta.

I further announce that the Senator from Hawaii [Mr. INOUYE], is absent on official business.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from New York [Mr. KENNEDY] would each vote "nay."

On this vote, the Senator from South Carolina [Mr. HOLLINGS] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from South Carolina would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from Oklahoma [Mr. MONRONEY] is paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Oklahoma would vote "yea" and the Senator from New Mexico would vote "nay."

On this vote, the Senator from Utah [Mr. Moss] is paired with the Senator from New Jersey [Mr. CASE]. If present and voting, the Senator from Utah would vote "yea" and the Senator from New Jersey would vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from California [Mr. KUCHEL], and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent on official business attending the Fourth Anglo-American Parliamentary Conference on Africa at Malta.

On the vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Utah [Mr. Moss]. If present and voting, the Senator from New Jersey would vote "nay" and the Senator from Utah would vote "yea."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from California would vote "nay" and the Senator from South Carolina would vote "yea."

The result was announced—yeas 37, nays 45, as follows:

[No. 138 Leg.]

YEAS—37

Allott	Dominick	Metcalf
Baker	Eastland	Miller
Bennett	Ervin	Mundt
Bible	Fannin	Murphy
Boggs	Hansen	Russell
Burdick	Hatfield	Sparkman
Byrd, W. Va.	Hickenlooper	Stennis
Cannon	Hill	Talmadge
Carlson	Hruska	Thurmond
Church	Jordan, N.C.	Tower
Cotton	Jordan, Idaho	Young, N. Dak.
Curtis	Long, La.	
Dirksen	McGovern	

NAYS—45

Anderson	Holland	Pell
Bartlett	Jackson	Percy
Bayh	Javits	Proxmire
Brooke	Kennedy, Mass.	Randolph
Byrd, Va.	Lausche	Ribicoff
Clark	Long, Mo.	Scott
Cooper	Magnuson	Smathers
Dodd	McClellan	Smith
Ellender	McGee	Spong
Fong	McIntyre	Symington
Gore	Mondale	Tydings
Griffin	Muskie	Williams, N.J.
Gruening	Nelson	Williams, Del.
Hart	Pastore	Yarborough
Hayden	Pearson	Young, Ohio

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Mansfield, for.

NOT VOTING—17

Aiken	Hollings	Montoya
Brewster	Inouye	Morse
Case	Kennedy, N.Y.	Morton
Fulbright	Kuchel	Moss
Harris	McCarthy	Prouty
Hartke	Monroney	

So Mr. HRUSKA's substitute amendment was rejected.

Mr. TYDINGS. Mr. President, I move to reconsider the vote by which the amendment was defeated.

Mr. KENNEDY of Massachusetts. Mr. President, I move to reconsider the vote.

Mr. DODD. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

ORDER IN THE SENATE

Mr. MANSFIELD. Mr. President, I request that the Sergeant at Arms be directed to clear the Senate Chamber except for those who have business on the Senate floor in connection with the business of the Senate itself or the business of Senators to whom they are attached.

Mr. DIRKSEN. Mr. President, the next order of business——

The PRESIDING OFFICER. Would the Senator from Illinois allow the Chair to fulfill the request of the majority leader before he proceeds?

The Sergeant at Arms will direct all attaches who are present and who do not have business on this bill to retire from the floor.

The Senate will be in order.

The Senator from Illinois.

Mr. DIRKSEN. Mr. President, if Senators will now give attention to the substitute I offer, it is essentially a modification of the original Hickenlooper bill, with some changes; but in view of the vote which was just taken, I now withdraw the substitute.

The PRESIDING OFFICER. The substitute is withdrawn.

The bill is open to further amendment.

AMENDMENT

Mr. GRIFFIN. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. The Senator from Michigan proposes an amendment, on page 98, line 14, to replace the semicolon with a period and strike out the following language:

> Except that for the first renewal following the effective date of this chapter or for the first year he is engaged in business as a dealer such dealer will pay a fee of $25.

Mr. GRIFFIN. Mr. President, this is a very simple amendment. My amendment, in effect, provides that the license fee which would be charged a dealer would be a flat rate of $10 per year. In the bill, as it has been reported by the committee, the license fee is $25 for the first year and $10 for each year thereafter.

My amendment might be called the small business amendment. I think it will be difficult enough for a businessman, particularly a small businessman, to understand and comply with the law,

and the regulations that will be promulgated as a result of this legislation, without imposing license fees which, at least for some small businessmen, will be rather expensive.

I understand that the purpose of raising the license fee to $25 was to discourage some individuals from applying for licenses. However, I do not understand why we should adopt a policy that would, in effect, freeze out some small businessmen.

I do not feel that there has been a valid explanation for raising the fee to $25. Certainly I am not persuaded by the argument that this increase is needed to finance the operations of the Secretary of the Treasury. My amendment proposes that the license fee would not be more than $10. I submit $10 is enough for a small businessman to pay for such a Federal license.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. McCLELLAN. Mr. President, is the amendment printed?

The PRESIDING OFFICER. The amendment has not been printed.

Mr. McCLELLAN. May I have the opportunity to see it, or have it restated?

The PRESIDING OFFICER. Would the Senator from Arkansas like to have the amendment read again?

Mr. McCLELLAN. I would.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read the amendment.

Mr. McCLELLAN. Mr. President, as I understand, the amendment is to strike, on page 98, all of line 14 after the semicolon and the following three lines, and insert a period at that point; am I correct?

Mr. GRIFFIN. The Senator is correct.

Mr. McCLELLAN. Mr. President, I do not see the author of this title on the floor. I will be happy to yield to any cosponsor.

Mr. DODD. I am here.

Mr. McCLELLAN. I am sorry. I yield to the author of the title, the Senator from Connecticut.

Mr. DODD. I think perhaps the Senator from Massachusetts is better qualified on this point. I yield to him.

Mr. KENNEDY of Massachusetts. Mr. President, I think the Senator from Connecticut and myself can give some of the background on the basis of which this figure was reached.

I remember that the initial proposal had a $100 figure at this point, and then, after consideration of the subcommittee, I believe that there was an amendment by the Senator from Indiana [Mr. BAYH] which reduced that figure to $25. It was felt that if this provision was to be self-operative, and we were to collect sufficient revenues to investigate violations of this provision, we ought to provide at least sufficient resources to do just that.

I think the $25 figure was recommended and looked into by the subcommittee, and concluded to be a sufficient figure to conduct a suitable investigation into the record of any prospective dealer, and that is the reason for it.

The committee would be delighted to support a lower figure, but I think if we are interested in providing resources to make the provisions of this act self-operative, it will be difficult to go much below the $25 figure. I think that is the history, but perhaps the Senator from Connecticut could elaborate on this.

Mr. DODD. Mr. President, may I add one thing? The Senator from Massachusetts has properly and precisely stated the background as to how this change from $100 to $25 took place. I recall, as well, that the time the Treasury Department was consulted, and they said they thought they could live with the $25 fee.

I say to the Senator from Michigan, with great respect for him, that the reason for this figure is that they will need funds, some money from these licensees, to help enforce the law. I have no other interest in it being at any particular level.

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

Mr. DODD. I yield.

Mr. GRIFFIN. If the fee were somehow graduated to reflect the size of the concerned business, it would meet my approval. I think charging the small dealer $25 is a little unfair. I happen to be personally acquainted with several small hardware dealers. I think that even $10 a year, frankly, is an imposition, but that a $25-a-year fee would be more than an imposition—it would be discriminatory against the small dealer.

Mr. DODD. Would $15 per year be acceptable?

Mr. GRIFFIN. The yeas and nays have been ordered on my amendment, and I am not in a position to modify it.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. KENNEDY of Massachusetts. As I understand, the bill as reported applies a $25 fee the first year, and $10 each year after that.

Mr. DODD. That is correct.

Mr. KENNEDY of Massachusetts. It was felt that the $25 figure would cover in part the initial investigatory procedures of the Treasury Department to make sure that the dealership is a reputable kind of firm, and after that, the fee is reduced to the $10 figure; so any renewal of the license would be at the figure the Senator from Michigan has stated.

I believe if we are interested in providing an amount which would approach the cost of policing the legislation, the $25 and $10 figure is really not unreasonable.

I have nothing further to add.

The PRESIDING OFFICER. Who yields time?

Mr. DODD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DODD. Would it be in order for me to move to amend the amendment of the Senator from Michigan?

The PRESIDING OFFICER. The amendment is open to amendment.

Mr. DODD. I move to amend the amendment of the Senator from Michigan by substituting the figure "$15" instead of "$10."

Mr. ALLOTT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. ALLOTT. I call the attention of the Chair to the fact that the amendment has been offered, called up, and read, and the yeas and nays have been ordered. The amendment, therefore, cannot be amended except by unanimous consent.

The PRESIDING OFFICER. The Chair advises the Senator from Colorado that the amendment is amendable, but that it cannot be done until all of the time on the amendment has been used. The Senator from Michigan cannot modify it except by unanimous consent.

Mr. ALLOTT. And neither can anyone else.

The PRESIDING OFFICER. They cannot modify it, but they can amend it.

Mr. ALLOTT. That was the point of order I made, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Are we operating under a time limitation?

The PRESIDING OFFICER. We are operating under a time limitation.

Mr. GRIFFIN. Mr. President, who has control of the time?

The PRESIDING OFFICER. The Senator from Michigan has control of half the time, which is 30 minutes. The Senator from Arkansas [Mr. McCLELLAN] has control of the remainder of the time, and the Chair believes he has yielded that time to the Senator from Connecticut and the Senator from Massachusetts.

Mr. GRIFFIN. Mr. President, I yield 5 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I should like to say just a few words on the amendment offered by the distinguished Senator from Michigan, which I believe ought to be supported.

We find ourselves once again in the situation where people who feel one way about a matter, such as gun legislation do not understand and perhaps cannot understand the point of view of those of us who feel differently about such a matter.

The situation in my State is not any different, essentially, from the situation in the States of Nebraska, Kansas, Oklahoma, North Dakota, Nevada, Wyoming, or in fact any of the Western States where a great proportion of the people engage in large and small game hunting. As a matter of fact, it is astounding to note the number of out-of-State hunting licenses that are sold each year in Colorado to people from the East, who come out there to shoot deer and elk.

The junior Senator from Texas [Mr. TOWER] tells me that I may also include the State of Texas in my remarks.

I am informed by the Senator from Utah [Mr. BENNETT] that I may also include the State of Utah in my remarks.

I am informed also by my friends, the senior Senator from Idaho [Mr. CHURCH] and the junior Senator from Idaho [Mr. JORDAN], that I may also include the State of Idaho in my remarks.

The point is that in these areas we have vast distances between towns and only

one or two or three major towns in a State which may be 200 or 300 miles distant and about 6, 7, or 8 hours' driving time away from the place where the hunting occurs.

Sometimes when a person goes hunting, something goes wrong with his gun. He wants to get his gun repaired, or perhaps has to buy a new one in one of these small towns. That happens all the time because if a man sends his gun away to be repaired, he would lose his investment in his hunting trip. He therefore buys a new gun.

Where does he buy it? He goes into a village with only 200, 300, or 400 people residing in it. Ofttimes, there is only one general store in that village. The general store may sell groceries, dry goods, and a dozen other things. It may also sell some hardware and guns.

These people are not engaged in the business of being gun dealers like the big dealers in larger cities. They are small business people.

I do not hold with the argument that the collection of the fees should be sufficient to finance the enforcement of the measure. We are placing this on the people.

I say to my friends who have been on the other side in this debate that we ought to have some consideration for these people.

The people who will be hurt if this amendment is not adopted are the people in the small towns, not only in the West, but also in the Midwest, and, I would surmise, in some areas in the East.

I hope that the Senate will examine this measure.

I think that the amendment of my friend, the Senator from Michigan, is reasonable. I think that if we were to add on the amount that has been suggested, it would be unreasonable.

I hope the amendment is agreed to.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. ALLOTT. Mr. President, I yield 1 minute to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, the Senator from Colorado has gone to the heart of the opposition to gun legislation in rural America. He described how the people in Colorado feel.

The same situation exists in North Dakota. Perhaps nine out of 10 gun dealers in my State do not handle small arms. The small town hardware merchant may have a rifle or a shotgun or two. That small town merchant would have to pay the same license fee, and he is having a hard time now in making a go of it.

I have never heard anything as unreasonable as the proposal to charge the small town merchant a big license fee.

The PRESIDING OFFICER. Who yields time?

Mr. GRIFFIN. Mr. President, is the Senator from Connecticut prepared to yield back the remainder of his time?

Mr. DODD. Mr. President, I should like to have about 2 minutes to determine whether I should yield back the remainder of my time now.

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

The PRESIDING OFFICER. The time for the suggestion of a quorum will be charged to which side?

Mr. GRIFFIN. Mr. President, I ask unanimous consent that it not be charged to either side.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DODD. 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. DODD. Mr. President, I do not think this is a matter worth quarreling about. I do not wish to place any hardship on any of the people in the great western part of our country. I am willing to accept the amendment.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. DODD. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Michigan yield back the remainder of his time?

Mr. GRIFFIN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Michigan want the yeas and nays withdrawn?

Mr. GRIFFIN. Mr. President, I ask unanimous consent, in view of the statement by the Senator from Connecticut, that the yeas and nays be withdrawn.

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

The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was agreed to.

Mr. GRIFFIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 780

Mr. CURTIS. Mr. President, I call up my amendment No. 780.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 19, strike out all of pages 19, 20, 21, 22, 23, and down through line 14 on page 24.

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. CURTIS. Mr. President, I yield myself 10 minutes.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. Is the Senate operating under controlled time?

The PRESIDING OFFICER. Only as to amendments to title IV.

Mr. CURTIS. This is not an amendment to title IV.

Mr. President, my amendment No. 780 is a printed amendment. Its purpose is to strike from the bill pages 19, 20, 21, 22, and 23, and through line 14 on page 24. That includes parts B and C. Part B provides for planning grants. I read from page 19, beginning on line 6:

The Administration is authorized to make grants to States, units of general local government, or combinations of such States or units of local government for preparing, developing, or revising law enforcement plans to carry out the purpose set forth in section 302.

Mr. President, this is a new program in grants to the States. If this program is enacted and grants are made to some communities, how will the Federal Government say "No" to all the other communities?

No time limitation is placed on this provision. No showing has been made that the U.S. Government is in better financial position than are the local governments to support their police.

It is one more grant program. I call attention now to significant language on page 20. Part C relates to grants for law enforcement purposes. I read again, beginning on line 6:

The Administration is authorized to make grants to States, units of general local government, and combinations of such States or units of general local government to improve and strengthen law enforcement. . . .

The language continues and even includes the construction of buildings and the providing of facilities.

Mr. President, this is another new grant program. What will we gain by staying in session long hours, struggling with the subject of the gold drain and the dollar; staying long hours in conference over the matter of controlling expenditures and raising taxes; and then taking on a new program—in fact, two new programs—of grants to States and local governments?

Mr. President, there is no money in the till. This proposal would have to be funded with borrowed money. Every time we increase the debt of the United States by a billion dollars, upward of $43 million must be raised each year thereafter, until some administration appears on the scene and lowers the debt by a billion dollars.

Of course the mayors want this program. Of course officials of county governments want it. Of course the States will be receptive to it. On the other hand, we in Congress have a responsibility to protect the interests of the United States, and that includes its financial interest. We have a responsibility to pay the Government's debts. We have a responsibility to maintain the value of our money.

What business have we to start two new grant programs? Of course, it is a laudable purpose. Of course, more money needs to be spent on law enforcement. But when are we going to learn that problems are not solved by Congress meeting and appropriating money? The appropriating of money by Congress will not change the rules of the Supreme Court. The appropriating of money by Congress will not change a permissive society to a disciplined one. The appropriating of money by Congress will not generate a spiritual force that will transform the lives of people.

Of course we have a crime problem. But we are applying the same old remedy that has been applied to problems for 30 years, while they have become worse all the time—open up the Federal Treasury.

I am not unaware that there will be plenty of recipients for this money. I am not unaware that some of them have asked for it. I am not unaware that the provision is in the bill and that it has committee support. But my conscience will not permit me to remain quiet and acquiesce in starting new grant programs when we are so broke that we do not even pay our bills.

The deficit we create includes also what we pay in interest on the national debt. When former President Eisenhower left office, the interest on the national debt was approximately $9 billion. Today it is $14.4 billion.

If we could wipe out all the Vietnam expenditures, we still would have a deficit. The big growth in expenditures has been in the domestic civilian programs of government. Let us not be deceived by the idea that if, by some good fortune, the war came to an end—and that would be most pleasing to all of us—there would be money for everything. There would not. The obligations of our country that have piled up exceed our ability to pay, and we sink further and further into debt.

Mr. President, I am aware of the realities facing me. I know that the bill will be defended by the committee, so I shall take no more time of the Senate. But I want the record to show that I do not favor adding two grant programs that will not end until they have reached every corner of the country and will not end at any time in the foreseeable future, because we do not have the money.

I yield the floor.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The question is on agreeing to the amendment offered by the Senator from Nebraska [putting the question].

Mr. CURTIS. I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I send to the desk a unanimous-consent request and ask that it be read.

The PRESIDING OFFICER. The unanimous-consent request will be read by the clerk.

The assistant legislative clerk read the unanimous-consent request, as follows:

Ordered, that beginning Monday next, during the further consideration of the unfinished business, S. 917, all debate on amendment No. 788, to be offered prior to Monday next by the Senator from Maryland [Mr. TYDINGS], be equally divided between the Senator from Maryland and the manager of the bill, the Senator from Arkansas [Mr. MCCLELLAN], or whomever they may designate; and that the vote on said amendment occur no later than 2 p.m. on Tuesday next.

Provided, That if there are any amendments to the Tyding amendment or to any of the matter to be stricken by that amendment that have not been disposed of prior to that time, then the debate on said amendments will be limited to one hour, to be equally divided and controlled by the proponent of the amendment and the Senator from Maryland, or whomsoever they may designate.

Provided further, That no vote on any amendment to the Tydings amendment or to any of the matter to be stricken thereby, or on the Tydings amendment, be taken prior to Tuesday next.

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

Mr. MANSFIELD. I yield.

Mr. JAVITS. The Tydings amendment, I gather, is an amendment to strike title II.

Mr. MANSFIELD. Yes.

Mr. JAVITS. Mr. President, I may be unable to be present because of absence from the Senate on official business. But I am just stating that to the Senator, and he must make the decision. I certainly would not wish to impinge on the work of the Senate because I happen to be somewhere else because of international duties.

I ask the Senator about the remainder of the bill. Does he have any intention of asking for another unanimous-consent request?

Mr. MANSFIELD. We are taking this bill, title by title, and doing the best we can. I do not know what will happen.

Mr. JAVITS. May I say to the majority leader that I would hope that if he does have another one, I will be back by 3 o'clock on Thursday. I hope the Senator will try to accommodate me.

Mr. MANSFIELD. I will, indeed.

Mr. GRIFFIN. Reserving the right to object, Mr. President, may I inquire if the amendment to be voted on on Tuesday is an amendment to strike title II?

Mr. MANSFIELD. It will be considered in parts.

Mr. TYDINGS. I intend to call up my amendment No. 788.

Mr. MCCLELLAN. It has not been called up yet?

Mr. TYDINGS. It has not been called up yet. It is a motion to strike. Other amendments may be offered by other Senators.

The purpose of the unanimous-consent request was to notify all Senators that voting would begin on Tuesday; the time would be divided between the Senator from Arkansas and myself; and the voting, not only on the motion to strike, but also any amendments with respect to title II would be taken on Tuesday next.

Mr. GRIFFIN. I have an amendment to title II. I will not be here Monday and I wanted to be sure I would not be foreclosed.

Mr. MCCLELLAN. The way in which to get a vote on it is to offer it.

Mr. GRIFFIN. Does the leader anticipate that we will come in early Tuesday?

Mr. MANSFIELD. If the Senator desires, we could come in at 10 a.m. or 11 a.m.

Mr. GRIFFIN. That would give us more time.

Mr. TYDINGS. I would suggest 9:30 a.m. or 10 a.m. myself.

Mr. MANSFIELD. Let us make it 10 a.m.

Mr. MCCLELLAN. As I understand the situation, it means that this amendment should be laid down before the unanimous-consent request is agreed to.

Mr. MANSFIELD. That is my error. I request that the Senator from Maryland call up his proposal now.

AMENDMENT NO. 788

Mr. TYDINGS. Mr. President, I call up my amendment No. 788 and ask that it be made the pending business.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment (No. 788) as follows:

On page 43, beginning with line 9, strike out through the matter preceding line 3 on page 48.

On page 48, line 3, delete "TITLE III" and insert in lieu thereof "TITLE II".

On page 80, line 15, delete "TITLE IV" and insert in lieu thereof "TITLE III".

On page 107, line 5, delete "TITLE V" and insert in lieu thereof "TITLE IV".

Mr. MANSFIELD. Mr. President, I renew my unanimous-consent request.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. What is the request?

Mr. MANSFIELD. To vote on Tuesday.

The PRESIDING OFFICER. Does the Senator wish to suspend rule XII?

Mr. MANSFIELD. Yes. I ask unanimous consent to suspend rule XII.

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

Is there objection to the unanimous-consent request?

Mr. MCCLELLAN. Mr. President, reserving the right to object, as I understand the effect of this unanimous-consent request, it is that tomorrow there will be no controlled time.

Mr. MANSFIELD. The Senator is correct.

Mr. MCCLELLAN. Anything can be discussed and any other amendment offered that is to be offered.

Mr. MANSFIELD. The Senator is correct.

Mr. MCCLELLAN. Could it be offered without laying aside the pending amendment?

Mr. MANSFIELD. Only under unanimous consent.

Mr. MCCLELLAN. Therefore, the situation is that until Tuesday at 2 p.m. there will be no votes; but beginning on Monday the time will be controlled on the motion to strike.

Mr. MANSFIELD. The Senator is correct. However, I wish to say that the Senator from Arizona has an amendment to title I which would include Indians, if under a unanimous consent that could be considered. It is noncontroversial and I expect there will not be a record vote.

Mr. MCCLELLAN. By unanimous consent, that amendment may be considered and voted on while this measure is pending.

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. Would time be limited?

Mr. MANSFIELD. Limited time would start on Monday. The joint leadership—because this has been cleared with the minority leader—would, of course, be very flexible in regard to the suggestions made by the chairman of the committee considering the bill, the distinguished Senator from Arkansas [Mr. McCLELLAN] and the sponsor of the proposal now before us, the distinguished Senator from Maryland [Mr. TYDINGS].

Mr. McCLELLAN. Mr. President, I mention one other thing, to clear up the matter. At 2 o'clock on Tuesday, if amendments are pending to title II, if a Senator wants to insist upon a vote, he will have 1 hour in time, to be equally divided between the sponsor of the amendment and the Senator in charge of the bill, to debate the matter further before a vote is taken on it.

Mr. MANSFIELD. The Senator is correct. That would be on Tuesday.

Mr. McCLELLAN. I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request by the Senator from Montana, with the proviso that the Indian amendment may be called up?

Mr. MANSFIELD. We will leave that part out.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

The unanimous-consent agreement was later reduced to writing, as follows:

Ordered, That effective Monday, May 20, 1968, during the further consideration of S. 917, to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, all debate on the pending amendment (No. 788) offered by the Senator from Maryland [Mr. TYDINGS] be equally divided and controlled by the Senator from Maryland and the Senator from Arkansas [Mr. McCLELLAN], or by any Senator designated by them, and that the vote on that amendment occur not later than 2 o'clock p.m. Tuesday, May 21.

Provided, That if there are any amendments to the Tydings amendment or to any of the language proposed to be stricken out by the Tydings amendment that has been disposed of prior to that time, debate on such amendment or amendments will be limited to 1 hour to be equally divided and controlled by the proponent of the amendment and the Senator from Maryland [Mr. TYDINGS] or any Senator designated by him.

Provided further, That no vote on any amendment to the Tydings amendment or to any of the language proposed to be stricken out by the Tydings amendment shall be taken prior to Tuesday next, except by unanimous consent.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, if it meets with the approval of the distinguished Senator from Arkansas, I ask unanimous consent that when the Senate concludes its business tonight, it stand in adjournment until 12 noon tomorrow.

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

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 noon on Monday next.

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

ORDER FOR RECESS FROM MONDAY NEXT UNTIL TUESDAY AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business on Monday next, it stand in recess until 10 a.m. on Tuesday next.

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

PROGRAM

Mr. TYDINGS. Mr. President, it is my understanding, and I hope that the Senator from Arkansas agrees, that on Tuesday we will begin voting at 2 p.m.; and that we will stay in session Tuesday evening until we have disposed of the amendments on title II.

Mr. MANSFIELD. All I can say is that we will do our best because I am in full accord with all the Senator's wishes in that respect.

Mr. McCLELLAN. The final vote on the motion to strike on any section cannot come until amendments to that section have been disposed of.

Mr. MANSFIELD. The Senator is correct.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senate will be in order. Attachés will be seated.

MESSAGE FROM THE HOUSE

A message brom the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 11308) to amend the National Foundation on the Arts and the Humanities Act of 1965; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PERKINS, Mr. THOMPSON of New Jersey, Mr. CAREY, Mr. SCHEUER, Mr. BRADEMAS, Mr. AYRES, Mr. GOODELL, Mr. ASHBROOK, and Mr. REID of New York were appointed managers on the part of the House at the conference.

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967

The Senate resumed the consideration of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Mr. ERVIN. Mr. President, I send to the desk an amendment to the pending bill and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from North Carolina (Mr. ERVIN) proposes an amendment as follows:

On page 46, line 11, strike out the word "into" and insert in lieu thereof the word "in".

Mr. ERVIN. Mr. President, I ask that the amendment be considered and agreed to at this time. It is purely to correct a typographical error.

I have consulted with the Senators most interested in this title, and they have advised me that they have no objection.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, and I shall not object, has the Senator from North Carolina discussed the matter with the distinguished junior Senator from Maryland [Mr. TYDINGS]?

Mr. ERVIN. I have. I showed the proposed amendment to the junior Senator from Maryland, and he assured me that he had no objection.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator.

I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina.

The amendment was agreed to.

NEWSPAPER EDITORIALS CRITICIZE TITLE II OF CRIME BILL

Mr. TYDINGS. Mr. President, editorials critical of title II of the crime bill have appeared in a number of newspapers in the Nation. I think it will be useful to Senators to see the views expressed in these editorials from the New York Times of April 27 and May 15, from the Salt Lake Tribune of May 5, from the Atlanta Journal and the Atlanta Constitution of May 5, from the Dominion News, Morgantown, W. Va., of April 25, and from the Washington Post of May 3 and May 6. In addition, columns have appeared by Dana Bullen in the Washington Evening Star of May 3 and in the Christian Science Monitor of May 4.

I ask unanimous consent that these editorials and articles appear at this point in the RECORD.

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

[From the New York (N.Y.) Times, May 15, 1968]

TARGET: THE SUPREME COURT . . .

The omnibus crime control bill is coming to a climax in the United States Senate this week. Seldom has a potential law that would affect the courts, the police and fundamental concepts of justice in every community in the country been so charged with sectional politics, facile solutions and clearly discernible prejudice against the ignorant and the poor.

But there is even larger game behind the scenes. The fact is that the real "enemy" of the most crucial section of the bill, Title II, is not the criminal but the United States

Supreme Court. It is "the Warren Court" that is really under attack. This is the court that since 1954 has committed such "crimes" as the school desegregation case and a host of landmarks (such as Miranda, Mapp, Mallory and Wade) on the right to proper legal representation, confessions, search and seizure and fair trial.

The controversial Title II would abolish Federal habeas corpus jurisdiction over state criminal convictions in clear violation of Article I, Section 9, of the Constitution; abolish Supreme Court jurisdiction to review state criminal cases in which confessions or eyewitness identifications have been admitted in evidence; require Federal courts to admit such evidence even if obtained in violation of the specific safeguards erected by the Supreme Court.

Attorney General Clark has warned that law enforcement would be harmed if Congress included this title in the crime bill. He has expressed grave reservations because it would deny citizens their rights, circumvent the Supreme Court's decisions that are now the law of the land, and be of doubtful constitutionality. Hundreds of legal scholars and the deans of 23 law schools have expressed the view that Title II should not be enacted into law.

The titles in the omnibus crime bill deserve full debate and amendment. There are useful sections, but Title II is not one of them. It would do nothing to halt big-time criminals who know the rules of the game and can afford expensive legal talent to protect them. It would strike at the alleged criminals who frequently do not know their rights and require not state but Federal review of their cases. And it would ambush the Supreme Court by devious legislation that, in the long run, would only cause confusion throughout the judicial system and doubtless end up by being held unconstitutional.

[From The New York Times, April 27, 1968]

ATTACK ON THE COURT

The Senate Judiciary Committee has reported a "crime control" bill which would deeply invade the power of the Supreme Court. If the nation's highest court is to remain an effective defender of the liberties of the individual, it is imperative that the Senate reject this bill when it comes to the floor next week.

The measure provides that a Federal court would have to admit a confession as evidence if the trial judge found that it was "voluntarily given." But many nominally voluntary confessions are extorted from frightened suspects who are under various kinds of psychological duress. If equal justice is to prevail for poor as well as rich, ignorant as well as educated, the procedural safeguards defined in recent Supreme Court decisions must be maintained.

In criminal cases arising in state courts, the bill would forbid the Supreme Court or any other Federal court to look into a trial judge's rulings on the admissibility of a confession. The highest state court would have the final say. It is no surprise that Senator McClellan of Arkansas and other Southern conservatives pushed for this provision. Negroes and poor white have not always received justice in some Southern courtrooms, and only the power of Federal judges to intervene has righted some glaring injustices.

The regressive language concerning confessions barely survived in committee on a 9-to-9 tie vote. The full Senate ought to throw out this language, along with another section of the bill that is equally inimical to individual freedom. It would deny to the Supreme Court and other Federal courts the power to review criminal convictions in state courts on writs of habeas corpus.

The original purpose of this bill, as proposed by the Johnson Administration, was to channel Federal funds to local police and judicial agencies. That purpose survives, but the Southerners in subcommittee provided that Title VI of the 1964 Civil Rights Act would not apply in dispensing the moneys. This is the title that bars Federal funds to any local government agency which practices racial discrimination—as many Southern police forces do. Although the full committee softened this provision somewhat, the effect would still be to permit Federal money to go to Jim Crow law-enforcement agencies, an intolerable prospect.

A positive feature of the bill is its ban on the mail order sale of pistols and revolvers. The same ban should be extended to rifles and shotguns. But even though this newspaper has long endorsed gun control, we would not purchase that desirable reform at the price of a dangerous attack on the authority of the Supreme Court.

Attorney General Clark already has made clear the Administration's "grave reservations" about using key sections of this bill. This is an encouraging start in a necessary fight. Politically attractive as it is to be against crime and for "safe streets" in an election year, responsible officials must not countenance a destructive and demagogic attack on the authority of the Federal judiciary.

[From the Salt Lake Tribune, May 5, 1968]

CRIMINALS' RIGHTS ALSO YOUR RIGHTS

Since they never expect to be charged with crime themselves, a growing number of Americans are calling for a loosening of legal procedures and elimination of some judicial safeguards they feel have worked to the advantage of lawbreakers and contributed to the nation's mounting crime rate.

Pressure to stop "coddling criminals" has taken the form of attacking recent U.S. Supreme Court decisions defining and elaborating on the rights of accused persons. Critics say the court has, by its interpretations of the Constitution, greatly hampered law enforcement. They now are moving to restrict the court's field of review and undo what they see as some of its most objectionable decisions.

A heated battle between opponents and supporters of the court can be expected any day in the Senate which is beginning consideration of the Johnson Administration's crime bill. In its original form this legislation contained no attempt to handcuff the court but two senators, Sam J. Ervin Jr. (D–N.C.) and John L. McClellan (D–Ark.) mustered enough strength in the Judiciary Committee to have their anti-court provisions tacked on.

The provisions would: 1. Reverse the Supreme Court's landmark Miranda ruling which held that confessions were inadmissible unless the suspect had first been warned of his rights.

The amendment declares instead that voluntariness shall be the sole criterion of the admissibility of a confession in federal courts.

2. Reverse another decision which said that suspects in police lineups were entitled to counsel by declaring that eyewitness testimony that a defendant had participated in a crime was admissible in any federal court regardless of the circumstances of the lineup.

3. Reverse a third decision which interpreted the federal rules of criminal procedure as requiring that no confessions be admissible if they were given during an unreasonable delay between arrest and arraignment of the defendant.

4. Abolish the jurisdiction of the federal courts to review state convictions in habeas corpus proceedings.

5. Abolish the jurisdiction of the Supreme Court and all other federal courts to overturn a state court's findings that a confession was voluntary or that a lineup identification was admissible.

Provisions one and two appear to be unconstitutional because Congress cannot reverse a Supreme Court decision interpreting the Constitution merely by adopting contrary procedural rules. The third provision raises no legal problem since Congress enacted the rules of criminal procedure and therefore has the right to change them.

There is doubt about constitutionality of the fourth provision and the fifth proposal touches on one of the most sensitive unanswered questions about the Constitution: Does Congress have power to block the Supreme Court from enforcing a controversial doctrine by passing a statute abolishing the court's jurisdiction to consider appeals on the subject?

The court itself held in 1869 that Congress does indeed have broad power to putter with the court's jurisdiction but Congress has steered away from doing so because of the obvious danger of upsetting the checks and balances system which is an integral part of American democracy.

We are glad the long gathering battle over the Supreme Court is about to break on to the Senate floor. In the long run the best interests of all citizens will be served by defeat of the five Ervin-McClellan amendments.

Backers of these amendments are taking the short-term view. They want convictions at the cost of full justice and they choose to ignore the subtle fact that by denying a criminal the right to full protection under the law they also are denying all people that right. As former Justice Tom C. Clark has noted "It happens that most cases are tested out by criminals but if they are deprived of these rights, you, too, lose them."

Today's upright citizen could possibly run afoul of the law tomorrow. The real question raised by the Ervin-McClellan amendments is not one of what rights criminals should have, but one of deciding what rights all members of this republic want for themselves.

[From the Atlanta Journal and the Atlanta Constitution, May 5, 1968]

FOLLY IN THE SENATE

The Senate Judiciary Committee has reported the Safe Streets and Crime Control Bill, but somewhere in the process of that panel's deliberations what was a notable tool for reform in the administration of justice has become a frightening piece of legislation.

The bill as it was sent to the Senate this week would legalize wire tapping and other electronic invasion of privacy and seriously restrict the criminal jurisdiction of the federal courts, including the Supreme Court of the United States.

The temper of these mutilations of a good bill is rather hysterical. They would demolish the effectiveness of the landmark decisions which the Supreme Court has made on the admission in trial court of eye-witness testimony and confessions.

In making these decisions, the high court underlined the guarantees every American is given in the Fifth and Sixth Amendments. This bill, as it stands, diminishes those guarantees.

Specifically, the bill would deny the federal courts the right to review writs of habeas corpus and state trial court decisions on admission of testimony of alleged eye-witnesses and the voluntariness of confessions.

The habeas corpus procedure is not to be tampered with, and we are appalled that any senator, however narrow his view, would think to undermine a fundamental aspect of American liberty.

This protection against illegal imprisonment is a right dear to this nation's heart, and it is a right deserving of protection, including the federal judiciary's. To limit that protection is folly.

Folly, too, is an apt word to describe other sections of the bill. The right of privacy guaranteed in the Constitution has been violated—and is being violated—with shameful flamboyance by federal and state agencies. The sophisticated means of snooping that these agencies have developed call to mind George Orwell's novel of Big Brotherism—"1984."

The Supreme Court has effectively limited these privacy-invaders. At least, the court has ruled that what they learn is not admissible evidence. Instead of permitting wire-tapping and the like, the Senate should look to the evils of such practices. They far out-reach any value such snooping has in law enforcement.

Who suffers? The people do. The rights we are guaranteed in the Constitution have held this nation together far more than the stock of our armories or the hot air of our politicians.

The Senate should remove these objectionable sections.

[From the Morgantown (W. Va.) Dominion News, Apr. 25, 1968]

SENATE BILL RESTRICTS RIGHTS OF APPEAL

Our American heritage includes the right to a fair trial and the right to appeal through state courts and, if constitutional rights or other federal issues can be shown, the right to appeal to the Supreme Court of the United States.

Sometimes the high court's actions in protecting the rights of individuals and groups with which we disagree cause us concern and provoke widespread criticism.

If the courts are to be swayed by public criticism or political considerations, then we do not have justice.

If legal procedures and constitutional protections are not assured by the highest federal court to everyone, even those we despise, we are all in danger of a breakdown of our form of government with its checks and balances of power among the legislative, executive and judicial branches.

Members of the Supreme Court are appointed for life and are removed from the pressures exerted on local and state courts.

Many people deplore safeguards of the law as interpreted by the Supreme Court regarding criminals. The Court has held that any accused man has the right to have an attorney present in making statements to police and that police and prosecutors can not force prisoners to sign confessions or other self-incriminating evidence.

A legislative attack on Supreme Court powers and the rights of citizens to appeal to U.S. courts from state court decisions relating to admission of confessions as evidence in trials has been made in Senate Bill 917.

The Judiciary Committee, headed by Senator Eastland of Mississippi, has adopted an amendment (Title 2) to the Safe Streets Bill which would remove the right of appeal from state courts to Federal courts for review of decisions on admitting confessions. The amendment would remove defendant's rights to a writ of habeas corpus to Federal Courts.

This is a concern of all free men, especially West Virginians who do not have an automatic right to appellate court review of a criminal conviction, a right most states grant in their constitutions.

The much criticized Supreme Court decision on confessions has not resulted in fewer convictions, a recent survey showed. It has required police and prosecutors to prepare better evidence than sometimes was the case when police could use force to obtain confessions, even from innocent prisoners.

The amendment to the Senate bill would lessen everyone's rights under the law and should be removed on the floor of the Senate.

[From the Washington (D.C.) Post, May 6, 1968]

ATTACK ON THE COURT

The effrontery of the Senate Judiciary Committee in recommending Title II of the crime bill is surpassed only by the manner in which its sponsors are now attempting to persuade their colleagues to pass it. The four provisions of this section of the bill have been presented on the Senate floor merely as revisions in the rules of evidence and in the procedures for federal court review of state criminal cases. They have been more accurately described by 35 members of the Harvard Law School faculty as making "far reaching . . . changes in the working of our constitutional system." They are, in fact, as serious an attack on the judicial system as the one beaten back in the 1950s and far more serious than the ill-fated "court-packing" plan of the 1930s.

For example, one section of the legislation would compel the Supreme Court to accept any state supreme court finding that a confession was voluntary. That would return the law to where it was prior to 1936 when the Supreme Court said it couldn't agree with Mississippi that a man had confessed voluntarily when his confession came after he had been hanged twice from a tree limb and then tied to the tree and beaten until he confessed. Cases like this still arise. Last December, the Supreme Court unanimously said it couldn't agree that a man confessed voluntarily when he made a statement after he was stripped naked and confined in a box six feet long and perhaps 12 feet wide for 15 days; the box had nothing in it except three prisoners and had one opening, a hole that served as a commode. The State of Florida saw nothing wrong with that and neither do the sponsors of this part of the crime bill. Their proposal would bar the Supreme Court from acting in cases like these; this according to Senator McClellan, would be restoring "a sound rule."

Another part of this same Title II is an effort to deprive the federal courts of the power to issue writs of habeas corpus to state prisoners. This simply means that regardless of how bad a state court system might become and regardless of how flagrantly Federal Constitutional rights might be violated the federal courts would have no effective way of dealing with the situation. Some Senators may wish to place their liberty solely in the hands of state court judges but most Americans, we believe, are not eager to give their Federal Constitutional rights to the tender hands of the courts of some states. Senator Tydings was right in saying that this provision "would roll back a century of progress in American constitutional law and restore American criminal procedure to the Dark Ages."

The other provisions of Title II are similarly misguided. They would create havoc with the American judicial system and they deal with some of the delicate problems in the administration of justice with a meat ax.

[From the Washington (D.C.) Post, May 9, 1968]

THE COURT'S ANSWER

Except for the fact that the Senate is now debating several proposals designed to limit the role of the Supreme Court in criminal cases, the Court's decision Monday on self-incrimination would go unnoticed. The decision is a narrow one as the Court's work goes and of relatively little importance. But the timing of it and the language Justice Black used in announcing it underline the conflict between the Court's view of the Constitution and the view held by the backers in the Senate of Title II of the Crime Bill.

The Court's decision was that a man who is in jail and who is being questioned about his income tax returns must be warned that anything he says may be used against him in a criminal case, that he has a right to have a lawyer with him when he is questioned, and that he can remain silent if he chooses. The holding is directly in line with the Court's decision in the *Miranda* case which is the decision that the first part of Title II attempts to overturn.

This effort by the Senate to upset *Miranda* is of doubtful constitutionality, as even some of its most vigorous proponents have admitted. Their goal, they say, is to convince the Court that it was wrong. But the Court's reiteration of its belief in the rightness of its decision should give them little hope. Referring to *Miranda* as a "great case," Justice Black said that "however much it may be criticized, (it) was an earnest, honest attempt by this Court to perform its duty under the Constitution to enforce the Fifth Amendment."

The Senate would be well-advised in its current debate to remember that a fundamental principle of the American legal system is that a defendant is considered innocent until the Government proves him guilty. The Fifth Amendment's bar against self-incrimination and the Sixth Amendment's guarantee of the right to counsel were designed to reinforce that principle. Undoubtedly it would be easier to convict defendant without these protections. What the Court has tried to do in the decisions now under attack is to make these protections meaningful. What Title II of the Crime Bill attempts to do is to pretend these protections exist but strip them of any real meaning. It is good to know that the Court wants no part of that kind of sham.

[From the Washington (D.C.) Star, May 3, 1968]

CRIME FIGHT: THE CLUB VERSUS THE WALLET

(By Dana Bullen)

At a cocktail party, in the barber shop, even in the Senate of the United States, one of the fastest ways to get people hot under the collar these days is to start talking about the crime problem.

Everyone has the answer.

For one group, it is a simple matter of "getting tough" on crime by removing court-ordered "technicalities" that prevent the police from doing their job.

One "technicality" is the Supreme Court's Miranda decision two years ago banning police use of confessions obtained from suspects who have not been effectively warned of their rights. Another is the 1957 Mallory decision barring use of confessions in federal courts in cases in which there is an unnecessary delay in a defendant's appearance before a magistrate.

A second group sharply disagrees. In its view, the only real way to "get tough" on crime is more money. Along with gun control measures, this group's answer is more financing for everything from police radios to probation officers.

The crime bill reported to the Senate floor several days ago embodies both views.

In line with President Johnson's crime messages, it would provide $100 million the first year and $300 million the second year to stimulate better police training and crime-fighting techniques.

A pilot program—with a fraction of the money the administration's bill would provide—already has shown what can be done.

New York, for example, is developing a statewide television system for identifications. A national survey of police laboratory needs is under way. Some 650 small and medium-sized police departments have been afforded improved officer training programs.

The bill before the Senate, however, does not stop here.

It also would undo controversial Supreme Court decisions, strip federal courts of part of their jurisdiction, permit wiretapping in a variety of circumstances and provide for limited gun controls.

Although the wiretapping and gun control sections are sufficiently controversial by themselves to keep senators talking for weeks, th , main showdown is shaping up over the proposals to undo Supreme Court decisions and restrict the power of the federal courts.

Specifically, these parts of the bill would:

1. Blunt the Miranda decision by making "voluntary" confessions admissible in federal courts despite failure of the police to advise a suspect of his rights.

2. Scrap the Mallory decision by providing that a confession would not be inadmissible in a federal court solely because of delay in arraigning an arrested person.

3. Abolish the authority of the Supreme Court and other federal courts to review a state court's finding that a confession was voluntary or that a line-up identification was admissible.

4. End the authority of federal courts to examine state criminal convictions in habeas corpus proceedings.

The proposals, by their very terms, virtually rule out any chance of a face-saving compromise between proponents and opponents.

In the report accompanying the four proposals to the Senate floor, eight of the Senate Judiciary Committee's 16 members charged that "it simply makes no sense" to exclude "voluntary" confessions.

"No matter how much money is spent . . ." the report said, "crime will not be effectively abated so long as criminals who have voluntarily confessed their crimes are released on mere technicalities."

But what is one man's "technicality" may be another's constitutional right.

In a speech several days ago discussing the Miranda case and other rules, retired Justice Tom C. Clark put it this way:

"While I dissented in most of these cases, it is fair to say that these protections are necessary under our system of ordered liberty. A person is only so free as all persons are free; and you are protected from unlawful action only to the extent that all persons are protected. It happens that most of the cases are tested out by criminals but if they are deprived of these rights, you, too, lose them."

The question before the Senate, then, is not just what rights criminals should have. It is what rights all members of a free society want for themselves.

One opponent of the confession and court review proposals, Sen. Joseph D. Tydings, D-Md., charged that the damage that could be done to our constitutional system if Congress approves these sections "is literally staggering."

Instead of helping in the war on crime, Tydings said in a Senate statement, approval of the anti-Supreme Court proposals in the crime bill would lead to "chaos" in law enforcement.

[From the Boston (Mass.) Christian Science Monitor, May 4, 1968]

CONFESSION REVIEWS: CRIME BILL PINPOINTS CHALLENGE TO COURT

WASHINGTON.—After 36 hours of continuous interrogations by police "relays" accompanied by systematic beatings, the Negro defendants in a famous case in Mississippi confessed and were sentenced to death. The Mississippi court ruled that the confessions had been given "voluntarily."

The Supreme Court of the United States, in 1936 in a historic decision by Chief Justice Charles Evans Hughes (Brown v. Mississippi), overruled the decision.

The right of the Supreme Court to review the voluntariness of confessions accepted by state courts would be revoked by one of the sections of the omnibus crime control bill now under debate in the Senate.

"At one stroke this proposal would destroy one of America's firmest bulwarks against barbarous forms of law enforcement," declared Louis H. Pollack, professor at Yale University Law School.

GUN PROVISIONS ATTACKED

But Sen. John L. McClellan (D) of Arkansas, floor manager of the bill, says this and accompanying provisions are necessary to combat crime. In a 284-page report he declares that "our citizens are fearful, terrorized and outraged," and they "demand and deserve relief from this scourge of lawlessness which today imperils our internal security."

The bill also contains mild provisions to control sale of firearms. These are under blistering attack by the sportsmen's and firearms lobby.

Senator McClellan and other conservatives are making what amounts to a direct attack on the Supreme Court for "coddling" criminals.

It is a new instance of the classic clash between the rights of society (as seen by Mr. McClellan) and the rights of the individual (as seen by the Supreme Court).

Mr. McClellan says self-confessed rapists and murderers are allowed to go free. He cites hideous examples.

The Supreme Court has demanded how such confessions were obtained and whether a defendant's constitutional rights were protected in the process. Its defenders cite hideous examples, too.

The Supreme Court has led a drive in recent years to try to impose stricter safeguards over the operation of state judicial processes brought in question particularly in the South and particularly for Negro defendants.

LAW DEANS COMMENT

Shock and astonishment over the bill is expressed by professors and deans of law schools polled by Sen. Joseph D. Tydings (D) of Maryland, an opponent of this provision (Title II). In a batch of replies, 150 legal scholars, including 13 law school deans from 28 law schools, unanimously oppose Title II. Many doubt constitutionality.

"It would virtually abolish habeas corpus for persons convicted in state courts," says David P. Currie of the University of Chicago Law School.

"I regard Title II as fully as ominous an assault on the Supreme Court as the court-packing proposal of the 1930's; in some respects more insidious," says Dean Francis A. Allen of the University of Michigan Law School.

"We will live in a nation that will have become more like the totalitarian governments of the fascist and Communist world," says Dean Harold C. Warner of the University of Tennessee College of Law, in a letter signed by eight other law professors.

These arguments do not convince Senator McClellan.

"We will never have safe streets," he told the Senate, "until we put the criminals in the penitentiaries where they belong."

REVERSAL URGED

It is necessary to reverse recent Supreme Court decisions, Mr. McClellan says, because the court has "lost judicial balance and is subjugating the rights and safety of society to privileged exploitations and atrocities by the criminal."

In Miranda v. Arizona the Supreme Court required that police warn the suspect that he has a right to remain silent and the right to the presence of an attorney.

In United States v. Wade the court held the suspect has a constitutional right to counsel during pretrial confrontations.

These and similar decisions would be undercut or removed by the pending measure.

CALIFORNIA SUPREME COURT JUSTICE DEMONSTRATES THAT MIRANDA DECISION DOES NOT HAMPER LAW ENFORCEMENT

Mr. TYDINGS. Mr. President, I have recently received a most interesting letter from the Honorable Stanley Mosk, an associate justice of the Supreme Court of California, setting out in detail statistics which indicate that the Miranda decision and other court decisions protecting the rights of individuals have not hampered effective law enforcement. Critics of the Supreme Court have constantly asserted that in past years, as court decisions strengthen the constitutional protections of the individual, law enforcement has been adversely affected. But the statistics cited by Justice Mosk from the State of California—which has an enlightened and progressive court system, and whose supreme court adopted a ruling identical to that set out in the Miranda case well before that decision in the U.S. Supreme Court—indicate that law enforcement has not been harmed.

I ask unanimous consent that the letter from Justice Mosk appear at this point in the RECORD.

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

SUPREME COURT OF CALIFORNIA,
San Francisco, Calif., May 9, 1968.

Hon. JOSEPH TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: I wish you well in your efforts to prevent legislative emasculation of Supreme Court decisions which have been based on constitutional guarantees.

You may find useful some California statistics which I have compiled to demonstrate that there is no significant relationship between crime figures and court decisions.

First of all, it must be borne in mind that crime statistics are based on the number of arrests. This may mean more crime, but it also means more effective law enforcement and more accurate crime reporting. The effect of court decisions on crime and criminals is determined by the results *after* arrest. The test is not how many arrests are made, but whether defendants charged with serious crimes are now being turned loose. An analysis of this subject reveals there has been no effect whatever upon criminal convictions by recent landmark decisions.

At the end of World War II, the year 1947, there were 10,209 persons convicted of felonies in the 58 counties of California. By 1950, the number was up to 12,375. From that year until this, there has been an increase in the total number of criminal convictions in California, despite all the controversial court decisions that are supposed to be handcuffing our police. In 1955, there were 15,236 convictions; 1960, 24,816; 1965, 30,840; and in 1966, the last year for which we have complete figures, a new high was reached: 32,000 convictions of felonies.

One might suggest this increase was due to California's phenomenal population growth. Yet, we can take the percentage of persons charged with felonies who were actually convicted. In 1947, 80.5 percent of those accused and tried of felonies were convicted. In 1950, the figure was about the same, 80.6 percent. But then, instead of dropping as a result of landmark court decisions, the percentage of convictions has generally gone up. In 1955, the percentage of convictions was 85.4; in 1960, a new high was reached: 87.4. For each succeeding year, the figure has fluctuated between 85 to 87 percent.

When *Escobedo* and *Miranda* were announced, many law enforcement people, news commentators, editorial writers and assorted politicians feared that no longer would suspects confess or plead guilty. Here again, figures disprove the apprehensions. In 1947, 8,190 criminal defendants pleaded guilty. In 1950, the number was up to 9,914; in 1955, the figure was up again: 11,930. By 1960, the number increased to 18,619 defendants who pleaded guilty. And 1966, our last complete record, shows the highest number in our

state's history, 23,089 defendants pleaded guilty.

From 1947 to 1966, percentagewise, between 61 and 69 percent of all persons charged with felonies pleaded guilty, regardless of prevailing protective court decisions.

What do all these figures indicate? They show that from 1947 to 1966, the number of convictions of defendants in California rose from 10,000 to 32,000—more than tripled. While our population has risen, it has never reached that astronomical rate. The rise in criminal convictions disproves critics' complaints that court decisions have been a handicap to the administration of criminal justice. Quite the contrary, the figures establish that firm and severe justice is being dispensed in California today.

Thus, on the whole, a dispassionate study should convince anyone that our courts are more effective, deterring crime more vigorously, and convicting more guilty defendants than ever before in our history. It is comforting to know that this is being done while our Supreme Courts in Washington and in California remain alert to the guarantees of the Bill of Rights bequeathed to us by our Founding Fathers. It will be a sorry day for America if the expediency of crime control is able to affect our American judicial process and persuade our courts to be any less concerned over individual constitutional rights.

Sincerely yours,

STANLEY MOSK.

TITLE III AND "JUICE" RACKET

Mr. PERCY. Mr. President, next week the Senate will, in all probability, consider title III and the several amendments that are pending thereto. As a cosponsor of the original bill upon which title III is based, I intend to support that title of the bil as written, and I am very hopeful that the Senate will approve those provisions of the title which will allow official electronic surveillance of organized crime activities, under court supervision.

The necessity for a concerted law-enforcement effort to rid the Nation of the terror and corrosive effects on our society of the mob has never been greater. As a Senator who represents an area which is a major stronghold of the Mafia, I am still shocked and saddened when I read and am exposed to accounts of syndicate activities that prey on the poor and disadvantaged, and threaten the freedoms and security of many of our citizens. The testimony received in the Select Committee on Small Business this morning represents a frightening—and tragic—account of the operations and effects of one of the Mafia's most insidious rackets: the loansharking or "juice" racket.

In hearings presided over by our able colleague, the junior Senator from Florida [Mr. SMATHERS], the committee heard testimony from three Chicago witnesses on the juice rackets in Chicago. Mr. Charles Siragusa, the executive director of the Illinois Crime Investigating Commission, was accompanied by his chief investigator, Mr. Robert Walker, and a third witness who could only be identified to the committee as "Mary Smith" because of the danger to her occasioned by her testimony against the mob. Her husband murdered by the underworld, she lives in constant fear she will be recognized by them, and further terrorized.

Mr. President, let me say that it is a tragic situation when a citizen of our country must live in constant fear and shun public places out of fear of retribution for simply doing one's duty as a citizen. The contrast between this forthright, courageous, though anonymous witness and the arrogant defiance of the committee by one "Fifi" Buccieri, one of our Chicago mobsters, presented in the sharpest terms the dimensions of the problem we as a nation face in confronting organized crime.

Messrs. Siragusa and Walker are men of vast experience in dealing with organized crime. We in Illinois are fortunate to have them on the job there. They presented a striking testimony to the committee which has compelling relevance to the debate we will shortly have on title III, and I ask unanimous consent that their statements prepared for the committee be inserted in the RECORD at this point.

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

IMPACT OF ORGANIZED CRIME ON SMALL BUSINESS—LOAN SHARK ACTIVITIES

(Remarks of Charles Siragusa, Executive Director Illinois Crime Investigating Commission, on May 16, 1968, before the U.S. Senate Select Committee on Small Business)

I am indebted to Senator Charles H. Percy for his gracious introduction.

Mr. Chairman and distinguished members of your Committee. On behalf of the Illinois Crime Investigating Commission, we compliment you highly for conducting the first nationwide expose of the degrading, highly profitable, and economically debilitating criminal usury racket. I am so concerned that I am now in the process of writing a comprehensive, non-fiction book on the subject.

I am honored you invited me to participate in your public hearings.

The Illinois Crime Investigating Commission Act was adopted by the 1963 General Assembly. We became operational in December of that year when I was appointed its Executive Director.

Our bi-partisan Commission is composed of 4 State Senators and 4 State Representatives appointed by the majority and minority leaders of both houses. The Governor appointed 4 Public Members.

We have 2 Co-Chairmen, one from each party.

As Executive Director I have the responsibility of the day-to-day supervision of 15 investigators, 1 Legal Counsel and 1 Auditor.

Our Act specifically recognized the influence of Organized Crime in the frequent subversion of governmental, political and economic institutions within the State of Illinois.

The Act clearly defined our mandates. (1) To investigate organized crime and establish the facts and general background relating thereto, (2) to investigate individual crimes having any bearing on Organized Crime, (3) to investigate the connection of organized crime and politics and (4) the connection with legitimate business.

In that context it is our obligation to protect the public safety, public peace, public health, public morals, public welfare or public justice of the State of Illinois through the statewide investigation of organized crime.

I shall address my remarks to the thrust of your public hearings, namely the operations of Organized Crime in the loan sharking area and the impact on Small Business.

During my 4 and ⅓ years with the Illinois Crime Investigating Commission and about 24 years with the Federal Bureau of Narcotics much has been said about the criminal syndicate's involvement in legitimate business. This has been usually characterized as penetration or infiltration. In recent years the term of domination becomes more appropriate.

There has been little evidence of gangster involvement in large commercial and industrial complexes. But there has been monumental documentation of the Mob's huge participation in what would constitute your definition of Small Business.

In Illinois we don't use the label of loan sharking or shylocking for the despicable practice of loaning money at usurious rates of interest. In the East the term of "Vigorish" is applied to the 10 to 25% weekly interest rate.

Instead, we cloak these practices under the more appropriate title of "JUICE". It is a juice loan. Juice is also applied to the weekly payments which are in excess of 500% annually.

A witness testified before us that the word is synonymous with squeeze. The juice customer is squeezed of his blood, morale and soul. The pressure of meeting 500% annual interest rates and fleeing inexorable physical reprisals, when he can't pay, are often unbearable.

As you know the term "Shylock" derives from the character of the same name in William Shakespeare's "Merchant of Venice". Over the years the name was applied to any one engaged in the usurious money lending business in the American underworld. The word "Shylock" was unintentionally slurred by gutteral, illiterate hoodlums. The word came out as "Shark".

Juice gangsters in the Chicago area epitomize the words of Shakespeare's Shylock. In addressing Bassanio who was seeking a loan, he said ". . . if you repay me not on such a day, in such a place, such sum or sums as are expressed in the condition, let the forfeit be nominated for an equal pound of flesh, to be cut off and taken in what part of your body pleaseth me".

The late William "Action" Jackson, a petty Chicago muscleman, failed to meet his weekly juice payments. He was strung up alive, on a meat hook, while the juice men cut off a piece of his buttocks, stabbed him with ice picks, and burned him with an acetylene torch. He died from shock.

How do these activities affect small business? The National Crime Commission assessed the economic impact of gambling at $7 billion dollars annually. Ranked next were narcotics and loan sharking at an annual economic impact of $350 million dollars each.

Juice gangsters also squeeze the financial community. Small businesses are denied their rightful share of this economy. Banks, savings and loan companies, finance companies, acceptance companies, factors lose their normal share of the legal loan business to organized crime loan sharks.

Licensed financial institutions and otherwise legally constituted lending and credit companies, many of them within the framework of Small Business, are squeezed out of their lawful rates of interest when individuals and small business, in need of financial assistance, go to the juice gangster.

Small business engaged in the sale of consumer goods and services are denied income juice victims must pay in the form of high rates of interest.

The Illinois Crime Commission continues its investigation of the juice racket, started in 1965.

In 1966 we solved two armed robberies and successfully prosecuted several defendants. They needed the money to pay off their juice debts. We also arrested and convicted top juice gangster operators Willie Messino, George Bravos and their cohorts Joseph Lombardi and Sam Mercuiro on charges of aggravated kidnapping, battery and conspiracy committed before the criminal usuary law was enacted.

My Chief Investigator, Mr. Robert J. Walker will testify before you today con-

cerning Mession, et al., the horrible anatomy of a juice gang.

We held our first juice racket public hearings from January 14 through 16, 1966. We exposed, for the first time in Illinois, the nature and scope of this venal organized criminal activity.

Twelve juice victims testified in detail as did two of our undercover agents. Thirteen suspected juice gangsters were subpoenaed but took the Fifth Amendment to a total of 1,026 questions.

We questioned these hostile witnesses concerning 16 gangland murders, crimes of arson, armed robbery, assault and battery, intimidation, kidnapping, torture, B-girls, vice, gambling, hijacking, counterfeit stock schemes, narcotics, embezzlement, income tax evasion and fraud, and a host of other organized criminal activities.

We discovered that many of the juice gangsters were engaged in a wide range of legitimate businesses, including, but not limited to, restaurants, restaurant supplies and services, trucking, juke box, vending machines, furniture distribution, household appliances, and others.

Some of the gangsters operated sales acceptance and factoring companies as covers for their juice operations.

Another 12 gangsters refused to comply with our subpoenas, contesting their validity and the validity of the Commission itself. They were Fiore "Fifi" Buccieri, his brother Frank Buccieri, Joseph Grieco, Joseph "Gags" Gagliano, two former Chicago Police officers Richard Cardi and Albert Sarno, Dominick Carzoli, Patsy Ricciardi, Pete Ori, Tony Spilotro, Lenny Patrick and Arthur "Boodie" Cowan.

We filed petitions with the Cook County Circuit Court in Chicago. The mobsters were to appear before our Commission. The court orders were appealed unsuccessfully to the Illinois Supreme Court. The U.S. Supreme Court refused to grant certiorari. In the interim Arthur "Boodie" Cowan was murdered in gangland fashion.

Eight of the 11 respondents finally appeared before our next public hearings on February 24, 1968, more than two years later. They too invoked the Fifth Amendment a total of several hundred times.

Albert Sarno, Chris Cardi and Patsy Ricciardi were the subjects of a court petition to grant them immunity from self-incrimination. We expect to file written arguments on or before April 22, 1968.

Three of the original 11 respondents, Fiore 'Fifi" Buccieri, Joseph "Gags" Gagliano and Joseph Grieco, appeared before us on March 23, 1968, at our next public hearings. They too pleaded self-incrimination.

A very courageous widow, Dorothy Franchina, testified that Joseph Grieco gave her husband a $300 loan. He was a full time employee of a local Chicago newspaper. Doctor and hospital bills depleted all his earnings. H^ was compelled to go to juice gangster Grieco for a $500 loan.

Tony Franchina experienced frequent trouble in meeting the weekly 10% juice interest payments. One night he was dropped at his wife's doorstep badly beaten and bloody.

In May, 1964 Grieco and two of his henchmen tried to kidnap Mrs. Franchina's 5 year old kindergarten son, Michael. His father was again overdue on his payments. Mrs. Franchina frantically begged $30 from her grocery store boss when a telephone call said she may never see her son again.

Another time she was told they would get her enough male customers so she could earn $100 a day and thereby meet her husband's payments. Unfortunately, there is a 3 years statute of limitation on kidnapping.

Mr. Franchina had paid about $1,000 in interest without ever reducing the principal before he finally took his life with a bullet to the chest.

At our March 23, 1968 hearings evidence was adduced from 5 uneducated negro employees of a glue factory, who made juice loans from a nearby clothing store owned by one Marvin Browning, an associate of Chicago area gangsters Charles and Sam English. They paid 20% interest a week and signed blank wage assignments.

The assignments were served upon the negros' employer. Each week 15% of their salaries was withdrawn and paid to the clothing store. One of the employees had been the subject of wage assignments for the past 19 years, coinciding with the full length of his employment. The period of the other continuing juice loans ranged upward from 10 years.

We intend to prosecute Browning, his brother-in-law Guido Smania and the latter's brother Emil Smania, in state court, on charges of criminal usury, consumer fraud, and illegal operation of a tavern.

We established that before World War Two, the juice racket was relatively insignificant in Illinois. Previously only the so-called disreputable thugs would stoop to shylocking. It was considered to be undignified and penny-ante.

Our experience indicated that during the post World War Two period organized crime discovered the tremendous profits to be made from loan sharking. Organized crime now considered this activity as most respectable.

Today gangland leaders finance juice operators, loaning them $50,000 and upwards at an interest rate of 1 to 5%. They usually want their principal returned plus this rate of interest within a few weeks. The financeers work on volume and fast turnover.

These loans usually supplement the large bankrolls already in the possession of the juice operators.

We investigated one juice gang, composed of just 5 men, that in one year, with an initial investment of about $200,000, managed to grant loans in excess of $350,000 to a total of about 150 persons.

At the end of the year the gang earned almost that amount in weekly interest payments and return of principal. And it still had about $200,000 due it in unreturned principals.

The structure of this one juice faction and its modus operandi are typical of the many others in the greater Chicago area.

Gangs have three sections, one distributes loans, another collects the weekly juice payments and the last are the musclemen and enforcers who threaten, intimidate, maim and ultimately murder those marked as total dead beats.

The customers are from every walk of life, legitimate and otherwise. One common denominator is the urgent need for money with false hopes of speedy repayment.

Compulsive gamblers accumulated too many losses from their bookmakers. The latter sold the debts to juice men much as a businessman would sell promissory notes or discount their accounts receivables.

The stick-up man, the burglar, the hijacker, for example, need money for legal and bail bond fees. Or in between "scores" he needs money to tide him over. Again he goes to the juice man.

Or the bookmaker holds out on his collections and fears certain retribution for his sins. He knows where he can find a juice man and runs to him.

Underworld sources represent a secondary fountain of revenue. Those without criminal records, the average man of middle or low income and the small businessman, account for the bulk of the juice man's fortune. Following are a few actual case histories.

The uninsured motorist was involved in a traffic accident and had to furnish a financial responsibility bond.

The unskilled worker was behind on his automobile installment loan and had to avert repossession.

The unemployed stevedore suffered family sickness with large unpaid hospital and doctor bills.

The automobile salesman lived much beyond his means. He owed more money to credit and finance companies than his salary could sustain. Somehow, someway they all expected some miracle to solve their financial dilemmas.

The salesman or even a management officer found it expensive to maintain a wife and family, and a mistress. He hoped to hide his financial woes from his wife. He too was ripe for the juice man.

The small business man wanted to take a flyer on the expansion of his plant. Another needed earnest money to bind a deal. Another was compelled to pay advance commissions of $150,000 to a mob mortgage finder who never did deliver on his part of the contract.

The juice racketeers do not advertise for business. Bartenders overhear the groans and laments of the worker across the street from a large factory or office building. The bartenders refer the prospective customers to the man at the other end of the bar who knows a man who knows a man. Manytimes it is the first man who is the direct representative of the juice gangster.

We determined another recruitment method. One fellow building contractor discussed his money problems with a colleague in the same industry. The latter referred him to a savings and loan institution. The loan officer broke the sad news that the applicant lacked adequate collateral or his financial statement was too scrawny.

However, the loan officer said, "I know an individual who may loan you the $20,000". Five figure loans are called "classic" loans in the jargon of the juice gangsters.

There are two methods of granting a loan and repayment of it. The borrower pays 10% weekly interest. The principal can be paid back whenever convenient. Or loans must be amortized, at the rate of 10 to 20% a week interest, within a previously stipulated period, usually only several months. If, however, the principal is paid off before the expiration of the period, the juice customer is still obliged to pay the interest which would have accrued for that period.

As yet there is no threat, there is no violence. Should a borrower not be in a position to repay the principal, but only the weekly juice, this is entirely satisfactory and preferable.

We know of innumerable instances where an aggregate $1,000 in interest was paid over a long period on a loan of $100. And the $100 principal was still outstanding.

When the day arrives the juice customer can not pay, his peace is rudely interrupted. The collector reminds him that the boss has a hot temper, wants the money on time, or else.

One man ran around frantically to his close friends and relatives. He succeeded in meeting the next payment and pay the arrearage. The next week he could not come up with the juice. He didn't answer his phone at home. Calls to his office or plant were avoided.

He was soon cornered on the street. Another time he received a visit at home from two plug uglies he never saw before. Fist blows fractured his jaw, and broke his ribs. Another delinquent received a few taps on his shin bone with a junior league baseball bat. His wife and children were terrorized. Baseball bats and short pieces of iron pipe have become tools of the trade for the juice enforcers.

As additional punishment delinquent accounts are given arbitrary, flat assessments. Or the interest rate is raised to 15% a week. Or the principal is doubled with the interest payments also doubled.

The human collateral also comes in for the muscle treatment. He is the man who introduced the juice customer. As such, he

is the collateral for an invisible paper promissory note. By organized crime's ethical criteria and policy, he is held equally and fully responsible.

The co-signer adds to the pressure already exterted on the juice customer. If his entreaties don't culminate successfully, he, the co-signer must make good for the debt or suffer the same beating. So he either begs the borrower to pay or himself assaults the borrower.

When neither the borrower nor the co-singer find it possible to pay up, the co-signer sometimes winds up as the compulsory finger-man. The juice victim is taken for a ride, riddled with bullets, and thrown in the trunk of his own car. The juice gangsters arrange for the car to be parked so that the police find it.

Discovery of the murder is a warning to other delinquent juice customers. They get the message with stark emphasis. The news headlines don't cost these gangster animals at dime of advertising space.

Occasionally the juice customer borrows money from mobster A to pay mobster B. The customer has broken the unwritten code. A juice mob will never cut in on another's territory. The juice customer gets knocked around just enough to teach him a lesson when he purposely causes one juice faction to unwittingly violate this unwritten edict.

In Illinois, as elsewhere, ordinary usury laws are too broad to permit successful criminal prosecution. Consequently, we adopted a new law in 1965. It prohibits an annual rate of interest in excess of 20% annually. It generally forbids anyone to engage in commercial lending without being duly licensed by the State. Violation of this law is liable to a penitentiary term of maximum 5 years.

In 1967 we attempted unsuccessfully to amend the law to include provisions making possession of loan sharking records illegal per se, and to compel licensing and control of acceptance and factoring companies. We also failed to have the criminal usury law also cover indebtedness. For example, our State law does not yet consider a gambling debt as being a loan. Consequently, a gambling debt converted into a juice debt, is not legally a violation of our criminal usury statute.

We were also unable to secure passage of still another amendment making it unlawful for even a licensed lending institution to charge more than 20% annual interest rate.

We also proposed that some business loans, now exempt from licensing, be compelled to charge no more than 20% annually.

RECOMMENDATIONS

I would recommend the following for your consideration:

(1) Draft a model, uniform criminal usury law for distribution to the Governor, legislative bodies, and Attorney General of every State.

(2) Include in the model law the substance of the existing Illinois criminal usury law, a copy of which I will give you. A copy of the New York State Law would also be very helpful.

(3) Include the amendments we attempted to pass in the 1967 General Assembly. I also brought them with me.

(4) Study the advisability of provisions making violators, upon conviction, liable for treble damages based on amounts of money paid in excess of 20% annually.

(5) Passage of a federal law to provide financial assistance to state authorities, upon approval and certification by the United States Attorney for the appropriate federal, judicial district, in relation to state prosecutions for violation of criminal usury laws. Such financial assistance should be limited to subsistence, housing and transportation for complainants and their dependents, whenever such assistance is essential for a successful court prosecution and state authorities lack sufficient financing.

(6) Passage of a federal law making criminal usury a felony when a person or persons have travelled across state borders in furtherance of this activity. Perhaps an amendment could be made to the Interstate Travel in Aid of Racketeering statute.

I would add parenthetically that this would not be in lieu of responsibilities of state governments to enforce their own criminal usury laws, but rather supplemental thereto.

(7) Amend the Small Business Act to provide that recipients of S. B. Administration loans engaged in any phase of money lending activities, can not charge more than 20% interest annually, under penalty of imprisonment. Loan applications could include this requirement.

(8) Another amendment could be that any person, group or company convicted of criminal usury in state or federal court be ineligible to apply for or receive a loan from the Small Business Administration for the next 10 years.

(9) Local offices of the Small Business Administration should be encouraged to screen questionable loan applicants with federal and state law enforcement agencies.

(10) Section 8 of the Small Business Act provides for the dissemination of information concerning the managing, financing, and operation of small business enterprises. Perhaps it can be amended to include dissemination of information concerning criminal usury activities to encourage small business to apply for loans from the Small Business Administration rather than go to the juice racketeers.

(11) Section 7 of the Small Business Act provides for research grants. You may wish to amend this section to authorize such grants for studies of existing state, usury laws.

In conclusion, juice or criminal usury racketeers seriously encroach upon small business men engaged in the legitimate field of money lending. Loan sharks deprive legitimate business of millions of dollars of income. Loan sharking is on the incline, with the accompanying threat of robbing more millions from more small business men.

The urgency to suppress the juice loan racket conforms with the policy of Congress, as expressed in Section 1 of the Small Business Act which states in part: ". . . the preservation and expansion of competition within free enterprise is basic not only to the economic well-being but to the security of this nation . . ." Thank you.

IMPACT OF ORGANIZED CRIME ON SMALL BUSINESS LOAN SHARK ACTIVITIES

(Remarks of Robert J. Walker, Chief Investigator Illinois Crime Investigating Commission, on May 16, 1968, before the U.S. Senate Select Committee on Small Business)

Mr. Chairman and Mr. Senators. My name is Robert J. Walker, I am the Chief Investigator of the Illinois Crime Investigating Commission. I have been employed by our Commission since May 26, 1964. Before that I was with the Chicago Police Department for 8 years.

Mr. Siragusa has given you details of criminal usury or "juice" racket operation in the Chicago area. I will attempt to furnish you a summary of our investigation of one specific juice mob faction.

The case started on July 29, 1965 when juice victims George Chiagouris and his two brothers Jack and Al came to our office. The case ended on August 17, 1965 when we arrested gangsters George Bravos, aged 57, residing at 715 North Pulaski Road, Chicago; Sam Mercurio, aged 47, residing at 3257 North Nottingham, Chicago, and Joseph Lombardi, aged 32, 221 South 30th Garden Apartments, Bellwood, Illinois.

The principal defendant Willie Messino alias Wee Willie alias Willie The Beast, aged 51, of 2037-77th Avenue, Elmwood Park, Illinois, escaped but he surrendered a few days later.

Messino, Bravos and Lombardi were convicted in Cook County Circuit Court, Chicago on charges of aggravated kidnapping, aggravated battery and conspiracy. Mercurio was convicted on conspiracy charges. The trial started on December 19, 1966 and ended January 21, 1967. The jury was out 8½ hours.

Defendant Messino received a sentence of 10 to 30 years; Bravos received 5 to 20 years; Lombardi 7 to 20 years, on April 25, 1967. Mercurio was sentenced on June 8, 1967 and received 5 years probation, the first 30 days to be served in the County jail. All the convictions were appealed.

I will explain briefly why these defendants were not prosecuted on the fundamental usury violation. The witness-victims borrowed a total of $165,000 during the period from June 23, 1964 until July 1965. They paid $163,000 mostly in interest and still owed $124,000. Since the events antedated the passage of Illinois' criminal usury law in 1965 we prosecuted the defendants for kidnapping, battery and conspiracy. In effect, justice was done because penalties for these crimes exceeded the 20 years maximum prison term provided for in the criminal usury statute.

Nevertheless, the news media in Chicago characterized this as the first successful "juice" case prosecution in Illinois.

Juice victims George, Jack and Al Chiagouris were successful small businessmen. They owned a thriving construction company engaged in modest priced private dwelling housing developments.

They had an opportunity to purchase a Chicago loop hotel at a significant bargain price.

Their outstanding loans with licensed banking institutions did not permit an additional loan from them. The lure of a bargain lead them through a long path of violence and severe, mental anguish.

They discussed their financial dilemma with Sandor Caravello, a colleague in the construction business. The Chiagouris brothers were told they could obtain the necessary $50,000 earnest money but the interest rate would be higher than usual. The Chiagouris brothers hesitated, but only briefly.

The brothers were subsequently introduced to Sam Mercurio, a director of the Service Savings & Loan Association, at 7666 West 63rd Street, Summit, a Chicago suburb. Mercurio advised them his association could not extend the loan but he knew friends who could.

On June 23, 1964 the brothers arrived at Caravello's carpeted, wood panelled office. Seated behind the desk was Willie Messino. Also present was George Bravos. "We need $50,000" Albert Chiagouris said.

Messino explained that the interest would be 40%, a total of $70,000 to be paid back in 47 weeks. The payments would be $1,500 a week for 46 weeks and $1,000 on the 47th week.

Two days later the brothers returned. Messino counted out $50,000 in cash. At Messino's directions Jack Chiagouris typed out 10 judgment notes, nine for $7,500 each and one for $2,500, a total of $70,000.

All 3 Chiagouris brothers signed the notes, Messino retained the originals and the brothers kept the carbon copies. Bravos added that the final security on the loan would be the brothers' eyeballs.

At that point Messino introduced Joseph Lombardi as the weekly collector of $1,500. They were instructed to put the cash in an envelope, mark the number 24 on the envelope and leave it for Lombardi at Caravello's office.

After Messino and Lombardi left, Caravello implored the Chiagouris brothers for a $15,000 loan from the $50,000 they had just

received. He was to repay it in a week, but he never did.

The brothers made 3 weekly juice payments of $1,500 each, but their financial plans were snagged. They had expected to liquidate some of their holdings to obtain an additional $100,000 necessary to seal the option on the hotel purchase, and to realize enough cash to cancel their $50,000 loan from Messino and Bravos. However, the liquidation did not materialize.

The Chiagouris brothers returned to Messino and Bravos and succeeded in obtaining a second loan, this time it was $100,000 in cash currency. The terms were repayment of $10,000 at the end of the 35 days, another $10,000 35 days later, and $110,000 on the 105th day. The loan of $100,000 was secured with a $130,000 promissory note.

When Messino and Bravos departed the brothers were opportuned by Caravello for another $25,000. They never saw that money again or the original $15,000 they had loaned to Caravello.

The Chiagouris brothers continued making their $1,500 weekly payments but could not meet their $10,000 payment on the $100,000 loan. A parking lot rendezvous was arranged to explain their predicament, Jack Chiagouris was behind the wheel of his auto. The window was open on his side. Without warning Messino shot his fist at Jack's jaw.

Messino threatened that unless the large payment was made soon, he would impose a tax of $1,000 a day for every day the brothers were late.

Two days later the Chiagouris brothers made their weekly $1,500 payment on the first loan, and paid $10,000 on the second loan. They also paid the tax of $2,000 for the two days they were late; a total of $13,500.

Keeping up with the payments on the two loans from Messino and Bravos became so burdensome the Chiagouris brothers asked Mercurio for help in getting Caravello to repay them all or part of the $40,000 due them. Instead Mercurio repeated the confidence to Messino and Bravos.

The time arrived for the $110,000 payment. In the Flying Carpet Motel cocktail lounge at 6465 North Mannheim Road, the gangsters threatened to put a bullet in the head of each of the 3 brothers.

Bravos stipulated new terms. Thereafter they would pay $10,000 every month until such time as they could make a one lump payment of $100,000. Bravos said this would continue if the victims had to make monthly payments the rest of their lives.

Also present in the cocktail lounge was Caravello. He was punched about the face, kicked in the shins and threatened with murder for "breaking the rules." Caravello had, after all, taken $40,000 of their money from the Chiagouris's. His life was spared.

Thereafter the brothers paid $10,000 a month on the so-called re-financing of the second loan. They were also still paying the $1,500 weekly on the first loan.

In March 1965, however, they could only pay $8,000 of their $10,000 obligation. Messino and Bravos threatened to choke them until their tongues hung out. The terrified men were also given another arbitrary tax of $2,000 on top of the $2,000 balance for that month.

The brothers made their regular monthly and weekly payments on the 2 loans, plus the above assessment, until May 1965. Lombardi collected the payments from them at the Bonfire Restaurant, 7900 West Grand Avenue, Elmwood Park, Illinois.

Once again the brothers could not come up with the money. As instructed, George and Jack Chiagouris reported to the picnic area of the Bonfire Restaurant. Albert Chiagouris was afraid to keep the appointment.

Messino and Bravos were furious. Messino punched Jack, fracturing his jaw. He also walloped George in the face, kicked him in the ribs and kneed him in the groin. They were both worked over thoroughly until they agreed to locate Albert.

Bravos said he would hold them as personal security until Albert showed up. At the court trial two years later George Chiagouris testified ". . . In the meantime Mercurio had arrived. A tooth was out of my mouth, my lip was all swollen, the side of my face was swollen, there was still some bleeding, I couldn't stand erect, I couldn't breathe too readily . . . the whole left side of Jack's face was swollen, he was holding his hand to his face . . . he couldn't stand straight . . ." Messino and Lombardi had inflicted all the punishment.

The brothers had a trust account at the Chicago City Bank valued at $140,000. They promised to make an assignment on the trust, to Mercurio, with Messino and Bravos having the real but undisclosed interest.

George and Jack telephoned their homes, leaving word for Albert to be at the bank the first thing next morning. George and Jack were forcibly taken to the home of Messino's mistress where they were held overnight, literally kidnapped and held for ransom.

The morning of May 8, 1965 George and Jack Chiagouris were taken to the Chicago City Bank & Trust Company, 63rd & Halsted, Chicago, where Albert awaited them. There were 22 buildings and some vacant land in their trust. The Reliance Federal Savings and Loan, 2000 West Cermak, Chicago, had mortgages on the houses. The Chicago City Bank & Trust Company, held the first assignments of the beneficial interest in the trust. The Chiagouris brothers' attorney held the second assignment for past, unpaid services. A third assignment was then signed over to Mercurio by each of the brothers.

The juice victims were now released from custody. A few days later new promissory notes were executed, totalling $124,000. The new schedule of payment was $1,500 a week for the original loan of $50,000 on which they had already paid back $70,000. Monthly payments on the $124,000 would be temporarily suspended but they would resume until the entire sum was paid back in installments, or in toto.

The time arrived when the Chiagouris brothers had difficulty in meeting their legitimate mortgage obligations to the Reliance Federal Savings & Loan. In order to protect their third beneficial interest in the Chicago City Bank & Trust, Messino gave the Chiagouris brothers a $15,000 cash loan, payable in 90 days, interest of $900 a month, with a promissory note of $17,400 as security. Messino's greed again blinded his business acumen.

By July 28, 1965 the brothers were at the end of their rope. They were without any money, and were several weeks behind on their payments. They stayed away from their office and their homes, fearing that any moment either Messino or Lombardi or Bravos would find them and do the worst.

This is when they came to our office and poured out the preceding narrative. They furnished us some documentary evidence and other undeveloped leads which we subsequently verified. However, it was Director Siragusa's wish that we obtain additional, direct evidence to strengthen our case further. Consequently we planned and put into operation an appropriate undercover scheme.

We discussed the investigation with Cook County State's Attorney Daniel P. Ward, who is now a Justice of the Illinois Supreme Court, and enlisted his financial assistance.

We made a list of the serial numbers of $1,500. On July 30, 1965 I accompanied George Chiagouris in his automobile to the Red Steer Restaurant at 8800 West Grand Avenue, River Grove, Illinois, where he had to keep his regular appointment with collector Lombardi.

In a few minutes Lombardi arrived in his car, parked, and walked over to us. In my view George gave the $1,500 to Lombardi, stating I was his brother-in-law. Other agents of our office watched from vantage points in the parking lot, and took photographs of the event.

On August 2, 1965 a second meeting was held between George and Jack Chiagouris and Lombardi, at the Red Steer Restaurant. Surveilling agents also took photographs of this incident. At that time George and Jack made another payment of $800.

The Chiagouris brothers tried to delay another meeting with collector Lombardi. Jack and Albert went into hiding. George got himself admitted to a hospital, for a rest. Lombardi left violent telephone messages at Jack's home.

Consequently, George telephoned Lombardi from the hospital to plead for time. Lombardi threatened to "come choke him a little". Therefore, George agreed to bring his brother Al the following day to the La Salle Hotel.

I walked in with George and Jack Chiagouris. Shortly thereafter Lombardi entered with Messino. Messino motioned for the brothers to follow him into the bar. I protested, saying I wanted to be present. Messino told me Lombardi would sit with me in the lobby.

George Bravos now walked by me and went toward the bar. I made conversation with Lombardi in an effort to obtain more corroboration of past events concerning these juice transactions. I told Lombardi that as George's brother-in-law I had given him the money for the last two payments.

I volunteered that I was concerned for George's safety because of the beating he suffered a few months before, like the broken jaw Jack received from him and Messino. Lombardi said it could have been worse than a broken jaw.

I asked Lombardi why it had been necessary to get rough with the Chiagouris brothers. Lombardi replied they had certain methods of collecting debts from delinquent customers. He also admitted "having given Jack and George a couple of slaps".

I asked Lombardi if there wasn't some way to settle all the debts. Lombardi replied that only Messino and Bravos had the power to do that.

Inside the bar Messino heaped foul language and threats of violence on George and Jack Chiagouris because they had continued to duck their payments. George made another payment to Messino giving him $1,500. Bravos, who was seated at the bar, then walked over to the table, to join the conversation. Bravos cautioned the brothers to stop the nonsense hereafter and make their payments on schedule, or else.

Another meeting was arranged for noon August 5th at Stefano's Restaurant, Damen and Chicago Avenues. I accompanied Jack and George. Messino was there. He said he had another appointment and would see us later that afternoon at Morreale's furniture store at 3742 West Chicago Avenue.

We kept the appointment at the furniture store. Messino did not want to talk to me. Instead he took Jack and George into the private office there. They told Messino they had an opportunity to cancel out their debt to him but would like a rebate. Messino magnanimously said he would accept $75,000 to wipe out the outstanding debt of $124,000.

As I left the store with Jack and George, Messino waved goodbye to me.

We later decided to close out the case because we were not in a position to make any payments to the juice gang. Coordinated arrests were made on August 17, 1965. Lombardi was arrested at the Sahara Motel, 3800 North Mannheim Road, Schiller Park, Illinois.

This establishment was formerly owned by Manny Skar, a Chicago hoodlum who was murdered in gangland fashion on September 11, 1965. It was later determined the motel had received a million dollar loan from Mar-

shall Savings & Loan Association, Ogden & Harlem, Riverside, Illinois. That Association was placed in receivership by the State of Illinois.

Bravos was arrested at his A–1 Industrial Uniform Company located at 1217 North Oakley Boulevard, Chicago.

Caravello was found at his Bee-Gee Builders, 5420 North Harlem Avenue, Chicago. He was formerly associated with the Northlake Community Hospital, Northlake, Illinois, when it was named the Dr. Bruni Memorial Hospital. Dr. Bruni was later convicted in federal court on counterfeiting charges.

Messino was seen on the street coming out of the Chicago Linoleum & Tile Company, 3816 West Chicago Avenue, in which Messino was suspected of having secret financial interests. He became suspicious of the surveillance agents and escaped, running down alleys and vaulting back-yard fences. Because of the many motorists and pedestrians in the vicinity I fired only one warning shot, straight up into the air, but to no avail.

Mercurio was arrested at the Service Savings & Loan Association. He had $1,500 in cash in his possession. This Savings & Loan was taken over by the State of Illinois on September 1, 1965 because it was unable to pay dividends to its shareholders. At one time he was also the president of the Michigan-Erie Insurance Company, 645 North Michigan Avenue, Chicago.

Messino surrendered to us on August 23, 1965 saying he did not want to take the chance of us shooting him on sight if we saw him on the streets. He said he heard we had been looking for him armed with shotguns. Messino was correct because we considered him to be extremely dangerous.

Messino has the following criminal record: March 29, 1935, sentenced to 1 year to life, Joliet Penitentiary for armed robbery.

November 25, 1940, paroled from Joliet penitentiary.

April 11, 1946, Investigation in Dallas, Texas.

April 20, 1953, Investigation in Chicago.

March 11, 1958, Conspiracy and Extortion, found not guilty in Chicago.

December 31, 1963, Aggravated kidnapping in connection with another juice case in Chicago. He was found not guilty.

Bravos was first arrested on March 9, 1944 for investigation in Chicago and on August 8, 1959 for disorderly conduct in Arlington Heights, Illinois. He is the intimate associate of gangster Dave Yaras of Chicago and Miami Beach.

Joseph Lombardi was arrested on January 3, 1963 for burglary, but he was released. On December 9, 1963 he was again arrested for burglary, and released.

Sam Mercurio has no prior criminal record.

Our conspiracy case against Sandor Caravello was dismissed. He has the following criminal record:

On January 3, 1934, he was arrested for armed robbery, but was later acquitted. On December 30, 1936, he was arrested on charges of election fraud, found guilty and sentenced to the penitentiary from 1 to 5 years.

He was paroled from the penitentiary on December 23, 1940 and discharged from parole on September 11, 1942.

In my 12 years of law enforcement experience this was probably the roughest and toughest high echelon mob faction I encountered. A twenty four hour guard is still maintained on all three of the Chiagouris brothers, and for good reason.

The court prosecution was handled by Assistant State's Attorneys Patrick A. Tuite, who is now Chief of the Criminal Division, and George P. Lynch who since left the State's Attorney's office to engage in a private law practice. These 2 young men did a masterful job unfolding an intricate web of diabolical criminal usury and in besting 4 middle aged, highly competent and experienced defense counsels.

I would also like to acknowledge the excellent cooperation we received from Mr. John Stamos, who succeeded Judge Ward as Cook County State's Attorney, and his first assistant Mr. Louis Garippo.

Thank you.

PRESIDENTIAL CANDIDATE RICHARD M. NIXON

Mr. CURTIS. Mr. President, a very capable mentor of mine when I first entered politics often said, "You have to run for office when there is an opportunity." The truth of that statement is well known. There seems to be a time in history when the people turn to a particular man for some great task.

Since the New Hampshire primary there have been some very significant developments. I believe that Mr. Nixon's hour has arrived. The people at the grass roots are responding to the clarity and courage of Mr. Nixon's statements. He is offering leadership that means progress for our Nation and a turning away from those things that have so blighted our country in recent months.

Mr. Nixon's win in Indiana was a significant one. It showed strength and it showed that the people are turning to him. Probably one of the most significant primary elections held has received a lesser amount of publicity. I refer to the State of Pennsylvania.

Pennsylvania is an important industrial State. It is an eastern State that lies adjacent to the State of New York. Most of the statewide leadership of the Republican Party of Pennsylvania looked with favor upon the candidacy of the Governor of New York. No names were printed on the ballot. It was a fair race. Observers cannot escape the meaning of the returns, for in that race Mr. Nixon led the Governor of New York by about 3 to 1.

The people of Nebraska spoke through their primary election last Tuesday. Based upon the returns from 2,109 precincts out of a total of 2,133, the results of the Republican primary are as follows:

Nixon	135,325
Reagan	41,831
Stassen	2,626
Liberator	1,281
Rockefeller	10,172

In addition, more than 2,200 Democrats wrote in the name of Richard Nixon on their primary ballot. As the remaining scattered precincts come in and as the mail vote is counted, Mr. Nixon's vote will likewise increase.

Mr. President, the write-in of a name in a Nebraska election is a very simple matter. There are no technicalities concerning spelling or other marks on the ballot that interfere with the proper tabulation of the votes so long as the intent of the voter can be ascertained. In 1952 Senator Robert A. Taft won the Nebraska Republican presidential preference vote on a write-in. There were 79,357 such votes for Mr. Taft. On the same day, 66,078 persons wrote in the name of Dwight Eisenhower. In 1964, the only name on the Nebraska ballot was that of Senator Goldwater, yet Mr. Nixon received a write-in vote of 42,811.

Mr. President, Mr. Nixon's victory in Nebraska, where he received 71 percent of the vote in a contest with four other contenders, shows that he is the people's choice.

Today there was a further development in the Nixon campaign which reveals the trend. This afternoon at 2 o'clock a news conference was held by our brilliant, efficient, and attractive colleague, the distinguished junior Senator from Tennessee [Mr. BAKER]. At that news conference, Senator BAKER withdrew as a favorite son presidential candidate from his native State of Tennessee and declared his support for Mr. Richard Nixon. This is the first withdrawal of a declared favorite son in favor of Mr. Nixon, but it is only the beginning. It appears that the domino theory is about to operate.

Mr. President, I ask unanimous consent that Senator BAKER's statement be printed in the RECORD.

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

STATEMENT BY SENATOR HOWARD H. BAKER, JR., REPUBLICAN, OF TENNESSEE, WASHINGTON, D.C., MAY 16, 1968

I am grateful for the endorsement of all nine Congressional Districts in Tennessee of my favorite son candidacy for the Presidential nomination at the Republican National Convention in August. However, I wish to decline that honor. I will support Richard M. Nixon.

I do so, not because I have known Dick Nixon for many years, which I have; nor because I have great affection for him, although I do; nor because he campaigned for me in my race for the Senate in 1966. Rather, I support him because I am firmly convinced that he is the candidate most keenly tuned to these times, that he will be the best campaigner in 1968, and the best President in 1969.

I have listened carefully to Mr. Nixon's speeches and carefully read his published statements of the last several months. I find in those statements imagination, vitality, compassion and firmness.

I know personally of his strong support for a society of laws which offer justice and equal opportunity to every man in housing, jobs and voting. I applaud his equally strong condemnation of those who would forget that order, as well as justice, is essential to a lawful society. And I thoroughly agree with his rejection of the trends of centralism which pervade Washington today and his insistence that there be a return of power from the bureaucracies in Washington to the people at home.

I believe he will be able to capture the mood of the Nation and point a New Direction for America.

As a result of my decision, the favorite son candidacy, which was never designed as a vehicle for personal gratification or obstructionism, no longer serves a necessary or even useful purpose. I hope to lead a unanimous Tennessee delegation to the Republican National Convention in support of Richard Nixon.

NUCLEAR POWERPLANT TO BE BUILT NEAR PALO, IOWA

Mr. HICKENLOOPER. Mr. President, a few weeks ago, an innovation in electric power production occurred in this country, in my home county of Linn, near Cedar Rapids.

At that time, agreement was reached between the Iowa Electric Light & Power Co. in Cedar Rapids, the Central Iowa Power Cooperative, and the Corn Belt Power Cooperative for the construction of a 550-megawatt nuclear plant.

This is the first combination of investor-owned and cooperative power

structures in this country which will work together for the production of such a plant.

Mr. Duane Arnold, president of the Iowa Light & Power Co. issued a statement on May 10 on this subject, and I ask unanimous consent to have it printed in the RECORD.

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

Duane Arnold, President of the Iowa Electric Light and Power Company, Cedar Rapids, Iowa, issued the following statement on May 10th:

"Officials of Iowa Electric Light and Power Company, Central Iowa Power Cooperative and Corn Belt Power Cooperative today completed signing of a statement of intent whereby the two cooperatively-owned groups will become joint participants with Iowa Electric in the Duane Arnold Energy Center, Nuclear Power Plant to be built near Palo. It will be the first time in the history of the nation's electric power industry that investor-owned utilities and cooperatively-owned suppliers will share ownership of a nuclear plant."

Mr. Arnold, who joined Central Iowa Power Cooperative's Mr. W. E. Adams and Corn Belt Cooperative's Mr. Richard Buckner in the ceremony, stated:

"This is another progressive step toward making modern abundant and lower-cost electric power available to as many Iowans as possible, since it will broaden the sharing of the economies of the new 550-megawatt nuclear plant. From the time of their original concept, cooperative power groups have served primarily rural areas, and their power requirements are generally not large enough to warrant the huge expenditure for nuclear plants of an efficient size. Thus, this move extends to the rural areas the opportunity to take advantage of the economies of electric power produced by a nuclear-fueled plant."

Under the agreed letter of intent, the undivided ownership of the Duane Arnold Energy Center will be Iowa Electric (800/0), Central Iowa Power Cooperative (100/0) and Corn Belt Cooperative (100/0), with each party being responsible for the financing of its respective percentage. Provisions for extending similar participation in ownership of a second 550-megawatt nuclear power generating unit are included.

As the predominant owner, Iowa Electric will be solely responsible for the design, construction, operation and maintenance of the plant. Each party will receive the production benefits and bear an equitable share of the costs and expenses in proportion to percentage of ownership.

Sutherland Dows, Iowa Electric's Chairman, amplified the significance of the event in stating, "While this is a 'first' for Iowa Electric in the nation's new nuclear fuel utility industry, close cooperation and mutual assistance have existed between our three organizations for over 20 years. We three made believers of those who thought investor-owned and cooperatively-owned utilities could not work together in harmony and for the advantage of all their customers and/or stockholders. To us and to the entire utility industry, it shows that, far from being a threat to the cooperatively-owned power suppliers, nuclear generation through such participation plans as ours is to their best advantage."

"Iowa Electric (Cedar Rapids), Central Iowa Power Cooperative (Marion) and Corn Belt Cooperative (Humboldt) serve over 265,000 customers in the same or contiguous areas in 70 counties in Eastern, Central, Northwestern and Southwestern Iowa."

THE TARIFF COMMISSION'S REPORT ON MINK FUR SKINS

Mr. JAVITS. Mr. President, I wish to address myself now to the Tariff Commission's report on mink fur skins.

In view of conflicting points of view with respect to the state of economic health of the domestic mink producers and the effects of imports of mink fur skins on prices of mink fur and proposals to impose an import quota on this commodity, I call attention to the April 8 report of the U.S. Tariff Commission on mink fur skins.

As the Senate will recall, during last session numerous quota bills were introduced in the House and the Senate which would have restricted the importation of mink fur skins on the grounds that a 1966–67 decline in the world price of mink fur skins—and hence a decline in the U.S. domestic price—was occasioned by increasing U.S. imports of these skins. The President requested that a complete investigation should be made by the Tariff Commission. His request stated:

The report of the Commission shall include (but not be limited to) data with respect to U.S. consumption, domestic production, imports, exports, prices, employment, the financial returns to domestic producers, and the effect of imports on the industry.

As I stated earlier, proponents of the import quota legislation blamed imports for the decline in prices. The distinguished Senator from South Dakota, testifying before the Tariff Commission, on December 5, 1967, said:

In my home State of South Dakota, I know of many small ranchers who have been forced out of the mink producer business as a result of the vast numbers of mink skins which are coming into this country duty-free and thereby depressing the market price for the mink fur skins.

The Tariff Commission's report, issued after an exhaustive study of some 7 months duration, has a most interesting summing up in its introduction to the report. It reads as follows:

The United States has long been the world's major producer and consumer of mink furskins, but its relative importance has declined as both consumption and production have increased at a faster rate abroad than in the United States. The nature of the product and the demand for it, together with the method of sale (principally by auction), have facilitated the development of a world market and, therefore, a world price structure.

For many years both U.S. production and imports of mink furskins have trended upward, with imports increasing at a faster rate than output. The United States produced 27 percent of the world output of mink furskins in 1966 and accounted for 45 percent of world consumption. During the period 1963–67, imports supplied 53 percent of domestic consumption.[1]

In 1967 there was a sharp drop in the price of mink furskins from the previous year. No single price figure illustrates the extent of this change inasmuch as furskins differ in quality, size, and fashion appeal. Even so, it is generally agreed that the price decline in the United States between 1966 and 1967 averaged about 25 percent for total sales. In 1961, following a period of relative stability, there had also been a sharp price decline and the price structure stabilized at the lower level. The new stability, moreover, was sufficiently below the previous level that the industry faced a different set of business conditions.

In the light of the 1961 price decline, the concern of U.S. mink ranchers with regard to the 1967 price break was not limited to the difficulties it brought about for current operations. They were also apprehensive as to whether it ushered in a period of permanently lower prices which might be some 40 percent below the prices they received in the mid-1950's.

The following factors contributed to the sharp decline in the average price that mink ranchers received in 1967: (1) a retardation in the economic growth of the United States and the major mink consuming countries in Europe; (2) reports late in 1966 that the world supply of new mink furskins was more than adequate to meet demand; (3) the accumulation of large inventories of mink furskins in the hands of domestic fur dealers and garment manufacturers late in 1966; and (4) the introduction of new fur dressing techniques and decisions by the Federal Trade Commission regarding their use, which caused apprehension in the trade.

These factors may be short-term conditions which could be reversed or significantly modified in the normal course of a growing world economy. Mink, being a luxury product, is particularly susceptible to changes in economic conditions; even small changes in general economic conditions contribute to wide swings in the price and demand for mink.

The market for mink has broadened substantially. More mink than previously is used for trim and in new styles that differ significantly from the traditional. Mink-trimmed garments utilize furskins of lower quality and smaller size. The new styles require fewer furskins and less labor per unit, thus lowering the cost of a mink garment to the consumer. The broadening market is, at the same time, both a result of, and a factor contributing to, lower average prices. In the United States imports have been particularly important in furnishing furskins for this segment of the market.

These changing production, consumption, and price patterns, both in the United States and in the world, are clearly interrelated with the number and size of domestic ranches, imports, profit opportunities, and the like. Discussions of the pertinent developments, along with factual information on tariff treatment, inventories, foreign production and marketing, and technical aspects of the product and its marketing, are presented in the body of this report.

It should be noted that the report states that there were four factors contributing to this price decline in 1967:

First. Economic recession in the United States and Europe;

Second. Oversupply of world mink;

Third. Large inventories, and

Fourth. New dressing techniques which caused conflicting decisions by the Federal Trade Commission, which caused apprehension in the mink fur trade.

The report contains no suggestion that imports brought about the 1966–67 decline in prices which is the major basis for the domestic ranchers' demands for legislative relief from imports. The omission is significant, for it in effect again verifies the conclusion of the Commission in 1959, when it turned down the domestic industry's escape

[1] The Commission's investigation disclosed that previously reported figures on mink production in the United States were overstated. Accordingly, it developed new figures which show that imports are a greater percentage of domestic consumption than previously supposed.

clause petition on the grounds that imports were not the cause of any difficulties the domestic mink ranchers might be encountering. The Commission's statement made at that time bears repeating:

On the basis of this investigation, including the hearing, the Tariff Commission finds that dressed mink skins provided for in paragraph 1519(a) of the Tariff Act of 1930 and undressed mink skins provided for in paragraph 1681 of the Tariff Act of 1930 are not being imported in such increased quantities, either actual or relative to domestic production, as to cause or threaten serious injury to the domestic industry producing like of directly competitive products. Accordingly in the judgment of the Commission no sufficient reason exists for a recommendation to the President under the provisions of section 7 of the Trade Agreements Extension Act of 1951, as amended.

Domestic mink growers will have a full opportunity to make the case for quotas at open hearings on trade and tariff problems on June 4, to be held by the Ways and Means Committee.

Because the Tariff Commission's report has such an important bearing on the claim that imports have harmed this U.S. industry, I urge my colleagues to review this report carefully.

URBAN TRANSPORTATION

Mr. JAVITS. Mr. President, on February 26, 1968, the President submitted Reorganization Plan No. 2 of 1968 to the Congress. This reorganization plan, which has now gone into effect, transfers the administration of the urban mass transit program from the Department of Housing and Urban Development to the Department of Transportation.

No resolution of disapproval was filed in this body and, accordingly, no hearings were held on this reorganization. I chose not to file such a resolution, because, on balance, I favored this transfer, as proper administrative procedure. However, the reorganization plan submitted by the President and his accompanying message raised—and failed to answer—several questions about the division of responsibilities between the two departments and the interrelationship of urban mass transit and overall urban development planning.

Accordingly, in an exchange of correspondence with Secretaries Boyd and Weaver, I pose those issues which I believe still unresolved by this transfer of functions. In particular, I believe it crucial that transportation systems be planned, constructed, and designed in relation to overall urban planning and development, and in relation to broader social values. Moreover, the construction of transportation facilities must be utilized as an opportunity to save, rather than destroy, the neighborhoods through which they pass. For these reasons, it is crucial that the Department of Housing and Urban Development preserve an active role in approving those transportation projects which have a relationship to overall urban development.

In addition, it has been repeatedly stated that it is the objective of Federal policies to seek the establishment of unified and balanced transportation systems in our metropolitan areas. Indeed, the President, in the message which accompanied Reorganization Plan No. 2, stated that an objective of an urban transportation system must be to "combine a basic system of efficient, responsive mass transit with all other forms and systems of urban, regional, and intercity transportation." This reorganization holds out the promise of a unified Federal transportation effort which will be able to set priorities within and between varying modes of transportation and to allocate resources accordingly. There are, however, no specific guidelines to effectuate this purpose.

I am concerned about the role to be reserved to the Department of Housing and Urban Development, so that it will be enabled "to assure that urban transportation develops as an integral component of the broader development of growing urban areas," and the steps to be taken by the Department of Transportation to assure the coordination of Federal transportation programs and, within each metropolitan area, integrated and balanced transportation systems.

The response of Secretaries Boyd and Weaver does set out the responsibilities of each Department upon the completion of this transfer. I believe it is important that this information be placed on the public record. Most importantly, this exchange of correspondence indicates that criteria and operational arrangements must be developed in order to make Reorganization Plan No. 2 effective:

We recognize that we have much to do in developing detailed guidelines and operational arrangements necessary to carry out the President's Plan.

The two Departments involved should be given a period of time to establish these guidelines. However, since these criteria and arrangements are, admittedly, necessary to the completion of the reorganization, they should be made public once they have been developed. Moreover, the Congress has a continuing oversight role with regard to the transfer of urban mass transit functions and in insuring that it is fully carried out.

Mr. President, I ask unanimous consent that this exchange of correspondence with the Secretaries of Housing and Urban Development and Transportation be inserted in the RECORD. In addition, I urge the Secretaries of Housing and Urban Development and Transportation to set a deadline for the development of these guidelines and arrangements and to make public and to submit a report of such criteria to the Government Operations Committee of each House of the Congress. In this manner, the Congress would maintain its oversight role and could seek to insure that this reorganization is fully carried out so as to achieve the stated objectives of Federal policy. The criteria, once publicly disclosed, would serve to guide future actions and operations of the Departments of Housing and Urban Development and Transportation in planning and developing urban transportation systems.

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

APRIL 17, 1968.

Secretary ALAN S. BOYD,
Department of Transportation,
Washington, D.C.
Secretary ROBERT C. WEAVER,
Department of Housing and Urban Development, Washington, D.C.

DEAR MR. SECRETARY: On February 26, 1968, the President submitted Reorganization Plan No. 2 of 1968 to the Congress. This Reorganization Plan would transfer the administration of the urban mass transit program to the Department of Transportation.

As ranking member of the Senate Government Operations Executive Reorganization Subcommittee, I am particularly concerned about certain aspects of this Plan. I hope to support it, but I believe that its approval should follow not precede clarification as to the precise allocation of functions between the Departments of Transportation and of Housing and Urban Development. This information should be public and available to the Congress so that its decision on this reorganization may be informed.

In his message the President noted that, since ". . . urban research and planning and transportation research and planning are closely related . . . the plan provides that the Department of Housing and Urban Development perform an important role in connection with transportation research and planning insofar as they have significant impact on urban development . . . The Department of Housing and Urban Development will provide leadership in comprehensive planning at the local level that includes transportation planning and related it to broader urban development objectives."

Despite the stated intention of the President, it appears to me that this Reorganization Plan raises serious questions about the powers to be reserved to the Department of Housing and Urban Development. In particular, the Plan does not spell out the basis upon which the Department of Housing and Urban Development will preserve an active role in approving those transportation projects which have a relationship to overall urban development.

There is little question that the Department of Housing and Urban Development should continue to play an important role in urban mass transit planning, for there is a growing recognition that the manner in which cities develop is directly related to their transportation systems. The existence of efficient, low-cost public mass transit is a requirement, not only for proper physical redevelopment, but also for social progress and labor mobility within metropolitan areas. However, there is nothing in this Plan nor in the President's Message which specifically guarantees that these broader interests will be brought to bear on the planning and construction of mass transit lines. No specific guidelines are set forth. Thus, the necessary cooperation between the two Departments involved would seem to depend upon informal relationships and the capacity of the two Secretaries to work together at any given time.

In addition, the President's message declared that an objective of an urban transportation system must be to ". . . combine a basic system of efficient, responsive mass transit with all other forms and systems of urban, regions, and inter-city transportation." However, there is nothing in either the Reorganization Plan or in the President's Message which would set out the manner in which the Department of Transportation would proceed, with the achievement of this objective once this transfer has been completed.

While recognizing and accepting the utility of the transfer of the urban mass transit program to the Department of Transporta-

tion, and agreeing with the hopeful and important objectives implicit in this reorganization, I believe that many questions remain unanswered. It is my hope that you will endeavor to lay before the Congress the answers to these questions within the next few days so that this reorganization can be consummated without disapproval by this Body.

(1) What role will be reserved to the Department of Housing and Urban Development, so that it will be enabled ". . . to assure that urban transportation develops as an integral component of the broader development of growing urban areas?" When and how will the Secretary of Housing and Urban Development determine that given transportation projects ". . . concern the relationship of urban transportation systems to the comprehensively planned development of urban areas?"

(2) What steps will the Secretary of Transportation take to ensure that the transfer of the urban mass transit program will bring about a coordination of all transportation programs so as to permit the establishment of a balanced Federal transportation program and, within each of our metropolitan areas, integrated transportation systems?

I look forward to your response to these issues.

With best wishes.

Sincerely,

JACOB K. JAVITS.

THE SECRETARY OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C., May 6, 1968.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: We have your thoughtful letters of April 17 in which you have raised several important questions concerning the manner in which the Departments of Housing and Urban Development and Transportation would achieve the objectives of the Reorganization Plan No. 2 of 1968. These points were given considerable thought before the Reorganization Plan was forwarded by the President, and we are happy to tell you how we would plan to proceed after the transfer of functions.

The Report To The President On Urban Transportation Organization of February 19, 1968, was prepared jointly by the two Departments and goes somewhat beyond the Plan in indicating how we intend to achieve the objectives of the President. However, the detailed arrangements and the coordinating machinery for implementing the Plan will be incorporated in interagency agreements to be developed with the participation of the Executive Office of the President. The two Departments have agreed upon several provisions to be included in an implementing Memorandum of Understanding which are especially relevant to your specific question.

1. The Federal responsibility for assisting and guiding areawide comprehensive planning (including comprehensive transportation planning) by local communities resides in HUD. Criteria for urban transportation system planning are to be developed jointly by HUD and DOT.

2. HUD will advise DOT whether there is a program for a unified urban transportation system as part of the comprehensively planned development of the area. This will include the adequacy of the planning process. The HUD advice would be a prerequisite for DOT making the findings required under sections 3(c), 4(a), and 5 of the Urban Mass Transportation Act. In addition, similar coordinative relationships will be established between DOT and HUD so as to harmonize the planning process required by section 134, title 23 of the Highway Act of 1962 with the comparable planning requirements of the Urban Mass Transportation Act.

3. DOT has the responsibility for determining whether individual projects are needed for carrying out a unified urban transportation system as part of the comprehensively planned development of the urban area. However, the Memorandum of Understanding will include arrangements under which DOT will first secure recommendations from HUD in the case of those projects having a significant impact on the planned development of the urban area.

4. DOT will utilize HUD in the review of annual work programs developed by the state highway agencies under section 307(c) of title 23, insofar as these programs have an impact on comprehensive planning in metropolitan areas. DOT and HUD will develop jointly the standards and guidelines for these reviews.

5. DOT and HUD will develop jointly the criteria for federally assisted urban transportation system planning.

6. The Memorandum will provide that DOT secure HUD concurrence in the criteria for relocation planning made necessary by transportation development. DOT plans to provide HUD at an early date relocation information and will not approve any relocation plan without first reviewing the HUD recommendations.

To discharge these functions effectively will require substantial upgrading in HUD's planning staff. To accomplish this, HUD will need and rely on support from DOT as contemplated by the President's Message. The two Departments agree on the need for immediate steps to achieve this objective.

In your letter, you also asked what steps the Secretary of Transportation would take to bring about a coordination of all transportation programs.

Without question the urban planning process provides the best mechanism through which integrated transportation systems in metropolitan areas can be encouraged. It is for this reason that our two Departments have devoted such great attention to our relationships on comprehensive planning. We know that an integrated transportation system is not an objective in itself. Rather, the objective of all urban transportation systems is to contribute to the achievement of more comprehensive goals and objectives. In both Departments we realize that if urban transportation systems are implemented as a part of the comprehensively planned development of the area, it will be much easier to assure integrated and effective transportation services. Conversely, if urban transportation systems do not fit into the comprehensively planned development of the area, the mere fact that the transportation services themselves are integrated and multi-modal may be of little utility.

To facilitate the coordination of all transportation programs, the Department of Transportation has also taken certain steps in its internal organization. For example, the organization of the Office of the Secretary reflects the need for a coordinated approach to transportation. The Office of the Secretary is organized along functional lines, each major function being headed by an Assistant Secretary. These Assistant Secretaries are charged with assuring coordination across the modal lines represented by the various Administrations of the Department. Thus, a particular transportation policy or program issue is reviewed within the Office of the Secretary from a total transportation viewpoint, not from the viewpoint of a single mode such as highways, aviation, or rail.

In connection with the transfer of the urban mass transportation program, the existing coordinative mechanisms are being reexamined to assure their continued adequacy. While there may be a need to make some adjustments, in order to reflect the critical need for coordination in urban areas, no major reorganization is anticipated.

We recognize that we have much to do in developing detailed guidelines and operational arrangements necessary to carry out the President's Plan. However, we believe the above agreed upon points when incorporated in the Memorandum of Understanding will assure that the objectives stated in the President's Message will be met.

We welcome your interest in this important matter and would be glad to provide any further information which might be useful.

Sincerely yours,

ALAN S. BOYD,
Secretary, Department of Transportation.
ROBERT C. WEAVER,
Secretary, Department of Housing and Urban Development.

THE REPUBLICAN CONGRESSIONAL LEADERSHIP ON MIDDLE EAST POLICY

Mr. JAVITS. Mr. President, on May 3, the distinguished Senate minority leader, Mr. DIRKSEN, and the distinguished minority leader of the House, Mr. FORD, at a press conference, discussed Republican policy in the Middle East. Of particular note in this press conference is the policy statement unanimously adopted by the Republican coordinating committee and the statement by Senator DIRKSEN favorable to the United States selling Phantom IV supersonic jet aircraft to Israel, needed to maintain the arms balance in the Middle East.

I ask that there be included as part of my remarks the full text of the Dirksen-Ford Republican congressional leadership press conference of May 3, 1968.

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

THE REPUBLICAN LEADERSHIP OF THE CONGRESS
PRESS CONFERENCE, MAY 3, 1968

Sen. DIRKSEN. Well, gentlemen, are you ready, and ladies? By the way, there will be only one statement this morning. So whenever the cameras are ready. . . .

Today marks the first day of the 21st year of independence of the State of Israel. We congratulate the men, women and children of Israel upon their extraordinary success to date.

Now the Middle East is becoming a tinderbox of fearful dimensions and the Johnson-Humphrey Administration still has no firm policy there.

It is a cold, harsh fact that unless a firm, credible policy for the Middle East is soon declared and implemented, the Eastern Mediterranean potential for World War III will take frightening root. And the Johnson-Humphrey Administration still has no firm policy there.

Nearly a year ago, and most recently this month, the Republican Party represented by the unanimous vote of its Republican Coordinating Committee, made the following specific recommendations:

1. The United States should assume active and imaginative leadership in the international community and in the United Nations to secure a political settlement in the Middle East based on the following principles:

a. An end to the state of belligerency between the Arabs and Israel and recognition by all states in the area of Israel's right to live and prosper as an independent nation.

b. As an essential part of a permanent settlement in the Middle East, the United States should insist on, and aid in, the rehabilitation and resettlement of the more than 1 million Palestine Arab refugees who have been displaced over the past 20 years.

c. The United States should join with other nations in pressing for international supervision of the holy places within the City of Jerusalem.

d. The United States should continue to strive for international guarantees of in-

nocent passage through international waterways, including the Straits of Tiran and the Suez Canal.

2. The United States should propose a broad scale development plan for all Middle Eastern States which agree to live peacefully with their neighbors. This should include the bold imaginative Eisenhower-Strass Plan to bring water, work and food to the Middle East by construction of nuclear desalinization plants.

3. The United States must fully recognize the implications of increasing Soviet activities in the Middle East and North Africa and be alert, firm and resourceful in countering them.

4. The United States, in furtherance of peace in the Middle East, should strive with other nations for agreed limitations on international arms shipments to the area; but failing such an agreement, the United States should be prepared to supply arms to friendly nations sufficient to maintain the balance of power and to serve as a deterrent to renewed open warfare.

5. Finally, the United States should make a determined effort to expose and isolate the militant troublemakers in the Middle East. We should support and encourage only non-aggressive non-Communist leaders.

The Republican Leadership of the Congress now reaffirms and again endorses each of these recommendations in its entirety. Let no American be unaware of the fact that Russia has moved into the Middle East and the Mediterranean with tremendous and increasing naval and diplomatic strength in the biggest Soviet power-grab since the end of World War II. And the Johnson-Humphrey Administration has no firm policy there.

Spearhead of the Russian Middle East policy is the modern and constantly growing Russian navy. Today, for the first time, the Kremlin has a fleet on permanent duty in the Mediterranean. It has missile cruisers, missile submarines, a helicopter carrier and amphibious landing forces with the most modern of equipment. These give the Kremlin the means of intervening in troubled countries entirely around the Mediterranean rim.

It is an ominous fact that Russia is dramatically gaining in strength at sea in the strategic, vital Mediterranean area. And the Johnson-Humphrey Administration still has no firm policy there.

The American people, so sorely troubled here at home, can no longer tolerate such blindness to the danger of World War III present today in the Middle East. We urge, no we demand, of the Johnson-Humphrey Administration that it move now with courage, clarity and firmness to assure the State of Israel and the American people that peace and progress in the Middle East can and will be won.

So there you have it.

Question. President Johnson told his news conference this morning that we would accept Paris as a site for talks . . .

Sen. DIRKSEN. Well, obviously we're delighted. That's the first sign of a little progress in this impasse and on top of that I think we can utter the hope that the preliminary negotiations will be fruitful and that they will lead to the larger more extended and more detailed discussions, out of which some kind of an accord can be reached.

Mr. FORD. I would agree with the statement made by the Senator.

Question. To go back to your Middle East statement, there's nothing in here on the question of the United States supplying military jet planes to Israel to balance the shipment of Russian jets to the Arabs. Do you feel that the United States should supply those supersonic jets to Israel?

Sen. DIRKSEN. Well, we're aware of the fact that the Soviet arms in the Middle East, of course, and have been supplied to the Arab nations. But we're aware also that the French Government from time to time has contracted to deliver arms over there and they have done so in the case of Iraq and off and on DeGaulle has evidenced an interest there and obviously that's going to have to be countered. As a result, and because of these developments that have taken place, I think the request that Israel made for some what they called the Phantom IV jets probably should be complied with if we're going to carry out what we recommended in the Coordinating Committee and have re-endorsed here; i.e., to maintain a balance in the Middle East.

Question: If memory serves, it seems in the past you have referred to the Johnson Administration and in today's statement you refer to the Johnson-Humphrey Administration. Is there any specific reason?

Sen. DIRKSEN. Oh, it seems to me that we have used this twin phrase for a good many months, as a matter of fact.

Mr. FORD. I think we started using the Johnson-Humphrey phrase at least three years ago.

Question: Did you have any inside information at the time? (Laughter)

Sen. DIRKSEN. You mean with respect to what finally happened both as relates to the President and his disinclination to again become a candidate? Of course the intrusion of the Vice President into this race. No, Frank, I had exactly no hard information on that subject, so don't ask me to qualify that word hard.

Mr. FORD. It's good Republican intuition.

Sen. DIRKSEN. Otherwise, gentlemen, it's a pretty day. (Laughter) Did I ever tell you about a fellow who applied for a job with the Telephone Company, just a little county telephone outfit, out in my home county, and there were all sorts of questions to answer. At the bottom was about 4 or 5 lines for remarks. So he filled it out and sat there puzzling about those remarks and scratched his head, and finally he wrote, it's a mighty pretty day.

Thank you for coming.

BAKER WITHDRAWS AS FAVORITE SON CANDIDATE

Mr. MUNDT. Mr. President, the news ticker has just disclosed a dramatic new development in the race for the presidential nomination, in that our colleague, the Senator from Tennessee [Mr. BAKER] has today announced his withdrawal as a favorite son, and the Tennessee delegation is putting its support behind Richard Nixon.

I have issued a press release in connection with these two developments, and I ask unanimous consent that it be printed in the RECORD.

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

Following is statement by Senator Karl Mundt, South Dakota Republican, on decision by Senator Howard Baker, R-Tenn., wtihdrawing as favorite son to support Presidential candidacy of Richard Nixon. Mundt is chairman of the South Dakota Nixon-pledged delegation to the Republican National Convention:

"The steady stream of sweeping primary victories by Dick Nixon coupled with today's important announcement of favorite son, Senator Howard Baker of Tennessee, that he is withdrawing in favor of Nixon, moves the former vice-president very close to the nomination in Miami. A primary success in Oregon later this May, if it materializes, should convince any remaining doubters that Nixon really is the one for 1968 and that he will both be nominated in August and elected to the Presidency in November.

"Americans definitely are looking for new leadership in the White House of the type that Nixon has the experience, the ability, and the decisiveness to provide. His campaign is gaining new recruits from among uncommitted delegates every day. In other States where favorite son candidates are trying to hold support to provide them with personal bargaining power at the convention, additional delegates are indicating a desire to vote for Nixon on the first ballot to avoid having their support registered only after the decision is already made.

"Senator Baker is to be congratulated on his wise decision to forego any personal bargaining power in a smoke-filled hotel room in favor of a united Republican Party behind Dick Nixon whose vote-drawing power is now an established fact for all to see. The rank and file Republicans have spoken and the message signaled to their readers rings loud and clear. It says: 'We want Nixon.'"

TIME FOR POLICY DECISION IN FAVOR OF OUR MEN BEARING THE BURDEN OF THE WAR IN VIETNAM

Mr. MILLER. Mr. President, last Monday, in a speech to the Senate, page 5363 of the RECORD, I said it is time for President Johnson to take the American people into his confidence and to tell them the facts about what North Vietnam has done during the past 6 weeks in violation of his assumption that no advantage would be taken of his restrictions on our air campaign over North Vietnam.

And I said, also, that it is time for the President to announce a policy decision which will satisfy both the United States and its allies that our men in Vietnam will not be placed in greater peril as a price for talks which, like the truce talks in Korea, could be used by the enemy as a calculated step in inflicting greater casualities upon us.

I emphasized that such a policy decision should be in favor of—and never against—our brave men who are bearing the real burden of this war; that it should be in favor of reducing—and never increasing the casualties which these men will suffer.

I said then, and I say it now, our position during the talks taking place in Paris will be severely weakened if we do not make it clear to the enemy that we are not so interested in talks as to tolerate abuse of our restraint.

I said then, and I say it now, the question of the people of this country have a right to have answered is just how many more American lives are to be sacrificed before the President orders an effective response to the escalation of the flow of troops and war materiel from North Vietnam into South Vietnam. And that response, quite obviously, is to untie the hands of our air and sea power until such time as the enemy is willing to enter into reciprocal restraint.

In an effort to get talks started, the President withdrew his rightful demand for assurances of reciprocal restraint from Hanoi. Instead he assumed there would be such a response. His assumption has proved erroneous. Press reports which I placed in the RECORD last Monday uniformly indicate that, instead of restraint, North Vietnam has done the opposite—has escalated its flow of troops and war materiel into the South. The re-

sult has been as predicted by all of our military leaders—and, indeed, as predicted, by the President himself at the White House only last February 1—more American and allied casualties. In today's Washington Evening Star it is reported from the U.S. command in Saigon that 562 Americans were killed last week—the highest of the war; and the South Vietnamese Army lost 675—the third highest total in a week during the war.

I ask unanimous consent that the article from the Star entitled "562 U.S. Dead Highest of Any Week of War" be placed in the RECORD.

I also ask unanimous consent to have placed in the RECORD an article from today's New York Times, which indicates that not only has there been a curtailment in the area of operations of our air campaign over North Vietnam, but a reduction in the sorties flown during the last 7 days.

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

FIVE HUNDRED SIXTY-TWO U.S. DEAD HIGHEST OF ANY WEEK IN WAR: REDS ATTACK NORTH OF SAIGON AND IN CENTRAL HIGHLANDS

SAIGON.—North Vietnamese troops launched strong attacks today north of Saigon and in the Central Highlands as the U.S. Command announced that more American soldiers were killed in combat last week than in any week of the Vietnam war.

U.S. Command said 562 Americans were killed, 19 more than the previous record in the week of Feb. 11–17. The U.S. Command reported 5,552 enemy killed last week, no record, while South Vietnamese headquarters said 675 government troops were killed, their third highest weekly toll of the war.

A U.S. spokesman said much of the American death toll resulted from heavy action in the northernmost provinces, where U.S. Marines fought several battles last week around Dong Ha, 11 miles south of the demilitarized zone. The week also saw hard fighting in and around Saigon as American and South Vietnamese forces crushed the second enemy offensive within four months against the capital.

FIGHTING NEAR KONTUM

Allied forces reported nearly 400 more Viet Cong and North Vietnamese killed yesterday in clashes from the canal-laced Mekong Delta to the demilitarized zone. And today there were reports of more fighting in the Central Highlands on three sides of Kontum, a key provincial capital and near Khe Sanh, in the northwest corner of the country.

The Communist command appeared to be trying to keep up the military pressure to strengthen its bargaining position at the Paris peace talks. It sent troops storming at American and Australian positions and South Vietnamese outposts.

Near Khe Sanh, North Vietnamese troops fought U.S. Marines from bunkers for 7½ hours.

The heaviest fighting was around Kontum City where an allied force reported 147 North Vietnamese killed in five hours of action yesterday during which not an allied soldier was killed.

OUTPOST DEFENDERS RETALIATE

That battle was seven miles northeast of Kontum City. Today, in the darkness before dawn, North Vietnamese troops about 20 miles west of the city opened up with mortars, rocket-propelled grenades, flamethrowers and small arms on a patrol base and an outpost of the U.S. 4th Infantry Division within 400 yards of each other.

The defenders of the outpost were forced back to the patrol base, which retaliated with mortars and artillery while Air Force twin-engine AC47s armed with rapid-firing guns sprayed thousands of rounds into the enemy positions under the light of flares.

As dawn broke, the North Vietnamese pulled back but an hour later renewed the mortar attack on the patrol base. Sporadic shelling continued during the day.

Initial reports said four U.S. soldiers have been killed and 22 wounded, while enemy casualties were unknown.

ACTION BEFORE DAWN

At another 4th Division patrol base 17 miles west- southwest of Kontum City, U.S. troops killed 13 North Vietnamese before dawn, U.S. headquarters reported. No U.S. casualties were reported.

U.S. Marines patrolling the Khe Sanh area reported killing 46 North Vietnamese in a 7½-hour fight yesterday south of the Marine combat base. Seven Marines were reported killed and 21 wounded.

Australian troops manning a patrol base 25 miles northeast of Saigon threw back hundreds of charging North Vietnamese twice as the enemy launched "two determined waves of ground attacks about two hours apart" early today, the Australian Command reported.

The enemy covered their infantry assault with a steady barrage of rocket and mortar fire, but Australian and U.S. artillery fired back, and U.S. fighter-bombers raked the attackers.

The Aussies swept the battlefield afterwards and reported at least 33 North Vietnamese bodies, 17 of them inside the camp. Australian casualties were reported light.

It was the second attack this week on the base.

In another onesided battle, troops of the U.S. 25th Infantry Division reported 82 enemy soldiers killed 18 miles northeast of Saigon. The U.S. Command reported five Americans were killed and 20 wounded.

A mile away U.S. helicopter gunships caught an estimated 100 green-uniformed Viet Cong and blasted them with rockets and machine guns. The chopper crews reported 15 enemy killed, one antiaircraft weapon destroyed, and no U.S. casualties.

In three other sharp clashes yesterday, U.S. units reported 16 of their men killed and 27 wounded while killing 81 enemy troops. One of the three encounters took place deep in the Mekong Delta, where U.S. infantrymen poured out of attack boats to engage the enemy in the rice paddies.

South Vietnamese infantrymen dueled enemy forces twice in the delta. In Long An Province just south of Saigon the government troopers reported killing 29 Viet Cong. And in a skirmish 75 miles southwest of the capital government units claimed 14 enemy killed against two of their own killed and 10 wounded.

U.S. MERCHANT SHIP HIT

A South Vietnamese spokesman reported four enemy mortar attacks, the biggest 100-round pounding of a military subsector 20 miles southwest of Hue which killed one person and wounded five.

Enemy mortars also hit the U.S. merchant ship Transglobe about 12 miles southwest of Saigon, but there were no casualties.

In a delayed announcement, a government spokesman said the 9th South Vietnamese Infantry Division overran a Viet Cong prison camp in the Mekong Delta this week and freed 21 prisoners, presumably all Vietnamese. They were being held in the village of Tam Duong, 75 miles southwest of Saigon. No other details were given.

The air campaign against North Vietnam's southern panhandle, meanwhile, appeared to be slacking off despite improving weather conditions. A tabulation showed U.S. planes flew 1,513 missions against the area during the first two weeks of May, 127 less than they flew in poorer weather during the last two weeks of April.

U.S. spokesmen refused to comment when asked if the reduction was a conciliatory gesture to North Vietnam because of the preliminary peace talks in Paris.

DROP IN RAIDS LINKED TO TALKS: BOMBING IN NORTH REDUCED DURING THE LAST 7 DAYS DESPITE FINE WEATHER

(By Douglas Robinson)

SAIGON, SOUTH VIETNAM, May 15.—United States pilots have reduced the number of air raids against targets in North Vietnam during the last seven days, despite the best flying weather of the year.

The reduction led to speculation that the preliminary peace talks in Paris were influencing military strategy. It was recalled that air officers had said only recently that air strikes over the North would increase once the weather cleared.

The military command had no official comment on the matter. An air officer, however, shrugged and said, "Look at the figures and draw your own conclusions."

MORE THAN IN EARLIER PERIOD

During the last seven days, the United States has flown an average of 113 missions each day in near-perfect flying weather. During a seven-day period last month, when the monsoon season shrouded the land in heavy clouds, an average of 122 missions a day were carried out.

On April 19, when the weather over the panhandle—the area immediately north of the demilitarized zone—was described as "scattered to clear along the coast in the afternoon," American aviators flew 160 missions, the highest number since President Johnson announced a bombing curtailment on March 31.

Although the number of missions has dropped in recent days, it is still higher than the daily average of those flown during the first three months of this year against all of North Vietnam.

Since the President's announcement, which was later interpreted as precluding bombing north of the 20th Parallel, American planes have pounded suspected troop concentrations and supply points below the 19th Parallel.

In the days just after the President's order for a bombing curtailment, military officers here said that Mr. Johnson was wise in starting the curtailment while weather conditions were less than favorable for all-out bombing.

The largest number of missions flown in the last seven days came on Saturday, when 124 raids were carried out in weather described as fair.

AMENDMENT OF DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958—CONFERENCE REPORT

Mr. SPONG. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15131) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The Assistant Legislative Clerk read the report.

(For conference report, see House proceedings of today.)

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

There being no objection, the Senate proceeded to consider the report.

Mr. SPONG. Mr. President, I would like to explain very briefly the actions of the conferees on H.R. 15131.

The conferees agreed to provide a two-stage salary increase for police and firemen. The first stage, retroactive to October 1967 increases entrance salaries from the present $6,700 to $7,800, and increases other salaries proportionately. The second stage provides for a salary scale with an entrance salary of $8,000, effective in July 1968. The conference agreement is between the $7,500 retroactive and $8,000 July, 1968 minimum salary scales approved by the Senate and the $8,000 salary originally passed by the House, retroactive to October 1967.

On other matters affecting police and firemen, the House conferees accepted Senate amendments that struck provisions for extra compensation for the incumbent police executive officer and that added to the law permission to dismiss probationary officers for unsatisfactory performance during the probationary year. The Senate conferees agreed to accept House provisions protecting the jobs and advancement opportunities for detectives, and requiring automatic promotion for certain officers who had passed a promotional examination and had been serving in the higher position on an "acting" basis. The conferees agreed to retain existing law regarding promotions for deputy chiefs to their maximum salary level after 30 years continuous service. The House-passed bill would have extended this benefit to include lower-ranking members and the Senate had voted to repeal the present law.

Regarding teachers, the Senate conferees agreed to remove provisions for teachers and school officers from the bill affecting police and firemen. Instead, the committee approved with amendments a separate bill, H.R. 16409, providing substantial salary increases and other benefits for these school employees. The Senate approved this teacher pay bill on May 13.

Mr. President, I am satisfied that the agreement reached in conference grants much needed support for dedicated public servants in the District of Columbia and will aid in the recruitment of additional needed personnel.

I move that the Senate agree to the conference report.

The motion was agreed to.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EMERGENCY COMMUNICATIONS IN EVENT OF CIVIL DISORDERS DURING THE MARCH ON WASHINGTON

Mr. ALLOTT. Mr. President, I believe that every responsible citizen is extremely concerned about the potentially explosive situation with which we are confronted here in the Nation's Capital.

Our concern, as the distinguished junior Senator from Nebraska [Mr. CURTIS] expressed so well a few days ago, is for the safety and welfare of all of the people both resident and transient of this area, but most especially for those unfortunate citizens who reside in the area most likely to be hardest hit if we are faced with more trouble.

Let us not mislead ourselves. When the thousands who are expected to participate in the so-called Poor People's March at its climax, congregate in one place at one time, and when the emotions of these people are aroused to a fever pitch over a period of time, by a few firebrands, danger plainly exists. The present atmosphere in our Nation's Capital is such that pledges of peace and nonviolence cannot prevent trouble should it be instigated by agitators during group activity of the marchers.

Whether or not we condone or support the method which the Southern Christian Leadership Conference has chosen to confront the Congress with their demands, the fact is that they were permitted to come, to encamp alongside the Mall, and more are arriving every day. Hence, obviously we must deal with the situation as it is today, and prepare for what could happen if there is any provocation whatsoever.

That is why a few of us have been so very concerned with the planning for any eventuality and for the proper coordination of all of the agencies and Government units involved in maintaining law and order.

Some Members of this body have already spoken on various aspects of this planning and coordination, but today I should like to call to the attention of the Senate one additional problem area which concerns me greatly, and which should concern every member of the Senate, and indeed every resident of the Washington metropolitan area.

I speak of the matter of emergency communications. While this subject has not been given a great deal of publicity, there is no doubt that proper communications coordination is one of the key factors involved in maintaining law and order during a disturbance.

We are all aware that, in a general sense, our communications equipment and our capabilities in this country extend far beyond that of any other nation. What is not well known, however, is that while we do possess excellent capability, the lack of proper planning and coordination of our telecommunications facilities has rendered our law enforcement agencies nearly helpless in some of the disasters which have occurred in recent years.

As an example, it was noted at a Federal-State Telecommunications Advisory Committee meeting in Washington, D.C., on September 14, 1967, that even though we are capable of communicating from Paris to Moscow with no problem these days, in an emergency in the United States—and I now quote from the transcript of that meeting—"we can't communicate to a point 3 blocks away."

At the same meeting, Mr. President, it was pointed out that in Detroit, during the riot of 1967, four different communication systems were going on at the same time. They had the Federal troops, the National Guard, the State highway patrol and the Detroit city police, all with different systems. Quoting again from the transcript of that meeting, it was pointed out that in Detroit, during the riot, with these four different communications systems in operation, "at times the leaders could not communicate with each other." Obviously, such a situation prevented proper law enforcement and control of the terrible trouble which was occurring in Detroit. One of the speakers at this committee meeting, said:

> Here is where a critical problem exists right now. We really are not able to cope with it in an extreme emergency—whether it happens to be a riot, a flood, a tornado, or any type of extreme emergency.

I knew of these problems, and I was concerned about what was being done about the matter, particularly since I had been reading the statements of militant extremists all winter to the effect that they were going to burn down our cities again this summer.

I was also aware that under Executive Order No. 10995, dated February 16, 1962, communications responsibilities were assigned to the newly created Office of Telecommunications Management.

The assignment of responsibilities to this new department by the President of the United States, made it clear that—I quote from the Executive order:

> It is essential that responsibility be clearly assigned within the executive branch of the government for promoting and encouraging effective and efficient administration and development of United States national and international telecommunications.

The Executive order continues:

> There is an immediate need for integrated short and long range planning with respect to national and international telecommunications programs . . . and for the development of national policies in the field of telecommunications.

Having established the need for the agency, the Executive order, in creating the position of Director of Telecommunications Management—which, by the way, is by law held by one of the assistant directors of the Office of Emergency Planning—spells out the responsibilities of the office. Again quoting the Executive order, it says that the Director of Telecommunications shall "coordinate telecommunications activities of the executive branch of the Government and be responsible for the formulation after consultation with appropriate agencies, of overall policies and standards therefor."

The order continues:

> Agencies shall consult with the Director of Telecommunications Management in the development of policies and standards for the conduct of their telecommunications activities within the overall policies of the executive branch.

I could go on and on, Mr. President, in detailing the responsibilities of this department, but let me just conclude by stating two of the objectives which the Director of Telecommunications Management "shall consider" in carrying out his responsibilities.

Objective A reads:

Full and efficient employment of telecommunications resources in carrying out national policies.

Objective B reads, in part:

Development of telecommunications plans, policies, and programs under which full advantage of technological development will accrue to the Nation and the users of telecommunication; and which will satisfactorily serve the national security.

Against this background of the responsibilities of this department, Mr. President, on March 29, when the Office of Telecommunications Management appeared before the Independent Offices Subcommittee of the Appropriations Committee, of which I am the ranking minority member, I raised the question of communications planning for riots and other civil disorder.

The Director of Telecommunications Management, Gen. James D. O'Connell, suggested that the subject of my inquiry was not a matter which should be discussed in open hearing. The chairman of the subcommittee, the Senator from Washington [Mr. MAGNUSON], and I agreed and the Department of Telecommunications Management agreed that the latter would prepare a report on the subject, which was sent to Senator MAGNUSON on April 22.

Two days later, at an executive session with the Department of Telecommunications Management, when our subcommittee received a briefing on a related matter, I again raised the question of telecommunications planning in the event of riots or other disturbances, because I had encountered some communications difficulties of my own during the April 4 and 5 riot in Washington, which I shall not detail at this time.

But I have learned, from speaking with other Senators and with Members of the House of Representatives, that they all encountered some difficulties. As a matter of fact, on April 5 I was in the room, in the House of Representatives, with the House Ways and Means Committee, and I was fully aware of the communication problems that the Members of the House present at that time were having.

General O'Connell then promised to prepare a supplemental confidential report on this matter. I must say, Mr. President, that what I shall say today does not contain any of the confidential matter contained in that report. It does contain other matters contained in the report.

Then, on May 1, the District of Columbia government issued a report on the riot in April which pointed to some communications problems. I called this to General O'Connell's attention, and requested that the scope of his report be expanded to answer some additional questions.

That report was completed and delivered to my office on Friday, May 10. It contains some confidential material, so I am not at liberty to insert it in its entirety into the RECORD at this time.

However, this document, prepared by the Office of Telecommunications Management, emphasizes, among other things, the widely known fact that the Attorney General of the United States on February 7, 1968, was given the task of coordinating riot control and planning between the various agencies of the Federal Government, as well as between the Federal Government and State and local authorities.

This was accomplished through Executive Order No. 11396, and I ask unanimous consent that it be printed in the RECORD at this point.

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

EXECUTIVE ORDER NO. 11396 PROVIDING FOR THE COORDINATION BY THE ATTORNEY GENERAL OF FEDERAL LAW ENFORCEMENT AND CRIME PREVENTION PROGRAMS

Whereas the problem of crime in America today presents the Nation with a major challenge calling for maximum law enforcement efforts at every level of Government;

Whereas coordination of all Federal criminal law enforcement activities and crime prevention programs is desirable in order to achieve more effective results;

Whereas the Federal Government has acknowledged the need to provide assistance to State and local law enforcement agencies in the development and administration of programs directed to the prevention and control of crime;

Whereas to provide such assistance the Congress has authorized various departments and agencies of the Federal Government to develop programs which may benefit State and local efforts directed at the prevention and control of crime, and the coordination of such programs is desirable to develop and administer them most effectively; and

Whereas the Attorney General, as the chief law officer of the Federal Government, is charged with the responsibility for all prosecutions for violations of the Federal criminal statutes and is authorized under the Law Enforcement Assistance Act of 1965 (79 Stat. 828) to cooperate with and assist State, local, or other public or private agencies in matters relating to law enforcement organization, techniques and practices, and the prevention and control of crime:

Now, therefore, by virtue of the authority vested in the President by the Constitution and laws of the United States, it is ordered as follows:

Section 1. The Attorney General is hereby designated to facilitate and coordinate (1) the criminal law enforcement activities and crime prevention programs of all Federal departments and agencies, and (2) the activities of such departments and agencies relating to the development and implementation of Federal programs which are designed, in whole or in substantial part, to assist State and local law enforcement agencies and crime prevention activities. The Attorney General may promulgate such rules and regulations and take such actions as he shall deem necessary or appropriate to carry out his functions under this Order.

Section 2. Each Federal department and agency is directed to cooperate with the Attorney General in the performance of his functions under this Order and shall, to the extent permitted by law and within the limits of available funds, furnish him such reports, information, and assistance as he may request.

LYNDON B. JOHNSON,
THE WHITE HOUSE, *February 7, 1968.*

Mr. ALLOTT. This order says in no uncertain terms that the Attorney General is in charge of coordinating riot or civil disturbance plans. That statement is not open to question by the wording of this Executive order.

So, Mr. President, we have a situation where Mr. Ramsey Clark, the present Attorney General of the United States, has been told by the President of the United States that it is his responsibility to work out the details of coordination and planning for crime prevention and law enforcement between, as I said, the various Federal Government agencies, and the Federal, State, and local authorities.

In view of this, Mr. President, you can imagine how shocked I was to find on page 19 of the report prepared by the Office of Telecommunications Management to which I referred earlier, the statement, and I shall quote now from that report:

As of May 10, 1968, the Director of Telecommunications Management has not received any reports or requests for assistance . . . from the Attorney General.

This is shocking. I have detailed the responsibilities of the Office of Telecommunications Management. I have received private estimates of their capabilities to mobilize communicators, and while I think it best not to divulge that information at this time, I can relate that in my judgment that Office stands well equipped to be of assistance to the Attorney General in the planning he has been ordered to carry out by the President.

In addition, the directive which established the Office of Telecommunications Management makes it their duty to do this.

The Executive order was issued on February 7, 1968. On April 4 and 5 we had a riot in Washington. According to the Department of Telecommunications Management, between February 7 and April 4, the Attorney General made no requests for assistance or made no reports of communications problems to the Director of Telecommunications. Here it is May 16, well over a month after our riot, and we face the possibility of another emergency situation. Yet, in a written report, the Office of Telecommunications Management states flatly that the Attorney General has not contacted or made any reports or requests to its department.

I checked with the department again today, 6 days after their report was delivered to my office, and they still have yet to receive a request for assistance from the Attorney General.

This is doubly significant when one considers that at the same time the copy of this report was delivered to my office, an identical copy was transmitted to the Attorney General.

I ask, Mr. President, does the Attorney General have all of the advice he needs? Has he taken every possible step to insure that what happened in Detroit and other cities with respect to communications problems does not happen here?

I can relate from my experience in dealing with the Federal Communications Commission over many years, and more recently from my experience with the Office of Telecommunications Management, that communications problems are for the experts to handle. Perhaps the Attorney General has some communications experts with whom he has been working, but he has many more in the Office of Telecommunications Management. The least that can be said of this

shameful situation is that he is not fully employing the resources of the Government in coordinating his plans. I think the problem goes beyond that, however.

Having listened with great interest to the recent speech of the Senator from Arkansas [Mr. McCLELLAN], wherein he detailed some information, which the Permanent Subcommittee on Investigations, of which he is the chairman, had obtained regarding serious problems with which the Nation may be faced as a result of the Poor People's Campaign, and having read the committee report on the same subject, I am not at all convinced that the Attorney General is enough aware or concerned with the seriousness of the situation as it exists. I charge that he has not carried out the responsibilities of the President's order of February 7 and that he has not fulfilled his responsibilities as the chief law-enforcement officer of this Nation, particularly as it pertains to telecommunications.

I believe he owes an explanation to all Americans. He can start by answering some questions. He can start by stating why he has not to this day enlisted the services of the Office of Telecommunications Management to assist him with the planning and coordination of the all important communications aspect of riot control.

I believe I am free to say that in a general way, while I have no knowledge and the Office of Telecommunications Management apparently has no knowledge of the plans that have been made by the Attorney General, there is a great danger that plans that have been made in one department may be conflicting with the other. At least they have not been meshed or coordinated.

He can tell us if the report, by Mike Buchannan of Metromedia television in Washington, was accurate when he reported that new communications facilities to assist with the April 4 and 5 situation in Washington were available but that no decisions had been made as to where to plug them in.

The Attorney General should inform Members of the Senate, and the American people, if reports received that their Capital City has actually regressed in communications coordination since the April 4 and 5 disturbance, are accurate or inaccurate.

He should state openly how soon his plans call for activating the communications capabilities of the Office of Civil Defense in the event of a future disturbance here. Does he think that it is a good idea to wait as long as the authorities did during our last riot?

He must answer these questions, Mr. President, because the safety of each and everyone of us in this Nation depends now on the kind of planning and coordination the Attorney General has done. It is his designated responsibility.

If what I know of the communications situation is any example of the kind of work he has done, and the kind of planning he is directing, then we are all facing grave danger. I call on him to respond before it is too late.

ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ENROLLED BILL SIGNED

The PRESIDING OFFICER announced that on today, May 16, 1968, the Vice President signed the enrolled bill (S. 3033) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior, which had previously been signed by the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Public Works, with an amendment:

S. 1558. A bill to provide for the repayment of certain Federal-aid funds expended in connection with the construction of the Garden State Parkway (Rept. No. 1124).

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

S. 2837. A bill to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes (Rept. No. 1129); and

S. 3068. A bill to amend the Food Stamp Act of 1964, as amended (Rept. No. 1130).

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, without amendment:

S. 3143. A bill to amend the Commodity Exchange Act, as amended, to make frozen concentrated orange juice subject to the provisions of such act (Rept. No. 1128).

By Mr. TALMADGE, from the Committee on Agriculture and Forestry, without amendment:

S.J. Res. 168. A joint resolution to authorize the temporary funding of the emergency credit revolving fund (Rept. No. 1127).

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, without amendment:

H.R. 15822. An act to authorize the Secretary of Agriculture to establish the Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in Oklahoma, and for other purposes (Rept. No. 1126).

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, with an amendment:

S. 2276. A bill to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations (Rept. No. 1125).

By Mr. SPARKMAN, from the Committee on Foreign Relations, without amendment:

H.R. 15364. An act to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes (Rept. No. 1131).

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. YOUNG of Ohio. Mr. President, from the Committee on Armed Services I report favorably the nominations of 30 flag and general officers in the Army, Navy, Air Force, and Marine Corps. I ask that these names be placed on the Executive Calendar.

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

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Brig. Gen. Louis Kaufman, and sundry other U.S. Army Reserve officers, for promotion as Reserve commissioned officers of the Army;

Brig. Gen. Raymond Ashby Wilkinson, and sundry other Army National Guard of the United States officers, for promotion as Reserve commissioned officers of the Army;

Maj. Gen. George Vernon Underwood, Jr., U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general while so serving;

Maj. Gen. William James Sutton, U.S. Army Reserve officer, to be Chief of Army Reserve;

Lt. Gen. James M. Masters, Sr., U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list;

Lt. Gen. Andrew Jackson Goodpaster, Army of the United States (brigadier general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of general while so serving;

Adm. Ulysses S. G. Sharp, Jr., U.S. Navy, for appointment to the grade of admiral on the retired list;

Lt. Gen. Victor H. Krulak, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list;

Col. William T. Woodyard, Regular Air Force, for appointment as dean of the faculty, U.S. Air Force Academy, with rank of brigadier general;

Rear Adm. John V. Smith, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving; and

Maj. Gen. William J. Van Ryzin, U.S. Marine Corps, for commands and other duties determined by the President, for appointment to the grade of lieutenant general while so serving.

Mr. YOUNG of Ohio. Mr. President, in addition, I report favorable 904 appointments in the Army in the grade of major and below, 2,629 appointments in the Air Force in the grade of major and below, and 3,656 promotions in the Navy in the grade of commander and below. Since these names have already been printed 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 PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Leonard J. Kirschner, and sundry other persons, for appointment in the Regular Air Force;

James G. Barrett, Jr., and sundry other distinguished graduates of the Air Force Officer Training School, for appointment in the Regular Air Force;

George H. Dygert, and sundry other persons, for appointment in the Regular Army;

Hugh F. Bangasser, and sundry other scholarship students, for appointment in the Regular Army of the United States;

Darrell G. Agee and sundry other distinguished military students, for appointment in the Regular Army of the United States;

Richard F. Rosser, U.S. Air Force, for appointment as permanent professor, U.S. Air Force Academy;

Phillip L. Abold, and sundry other cadets, U.S. Air Force Academy, for appointment in the Regular Air Force;

Richard A. Blank, midshipman, U.S. Naval Academy, for appointment in the Regular Air Force;

George F. Adam, Jr., and sundry other cadets, U.S. Military Academy, for appointment in the Regular Air Force;

David C. Aabye, and sundry other officers, for promotion in the U.S. Navy;

David E. Adams, Jr., and sundry other midshipmen (Naval Academy), for assignment in the U.S. Navy; and

Edward J. Lynch, and sundry other Navy enlisted scientific education program candidates, for assignment in the U.S. Navy.

BILLS INTRODUCED

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

By Mr. NELSON (for himself, Mr. PROXMIRE, Mr. HART, and Mr. GRIFFIN):

S. 3502. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuge in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness; to the Committee on Interior and Insular Affairs.

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

By Mr. LONG of Missouri:

S. 3503. A bill for the relief of Dante Panzini; to the Committee on the Judiciary.

By Mr. JORDAN of North Carolina:

S. 3504. A bill to amend section 11 of an act approved August 4, 1950, entitled "An act relating to the policing of the buildings and grounds of the Library of Congress"; to the Committee on Rules and Administration.

By Mr. JAVITS (for himself, Mr. HART, Mr. BROOKE, Mr. SCOTT, and Mr. PERCY):

S. 3505. A bill to amend section 7(b) of the Small Business Act; to the Committee on Banking and Currency.

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

By Mr. TOWER:

S. 3506. A bill to establish a Joint Commission on the Gold Reserves; to the Committee on Banking and Currency.

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

By Mr. MONDALE (for himself, Mr. HART, and Mr. NELSON):

S. 3507. A bill to repeal the Food Stamp Act of 1964 and enact in lieu thereof the Domestic Food Assistance act of 1968; to the Committee on Agriculture and Forestry.

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

By Mr. FONG:

S. 3508. A bill for the relief of Setsuko Kurihara; to the Committee on the Judiciary.

S. 3502—INTRODUCTION OF BILL TO ADD AREAS IN WISCONSIN, MICHIGAN, AND MAINE TO THE NATIONAL WILDERNESS SYSTEM

Mr. NELSON. Mr. President, for myself and the senior Senator from Wisconsin [Mr. PROXMIRE] and the Senators from Michigan [Mr. HART and Mr. GRIFFIN], I introduce a bill to add significant natural areas in Maine, Michigan, and Wisconsin to our national wilderness preservation system.

Areas recommended for inclusion in the national wilderness system in this bill are the Seney, Huron Islands, and Michigan Islands wilderness areas in the State of Michigan, the Wisconsin Islands wilderness in the State of Wisconsin, and the Edmunds and Birch Islands wilderness areas in the State of Maine. All of the lands included in these wilderness proposals are presently within the national wildlife refuge system.

The proposed Seney wilderness contains about 25,150 acres of the Seney National Wildlife Refuge, Schoolcraft County, Mich. Approximately two-thirds of the area is an outwash plain formed by a receding glacier, where treeless bogs and topographically oriented strips of bog forest form an unusual land type called a string bog. The proposed Seney wilderness is considered to contain the southernmost example of this land type in North America. The remaining third of the area contains remnants of black spruce and white pine forest, though much of the area has been logged and has been altered by repeated fires. The entire area is relatively inaccessible and seldom visited. Several kinds of big game inhabit the region, including deer, black bear, and occasionally moose. Coyotes and red fox are common and timber wolves have been reported. Bald eagles and osprey nest on the area and merit prime consideration for preservation due to their endangered status.

The proposed Seney wilderness is located entirely within the present Seney National Wildlife Refuge. A wilderness within a national wildlife refuge is by law supplemental to the primary purpose for which the refuge was established. Therefore, no change in present management and public enjoyment of the refuge will occur when the unit is accorded wilderness status.

Seney refuge is a popular recreation area. The establishment of a wilderness within a little used portion of the refuge should enhance the recreational use of the refuge because of the national publicity a wilderness will stimulate.

The proposed Huron Islands wilderness consists of eight small islands in Lake Superior within the Huron Islands National Wildlife Refuge. The islands, which are relatively isolated and seldom visited because of rough seas and limited landing sites, contain approximately 147 acres and are composed of pink and gray granite upthrusts. Trees, shrubs, and herbaceous plants cover two-thirds of the island surface while the remainder is barren or moss and lichen covered rocks.

The Michigan Islands and Wisconsin Islands wilderness proposals consist of six small islands totaling approximately 41 acres. They are all relatively isolated and seldom visited because of difficult access. The islands are considered extremely important breeding and nesting areas for herring and ring-billed gulls. Other birds of lesser importance are black-crowed night herons, great blue herons, double-crested cormorants, common and caspian terns, and several species of waterfowl. Though small and isolated, the quiet and solitude of these rugged, windswept, and wave-battered islands offer an excellent wilderness experience to those willing to visit them. The fragile island ecology, abundant bird populations, and picturesque terrain features have unique beauty and are of great interest to the scientist, the student, and nature lover.

The Edmunds and Birch Islands wilderness proposals containing a total of about 2,780 acres are within the Moosehorn National Wildlife Refuge, Washington County, Maine. This national wildlife refuge is one of very few Federal areas in the Northeast containing wilderness resources. For the fisherman, hunter, family or individual willing to walk, row or paddle a mile or so, these wilderness proposals may eventually be the only areas left, even in the State of Maine, where the solitude and beauty of true wilderness will be guaranteed for generations to come.

All the proposed wilderness areas contain unique combinations of flora and fauna that must be preserved. The balance of nature is indeed very delicate and minor disruptions of that balance can cause irreparable harm. All too often, we have allowed natural nesting and breeding areas to be drained for agricultural use and forests and prairies to be bulldozed for urban development.

The preservation of wilderness areas is an integral part of our struggle to restore the quality of our environment. Our environment is based on a series of delicate, natural interactions, operating within the overall framework of our air, water and soil; that environment is gravely threatened by man's activities.

We dump mountainous quantities of wastes into our air and water and onto our land each day. We pave 1 million acres of land a year in the name of urban development. We spray tons of persistent pesticides into our air, water, and soil every year. We litter our countryside with car bodies, nonreturnable glass bottles, and aluminum cans which defy the forces of nature.

This trend must be reversed. As we move ahead, we must learn to evaluate the effects of what we are going to do on the environment. We simply cannot continue to operate with a total disregard for the natural world around us.

The setting aside of wilderness areas—forever protected from the intrusions of man—is but a small part of what is needed to restore the quality of our environment. But at least it is a step in the right direction.

I ask unanimous consent that the text of the bill be printed in the RECORD at this point in my remarks.

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

The bill (S. 3502) to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuge in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness, introduced by Mr. NELSON (for himself and others), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 3502

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 892; 16 U.S.C. 1132(c)), certain lands in (1) the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges, Michigan, as depicted on maps entitled "Seney Wilderness—Proposed," "Huron Islands Wilderness—Proposed," and "Michigan Islands Wilderness—Proposed," (2) the Gravel Island and Green Bay National Wildlife Refuges, Wisconsin, as

depicted on a map entitled "Wisconsin Islands Wilderness—Proposed," and (3) the Moosehorn National Wildlife Refuge, Maine, as depicted on a map entitled "Edmunds Wilderness and Birch Islands Wilderness—Proposed," all said maps being dated August 1967, are hereby designated as wilderness. The maps shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 2. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

SEC. 3. Except as necessary to meet minimum requirements in connection with the purposes for which the areas are administered (including measures required in emergencies involving the health and safety of persons within the area) and subject to existing private rights, there shall be no commercial enterprise, no temporary or permanent roads, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of motorized transport, and no structure or installation within the areas designated as wilderness by this Act.

S. 3505—INTRODUCTION OF BILL—NEW SBA DISASTER LOAN BILL

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a new, Small Business Administration disaster loan bill, and ask that the text be printed in connection with my remarks.

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

The bill (S. 3505) to amend section 7(b) of the Small Business Act, introduced by Mr. JAVITS and others, 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. 3505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 7(b) of the Small Business Act is amended by inserting "(A)" after "(1)", and by adding at the end thereof the following new paragraph:

"(B) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to any small business concern located in an area which has suffered substantial physical or economic injury, or both, as a result of any occurrence or series of occurrences, if the Administration determines that the concern has suffered substantial physical or economic injury, or both, as a result of such occurrence or series of occurrences."

Mr. JAVITS. Mr. President, this represents an amendment to section 7(b) of the Small Business Act which I am introducing on behalf of myself and the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. BROOKE], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Illinois [Mr. PERCY].

Civil disturbances across the country have not only caused millions of dollars of damage to property but, because of what appears to be inadequate remedies, may result in the permanent displacement of most businesses in the areas where the violence erupted.

Present programs to rebuild these areas are just not properly designed to deal with the new situations created by civil disorders. This failure is often due to the politically undesirable requirement that a mayor may declare his city a disaster area; in effect admitting he has been unable to maintain order.

Contrary to the belief of many, businessmen are not going back in large numbers into these areas. Instead, more and more buildings are left boarded up adding to the instability, the bombed out appearance, and deprivation of the neighborhood. I think it fair to say that almost 25 percent of the shops and commercial buildings in New York's Harlem are no longer open for business. Washington's burned-out inner city blocks may very likely have the same experience. I am informed the same is true in many sections of other major cities.

We face in these areas more than a money crisis: we also face a crisis of confidence. Many of these sections not only look like bombed out cities but the people who live there are made to feel like the "defeated" people after a war. We should take steps to get the stores in order and open for business—it will take inducements to do that.

I am introducing a proposal today to establish a new emergency loan program within the Small Business Administration, in view of the failure of the present disaster loan program in either its provisions or administration to meet this new type of situation. Also, I want to point up the failure of the SBA to react with sufficient urgency in needed action or recommendations for legislation.

My bill will allow the SBA to act in situations such as the destruction which followed the death of Dr. King without the complicated procedure inherent in the designation of a "disaster" area. The bill would provide the same 3-percent, 30-year loans—as for disasters—for both physical repair, working capital, and relocation of businesses which suffer substantial damage and which are located in an area which has suffered substantial economic injury as a result of any occurrence or series of occurrences. The bill would thus cover many of these areas which have been destroyed not as the result of a single disturbance, but rather after a series of disorders.

I also believe it important that after declaring an area eligible for these 3-percent, 30-year loans, the Administrator seek the views of the local community as to areawide planning and redevelopment. Thus before any loans are actually made, a community may recommend changes in location.

It also may be appropriate for these loans to be made to new owners of destroyed businesses. The availability of these low interest long-term loans may act as an incentive for a move toward greater local ownership. In addition, the Administrator in making a decision to proceed under the new provision which I propose would seek to coordinate with other agencies to determine all other possible sources of assistance.

We should be able to turn immediately to the Small Business Administration for emergency assistance. In last summer's disturbances in Newark and Detroit, the SBA within 10 days offered modified disaster assistance limited to physical repair but not taking into consideration the need for working capital, credit obligations, and so forth.

Several days after the recent disorders, Senator GEORGE SMATHERS, chairman of the Senate Small Business Committee, wired Administrator Moot asking for disaster relief for the hardest hit areas. The Administrator stated in his reply the SBA would do everything that was necessary; however, thus far the SBA has not offered to use even that portion of the disaster loan program which it can implement. It appears the disturbances and resultant losses in some of this country's largest cities were not quite disasterous enough for the SBA to act. Just how much damage is required before SBA will act remains unclear. Perhaps a city must be leveled?

The Administrator's only offer has been to use the SBA's regular loan program. Contrasted with the disaster loan program, the regular loans would be at substantially higher interest rates with shorter time for repayment. For example, the Economic Opportunity Act loan program, considered SBA's most liberal lending program, is limited to $25,000 loans at 5½ percent at a maximum of 15 years as compared with a disaster loan which may be up to $100,000 at 3 percent for over 30 years.

While I deplore SBA's unwillingness to make a determination that a disaster exists in many of these areas, such a decision would at best allow for only repair of the buildings involved. Insofar as badly needed working capital or credit is involved, this would only be available at advantageous disaster loan rates if the President were asked by the Governor—or District of Columbia Commissioner—to declare a "disaster" area. This type of decision too often cannot be obtained for political or other reasons.

Another complication in the present law is my understanding that the Office of Emergency Planning has interpreted the existing disaster loan program in such a way that the President cannot make a disaster determination unless there is actual damage to public buildings and facilities in the area.

The new proposal in the bill I am introducing today together with two pieces of legislation already before the Congress, can begin the job of restoring these areas of our cities. They will also restore the confidence of the businessman and the resident that there is still hope for a better environment.

The urban insurance bill (S. 3028) has been reported out by the Senate Banking and Currency Committee as a separate title of the 1968 Housing Act. The bill would use private insurance companies, individual States, and the Federal Government to insure that businesses will be able to obtain and/or retain their insurance even though they may be located in a disadvantaged area. Senator SMATHERS and I have both introduced proposals on this subject. I will support the bill as reported and hope for its expeditious consideration.

The other bill already introduced is my amendment to the Housing Act, which would encourage cities to take over ownership of the many abandoned properties in sections of our cities. The cities,

or a private nonprofit or cooperative buyer, could then obtain up to $10,000 per unit loans for rehabilitation of property in any deteriorated or deteriorating area. I have received support of this proposal from cities such as Pittsburgh, Atlanta, Boston, and New York City, among others. I am hopeful this provision will be also included in the Housing Act of 1968.

S. 3506—INTRODUCTION OF BILL TO ESTABLISH A JOINT COMMISSION ON THE GOLD RESERVES

Mr. TOWER. Mr. President, during the recent floor debate on the bill to remove the gold cover from our currency, I was prepared to introduce an amendment creating a Commission on the Gold Reserve.

Senator SPARKMAN, our very able chairman of the Senate Committee on Banking and Currency and manager of the gold bill on the floor, requested that various amendments be withheld in order that the gold bill could be acted upon with all possible haste.

I know that many of my colleagues are concerned, as I am, with regard to this Nation's balance-of-payments deficit. I am also greatly concerned over the recent report by the Department of Commerce which indicates that the United States experienced in the month of March its first merchandise trade deficit in 5 years. This country's exports fell 11.5 percent from February and imports rose 0.4 percent, resulting in a trade deficit of $157.7 million.

The problem, of course, is caused by pressures at home, and, more specifically, the problem is one of cost. The cost of goods produced, cost of money, cost of services—all are on the rise and at an alarming rate. Inflation has forced a strong cost factor which is negative to achievement of equilibrium in our balance of payments, and I fear that the March trade deficit is only a beginning of what may be expected in the months ahead.

Furthermore, I have been disturbed by many reports which have left the impression that the special drawing rights approach is the answer to this Nation's balance-of-currency transfers. It must not be forgotten that as long as the United States has an ounce of gold in its reserves, this gold will be jeopardized by our international trade position regardless of the success or failure of the special drawing rights system. It must also be remembered that the SDR's are tied to gold, expressed in terms of gold, and will only be issued to the various members of the International Monetary Fund in relation to the amount of gold they have previously deposited with the IMF.

For these reasons, Mr. President, I am introducing a bill to establish a joint commission to examine the gold policies of the United States, including, but not limited to, a study of the means for maintaining adequate reserves in gold to meet present and foreseeable needs, the role which gold plays in achieving liquidity in world trade, and the alternatives to the present reliance on gold in the settlement of international balances. The Commission should, from time to time, give the President and the Congress its advice and recommendations with respect to matters falling within the purview of its study.

The Commission established by the bill I am offering would consist of the Secretary of the Treasury as chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; six Members of the Senate to be appointed by the President of the Senate; six Members of the House of Representatives to be appointed by the Speaker; and eight public members to be appointed by the President.

This Commission would be charged to study our gold policies generally and to give the President and the Congress its advice and recommendations with respect to matters falling within the purview of its study.

In fact, Mr. President, the creation of the Commission under this bill would follow the same pattern and purpose as the Joint Commission which was provided by S. 2080, passed by the Congress in 1965, which provided for a study of the problems then existing in our silver currency. The House Members of that Commission were appointed July 26, 1965, and the Senate Members on July 30, 1965. The President activated the Commission on May 1, 1967.

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

The bill (S. 3506) to establish a Joint Commission on the Gold Reserves, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 3507—INTRODUCTION OF BILL ENTITLED "DOMESTIC FOOD ASSISTANCE ACT OF 1968"

Mr. MONDALE. Mr. President, I today introduce, for appropriate reference, the Domestic Food Assistance Act of 1968. This measure would enable us to launch a new attack on malnutrition, hunger, and starvation in this country, meeting one of the needs the Poor People's Campaign today dramatizes.

Mr. President, what welfare mothers, rural farmers, Senate subcommittee hearings, and the report by the Citizens' Board of Inquiry all have told us can no longer be ignored: Hunger stalks this country. Malnutrition shames this Nation.

Mr. President, many are the paradoxes in this country. But to me none is more appalling, or less forgivable, than the paradox of hungry poor in this land of plenty.

This Nation of voluntary dieters has thousands condemned to forced fasting every day;

This Nation of food fads has thousands sick for lack of protein and vitamins they cannot afford;

This Nation that spends billions to keep food off the market has perhaps 10 million people whom the choice is beans and biscuits, or no food at all.

And part of the paradox is that we do not even know the true dimensions of the problem. For this Nation that knows much about the nutritional status of the underdeveloped countries has never done a complete study of itself.

Nevertheless, the information now available is more than sufficient to show us the nature, if not the scope of the hunger problem in this country.

Like poverty itself, hunger is a pervasive phenomenon. The look of hunger can be seen; the cry of hunger can be heard in every State in the United States. In the rural South, in the Appalachian North, on Indian reservations, in migrant camps, in urban ghettos live men, women, and children for whom each day represents a new horror, and to whom the malnutrition, disease, and death associated with Asia and Africa are a daily threat in America.

> The baby is suffering from chronic malnutrition compounded by acute dehydration—

Said Dr. Christian M. Hansen, Jr., U.S.P.H.S. doctor servicing at the OEO-funded Tufts Delta Health Center in Mound Bayou, Miss., of a baby he examined. What is more, this month-old child was but one of hundreds of Negro children found already by the health center grotesque in shape, permanently stunted, and damaged in growth, due to lack of adequate food. This child was receiving only one-fifth the milk he should have had. And according to the pastor of the Catholic church of the area:

> There is widespread malnutrition, especially among the children.

The findings at the Tufts center in the last few months simply confirm and reinforce the findings reported by the board of physicians that visited Mississippi and reported to the Senate Subcommittee on Employment, Manpower, and Poverty last summer. The findings are always the same:

Infant mortality rates much higher for Negro children than for white. For Negroes in the northern half of Bolivar County, the rate is three times that of whites. The cause: acute, persistent malnutrition.

Severe anemias. Thirty cases of iron deficiency anemia had already been found by March, just the beginning of the numbers of children suffering from a condition that leads to chronic fatigue and possibly brain damage.

Widespread malnutrition, especially among the children, with attendant long-term and immediate damage to the brain, to muscles, bones, skin, and to general growth and development.

Prevalence of bacteria and parasitic disease: 1,800 of 6,000 Headstart children in one survey were carrying worms in their intestinal tracts.

And this is but a sampling of the population, and a small number of the problems.

The Citizens' Board of Inquiry Into Hunger and Malnutrition in the United States heard the litany of "Hunger, U.S.A.," the litany of physical, social, and psychological damage caused millions in the United States by lack of food, or inadequate nutrition. They heard of anemic children in Massachusetts, in South Carolina, in Kentucky, in Alabama; of anemic and protein and vita-

min-deficient pregnant women in Texas, Kentucky, Louisiana, Alabama, and Tennessee; of retarded growth—low heights and weights—in urban and rural areas; of the most severe protein deficiency diseases on Indian reservations in Arizona and South Carolina, and among migrant children in Florida; of parasitic diseases associated with malnutrition in South Carolina, Florida, Mississippi, Alabama, and on Indian reservations; of nutritional problems among the aged in New York State; of pervasive and persistent malnutrition among migratory farmworkers, Indians, and the urban poor of Boston, Baltimore, Cleveland, and New York City.

The study of the committee exhausted the scant literature of the field. It confirmed the fears and updated the information of those who read the results of the closest approximation to a national study of nutritional status listed by the National Library of Medicine, "The Cooperative Nutritional Status Studies," conducted in the early 1950's by USDA and PHS in four regions of the United States. Even in the period from 1947 to 1952, the western region sample of 69 children, 1,134 adolescents, 41 adults, and 664 older adults showed significant percentages having less than two-thirds the recommended National Research Council dietary standards. Even averaging rich and poor, one-third and more of the teenaged boys and girls were low in calcium, thiamine, and ascorbic acid. And when one group of the poor, Spanish-American boys of New Mexico, were studied, the list expanded to include deficiency in calories and vitamin A as well. Again, even averaging in rich and poor, as the study did, 9 to 17 percent of adults, and 14 to 25 percent of children, consumed less than two-thirds the calories recommended, and after age 50 the percentage of men, more than 20 percent underweight, shot up appreciably.

And these findings were corroborated by the studies in other regions. In the northeast region, a study of 854 males and 950 females in New York, Maine, Rhode Island, West Virginia, New Jersey, and Massachusetts found diets low in vitamin C, calcium, vitamin A, and riboflavin. In the north central region, 1,188 schoolchildren were studied. One-half to two-thirds were eating poor breakfasts, and many got insufficient milk, meat, and eggs. Again, these were overall averages which probably masked much greater problems in the poor segments of the populations of States studied.

We must wait for more current data for the studies to be released this summer by the Public Health Service, and the USDA.

Hunger means different things to different people. To the desperate mother, it is children who "go to bed hungry and get up hungry and do not ever know nothing else in between."

To the horrified physician, it is "evidence of vitamin and mineral deficiencies; unattended bone diseases, secondary to poor food intake, prevalence of bacteria and parasitic disease; and chronic anemias."

To the concerned psychiatrist, it is the urban and rural problem of "the sick, chronically malnourished child:" who "literally grows up to be tired, fearful, anxious, and suspicious," and who takes this with him as he moves from rural into urban poverty.

To every citizen, it is the national disgrace of people living out the "no win" cycle of poverty, hunger, illness, and dependency; the cycle of people sick because they are hungry, skipping medicine to buy food; the specter of millions of Americans too sick and hungry to get the education and the jobs they need to trade dependency for dignity.

Mr. President, as the report by the citizens board of inquiry points out:

Hunger kills: Malnutrition causes lowering of resistance to infection and consequently is a prime cause of infant mortality;

Hunger maims: There is increasing evidence that lack of protein in the diet of youngsters can cause severe and irreversible brain damage; . . . and that it can cause disabilities resulting from inadequate growth;

Hunger sickens: . . . Diseases such as blindness, rickets, scurvy, and pellagra . . . result from deficiencies of a particular nutrient;

Hunger affects us all: The cost of . . . chronic hunger and undernutrition takes many forms; educational, psychological, and social . . . hunger contributes directly to the schisms which threaten our society today.

Mr. President, hunger is a national disgrace. But it is also a curable condition. For among all the complex causes of poverty, hunger is among the easiest to correct.

Just as the citizens' commission helped us see the hunger problem, so too they help us perceive its solution.

The hunger problem is not new to this Nation. For years Federal food and welfare programs have worked to provide needed sustenance to thousands of needy Americans. But while our past record must be acknowledged, present problems must also be addressed. While the food stamp and commodity distribution programs have helped many, they have failed to do the total job.

In 1967, food programs reached only about 18 percent of the poor. As the citizens' inquiry points out:

We cannot assume that any of the remaining poor . . . are getting enough food.

The reasons are many;

Food stamps cost too much.

Food distributed through the commodity distribution program is insufficient, and too small a variety of foods is available;

There are not enough consumer services associated with the programs; women who need to know most about food purchase and preparation often know the least; and

There is inadequate communication between those who are recipients of food and those who administer the programs, and the system lacks either consultation or appeals mechanisms.

Mr. President, the bill I introduce today would remedy these defects. It would remove this blight from our countryside. While this legislation preserves and continues the best feature of the Food Stamp Act of 1964, it is intended to be, and is, a complete legislative overhaul of the Food Stamp Act and other domestic feeding legislation. Its purpose is to assure that no person in this land of riches and plenty need starve or suffer malnutrition because of insufficient income.

Its main provisions are—

Free food stamps to those under the poverty level or whose income prevents them from attaining a fully adequate and nutritious diet;

Establishment of a task force on hunger, composed of commercial enterprises in the food and grocery business to bring the power and imagination of the private sector to bear on the hunger problem, following the pattern of the urban coalition;

Provision for new food stamp programs and direct food distribution programs to exist side by side;

Provision for nonprofit and charitable agencies, any capable agency of Federal, State, or local government, in addition to commercial enterprises, to run programs to feed eligible households;

Requirement that nutrition counseling and home economic services be provided food recipients;

Eligibility upon applicant affidavit, with no onerous redtape;

Changes in emphasis of standards from normal food expenditures to enough food for an adequate and nutritious diet;

Requirement and authorization for distribution by Federal Government of all commodities, whether or not in surplus, to supplement the food stamp program;

Involvement and self-help by the poor, through formation of cooperatives of low-income consumers, local advisory committees, and a National Food Assistance Commission.

While this bill no doubt will be referred to the Senate Agriculture Committee, I intend to work closely with other members of the Senate to insure that this bill or some closely parallel version receives active consideration in hearings beginning May 23 in the Senate Labor and Public Welfare Committee. Senator McGovern and I are sponsors with many other colleagues of a resolution to establish a select committee to explore thoroughly our reaction to this most grave problem. Whatever course of action is taken by the Senate and whatever bills are considered, I intend to urge the strongest and most comprehensive approach possible. It is much too serious and much too urgent a problem to be treated otherwise.

This bill does not establish a monetary standard for the amount of food stamps, since this will necessarily vary according to circumstances, but relies on the standards of a "fully adequate and nutritious diet." While this is true, however, it is difficult to see how it could go below $90 a month for a family of four or the equivalent, which the USDA determines is a minimum needed to assure a nutritious diet.

I ask unanimous consent that a summary entitled "Hunger, U.S.A.," be printed in the Record.

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

The bill (S. 3507) to repeal the Food Stamp Act of 1964 and enact in lieu thereof the Domestic Food Assistance Act of 1968, introduced by Mr. Mondale

(for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The summary, presented by Mr. MONDALE, is as follows:

HUNGER, U.S.A.—A SUMMARY

INTRODUCTION

In issuing this report, we find ourselves somewhat startled by our own findings, for we too had been lulled into the comforting belief that at least the extremes of privation had been eliminated in the process of becoming the world's wealthiest nation. Even the most concerned, aware, and informed of us were not prepared to take issue with the presumption stated by Michael Harrington on the opening page of his classic, *The Other America:* "to be sure, the other America is not impoverished in the same sense as those poor nations where millions cling to hunger as a defense against starvation. This country has escaped such extremes." But starting from this premise, we found ourselves compelled to conclude that America has not escaped such extremes. For it became increasingly difficult, and eventualy impossible, to reconcile our preconceptions with statements we heard everywhere we went:

That substantial numbers of new-born, who survive the hazards of birth and live through the first month, die between the second month and their second birthday from causes which can be traced directly and primarily to malnutrition.

That protein deprivation between the ages of six months and a year and one-half causes permanent and irreversible brain damage to some young infants.

That nutritional anemia, stemming primarily from protein deficiency and iron deficiency, was commonly found in percentages ranging from 30 to 70 percent among children from poverty backgrounds.

That teachers report children who come to school without breakfast, who are too hungry to learn, and in such pain that they must be taken home or sent to the school nurse.

That mother after mother in region after region reported that the cupboard was bare, sometimes at the beginning and throughout the month, sometimes only the last week of the month.

That doctors personally testified to seeing case after case of premature death, infant deaths, and vulnerability to secondary infection, all of which were attributable to or indicative of malnutrition.

That in some communities people band together to share the little food they have, living from hand to mouth.

That aged living alone, subsist on liquid foods that provide inadequate sustenance.

We also found ourselves surrounded by myths which were all too easy to believe because they are so comforting. We number among these:

Myth: The really poor and needy have access to adequate surplus commodities and food stamps if they are in danger of starving.

Fact: Only 5.4 million of the more than 29 million poor participate in these two government food programs, and the majority of those participating are not the poorest of the poor.

Myth: Progress is being made as a result of massive federal efforts in which multimillion dollar food programs take care of more people now than ever before.

Fact: Participation in government food programs has dropped 1.4 million in the last six years. Malnutrition among the poor has risen sharply over the past decade.

Myth: Hunger and starvation must be restricted to terrible places of need, such as Mississippi, which will not institute programs to take adequate care of its people.

Fact: Mississippi makes more extensive use of the two federal food programs than any state in the United States.

In addition to the hearings, the site visits, the personal interviews, the anecdotal stories, we learned from government officials, statistics, studies, and reports, that where, by accident or otherwise, someone looked for malnutrition, he found it—to an extent and degree of severity previously unsuspected.

To the best of our knowledge, we have collected the studies and information compiled by all who have gone before us and have supplemented it with the best evidence that our own direct efforts could uncover. At best, we can make an educated guess as to the order of magnitude of the problem. But the chief contribution we can make does not rest with engaging in a numbers game.

It lies elsewhere—with the reversal of presumption. Prior to our efforts, the presumption was against hunger, against malnutrition; now the presumption has shifted. The burden of proof has shifted. It rests with those who would deny the following words of one of our members, "there is sufficient evidence to indict" on the following charges:

1. Hunger and malnutrition exist in this country, affecting millions of our fellow Americans and increasing in severity and extent from year to year.

2. Hunger and malnutrition take their toll in this country in the form of infant deaths, organic brain damage, retarded growth and learning rates, increased vulnerability to disease, withdrawal, apathy, alienation, frustration and violence.

3. There is a shocking absence of knowledge in this country about the extent and severity of malnutrition—a lack of information and action which stands in marked contrast to our recorded knowledge in other countries.

4. Federal efforts aimed at securing adequate nutrition for the needy have failed to reach a significant portion of the poor and to help those it did reach in any substantial and satisfactory degree.

5. The failure of federal efforts to feed the poor cannot be divorced from our nation's agricultural policy, the congressional committees that dictate that policy and the Department of Agriculture that implements it; for hunger and malnutrition in a country of abundance must be seen as consequences of a political and economic system that spends billions to remove food from the market, to limit productions, to retire land from production, to guarantee and sustain profits for the producer.

Perhaps more surprising and shocking is the extent to which it now rests within our power substantially to alleviate hunger and malnutrition. While new programs are needed, and new legislation is desired and urged, there are now reserves of power, of money, of discretionary authority and of technical know-how which could make substantial inroads on the worst of the conditions we have uncovered—and this could be commenced not next year or next month—but today.

CHAPTER I. THE MISSISSIPPI STORY: A CASE HISTORY IN BUREAUCRATIC NON-RESPONSE

This chapter sets forth the events which triggered national awareness of the existence of hunger and malnutrition in Mississippi, the Congressional and administrative concern generated by these disclosures. It documents the ineffectiveness of the so-called massive federal efforts substantially to alleviate the problem to date.

CHAPTER II. DOCUMENTING THE EXTENT OF HUNGER AND MALNUTRITION IN THE UNITED STATES

Scope of the problem

The Board found concrete evidence of chronic hunger and malnutrition in every part of the United States, as a result either of field trips or hearings or upon a review of all available studies evaluating the nutritional status of the poor.

These conditions are not confined to Mississippi. In America, the number of victims of chronic hunger and malnutrition appears to reach well into the millions—and the situation is worsening.

Those conditions, directly documented or corroborated by the Board include:

A high incidence of anemia among poor infants and children—urban and rural—white and non-white. Among the young, anemia can have serious and lasting medical and emotional effects.

Evidence of retarded growth (abnormally low in heights and weights) attributable to malnutrition in both urban and rural poverty areas.

Conditions of severe protein deficiency, which in early childhood, may cause permament brain damage.

A prevalence of nutritional deficiencies and anemia among pregnant women in poverty.

A high incidence of parasitic diseases associated with malnutrition on field visits to South Carolina, Florida, Mississippi, Alabama and Indian reservations.

Order of magnitude and probable pattern of distribution

The Board recognizes that no definitive estimate can now be made regarding the number of people suffering from hunger and malnutrition in the United States. Nonetheless, the Board presents evidence which supports its tentative estimate:

"It is possible to assert, with a high degree of probability that we face a problem which, conservatively estimated, affects 10 million Americans and in all likelihood a substantially higher number."

Moreover, it is possible to identify those areas where the incidence of hunger and malnutrition is likely to be extremely high. Where income is low, where postneonatal (one month to one year) mortality rates are high, and where participation in welfare and food assistance programs is low or nonexistent, the Board suggests that hunger and malnutrition are prevalent. On this basis, the Board has identified 256 hunger counties requiring immediate and emergency attention.

CHAPTER III. THE DIFFICULTY OF DOCUMENTING HUNGER AND MALNUTRITION IN THE UNITED STATES

The Board of Inquiry was startled by the absence of knowledge, research, experimentation, affirmative action—and even concern about the existence of hunger and malnutrition in the Untied States. In seeking to learn why so little information was available, the Board turned to those sectors of society which seemed to possess the responsibility for documenting the nutritional status of the American people: the health professions, public health authorities, private charitable organizations, and the private food sector. The Board concludes that each of these sectors have failed to fulfill its responsibility, has allowed hunger to go, not merely unchecked, but also unidentified. As a result, the Board recognizes that—

"If this report is marred by any single element, it is the anomaly of asserting that a phenomenon exists, and that it is widespread, without being able to ascertain its exact magnitude or severity because no one ever believed it existed."

The health professions

The board presents evidence that—

The extent of recorded medical knowledge about dietary intake and malnutrition among the poor in the United States consists of about 30 studies, which—with a few exceptions—have been limited in scope and limited in methodology to the most easily determined manifestations of malnutrition.

Medical schools do not train students to recognize malnutrition.

Most hospitals do not keep systematic records or perform tests necessary to ascertain the presence of malnutrition.

The lack of data is used as the basis for

inability to move quickly toward solutions, and some professionals have turned lack of data into confirmation that malnutrition does not constitute a serious or pervasive problem.

Public officials

Among public officials, where the responsibility is clearcut, the Board found a shocking lack of information or action:

The Public Health Service has no knowledge of the extent of malnutrition in the United States, although it concedes that a serious problem exists.

The Department of Agriculture has conducted extensive studies to learn how much money is spent on food, and which foods are most popular among Americans at large. At the same time, its knowledge of nutrient deficiencies of the poor is scant, superficial, and unsatisfactory.

Other federal agencies have not added, significantly, to the collective knowledge of the federal government about hunger and malnutrition.

Dieticians and nutrition experts, public and private, on the state as well as the federal level, have not become familiar with the dietary and nutritional needs of the poor.

Private charitable organizations

In a survey of over 100 charitable organizations across the nation, the Board of Inquiry learned that in contrast to the extensive overseas feeding programs of organizations such as CARE, the immediate and severe problems of hunger in the United States have been addressed by the private sector in only a limited fashion.

The private food sector

The Board of Inquiry asked 75 food manufacturing companies: (a) what steps were being taken to determine the number of people now being excluded from the domestic food market because of low income and (b) what remedial efforts they were engaged in. Of 35 companies responding, the Board learned that there has been little activity in the private sector in determining the food needs of the poor.

This inactivity on the domestic front contrasts markedly with the situation abroad. A major contribution of the private sector in helping needy populations in poor and developing countries has been the development of new and fortified foods, which by themselves, provide many of the nutrients for a nutritionally adequate diet.

When certain barriers to acceptance of these foods are recognized, when taste, appearance, ease of preparation, adequate delivery systems are considered, and finally when an appeal is made to the nutritional advantages of a food rather than its special utility to the poor, the likelihood of acceptance is significantly increased. With these qualifications, the Board of Inquiry makes recognition of the valuable role that fortified foods can play in alleviating hunger and malnutrition in the United States.

CHAPTER IV. ANALYSIS OF FEDERAL FOOD AND WELFARE PROGRAMS

The Board has examined in depth the three chief programs designed to alleviate hunger and malnutrition: The Commodity Distribution Program; the Food Stamp Program; the Welfare Program. And it has taken a brief look at consumer education efforts and the school lunch program an consumer education programs as ancillary programs to combat hunger and malnutrition.

We are forced to conclude that these programs do not do the job.

These programs clearly have failed—but responsibility for this failure cannot be laid merely to lack of money or staff. Much of the responsibility for the failure of these programs rests with the mode of administration adopted, the discretionary decisions made, and the failure to use the full statutory power available to fulfill the purpose of these programs.

Commodity distribution program

Under this program, the Department distributes surplus commodities to needy families. These foods are called basic commodities and are provided in the form of cornmeal, corn grits, flour, non-fat dry milk, peanut butter, rice and rolled wheat. These are the foods that the commodity recipient can count on receiving each month—albeit with some variations in amount and variety.

The government, however, has available special additional money to buy and distribute free any other kind of food—orange juice, turkeys, beef, vegetables. It has the power to distribute such foods to the hungry.

This "Section 32" money (Section 32, P.L. 320, 74th Congress) designed to keep the farmer's prices high and to provide food for those in need, is not part of the President's budget. The Congress does not have to appropriate it. It comes directly and automatically to the Secretary. Last year, it added up to $700 million. Of that $700 million, some $500 million was either returned to the Treasury or carried forward into the 1968 fiscal year. Less than $150 million was used in connection with commodity or food distribution programs.

The Board of Inquiry found that 300 of the poorest counties in the United States have no food assistance of any kind. Local officials in many of these poor counties have refused to apply for federal food assistance, because of unwillingness to extend help to Negroes, who constitute the overwhelming majority of the poor in counties without food assistance.

The Department of Agriculture has the power to start food assistance programs where need is evident. Yet, until April 1968, the Department consistently declined to exercise its power to institute commodity distribution programs where local officials had refused to apply.

In counties where commodities are distributed, they seldom reach even a majority of the poor population. Some people are declared ineligible because their income is too high, although substantially below the poverty line. Some people are discouraged from participating because the distribution depots where they must go to obtain commodities are too far away, and the commodities received are difficult to transport.

The commodity distribution program does not supply enough food for the month. Food runs out, people go days without food. Moreover, the variety of foods distributed is not adequate to meet minimum nutritional requirements, despite the recognized fact that most of the three million participants must look to the commodity distribution program for their total food supply.

As the Board points out, the USDA does not meet its own standards for minimum nutrition:

"Each month the USDA distributes to a family of four commodities with a total retail value of slightly over $20. The USDA has determined, however, that a family of four should spend over $90 per month—on a variety of foods—in order to obtain a nutritious diet.

"Each month the USDA distributes less than 100 pounds of food to a family of four, a total of 23.38 pounds of food per person. The USDA recommends however, that to obtain an adequate diet, a family of four should have 308 pounds of a variety of nutritious foods. This figure excludes milk and eggs.

"The USDA recommends 50 pounds of meat, poultry or fish per month for a family of four. It distributes less than eight pounds to a family of four on commodities.

"The USDA suggests 176 pounds of fruits and vegetables. The family on commodities receives less than five pounds a month."

The Board of Inquiry concludes that the commodity distribution program is a failure. While they do not feel that changes will make the program successful in the long run, they make proposals for administrative reform which, within the framework of existing legislative authority, would benefit the hungry and malnourished substantially. (See page 56).

Food stamp program

The food stamp program, in theory, was to correct the deficiencies of the commodity program. It was to let the poor choose their own foods. The bonus coupons they bought with their normal food dollars would multiply their food purchasing power at local stores. Eligible families would buy the food stamps at rates set by the Secretary of Agriculture. The law requires that such prices be set at a rate equivalent to the "normal expenditure" for food. The Secretary decided to set stamp prices by determining average expenditures for families of different size and income.

Averaging the food expenditures of the poverty population proved administratively expedient to the USDA, but became a nightmare for the hungry. Families who had literally no income were averaged in with lowest income families and expected to pay rates based on averages with money that did not exist. In areas where the commodity distribution program was being scrapped in favor of food stamps, the no-income family found itself whipsawed between a program that had distributed food free and a new program that assumed that the family had paid for its food. When the switchover occurred, participation dropped radically. For once, America became aware of its hungry.

This awareness led to piecemeal efforts at improvement. These efforts in turn uncovered other inadequacies in the planning and administration of the food stamp program. The lowering of the minimum food stamp charges pointed up the inequity of the prices at "higher" income levels. Every time the income of a family of four rises by 10 dollars, six of those dollars must go toward food stamps. The schedule of charges set up by the USDA suffers from certain internal inconsistencies and operates to discourage participation.

Consider the following:

Assumption: That all families with a given number of members and a given income normally spend the same amount of money on food. This is the assumption underlying the use of surveys to determine what are "normal expenditures."

Fact: The USDA concedes that a primary problem in poor families is that there is no plan for spending money, hence, there is no "normal" amount of money spent each month on food. Bills, fixed expenses, and poor consumer practices devour income the day it dribbles in, so that there can be no amount specifically allocated for food expenditures. No steady dollar-and-cents pattern to the expenditures of poor people has yet been established.

Assumption: A family in poverty normally pays a constant amount of money for food from month to month. This justifies the requirement that participants spend a fixed sum on stamps each month or be ineligible for further assistance.

Fact: Food expenditures may double—or be cut in half—from month to month depending upon emergencies, pressing bills—and on income which may vary from month to month or season to season.

Assumption: That as a family's income increases, the percent of income spent on food increases. Food stamp prices are set so that, at the lowest levels a sharp rise in stamp prices accompanies a modest rise in income. This assumption appears to be coupled with the further assumption that the lowest income families spend for food first and pay their bills last.

Fact: At low levels of family income, food expenditures give way to fixed expenses. Items like rent, utilities, and overdue bills come first. What is left is what is spent for food. And this pattern does not change as income

increases (until one is substantially above the poverty line).

The requirement that the poor lay out the cash for stamps all in one lump sum—and that they purchase the minimum amount or none at all—has worked considerable hardship. And once a person chooses to participate, he must continue to do so at the same level every month or he will be disqualified and required to apply all over again for eligibility.

A further inadequacy of the program is its unwillingness to provide even its participants with an adequate diet. By the Department of Agriculture's own standards, the money value of stamps falls consistently and deliberately below the amount necessary to secure a minimally adequate diet. Nutritional studies indicate that those participating in food stamps in fact are only slightly better off nutritionally than non-participants.

The county option system which has thwarted use of the commodity distribution program in many counties has been at least as great an obstacle to instituting the food stamp plan. The Secretary of Agriculture denies that he has the power to distribute food stamps in counties which refuse to apply. Yet section 14(a) of the Food Stamp Act expressly gives him that power.

After presenting this and other evidence, the Board of Inquiry concludes that the food stamp program has failed to fulfill its promise, and proposes a number of steps for administrative reform. (See pages 66–67.)

School lunch program

Despite its potential for directly alleviating hunger and malnutrition among the children of the poor, the school lunch program has to date proved unsuccessful. At most, one-third of poverty stricken children attending public schools participate. Although Congress expressly provided in the National School Lunch Act that poor children shall be served without cost or at a reduced cost, a majority of poor children are forced to pay the full price for school lunch or go without. The school lunch program in fact, operates for the benefit of the middle class.

Consumer education programs

Education in the advantages of budget, planning, bargain shopping and food selection has been held out as a solution of the malnutrition problem.

If education is the answer, the Board finds that little of it exists. In addition, limited evidence would appear to indicate that the poor use their food dollar well and that they need greater purchasing power, more than education on how to use that purchasing power.

Much of the need for education, budgeting knowledge, sophistication and skills stems from policies and procedures which make programs complex and directly decrease their utility to the poor. The call for education sometimes masks a shifting of responsibility for the defects of a program from the administrators, who have made the program complex, to the poor, who cannot cope wtih that complexity and red tape.

The role of public assistance programs in feeding the poor

The ability to eat adequately in the final analysis depends upon money. The poor do not have enough money to buy the food they need, despite the myth of massive federal handouts. Three out of every four Americans who live below the poverty level receive no help from federal public assistance programs whatsoever.

Some of those who do not receive federal assistance receive "general assistance" from the state and local government. But "general assistance" is miniscule in scale—amounting to less than six percent of federal expenditures under public assistance programs.

Most states administering federal welfare monies do not pay the minimal amount necessary for subsistence as estimated either by their own standards or by the federal government's standards. Actual payments consistently fall below the level to which families are entitled by law.

Consequently, the Board of Inquiry finds those who do participate in federal public assistance programs do not get enough money to secure a nutritionally adequate diet. In fact, welfare recipients who receive the highest level of payment in the nation have been found to suffer from inadequate diet.

Thus to live on welfare is to be virtually certain of inadequate nutrition. But three-fourths of the poor do not even get welfare. There are four distinct causes for this lack of participation.

1. The categories of federal assistance are a limitation on eligibility.

2. The state exercises its power to restrict participation in federal public assistance programs. The states can simply decline to participate in federal programs, or they can restrict the number of participants by imposing additional eligibility requirements.

3. The mode of administration on the state and local level restricts participation.

4. The Department of Health, Education and Welfare consistently declines to re-examine state plans for conformity to federal law, court decisions and affirmative constitutional requirements.

CHAPTER V. AGRICULTURAL POLICY

Responsibility for the design, enactment and administration of food assistance programs—both domestic and international—has traditionally been vested in those groups and individuals in government concerned with protection of the producers of food. Such a policy converts programs to feed the poor into disposal systems to relieve market gluts and protect profits.

The central focus of agricultural policy has shifted over the years from the small producer, the family farmer, to the large producer, the commercial and corporate farmer.

In 1967 alone, for example, nine large landowners received a total of over $14 million from one or a combination of farm programs designed, as the Department of Agriculture puts it, "to encourage, promote and strengthen the family farm".

Judged by the allocation of payments to farmers in 1967, this purpose has not been achieved. Some 42.7 percent of farmers—the classically small family farmers—with gross income of less than $2,500 received 4.5 percent of total farm payments from the government while the top 10 percent of farmers—the large, diversified, and in many cases corporate landowners—each with more than $20,000 gross income received 54.5 percent of total farm payments.

The large scale producer, as a result, is well protected.

At the same time the interests that dominate agricultural policy have not supported efforts to feed the hungry. The Board of Inquiry concludes:

1. The composition of the agricultural committees of Congress—which pass upon major food assistance legislation—dictates that inevitably the needs of the poor and hungry will be subordinated to the interests of large agricultural producers.

2. The relationship between these agricultural committees and the Department of Agriculture—which administers all major food assistance legislation—dictates that inevitably the Department's priorities will place the interests of agricultural producers first, the needs of the poor and hungry second.

CHAPTER VI. RECOMMENDATIONS

The Board of Inquiry has made recommendations which call for both immediate action to alleviate the present emergency conditions and for long range programs to eradicate hunger and malnutrition in the United States.

Immediate relief

We call upon the President to—

Declare that a national emergency exists;

Institute emergency food programs within these 256 hunger counties, at migrant farm camps, and, after consultation with tribal councils, on selected Indian reservations; all this to be done as the first earnest effort of a national resolve to dispel hunger;

Use all available statutory authority and funds including that under Section 32, P.L. 320 74th Congress customs receipts; under emergency food and medical appropriations (receipts) for the Office of Economic Opportunity, and under the 1967 Social Security Amendments providing for federal participation to needy families with children in order to assure completely adequate food programs in these counties;

Ask Congress for immediate enactment of such other powers and appropriations as he needs;

Use also in these places the authority and funds provided under the federal food programs, to the extent that doing so will not take funds away from other areas;

Report to the people by September 1968 the numbers of needy people reached in these counties, the numbers yet unreached (if there be any) and the nutritional adequacy of the diets provided for all these programs;

Report, at the same time, plans for longer range programs.

Long-range recommendations

The basic federal food program should be the *free* Food Stamp Program.

Eligibility for food stamps should be keyed to income, dependents, and medical expenses. The formula should bear some negative relationship to the same factors as the federal income tax.

At levels set by law, persons should become eligible for varying quantities of stamps without further investigation.

An eligible person should receive more or fewer stamps depending on need. Since the criterion is need, there would be no reason that the recipient pay anything for the stamps to which he or she is entitled.

We believe that school lunches should be available to every child enrolled in public, private, or parochial schools up to and including the 12th grade, as well as in kindergarten, Headstart or other pre-school centers, nursery schools, and day care centers. The lunches would have to conform to federal nutritional standards.

If it be required that families who can afford to pay for lunches do so, then we suggest consideration of a system of non-transferable lunch stamps which would be the only currency acceptable for federally supplied lunches, which would go to food stamp recipients along with their other stamps and which could be purchased by other parents at the issuing office.

School lunches could appropriately be used for prudent experiments with the palatability and nutritional effectiveness of so-called fortified foods.

Either the Department of Health, Education, and Welfare or the Office of Economic Opportunity should be directed and funded to employ and train a large number of food stamp recipients (perhaps at a ratio of one trainee to every 50 recipients) as nutrition and health care extension workers among the poor.

Until such time as the President is able to report to the country that no households (or only an insignificant number) have diets that fall below the Department of Agriculture's criterion of "good" and that federal assistance is no longer a factor in keeping them at that level, custom receipts under Section 32 should be made available as required to supplement other appropriations for the food needs of the poor.

Medical, graduate, and nursing schools should give much more attention to the diagnosis and treatment of malnutrition,

and to an understanding of its causes and effects.

Finally, we do hope and urge that private organizations concerned with human welfare will address themselves to this most elemental of all of humanity's problems and that each will find within its purposes and resources its own distinctive contribution; and that all these organizations will, as part of their contribution, continuously monitor and evaluate governmental programs. To this end, and as a first step, we shall ourselves distribute our principal findings and our recommendations to groups representative of the nation's poor.

ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. BENNETT. Mr. President, on February 7, 1968, I introduced Senate Joint Resolution 140 to authorize the President to issue annually proclamations designating the Sunday of each year which occurs immediately preceding February 22 as Freedom Sunday and the calendar week of each year during which February 22 occurs as Freedom Week.

Since the introduction of this joint resolution, a number of my colleagues have expressed an interest in cosponsoring this joint resolution. I therefore ask that when this joint resolution is reprinted that the following Senators be added as cosponsors of this bill: Senator STROM THURMOND, Senator FRANK MOSS, Senator HIRAM FONG, Senator ALAN BIBLE, Senator JACK MILLER, Senator WARREN MAGNUSON, Senator JOHN SPARKMAN, Senator JOHN TOWER, Senator CARL T. CURTIS, Senator SAM ERVIN, Senator VANCE HARTKE, Senator QUENTIN BURDICK, Senator ROMAN HRUSKA, Senator GALE MCGEE, Senator JOSEPH TYDINGS, Senator FRANK LAUSCHE, and Senator EDWARD V. LONG of Missouri.

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

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 16, 1968, he presented to the President of the United States the enrolled bill (S. 3033) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

HIGHER EDUCATION AMENDMENTS OF 1968—AMENDMENT

AMENDMENT NO. 795

Mr. WILLIAMS of New Jersey. Mr. President, a new generation of Americans are taking their first steps in higher education. Many of them are the sons and daughters of some 8 million veterans who received similar educations under the World War II GI bill. This law made possible the single largest program of mass adult education ever undertaken at such bargain rates. The $14.5 billion investment on the part of the Federal Government has already been recouped and it is generally estimated that during the life of those veterans who benefited from this law, the return will be better than 3 to 1 with an estimated return of some 45 billion income tax dollars alone. This has certainly been one of the soundest economic investments we have made. One, I dare say, that can be demonstrated to the satisfaction of the most skeptical critics.

Mr. President, the world we live in no longer views a high school education as terminal. It demands continuing education. It pressures our Nation's youth to seek at least 2 years of college in order to survive. It is time we quit congratulating ourselves on the successes of the GI bill. It is time to apply the lessons we say we have learned from that experience to some 6 million students many of whom are presently struggling to finance their continuing education. It is time to give this same opportunity to the millions of others who are less fortunate and cannot absorb the costs of higher education. Next year alone, more than 2.5 million youngsters will finish high school, and only about 50 percent of them will go on to college.

Mr. President, I am tired of the rhetoric about removing the economic barriers that preclude some 60 percent of our college age youth from going to college. I have lost interest in the academic debate of the value of continuing education to the individual and to society. Education is not a private privilege, it is a public responsibility. Today I propose we quit talking about the desirability of providing at least 2 years of tuition-free education on the post high school level and do something about it.

I submit at this time, for appropriate referral, an amendment to S. 3098, the proposed Higher Education Amendments of 1968, which would create a new title, title XIII to provide tuition grants for students of limited income families.

My amendment would grant to each student in substantially full-time attendance for the first two years in an accredited junior college or college, or accredited trade, vocational or technical school a maximum grant of $500 per academic year for tuition and other academic fees if the gross income of the student and family during the preceding tax year is not more than $8,000. The income factor will be adjusted upward to accommodate an increase in dependents.

I recognize that this is far from adequate. But it is a beginning. I am dedicated to education, and feel that the principle of free continuing education is a must for our society. Over a hundred years ago, when the battle for free public schools was being fought, Horace Greeley, in an editorial in the New York Weekly Tribune stated the argument on which I base my proposal today:

> The education of children is a duty of parents when they are able, but it is a duty of the community whether all the parents are able or not. Not for his own sake merely, but for the sake of the whole, should every child be educated. A single ignorant person is a source of evil and peril to the community. That person, properly educated, might have invented something, evolved an idea for want of which the development of the race may be arrested for a whole half of a century.

We are meeting the challenge on the elementary and secondary level. We have matured as a people because of these efforts. I have therefore included a provision in my amendment which would authorize a complete and thorough study of existing proposals and programs all aimed at assisting college students to absorb all or part of their tuition, and other college expenses. When the conclusions of this study are available, we will then be able to build on the concept I have just outlined.

Mr. President, I ask unanimous consent that the text of my amendment appear at this point in the RECORD.

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

The amendment (No. 795) was referred to the Committee on Labor and Public Welfare, as follows:

AMENDMENT NO. 795

On page —, line —, insert the following:

At the end of page 118, add the following new title:

"TITLE XIII—TUITION GRANTS FOR STUDENTS OF LIMITED INCOME FAMILIES

"SEC. 1301. The Secretary of Health, Education, and Welfare (hereinafter in this title referred to as the Secretary), upon application, shall grant to each student in substantially full time attendance for the first two years in an accredited junior college or college, or accredited trade, vocational, or technical school, the full amount of tuition and other academic fees or $500 per academic year, whichever is less, if the gross income of the family of the student, or the student if he or she is self-supporting, during the preceding tax year is not more than $8,000, provided that the Secretary shall adjust the basic $8,000 income limitation to correspond with an increase in the number of dependents in a family. When a student is receiving a tuition grant from other government or private sources which is less than $500 per academic year, the Secretary is authorized to make a tuition grant in the amount of the difference, but in no case shall the combined grants exceed $500 per academic year.

"SEC. 1302. The Secretary may refuse grants for attendance at any institution which raises its tuition or fees in order to benefit from this title.

"SEC. 1303. (a) The Secretary shall, within a calendar year of the enactment of this provision, submit to the Congress a plan, or alternative plans, for providing a minimum of two years of educational opportunity at the post-secondary level. The Secretary shall have the authority to contract for a study to develop such a plan or plans. Such plans shall include, but not be limited to:

"(1) a minimum of two years of educational oportunity at the post-secondary level made available through outright grants to students or to institutions on behalf of every enrolled student;

"(2) various systems of loans to students or to institutions on behalf of enrolled students;

"(3) the use of the income tax such as through credits or deductions, and work-study or cooperative education systems;

"(4) existing programs of public and private financial assistance, including the Veterans Readjustment Benefit Act of 1966, and programs formerly in effect, including the Servicemen's Readjustment Act of 1944 and the Veterans Readjustment Assistance Act of 1952.

"(b) The study shall include, but not be limited to, such factors as:

"(1) the actual or projected cost effectiveness of alternative plans;

"(2) the immediate and the long-run economic impact of alternative plans;

"(3) financial and social implications to individual students participating under alternative plans;

"(4) institutional implications for post-secondary education or training facilities under alternative plans;

"(5) the relative contributions of Federal,

State, and local governments, industry, students, and other sources, to the financing of higher education in the United States.

"SEC. 1304. There are authorized to be appropriated for the fiscal year ending June 30, 1969, the sum of $750,000,000; and for the two succeeding fiscal years such sums as may be necessary to carry out the purposes of this title. In the event that these sums are not sufficient to carry out the purposes of this title, the Secretary will give preference to those students defined in Sec. 1301 with the lowest income."

OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1967—AMENDMENT

AMENDMENT NO. 796

Mr. BROOKE submitted an amendment, intended to be proposed by him, to the amendment No. 715, intended to be proposed by Mr. DIRKSEN, to the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 797

Mr. LONG of Missouri. Mr. President, I wish to submit another amendment to the bill pending before the Senate, S. 917, the Omnibus Crime Control and Safe Streets Act of 1967, which deals in so many ways with the rights of all American citizens.

This amendment would add a new title VI to the bill, providing a right to counsel for selectees appearing before local Selective Service Boards. I will discuss the need for this amendment at the time it is brought up and ask unanimous consent that the amendment not only be printed up but that it be printed at this point in the RECORD.

I also ask at this time that the RECORD include a statement which I made at a hearing on this subject.

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

The amendment (No. 797) is as follows:

AMENDMENT NO. 797

At the end of the bill add a new title VIII as follows: "That section 555(b) of title 5, United States Code, is amended by adding the following sentence: 'Notwithstanding the provisions of the Uniform Military Training and Service Act, each individual shall be afforded the opportunity to appear in person, present testimony or other evidence, and be represented by counsel in any proceeding before the local Selective Service board having jurisdiction over him'."

The statement, presented by Mr. LONG of Missouri, is as follows:

OPENING STATEMENT BY SENATOR EDWARD V. LONG, BEFORE SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE ON (S. 3303) A BILL TO EXTEND THE RIGHT OF COUNSEL TO THE SELECTIVE SERVICE SYSTEM

This morning, the Senate Subcommittee on Administrative Practice and Procedure begins hearings on S. 3303, a bill to extend the right of counsel to young men appearing before their local draft board. I am pleased to announce that a number of other Senators have joined with me in co-sponsoring this legislation, namely; Senators Ernest Gruening (Alaska); Philip Hart (Michigan); Daniel Brewster (Maryland); Edward Brooke (Massachusetts); Mark Hatfield (Oregon); Edward Kennedy (Massachusetts); Walter Mondale (Minnesota); Frank Moss (Utah); and Ralph Yarborough (Texas).

Before hearing from our witnesses, I would like to read a letter which I recently received from Mr. Ronald A. May, a lawyer fom Little Rock, Arkansas, and a Government Appeal Agent for Local Board No. 60. Mr. May has consented to our making his letter part of the public record:

APRIL 30, 1968.

Re: S. 3303

DEAR SENATOR LONG: I noted today in the American Bar Association Washington Letter that your Subcommittee is considering the above described bill to extend the right of counsel to registrants appearing before their local Selective Service Boards. I am Government Appeal Agent for Local Board No. 60 in Little Rock. Having some familiarity with the Selective Service Law and its administration, I would like to recommend very strongly the passage of this legislation.

As a matter of fact, I think that it does not go far enough. At the present time, the Selective Service Law is monstrously weighted against a registrant who seeks a classification other than I–A. His case is set for a hearing before the Board where he is not entitled to counsel. When he is then classified, the law hypocritically informs him that he may seek the counsel of a Government Appeal Agent. Unfortunately, at that time there is damned little the Government Appeal Agent can do for the registrant. Any appeal he takes is on the basis of the record which was made before the local Board. He is not entitled to be heard by the Appeal Board. If, as usually happens, the Appeal Board turns him down, he does not even have an appeal of right to the President, but can only appeal in certain quite limited circumstances.

There are no provisions for a Court review, and the only way a registrant can test the legality of his classification is to take a chance on going to prison. Certainly the manpower requirements of the Government do not require procedures as ill-conceived as these.

The very notion of a Government Appeal Agent is a mocking one. The Agents are untrained and unpaid. I am not seeking compensation for this job and would, in fact, resign if compensation became available. It seems obvious, however, that a paid attorney is going to do a better job than an unpaid one. I object very much to the casual way in which agents are appointed and the almost complete failure on the part of the Government to inform the agents about this rather technical area of the law. As a matter of fact, one of the few communications I have ever received from the Director of the Selective Service was the insulting suggestion that agents (who are supposed to be lawyers) should inform on their clients.

It has been suggested frequently that Government Appeal Agents cannot be trusted because they, in effect, represent the Government. Personally, I resent such criticism, and I have always done my best to advise and represent the registrants who have consulted me. I must admit, however, that there is some ambiguity in the regulations which require the agents "to be equally diligent in protecting the interests of the Government and the rights of the registrant in all matters."

I feel compelled to conclude this letter by stating as strongly as I can that my criticism of the law is not directed at the administration of the law by the Local Board with which I am associated. That Board is composed of extremely fine individuals who have done a splendid job at considerable personal sacrifice. They have never hesitated to reopen cases at my request and to accommodate me on hearings. The same can be said for all the employees of the Selective Service System with whom I have associated. It is clear to me, however, that they have performed well in spite of the law's gross inadequacy. I will look forward with great interest to the outcome of your Subcommittee's hearings.

Respectfully yours,

RONALD A. MAY.

I, too, look with great interest to these hearings, for I believe we are dealing with a basic constitutional issue—the right of counsel. As I stated when this bill was introduced, "when the young man has been called before his draft board, there is perhaps no greater time when he might need the assistance of counsel. Yet, at that very moment, the regulations of the System itself specifically prohibit such counsel."

Since the creation of this Subcommittee in 1959, we have been concerned with basic problems in administrative law. One of these problems is the right of counsel guaranteed by the Administrative Procedure Act. Section 555(b) of Title 5 of the United States Code (Administrative lawyers know this as Section 6(a) of the old Administrative Procedure Act) guarantees a right of counsel to persons compelled to appear before an agency of the Federal government. The hearing this morning will determine whether this right of counsel should extend to the Selective Service System. The record should be made clear that the legislation is not in support of "doves" or "hawks"; the legislation will not be helping the peaceniks or the draft dodgers. If there is a need for this legislation, it will help all young men when they want to appear before their local draft board.

AMENDMENT OF OCCUPATIONAL HEALTH AND SAFETY BILL TO PROVIDE FOR A STUDY OF WORKMEN'S COMPENSATION—AMENDMENTS

AMENDMENT NO. 798

Mr. JAVITS. Mr. President, I submit an amendment to S. 2864, the occupational health and safety bill. The amendment would provide for the establishment of a broadly based Commission to make a comprehensive study and evaluation of our workmen's compensation laws. I ask that the amendment be appropriately referred and that its text be printed in the RECORD.

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

The amendment (No. 798) was referred to the Committee on Labor and Public Welfare, as follows:

On page 19, after line 21, insert the following new title:

"TITLE II—STUDY AND EVALUATING OF STATE WORKMEN'S COMPENSATION LAWS

"CONGRESSIONAL FINDINGS AND PURPOSE

"SEC. 201. (a). Congress hereby finds and declares that the vast majority of American workers, and their families, are dependent on workmen's compensation for their basic economic security in the event they suffer disability injury or death in the course of their employment; and that the full protection of American workers from job-related injury or death requires an adequate, prompt and equitable system of workmen's compensation as well as an effective program of occupational health and safety regulation.

"(b) In recent years serious questions have been raised concerning the fairness and adequacy of present workmen's compensation laws in the light of the growth of the economy, the changing nature of the labor force,

increases in medical knowledge, changes in the hazards associated with various types of employment, new technology creating new risks to health and safety, and increases in the general level of wages and the cost of living.

"(c) The purpose of this title is to authorize an effective study and objective evaluation of State workmen's compensation laws in order to determine if such laws provide an adequate, prompt, and equitable system of compensation for injury or death arising out of or in the course of employment.

"ESTABLISHMENT OF COMMISSION

"SEC. 202. There is hereby established a National Commission on State Workmen's Compensation Laws (hereinafter referred to as the 'Commission').

"MEMBERSHIP

"SEC. 203. (a) The Commission shall be composed of 15 members to be appointed by the President from among members of State workmen's compensation boards, representatives of insurance carriers, business, labor, educators having special expertise in the field of workmen's compensation, and representatives of the general public. The Secretary of Labor, the Secretary of Commerce, and the Secretary of Health, Education, and Welfare shall be ex officio members of the Commission.

"(b) Any vacancy in the Commission shall not affect its powers.

"(c) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

"(d) Eight members of the Commission shall constitute a quorum.

"DUTIES OF THE COMMISSION

"SEC. 204 (a) The Commission shall undertake a comprehensive study and evaluation of state's workmen's compensation laws in order to determine if such laws provide an adequate prompt, and equitable system of compensation. Such study and evaluation shall include, without being limited to, the following subjects: (1) the amount and duration of permanent and temporary disability benefits and the criteria for determining the maximum limitations thereon, (2) the amount and duration of medical benefits and provisions insuring adequate medical care and free choice of physicians, (3) the extent of coverage of workers, including exemptions based on numbers or type of employment, (4) standards for determining which injuries or diseases should be deemed compensable, (5) rehabilitation, (6) coverage under second or subsequent injury funds, (7) time limits on filing claims, (8) waiting periods, (9) compulsory or elective coverage, (10) administration, (11) legal expenses, (12) the feasibility and desirability of a uniform system of reporting information concerning job-related injuries and diseases and the operation of workmen's compensation laws, (13) the resolution of conflict of laws, extraterritoriality and similar problems arising from claims with multistate aspects, (14) the extent to which private insurance carriers are excluded from supplying workmen's compensation coverage and the desirability of such exclusionary practices, to the extent they are found to exist, (15) the relationship between workmen's compensation on the one hand, and old age, disability and survivors insurance and other types of insurance, public or private, on the other hand, (16) methods of implementing the recommendations of the Commission.

"(b) The Commission shall transmit to the President and to the Congress not later than one year after the first meeting of the Commission a final report containing a detailed statement of the findings and conclusions of the Commission, together with such recommendations as it deems advisable.

"POWERS OF THE COMMISSION

"SEC. 205. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or members thereof.

"(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this title.

"(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

"(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title, and

"(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $50 a day for individuals.

"(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

"COMPENSATION OF MEMBERS

"SEC. 206. Members of the Commission shall receive compensation at the rate of $——— per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

"APPROPRIATIONS AUTHORIZED

"SEC. 207. There are hereby authorized to be appropriated such sums as may be necessary, not to exceed a total of $——— to carry out the provisions of this title.

"TERMINATION

"SEC. 208. On the nineteenth day after the date of submission of its final report to the President, the Commission shall cease to exist."

On page 1, between lines 2 and 3, insert the following:

"TITLE I—OCCUPATIONAL SAFETY AND HEALTH."

On page 1, line 3, strike out "That this Act" and insert in lieu thereof "Section 101. This title".

On page 1, line 6, strike out "SEC. 2." and insert in lieu thereof "SEC. 102.".

On page 3, line 12, strike out "Act" and insert in lieu thereof "title".

On page 3, line 17, strike out "Act" and insert in lieu thereof "title".

On page 3, line 19, strike out "SEC. 3." and insert in lieu thereof "SEC. 103.".

On page 4, line 7, strike out "SEC. 4." and insert in lieu thereof "SEC. 104.".

On page 4, line 8, strike out "Act" and insert in lieu thereof "title".

On page 5, line 5, strike out "SEC. 5." and insert in lieu thereof "SEC. 105.".

On page 5, line 6, strike out "Act" and insert in lieu thereof "title".

On page 5, line 12, strike out "Act" and insert in lieu thereof "title".

On page 5, line 19, strike out "Act" and insert in lieu thereof "title".

On page 5, line 21, strike out "Act" and insert in lieu thereof "title".

On page 6, line 4, strike out "SEC. 6." and insert in lieu thereof "SEC. 106.".

On page 6, line 6, strike out "Act" and insert in lieu thereof "title".

On page 6, line 10, strike out "the Act" and insert in lieu thereof "this title".

On page 7, lines 7 and 8, strike out "section 3(a) of this Act" and insert in lieu thereof "section 103(a) of this title".

On page 7, line 10, strike out "Act" and insert in lieu thereof "title".

On page 7, line 16, strike out "Act" and insert in lieu thereof "title".

On page 7, line 20, strike out "SEC. 7." and insert in lieu thereof "SEC. 107.".

On page 7, lines 22 and 23, strike out "section 3(a) of this Act" and insert in lieu thereof "section 103(a) of this title".

On page 8, line 14, strike out "section 6 of this Act" and insert in lieu thereof "section 106 of this title".

On page 8, line 19, strike out "SEC. 8." and insert in lieu thereof "SEC. 108.".

On page 8, line 20, strike out "Act" and insert in lieu thereof "title".

On page 8, line 23, strike out "Act" and insert in lieu thereof "title".

On page 9, line 2, strike out "Act" and insert in lieu thereof "title".

On page 9, line 3, strike out "Act" and insert in lieu thereof "title".

On page 9, line 7, strike out "SEC. 9." and insert in lieu thereof "SEC. 109.".

On page 9, lines 8 and 9, strike out "section 3(a) of this Act" in both instances and insert in lieu thereof "section 103(a) of this title", respectively.

On page 9, line 10, strike out "section 6 of this Act" and insert in lieu thereof "section 106 of this title".

On page 10, line 1, strike out "section 6 (a)(2)" and insert in lieu thereof "section 106(a)(2)".

On page 10, lines 4 and 5, strike out "section 3(a) of this Act" and insert in lieu thereof "section 103(a) of this title".

On page 10, line 16, strike out "Act" and insert in lieu thereof "title".

On page 10, line 23, strike out "Act" and insert in lieu thereof "title".

On page 11, line 2, strike out "SEC. 10." and insert in lieu thereof "SEC. 110.".

On page 11, lines 13 and 14, strike out "section 3(a) of this Act" and insert in lieu thereof "section 103(a) of this title".

On page 11, lines 15 and 16, strike out "section 3(a) of this Act" and insert in lieu thereof "section 103(a) of this title".

On page 11, line 20, strike out "Act" and insert in lieu thereof "title".

On page 11, line 21, strike out "Act" and insert in lieu thereof "title".

On page 11, line 24, strike out "Act" and insert in lieu thereof "title".

On page 12, line 2, strike out "Act" and insert in lieu thereof "title".

On page 12, line 4, strike out "Act" and insert in lieu thereof "title".

On page 12, line 9, strike out "section 6 of this Act" and insert in lieu thereof "section 106 of this title".

On page 12, line 16, strike out "section 20 (f) of this Act" and insert in lieu thereof "section 121(f) of this title".

On page 12, line 18, strike out "SEC. 11." and insert in lieu thereof "SEC. 111.".

On page 12, line 21, strike out "Act" and insert in lieu thereof "title".

On page 13, line 4, strike out "SEC. 12." and insert in lieu thereof "SEC. 112.".

On page 13, line 9, strike out "Act" and insert in lieu thereof "title".

On page 13, line 10, strike out "Act" and insert in lieu thereof "title".

On page 13, line 13, strike out "Act" and insert in lieu thereof "title".

On page 13, line 18, strike out "SEC. 13. Nothing in this Act" and insert in lieu thereof "SEC. 113. Nothing in this title".

On page 14, line 2, strike out "SEC. 14." and insert in lieu thereof "SEC. 114.".

On page 14, line 3, strike out "Act' and insert in lieu thereof "title.".

On page 14, line 5, strike out "SEC. 15." and insert in lieu there of "SEC. 115.".

On page 14, line 16, strike out "Act" and insert in lieu thereof "title".

On page 14, lines 22 and 23, strike out "section 5 of this Act" and insert in lieu thereof "section 105 of this title".

On page 15, line 6, strike out "section 3 of this Act" and insert in lieu thereof "section 103 of this title".

On page 15, line 14, strike out "Act" and insert in lieu thereof "title".

On page 15, between lines 14 and 15, insert the following:

"EDUCATION AND TRAINING PROGRAMS".

On page 15, line 15, strike out "SEC. 16." and insert in lieu thereof "SEC. 116.".

On page 15, line 20, strike out "Act" and insert in lieu thereof "title".

On page 15, line 24, strike out "Act" and insert in lieu thereof "title".

On page 16, line 2, strike out "SEC. 17." and insert in lieu thereof "SEC. 117.".

On page 17, line 20, strike out "SEC. 18. Nothing in this Act" and insert in lieu thereof "SEC. 118. Nothing in this title".

On page 17, line 24, strike out "SEC. 19." and insert in lieu thereof "SEC. 119.".

On page 18, line 3, strike out "Act" and insert in lieu thereof "title".

On page 18, line 5, strike out "SEC. 20." and insert in lieu thereof "SEC. 120.".

On page 18, line 10, strike out "Act" and insert in lieu thereof "title".

On page 18, lines 16 and 17, strike out "SEC. 21. (a) The term 'Secretary' appearing in this Act" and insert in lieu thereof the following:

"SEC. 121. As used in this title—

"(a) The term 'Secretary' ".

Mr. JAVITS. Mr. President, the administration's measure, S. 2864, is confined to improving occupational health and safety in America. Any comprehensive safety and health program cannot, however, focus on prevention alone, as S. 2864 does; it should also deal with the problem of workmen's compensation for the victims of occupational injury and disease for it is obvious that, regardless of efforts made to improve job safety and health, job-related deaths, injuries, and diseases will continue to occur.

It is to meet this deficiency in the administration bill that I am introducing today, an amendment to establish a Commission to study and evaluate our workmen's compensation laws.

The Commission I propose would be composed of 15 members, to be appointed by the President from a broad spectrum of interests, including State workmen's compensation boards, representatives of insurance carriers, business, labor, and educators having special expertise in the field of workmen's compensation, as well as representatives of the general public. The Secretaries of Labor, Commerce, and Health, Education, and Welfare would be ex officio members. The Commission would have 1 year to file its report.

The Commission would be charged with the duty of undertaking a comprehensive study and evaluation of State workmen's compensation laws in order to determine if they provide an adequate, prompt, and equitable system of compensation. Its attention would be specifically directed to a number of subjects, among the more important of which would be the amount and duration of medical and disability benefits, provisions insuring adequate medical care and free choice of physicians, coverage, standards for determining compensability, rehabilitation, the advisability of a uniform reporting system, extraterritoriality problems, and the relationship between workmen's compensation and OASDI or other public or private insurance. Finally, the Commission would be directed to consider the possible methods of implementing its own recommendations.

Mr. President, the need for the type of comprehensive review and evaluation which the Commission would undertake should be apparent to anyone with even a cursory knowledge of workmen's compensation today. The fact is that although a few States like my own State of New York do have adequate workmen's compensation laws, in most States workmen's compensation is, in at least some respects, shockingly inadequate.

Workmen's compensation laws were devised to assure that benefits would be paid to workers injured on the job and that they would be paid promptly, with a minimum of legal formality, and without the necessity of fixing the blame for the injury. The fundamental premise of workmen's compensation laws is that the cost of work-related injuries is to be considered part of the cost of production. Workmen's compensation laws were and are a modern industrial democracy's answer to the obstacles, such as the fellow servant and assumption of risk rules, established by the common law to bar recovery by injured workers from their employers. In return for the elimination of the doubtful, but potentially unlimited, liability of an employer under the common law, workmen's compensation laws substituted the limited, but sure, remedy of compensation in the form of medical and disability benefits.

The original intent of workmen's compensation laws was to strike a fair balance between the legitimate claims of injured employees and the potential liability of employers. There is, however, grave doubt that this balance is being struck fairly today. Workmen's compensation laws simply have not kept pace with the development of the economy. The system, as it is operating today, simply does not meet contemporary needs, and it is high time that a careful review and analysis be made of the way the current system is operating, and of possible methods of improving it.

I recognize that the charge I have made today is a most serious one. However, my doubts as to the adequacy of the present workman's compensation system are based on objective yardsticks. These are available in the form of the standards for workmen's compensation laws which have been developed in recent years by the Department of Labor, the Council of State Governments, and the International Association of Industrial Accident Boards and Commissions. The minimum standards developed by these highly respected agencies are in many respects quite similar.

An analysis of Bulletin No. 212 issued by the Department of Labor, as revised up to 1967, which compares the major provisions of State workmen's compensation with the standards recommended by the Federal Bureau of Labor Standards, shows a compliance ratio of only about 45 percent. I ask unanimous consent that a table showing the precise extent of compliance with the Labor Department's recommended standards be inserted in the RECORD at this point.

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

EXTENT OF PROTECTION UNDER WORKMEN'S COMPENSATION LAWS

[X=Law meets the recommended standard. --=Law does not meet standard]

	Compulsory law	No numerical exemption	Farm employment covered	Full coverage of occupational diseases	Rehabilitation division within workmen's compensation agency	Maintenance benefits during rehabilitation	Full medical care for accidental injuries	Full medical care for occupational diseases	Workmen's compensation agency has authority to supervise medical aid	Initial choice of physician by the injured worker	Broad subsequent injury fund	Adequate time for filing occupational disease claims	Waiting period for not more than 3 days with retroactive benefits after 2 weeks	Death benefits to widow until her death or remarriage	Compensation for permanent total disability for life or period of disability	Compensation for temporary total disability not less than 66⅔ percent of average wages	Total standards met
Alabama	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	0
Alaska	X	X	X	X	X	X	X	X	X	X	X	X	--	X	X	--	13
Arizona	X	--	--	--	--	X	X	--	X	X	X	--	--	X	X	X	9
Arkansas	X	--	--	X	--	X	X	--	--	--	--	--	--	--	--	--	4
California	X	X	X	X	X	--	X	X	X	--	X	X	--	--	X	--	11
Colorado	--	--	--	--	--	--	--	--	--	--	--	--	--	--	X	--	1

EXTENT OF PROTECTION UNDER WORKMEN'S COMPENSATION LAWS—Continued

[X=Law meets the recommended standard. --=Law does not meet standard]

	Compulsory law	No numerical exemption	Farm employment covered	Full coverage of occupational diseases	Rehabilitation division within workmen's compensation agency	Maintenance benefits during rehabilitation	Full medical care for accidental injuries	Full medical care for occupational diseases	Workmen's compensation agency has authority to supervise medical aid	Initial choice of physician by the injured worker	Broad subsequent injury fund	Adequate time for filing occupational disease claims	Waiting period for not more than 3 days with retroactive benefits after 2 weeks	Death benefits to widow until her death or remarriage	Compensation for permanent total disability for life or period of disability	Compensation for temporary total disability not less than 66⅔ percent of average wages	Total standards met
Connecticut	X	X	X	X	X	X	X	X	X	X[1]	X	--	X	X	X	X	15
Delaware	X	--	--	X	--	--	X	X	--	X	X	--	X	--	X	--	8
District of Columbia	X	X	--	X	X	X	X	X	--	X[1]	X	--	--	X	X	--	11
Florida	--	--	--	X	X	--	X	X	X	--	X	--	--	--	X	--	7
Georgia	--	--	--	--	--	--	--	--	X	--	--	--	--	--	--	--	1
Hawaii	X	X	X	X	X	X	X	X	X	X	X	X	X	--	X	X	15
Idaho	X	X	--	--	--	--	X	X	X	--	--	--	--	--	X	--	6
Illinois	X	X	--	X	--	--	X	--	--	--	--	--	--	--	X	--	5
Indiana	--	X	--	X	--	--	X	X	--	--	--	X	--	--	X	--	6
Iowa	--	X	--	--	--	--	X	X	--	--	--	--	--	--	--	--	3
Kansas	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	0
Kentucky	--	--	--	X	--	--	X	X	--	--	--	--	--	--	--	--	3
Louisiana	--	X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1
Maine	--	--	--	X	X	X	X	X	--	X[1]	--	--	--	X	X	X	9
Maryland	X	X	--	X	X	--	X	X	X	X	X	X	--	--	--	--	10
Massachusetts	X	--	X	X	X	X	X	X	--	X	--	--	--	--	X	X	10
Michigan	X	X	X	X	X	X	X	X	X	--	--	X	--	--	X	--	11
Minnesota	X	X	--	X	--	X	X	X	X	X	X	--	--	--	X	--	10
Mississippi	X	--	--	--	--	X	X	X	--	--	--	--	--	--	--	--	4
Missouri	--	--	--	X	X	X	X	X	--	--	X	X	--	--	X	--	8
Montana	--	X	--	--	--	X	--	--	--	X	--	X	--	--	--	--	4
Nebraska	--	X	--	X	--	--	X	X	--	--	--	X	--	--	X	--	6
Nevada	X	--	--	X	--	--	X	--	X	X	--	--	--	X	X	--	7
New Hampshire	X	X	X	X	--	--	X	X	--	X	--	X	--	--	--	--	8
New Jersey	--	X	X	X	X	--	X	X	--	--	--	--	--	X	X	X	9
New Mexico	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	0
New York	X	X	X	X	X	X	X	X	X	X[1]	X	X	--	X	X	--	14
North Carolina	--	--	--	--	--	--	X	--	X	--	--	--	--	--	--	--	2
North Dakota	X	X	--	X	X	X	X	X	X	X	--	--	--	X	X	--	11
Ohio	X	--	X	X	X	X	X	X	X	X	--	--	--	--	X	--	10
Oklahoma	X	--	--	--	--	--	X	X	X	--	--	X	--	--	--	--	5
Oregon	X	X	X	X	X	X	X	X	X	X	X	--	X	X	X	--	14
Pennsylvania	--	X	--	X	--	--	--	--	--	--	--	--	--	--	X	--	3
Puerto Rico	X	X	X	X	X	--	X	X	X	--	X	X	X	X	X	--	13
Rhode Island	X	--	--	X	X	--	X	X	--	X	--	X	X	--	X	--	9
South Carolina	--	--	--	X	--	--	X	X	X	--	--	X	--	--	--	--	5
South Dakota	--	X	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1
Tennessee	--	--	--	--	--	--	--	--	--	X[1]	--	X	--	--	--	--	2
Texas	--	--	--	--	X	--	X	--	X	--	--	X	--	--	--	--	4
Utah	X	X	--	X	--	X	X	--	X	--	X	X	--	--	X	--	9
Vermont	--	--	X	--	--	--	X	--	--	--	--	--	--	X	--	--	3
Virginia	X	--	--	X	--	--	--	--	X	--	--	X	--	--	--	--	4
Washington	X	X	--	X	X	--	X	X	X	X	X	X	--	X	X	--	12
West Virginia	--	X	--	X	X	X	X	--	X	X	--	--	X	X	X	--	10
Wisconsin	X	--	X	X	--	X	X	X	X	X[1]	X	X	X	--	X	--	13
Wyoming	X	X	--	--	--	--	X	X	--	X	--	X	X	--	--	--	7
Number of States meeting standards	29	28	14	34	21	20	41	32	26	23	18	22	8	13	31	6	--

[1] Choice from panel.

Mr. JAVITS. Mr. President, a compliance ratio as low as 45 percent is indeed shocking, but it is even more shocking to realize that if the comparison were made with the model workmen's compensation law recently published by the Council of State Governments, the percentage would be even lower.

A brief analysis of the subjects which the Commission would be directed to study under my proposal, many of which are keyed to the minimum standards developed by the Department of Labor, the Council of State Governments, and the IAIABC, will indicate the critical nature of the problem, as it exists today.

First. The amount and duration of permanent and temporary disability benefits. Together with medical benefits, the disability benefits payable under workmen's compensation are, of course, the heart of the system. Yet, in all but a few States the disability benefits payable to an injured worker are grossly inadequate. Furthermore, here in contrast to other areas in which slow, but more or less steady, progress toward recommended standards has been made, we have actually been losing ground. To take just one example, the shocking fact is that, although the absolute amount of disability benefits has increased between 1940 and 1966, the ratio of maximum weekly temporary total disability benefits to average weekly wages has, by and large, fallen drastically in that period. That ratio has actually decreased in no less than 44 States. If the comparison is made between 1958 and 1966, the results are likewise unsatisfactory. In that period, in only half the States did this percentage increase; in the other half it continued to decrease. The sorry tale is told completely in a table, which I ask be included in my remarks at this point.

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

RATIO OF MAXIMUM WEEKLY BENEFIT FOR TEMPORARY TOTAL DISABILITY TO AVERAGE WEEKLY WAGES, BY STATE (1940, 1958, AND 1966)

[In percent]

State	Ratio of maximum temporary total disability benefit for worker, wife, and 2 dependent children to average weekly wage[1]		
	1940	1958	1966
Alabama	94.9	43.7	39.1
Alaska	--	75.2	56.7
Arizona	--	182.6	137.2
Arkansas	122.2	58.8	47.3
California	80.2	51.3	54.1
Colorado	54.7	42.3	45.0
Connecticut	85.9	49.5	53.5
Delaware	50.6	36.6	40.2
District of Columbia	93.7	63.4	60.3
Florida	89.5	47.0	41.9
Georgia	112.0	44.5	38.5
Hawaii	116.2	108.4	106.8
Idaho	79.4	52.8	46.4
Illinois	67.5	43.6	54.8
Indiana	60.1	39.8	37.7
Iowa	63.2	40.3	45.5
Kansas	78.0	41.8	40.4
Kentucky	68.2	41.9	43.8

See footnote at end of table.

RATIO OF MAXIMUM WEEKLY BENEFIT FOR TEMPORARY TOTAL DISABILITY TO AVERAGE WEEKLY WAGES, BY STATE (1940, 1958, AND 1966)—Continued

[In percent]

State	Ratio of maximum temporary total disability benefit for worker, wife, and 2 dependent children to average weekly wage[1]		
	1940	1958	1966
Louisiana	94.3	44.8	32.9
Maine	85.8	49.8	64.2
Maryland	81.0	50.2	52.1
Massachusetts	68.2	58.2	69.3
Michigan	55.1	43.9	58.2
Minnesota	77.4	53.9	40.8
Mississippi		57.1	41.0
Missouri	78.4	44.8	46.0
Montana	79.8	47.0	46.2
Nebraska	63.1	45.1	42.8
Nevada	84.7	55.9	59.2
New Hampshire	83.8	51.8	51.4
New Jersey	67.9	42.9	36.3
New Mexico	86.5	36.9	40.4
New York	80.9	47.7	47.7
North Carolina	100.1	55.4	42.3
North Dakota	89.6	50.5	59.4
Ohio	63.8	42.9	44.7
Oklahoma	71.2	43.6	38.9
Oregon	87.5	56.1	51.5
Pennsylvania	69.0	44.8	47.0
Puerto Rico		86.4	58.0
Rhode Island	83.7	43.1	56.0
South Carolina	153.4	57.3	57.0
South Dakota	66.4	41.9	47.3
Tennessee	78.2	45.0	40.3
Texas	84.0	43.7	33.6
Utah	72.0	49.8	52.1
Vermont	62.3	47.4	46.0
Virginia	74.9	46.9	47.0
Washington	51.1	53.4	53.0
West Virginia	62.1	39.0	37.4
Wisconsin	73.5	55.8	58.9
Wyoming	88.4	53.6	57.6

[1] The percentages in these columns are found by dividing the maximum weekly benefit for a worker, his wife, and 2 dependent children by the average weekly wage as reported under the State unemployment insurance acts.

See footnote at end of table.

Mr. JAVITS. Mr. President, in the area of permanent disability, the figures tell an equally disquieting story. In four States the maximum permanent disability benefit is less than $40 a week. In 13 States the maximum permanent disability benefit is between $40 and $50 per week. Furthermore, absolute limitations on the amount of permanent disability benefits—almost a contradiction in terms—are still common; 19 States have such limitations, with most of them below $20,000 and some as low as $12,500. Only six States meet the Department of Labor's recommendation of an actual, rather than merely theoretical maximum of 66⅔ percent of average wages for temporary total disability. A chart prepared by the chamber of commerce and included in its most recent Analysis of Workmen's Compensation Laws reveals the picture at a glance, and I ask that it be included in my remarks at this point.

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

INCOME BENEFITS FOR PERMANENT AND TEMPORARY TOTAL DISABILITIES, JAN. 1, 1968

Jurisdiction	Limitations on permanent total					Limitations on temporary total					Notations
	Maximum percent of wages	Maximum weekly payment	Minimum weekly payment	Time limit	Amount limit	Maximum percent of wages[1]	Maximum weekly payment	Minimum weekly payment	Time limit	Amount limit	
Alabama	[2] 65	$44.00	$15.00	550 weeks	$17,600	65	$44.00	[3] $15.00	300 weeks	$13,200	
Alaska	65	65.00	25.00	Life		65	100.00	[3] 25.00	Disability		Disfigurement maximum, $3,500.
Arizona	65	[4] 150.00	32.50	do		65	[4] 150.00	32.50	433 weeks	65,000	
Arkansas	65	38.50	10.00	450 weeks	14,500	65	38.50	10.00	450 weeks	14,500	
California	65	52.50	20.00	Life [1]		61¼	70.00	25.00	240 weeks [5]		60 percent maximum after 400 weeks.
Colorado [6]	66⅔	[7] 54.25	13.00	do [1]	16,926	66⅔	54.25	13.00	Disability	16,926	50 percent increase in compensation where employer has failed to comply with insurance provisions. 50 percent decrease in compensation where injury results from failure to obey safety regulations or from intoxication.
Connecticut	66⅔	[8] 74.00	20.00	do	([9])	66⅔	[8] 74.00	20.00	do		
Delaware	66⅔	50.00	[3] 25.00	do		66⅔	50.00	[3] 25.00	do		
District of Columbia	66⅔	70.00	[3] 18.00	do		66⅔	70.00	[3] 18.00	do	[10] 24,000	
Florida	60	49.00	[3] 8.00	do		60	49.00	[3] 8.00	350 weeks		
Georgia	60	37.00	12.00	400 weeks	12,500	60	37.00	12.00	400 weeks	12,500	
Guam	66⅔	35.00	[3] 12.00	Life	10,000	66⅔	35.00	[3] 12.00	Disability	10,000	
Hawaii	66⅔	[1] 112.50	[1] 18.00	do	[1] 35,100	66⅔	112.50	[3] 18.00	do	[12] 35,100	Director may order payment of $150 per month for attendant, paid from special fund.
Idaho	60	[1] 43.00	[1] 15.00	do [13]		60	[1] 43.00	[1] 15.00	do [13]		Maximum $43 with dependent spouse. Add $5 each child. Maximum $63.
Illinois	([1])	68.00	31.50	do	([1])	([1])	76.00	31.50	8 years		Limited to amount if death had resulted. Pension thereafter.
Indiana	60	51.00	[3] 21.00	500 weeks [1]	25,000	60	51.00	[3] 21.00	500 weeks	25,000	Additional benefits from 2d injury fund.
Iowa	66⅔	47.50	[3] 18.00	do	23.750	66⅔	56.00	[3] 18.00	300 weeks		Weekly compensation for temporary total disability is $40, $4 additional for each dependent child.
Kansas	60	49.00	7.00	416 weeks	20,384	60	49.00	7.00	415 weeks	20,335	
Kentucky [14]	66⅔	47.00	21.00	425 weeks	19,975	66⅔	47.00	21.00	425 weeks	19,975	Disfigurement benefits.
Louisiana	65	35.00	[3] 10.00	400 weeks	14,000	65	35.00	10.00	300 weeks	10,500	
Maine [15]	66⅔	62.14				66⅔	62.14				Disfigurement benefits, $1,500 maximum
Maryland	66⅔	55.00	[3] 18.00		30,000	66⅔	55.00	[3] 18.00	208 weeks		If permanent disability exceeds 50 percent of the body as a whole, employee is entitled to additional compensation for the full disability from the "Subsequent injury fund" after completion of payments by the employer.
Massachusetts [16]	66⅔	[1] 62.00	[17] 20.00	Life		66⅔	[1] 62.00	[17] 20.00	Disability	16,000	$6 additional each wholly dependent but not to exceed weekly wage. Combined total compensation for total and partial disability not to exceed $18,000.
Michigan [18]	66⅔	[1] 64.00	27.00	Disability [19]	([19])	66⅔	[1] 64.00	27.00	do		$6 additional for each dependent up to 5, maximum $93.
Minnesota	66⅔	60.00	17.50	Life	([11])	66⅔	60.00	17.50	350 weeks	15,750	Additional $5,000 allowable in in certain cases. Disfigurement benefits.
Mississippi	66⅔	35.00	[1] 10.00	450 weeks [20]	[20] 14,500	66⅔	35.00	[1] 10.00	450 weeks [20]	[20] 14,500	Less in partially dependent cases. $2,000 disfigurement maximum.
Missouri	66⅔	52.00	16.00	300 weeks [21]		66⅔	57.00	[3] 16.00	400 weeks	22,800	$2,000 disfigurement maximum.
Montana	66⅔	[1] 60.00	34.50	500 weeks	30,000	66⅔	[1] 60.00	34.50	300 weeks	18,000	Reducing schedule if less than 5 children.
Nebraska	[1] 66⅔	[1] 45.00	[3] 30.00	Life [22]		[1] 66⅔	45.00	[3] 30.00	300 weeks [22]	13,500	45 percent after 300 weeks, maximum $36, minimum $26 (or actual wages if less).
Nevada	90	[23] 56.00		do		[23] 90	67.50		100 months	29,250	Additional allowance for constant attendant if necessary, $50 a month.
New Hampshire	66⅔	8.00	[3] 15.00	([1])		66⅔	58.00	[3] 15.00	([1])		After 6 successive years of payment, additional payments may be made only on order of the commissioner upon application by the employee and to the employer. If employer objects, medical panel provided for.
New Jersey	([24])	[1] 83.00	10.00	450 weeks [1]		([24])	83.00	10.00	300 weeks		After 450 weeks at reduced rate, if employed; at full rate if not rehabilitable.
New Mexico [1]	60	45.00	[3] 24.00	500 weeks	22,500	60	45.00	[3] 24.00	500 weeks	22,500	10 percent additional compensation payable by employer for failure to provide safety devices.

See footnotes at end of table.

INCOME BENEFITS FOR PERMANENT AND TEMPORARY TOTAL DISABILITIES, JAN. 1, 1968—Continued

Jurisdiction	Limitations on permanent total					Limitations on temporary total					Notations
	Maximum percent of wages	Maximum weekly payment	Minimum weekly payment	Time limit	Amount limit	Maximum percent of wages [1]	Maximum weekly payment	Minimum weekly payment	Time limit	Amount limit	
New York	66⅔	$60.00	[3] $20.00	Life		66⅔	$60.00	$20.00	Disability		Additional compensation for vocational rehabilitation.
North Carolina	60	42.00	10.00	400 weeks [1]	[1] $15,000	60	42.00	10.00	400 weeks	$15,000	In cases of paralysis from a brain or spinal injury, payments may be extended for the life of the claimant and the total may exceed $15,000.
North Dakota	80	[1] 75.00	15.00	Life		80	[1] 75.00	15.00	Disability		$50 plus $5 for each child under 18. Maximum $75 per week. [3]
Ohio	66⅔	56.00	[3] [25] 45.50	do		66⅔	56.00	[3] 25.00	do	10,750	During 1st 12 weeks of temporary total disability, maximum compensation is $63.
Oklahoma	66⅔	40.00	[3] 15.00	500 weeks	20,000	66⅔	40.00	[3] 15.00	300 weeks	12,000	
Oregon	90	70.38	35.75	Life		90	[1] 73.85	39.23	Disability		Reducing schedule if less than 6 children.
Pennsylvania	66⅔	60.00	[26] 35.00			66⅔	60.00	35.00			
Puerto Rico [27]	66⅔	20.76	9.23	Life		66⅔	35.00	8.00	312 weeks		Additional benefits in specific cases such as for vocational rehabilitation or constant companion at not more than $30 a month.
Rhode Island [28]	66⅔	50.00	25.00	1,000 weeks	16,000	60	45.00	25.00	1,000 weeks	16,000	Additional benefits from 2d injury fund. Compensation includes $3 per week each dependent child in addition to that for total incapacity, maximum $12.
South Carolina	60	50.00	5.00	500 weeks	12,500	60	50.00	5.00	500 weeks	12,500	
South Dakota	55	42.00	[3] 22.00	Life [1]	16,000	55	42.00	[3] 22.00	312 weeks	13,108	After 300 weeks, maximum $15 per week. Minimum $12.
Tennessee	65	42.00	[28] 15.00	550 weeks	16,000	65	42.00	[28a] 15.00		16,000	After 400 weeks $15 per week, or actual wage if less but not less than $12. Disfigurement benefits.
Texas	60	35.00	9.00	401 weeks	14,035	60	35.00	9.00	401 weeks	14,035	Special provisions for occupational disease.
Utah	[1] 60	[29] 44.00	[3] 25.00	Life [1]	[30] 19,344	60	[29] 44.00	[3] 25.00	312 weeks	19,344	After 260 weeks 45 percent plus $3.60 for a dependent wife and $3.60 for each dependent minor under 18 up to 4 such children. Disfigurement benefits.
Vermont [31]	66⅔	[32] 52.00	[3] 26.00	330 weeks	17,160	66⅔	[32] 52.00	[3] 26.00	330 weeks	17,160	
Virginia	60	45.00	14.00	500 weeks	18,000	60	45.00	14.00	500 weeks	18,000	Disfigurement benefits.
Washington		[1] 81.23	42.69	Life			[1] 81.23	42.69	Disability		Additional allowance for constant attendant, if necessary $115 per month. Reducing schedule if less than 5 children.
West Virginia	66¾	47.00	24.00	do		66¾	47.00	24.00	208 weeks	9,976	
Wisconsin	70	68.00	14.00	do		70	68.00	8.75	Disability		Additional compensation for vocational rehabilitation. [33]
Wyoming		[1] 34.61	28.80	do	27,500	66⅔	63.46	33.46	do	12,000	Permanent—$34.61 plus $6.92 for each child (no limit). [34] Aggregate sum for children $10,000.
Federal Employees' Compensation Act.	[35] 75	[1] 345.00	59.00	do		75	[1] 345.00	[3] 59.00	do		Additional allowance of $300 per month for constant attendant if necessary.
Longshoremen and Harbor Workers' Act.	66⅔	70.00	[3] 18.00	do		66⅔	70.00	[3] 18.00	do	[25] 24,000	
Alberta	75	80.77	[3] 35.00	do		75	80.77	[3] 35.00	do		75 percent of maximum earnings of $5,600 per year.
British Columbia	75	95.20	[3] 34.72	do		75	95.20	30.00	do		75 percent of maximum earnings of $6,600 per year. [15]
Manitoba	75	86.54	[3] [37] 35.00	do		75	86.54	[3] 35.00	do		Do.
New Brunswick	75	72.11	25.00	do		75	72.11	[3] 25.00	do		75 percent of maximum earnings of $5,000 per year.
Newfoundland	75	72.11	[3] 28.84	do		75	72.11	[3] 25.00	do		Do.
Nova Scotia	75	72.11	[3] 28.00	do		75	60.58	[3] 30.00	do		Do.
Ontario	75	86.54	32.50	do		75	86.54	30.00	do		75 percent of maximum earnings of $6,000 per year.
Prince Edward Island	75	72.11	[3] 20.00	do		75	72.11	[3] 20.00	do		75 percent of maximum earnings of $5,000 per year.
Quebec [38]	75	72.11	25.00	do		75	72.11	35.00	do		75 percent of maximum earnings of $6,000 per year.
Saskatchewan	75	86.54	[39] 32.50	do		75	86.54	[3] 32.50	do		Do.
Canadian Merchant Seamen Compensation Act.	75	64.90	12.50	do		75	64.90	12.50	do		75 percent of maximum earnings of $4,500 per year.

[1] See Notations column.
[2] Percentage increased 5 percent each, for dependent wife and children. Maximum 65 percent, wife and children.
[3] Actual wage if less.
[4] No actual limit in computing average monthly wage. All wages in excess of $1,000 per month excluded.
[5] Within period of 5 years from date of injury.
[6] Disfigurement maximum $1,000.
[7] If employee is receiving social security benefits for disability, compensation may be reduced by 50 percent of such payments.
[8] 60 percent of average production wage. To be determined annually by Labor Commissioner. Determined to be $74 as of Oct. 1, 1967.
[9] Additional allowance of $5 per dependent child but not to exceed 50 percent of benefit or 75 percent of average weekly wage but may exceed 60 percent of annual average production wage. Retroactive benefit increases provided for cases prior to 1953 and 1967 and prospectively for cases after 1967.
[10] Does not include rehabilitation allowance.
[11] Old age and survivors insurance benefits credited on compensation after $25,000 has been paid.
[12] Same rate of compensation thereafter from special fund. Disfigurement maximum $10,000.
[13] 400 weeks at maximum disability, reduced thereafter to $25 per week.
[14] Maximum shall not exceed 55 percent of 85 percent of average weekly State wage; minimum shall be 25 percent of 35 percent of same, promulgated annually by Workmen's Compensation Board as of Jan. 1, 1968.
[15] Maximum not to exceed 66⅔ percent of State average weekly wage fixed by Maine Employment Security Commission, as of June 1, 1967.
[16] Maximum weekly benefit $62 effective Nov. 12, 1967; will increase to $65 effective Oct. 13 1968.
[17] Actual wage if less, but not under $10 for workweek of 15 hours or over.
[18] Add $3 for each dependent up to 5 to weekly minimum. All benefits increased according to a scale annually until 1967, thereafter will be adjusted to average State wage.
[19] Persons receiving less than benefits provided after 1955 receive difference in amounts from 2d injury fund.
[20] Plus rehabilitation allowance, maximum $160 for 104 weeks.
[21] 40 percent thereafter but not less than $18 or more than $30 for life.
[22] Reduced amounts after 300 weeks.
[23] 65 percent of average monthly wage not in excess of $325 per month plus an additional 15 percent for each dependent not to exceed 90 percent.
[24] Maximum not to exceed 66⅔ percent of average industrial wage determined annually (as of Jan. 1, 1968).
[25] Actual wage if less, but not under $10 for workweek of 15 hours or over.
[26] Actual wage if less but in no case less than $22.
[27] Compensation doubled if disability due to employer's violation of safety or health law or regulation.
[28] Disability extending beyond period compensation from 2d injury fund.
[28a] Actual wage if less but with a minimum of $12.
[29] $3.60 additional for dependent wife and $3.60 for each dependent child under 18, up to 4 such children.
[30] Employees tentatively found permanently and totally disabled referred to rehabilitation program. If employee has cooperated, cannot be rehabilitated and has exhausted benefits, then maximum of $44 per week is paid by special fund upon termination of payments by employer and carrier.
[31] Maximum benefit shall equal 50 percent of annual State average weekly wage. On July 1, 1968, benefits increased to $54 maximum weekly and $27 minimum—Maximum total $17,820.
[32] Additional amount of $3.50 per week for each dependent child under 21.
[33] Compensation reduced 15 percent for employee's failure to use safety devices.
[34] Court will supervise disbursement of fund for children.
[35] Maximum is based upon grade 15 of General Schedule Classification Act ($23,921), minimum upon grade 2 ($4,108). Benefits to be increased annually by 3 percent increase in Consumer Price Index after 1967.
[36] Plus rehabilitation allowance.
[37] Minimum benefits of $150 per month increased retroactively to Aug. 5, 1959.
[38] Beginning Sept. 30, 1965, benefit increases varying from 1.1–40 percent for awards made from Sept. 1, 1931, and Jan. 1, 1965, will be paid existing cases.
[39] Minimum benefits increased retroactively as of July 1, 1965.
[40] Board has discretion to choose the 12 months in the preceding 3 year period most advantageous to workmen for computation of his earnings.

Mr. JAVITS. Mr. President, one of the important tasks of the Commission would be to develop adequate criteria for determining the maximum amount and duration of permanent and total disability benefits. Over the years something like a consensus seems to have developed around a figure expressed as a percentage, usually 66⅔ percent of average weekly wages, in the State. By and large, the States are not meeting even that limited criteria, but the Commission should answer the question whether that standard discriminates unfairly against workers whose incomes exceed the average in the State.

Second. The amount and duration of medical benefits and provisions insuring adequate medical care and free choice of physician: Though the quality of medical care and workman's compensation has improved over the years, many workers still have to bear a part of the medical cost of their injury or disease. A number of States still restrict full medical care by setting limits on the monetary amounts or limitations on the time during which a worker may receive medical benefits. This problem has been considerably aggravated by the rising costs of medical care in recent years, and the fact that private medical and hospitalization insurance generally exclude workmen's compensation cases from coverage.

Satisfactory medical care is, of course, as important as adequate benefits. One way in which this problem has been dealt with is to provide that the workmen's compensation agency may supervise medical care. In most States, however, the workmen's compensation agency does not have this authority.

Another aspect of this problem is that almost three-quarters of all workers covered under workman's compensation have their doctors chosen for them by their employer or by the insurance company on behalf of the employer. While this practice does not necessarily imply that injured workers will receive unsatisfactory medical care, it raises other serious questions because it is the physician upon whose testimony and diagnosis the amount of a compensation award may depend. One way in which this difficulty is overcome is to allow any insured worker at least some real freedom of choice in the selection of a physician, but only 23 States meet the Department of Labor's recommended standards in this regard.

Third. Coverage of workers, including exemptions based on numbers and type of employment: The effectiveness of workmen's compensation laws is limited in many States by numerical exemptions under which small employers are not covered by the law. The numerical exemptions range from two to 15 employees. Other types of exemptions are based on the type of employment, rather than the number of employees.

One of the most glaring defects in many State compensation laws is the failure to cover agricultural employees to the same extent as other types of employees; notwithstanding the fact that agriculture has become one of the Nation's most dangerous occupations.

Other types of employees frequently exempted from the law are casual and domestic employees and employees of charitable or religious institutions. All of these exemptions taken together serve to exclude approximately 20 percent of the entire labor force from the benefits of workmen's compensation. Despite a few improvements in some laws toward fuller coverage, this percentage has not changed perceptibly in recent years.

Fourth. Standards for determining which injuries or diseases should be deemed compensable: One of the areas in which the development of workmen's compensation law in the United States has been most marked, but at the same time most uneven, is in the determination of which injuries or diseases are deemed compensable. In many States the law, or the court's interpretation of it is moved far away from the initial "accident" theory of compensable injury to include almost any injury or disease which is work-related. In other States, however, there has been little or no movement at all. Some States specifically exclude from coverage most occupational diseases, and at least 16 States fail to provide full protection for occupational disease. In one particular area, that of radiation disease, the problem has already occasioned a congressional inquiry by the Joint Committee on Atomic Energy. Pending before the Senate now are proposals to provide compensation for workers who have had the misfortune to suffer lung cancer as a result of their exposure to radiation and uranium mines. Such bills, of course, would be unnecessary had these unfortunate workers been entitled to collect workmen's compensation under existing State laws.

Fifth. Rehabilitation: In the years since the original Workmen's Compensation Acts were passed, the science of rehabilitation has made great strides. At the present time there exists a considerable store of knowledge and technique in medical and vocational restoration of an injured workman. Yet only a handful of States have adjusted either their substantive provisions or their administrative mechanisms under the workmen's compensation laws to take advantage of this opportunity. Clearly this is a subject which deserves the most careful study by the Commission.

Sixth. Coverage under second or subsequent injury funds: These funds are designed to facilitate reemployment of disabled workers. Their purpose is to assure full benefits to an employee who suffers a second disabling injury while at the same time allowing his subsequent employer to pay only that share of the benefits specifically attributable to the subsequent injury. Most States have established these funds but their operation and financing vary widely. Some second injury funds are supported by employer contributions under certain circumstances, other funds are supported entirely by governmental appropriations. Moreover, most States limit the coverage of second injury funds to loss or loss of use of a member of the body. In only a minority of the States do the second injury funds provide for coverage of any type of disability.

Seventh. Time limits on filing claims: The time limits on filing claims under most State laws appear to have been drawn to take into account only the "accidental" type of injury. These time limitations have serious drawbacks when they must be applied to occupational disease cases. For even though a law may provide coverage for occupational diseases its effectiveness will be seriously curtailed if there is an inadequate period of time for the worker to file for benefits. A worker may not know that he has contracted an occupational disease until a substantial period of time has passed after the date of his last exposure or a substantial period of time has passed before the condition is diagnosed as a disease that has occurred as a result of his employment. Both of these conditions exist, for example, in the case of uranium mine workers who have contracted lung cancer. Clearly the need for flexible time limit provisions is a subject which will merit serious consideration by the Commission.

Eighth. Waiting periods: Waiting periods or arbitrary periods of time during which employees may not receive compensation unless they are disabled for a fairly long period of time, specified in the law. The Department of Labor has recommended that the maximum waiting period should be 3 days and that benefits should be retroactive after 2 weeks. However, only about eight States currently meet this standard.

Ninth. Compulsory or elective coverage: Compulsory workmen's compensation laws require covered employers to comply with the law. An elective law permits the employer the option of whether to accept coverage of the workmen's compensation law; if he rejects coverage, he loses the common law defenses of assumption of risk, fellow servant negligence, and contributory negligence, in a suit filed by the worker. About one-half of the State workmen's compensation laws are compulsory, while the remainder are elective. Elective laws were at one time the rule rather than the exception. The trend has, however, definitely been toward compulsory coverage and although compulsory coverage has been recommended by the Department of Labor, the Council of State Governments, and the IAIABC almost half the States still have elective laws.

Tenth. Administration: Improved administration is one area in which tremendous strides have been made by some States but little, if any, progress has been made in others. Clearly, with the advent of new data processing techniques and the work which has been done by the Department of Labor, the Council of State Governments, and the IAIABC there is much that can and should be done to improve the administration of workmen's compensation laws in many States.

Eleventh. Legal expenses: Who should bear the burden of an injured workman's legal expenses has been a troublesome question for students of workmen's compensation. Most States require the claimant, whether or not he prevails in the proceeding, to bear his own legal

expenses, contenting themselves with regulating the amount of the fees and preventing unethical practices by lawyers handling compensation cases. Some States take a different view, requiring employers to pay the legal expenses of the successful claimant.

The issue has been drawn clearly, and well merits the attention of the Commission.

Twelth. The feasibility and desirability of a uniform system of reporting information concerning job-related injuries and diseases and the operation of workmen's compensation laws: One of the perennial difficulties which has served to plague students of workmen's compensation has been the lack of information concerning the system as a whole. The Commission could make use of its greatest contributions by analyzing the feasibility of some sort of uniform reporting system, designed to obtain the meaningful information concerning the operation of workmen's compensation laws necessary to permit continuing critical evaluation of the system.

Thirteenth. Resolution of conflict laws extraterritoriality and similar problems arising from claims with multistate aspects: Here is another area where the new Commission could make a tremendous contribution. The Council of State Governments, has commented that no portion of its model act is more urgently in need of coordinated state action than the extraterritoriality provision. The Council referred to the present law in this area as in "a state of chaos." Dr. Larson, one of the foremost authorities on workman's compensation in the United States, has been even less charitable, characterizing the conflict of laws in this area as "a mad house of confusion."

Fourteenth. The extent to which private insurance carriers are excluded from supplying workmen's compensation coverage and the desirability of such exclusionary practices, to the extent they exist: In most States employers may provide compensation coverage through private insurance carriers. Some States, however, have established what are known as "exclusive State funds" with which all employers must deal. Various arguments can be made for and against these exclusive State funds. Under exclusive State funds, it is claimed, compensation insurance can usually be obtained more cheaply than from private carriers. Others argue, with equal force, that that is hardly a reason for prohibiting private carriers from competing for the employer's dollar. Another argument which the Commission will undoubtedly have to consider carefully is the tremendous contribution private insurance carriers have made toward improving occupational safety.

Fifteenth. The relationship between workmen's compensation on the one hand and old age, disability and survivors insurance and other types of insurance, public and private, on the other hand: With the advent of other types of insurance, both public and private, covering disability or death, the problem of overlap arises. There are two aspects of the problem; first, to guard against an injured worker receiving double compensation; second, the decision as to which type of insurance should bear the burden when an overlap exists. The problem is particularly acute in total disability cases where both workmen's compensation and social security are applicable to the same worker and in partial disability cases where unemployment compensation is also sought. Consideration of this problem by the Commission would be especially desirable because of its Federal overtones.

Sixteenth. Possible methods of implementing the recommendations of the Commission: The best method of implementing its own recommendations will probably be the most controversial topic for the Commission to consider. It will also be the most important.

I recognize that workmen's compensation has historically been treated as a function of State government, and that the States themselves deserve full credit for initiating the whole system. There is, however, ample justification for the Federal Government to solicit the views and recommendations of interested and informed parties as to what should be done to achieve necessary workmen's compensation reform. This should not mean or imply any effort to federalize workmen's compensation or to begin such a process. Indeed, my present inclination would be to oppose any attempt to federalize workmen's compensation as much too drastic. There is a wide range of alternatives available which the Commission could consider, and after the Commission has made its recommendations it will still be up to Congress to act or not, as it sees fit. The point of my proposal is that it is only through the informed consideration of the issues by a broadly based Commission that the Congress will have before it the information necessary to enable it to make an intelligent judgment on this issue, which affects all American working men and women.

NOTICE OF HEARINGS ON THE SUPREME COURT

Mr. ERVIN. Mr. President, in recent weeks the Senate has been engaged in a great debate on the safe streets and crime control bill. One of the more controversial aspects of the bill is title II, of which we have heard a great deal from Senators on both sides of the issue. A most important aspect of this debate has been the question of the proper role of the Supreme Court, its relationship to Congress, and the powers each of these great institutions has with respect to the other.

This debate reminds us all, I know, of the genius of the men who drafted the Constitution, and of the principle of separation of powers they embodied in our governmental scheme. We have heard much in the past few weeks of the power of Congress to change the appellate jurisdiction of the Supreme Court—a power placed in Congress' hands for many reasons, not the least of which was to enable the people, through Congress, to discipline and correct a Supreme Court which had overstepped its constitutional bounds. Counterbalancing this power of Congress over the Court is the Court's power to strike down legislation which in its considered view offends the Constitution. This debate is, of itself, a classic example of the operation of the system of checks and balances that the Framers, in their wisdom, made a central part of our governmental system.

The debate in the Senate is only the most recent manifestation of a much larger debate which has been raging throughout the country in past years. The nationwide concern over the functioning of the Court involves more than mere disagreement with a particular decision or line of cases. There has arisen a controversy—growing in intensity with every passing year—over the role in our system of government that the present Supreme Court has assumed. There is increasing belief, oustide of Congress as well as within, that the Court is not performing its proper constitutional functions, that it misunderstands its constitutional mandate, and has assumed a position for itself out of keeping with its historically accepted role.

This concern takes expression in many different ways. It is noteworthy, for example, that feeling about the Court has grown to such proportions as we have seen in recent days. Certainly it is not a usual occurrence for a proposal to be offered on the floor of the Senate to restrict the Court's appellate jurisdiction. Such a proposal would not be presented if a great many citizens were not convinced that it is necessary. Whatever the final vote in that debate, it is clear that the Court is faced with a crisis of confidence of a magnitude rarely equaled in its history.

Public criticism of the Court has increased to such a degree in recent years that it is now incumbent upon us to examine the underlying causes for this reaction. Each Senator, I feel sure, has received mail from his constituents objecting to the way the Court has been functioning. Criticism by the ordinary citizen has been matched by increasing academic commentary on the Court—and much of this commentary has also been critical.

Although I have been critical of many of the Court's decisions in recent years and have urged this body to support title II, I yield to no man in my high regard for the Supreme Court. One may, as I have, criticize the Court and its current notions of judicial superiority, without in any way demeaning the institution. Indeed, I am firmly of the opinion that the Members of the Senate have a responsibility to consider the work of the Court and to criticize and to discipline it when in their judgment the Court is behaving improperly. We also have a responsibility to seek the causes for this progressive decay of the Court's reputation, and to do what we can to restore public confidence in the institution.

When the Subcommittee on Separation of Powers was organized, it was decided that one of the first items on its agenda would be a study of the Supreme Court. The subcommittee has now scheduled a series of hearings on the Court during the week of June 11–14. The hearings will provide a public forum for academic students of the Court so that Members of Congress and the general

public can have the benefit of the views of those whose business it is to study and analyze the work of the Court. The hearings will be in the form of panel discussions, at which members of the subcommittee can discuss with constitutional law professors, historians, and students of political science, the important and fundamental questions surrounding the Supreme Court. Among those who have thus far accepted the subcommittee's invitation are: Prof. Henry J. Abraham, Wharton School of Finance and Commerce, University of Pennsylvania; Prof. Gerald Gunther, Stanford School of Law; Dr. Alfred H. Kelly, professor of history, Wayne State University, Detroit; William E. Leuchtenburg, professor of history, Columbia University; Prof. Paul J. Mishkin, University of Pennsylvania School of Law; C. Herman Pritchett, professor of political science, University of Chicago; Prof. Albert J. Sacks, Law School of Harvard University; and Prof. William W. Van Alstyne, Duke University School of Law.

Assisting the subcommittee will be its consultants, Prof. Philip B. Kurland of the University of Chicago Law School, Prof. Robert G. McCloskey of Harvard University, and Prof. Alexander M. Bickel of Yale University.

A topic of such complexity as the role of the Supreme Court cannot possibly be exhausted in a short series of panel discussions such as the subcommittee plans in this session. Our immediate objective is to stimulate additional thought about the relationship of Congress to the Court and to the other institutions of our Government, and to begin consideration of the many aspects of the separation of powers principle as it applies to the Court.

Because of the limited time available for these hearings, it will not be possible to extend invitations to all persons who might have wished to appear. However, the subcommittee will accept for inclusion in the record the statements of persons who desire to submit their views on this important subject. Additional information on the hearings can be obtained from the subcommittee's office. All persons desiring to submit written statements should contact the subcommittee office, room 1403, New Senate Office Building.

ACID DRAINAGE PROBLEMS STUDIED

Mr. BYRD of West Virginia. Mr. President, mine drainage is one of the most perplexing of the water pollution problems confronting mining States. While the coal industry itself has made undeniable progress in coping with the problems created by nature incidental to the exposure of coal seams to air and water, developments have thus far failed to produce the answers that are certain to come through an all-out scientific approach to the problem.

Only a spectacular breakthrough in research will provide a means of reducing water pollution from mine drainage on a practical basis. For this reason there was intense interest in the second symposium on coal mine drainage, which was held in Mellon Institute in Pittsburgh yesterday and the day before. Sponsored by the Coal Industry Advisory Committee to the Ohio River Valley Water Sanitation Commission, the meetings provided a forum for the presentation of results of experimentations now in progress. At the same time, the sessions served to coordinate preliminary studies by the Nation's outstanding scientists and engineers working toward the solution of water pollution problems.

Participants in the symposium included representatives of government and industry, supported by representatives of such educational institutions as West Virginia University, Pennsylvania State University, Harvard, Ohio State, Kent State, University of Kentucky, and Indiana University. In addition, the U.S. Government sent officials from Brookhaven National Laboratory, the Department of Mines, the Federal Water Pollution Control Association, and the Corps of Engineers.

With this array of talent from the relevant disciplines, the symposium was able to present a review of the frontal attack on a water problem that has particular prominence in Appalachian States. The symposium program—covering every phase of laboratory and field investigation to date—was an important stepping stone on the road to the Nation's clean stream objective.

Symposium sessions included discussions on chemistry of mine drainage, biology and mine drainage, mine drainage and the hydrologic influence, control measures research, treatment techniques and the industry's experience with mine drainage treatment plants.

I should like to state that my colleague from West Virginia [Mr. RANDOLPH] will discuss industry's role in water quality control at the symposium luncheon on May 15. As chairman of the Committee on Public Works, he has been most active in furthering Government cooperation with industry and with all institutions dedicated to improving water quality.

Other West Virginians who were invited to participate in the meetings in Pittsburgh are Dean Charles T. Holland, of the West Virginia University School of Mines; Douglas J. Ladish, assistant research chemist at the School of Mines; and Ray M. Henderson, division mining engineer of the Mountaineer Coal Co. in Fairmont. Dr. Gerald L. Barthauer, director of the conservation department, Consolidation Coal Co., who is one of industry's leading scientists dedicated to improving water quality in West Virginia and other mining States, will preside at the luncheon at which Senator RANDOLPH will speak.

Mr. President, the intense desire on the part of both sponsors and participants in the symposium is reason enough to have confidence that practical solutions to the complexities of mine drainage pollution are not far off. We in the coal regions will be watching closely for results of progress from the conference and for developments that are sure to come through the application of science and research.

A WHITE HOUSE CONFERENCE AND THE ECONOMICS OF AGING

Mr. WILLIAMS of New Jersey. Mr. President, on May 6 the Senate passed Senate Joint Resolution 117, which calls for a White House Conference on Aging in 1970.

As chief sponsor of that joint resolution and as chairman of the Special Committee on Aging, I am pleased by the prompt and unanimous action taken by the Senate. I also note that similar joint resolutions have been introduced in the House of Representatives with broad bipartisan support.

The need for the White House Conference on Aging grows more apparent every day. Mail received at the committee office within recent weeks is abundant in helpful suggestions for matters that should be considered at the national conference here in Washington and at preparatory State conferences that would—under terms of the resolution—precede it.

To judge by the interest shown and by the variety of proposals made, it is clear that a significant number of new topics could be added to those discussed at the White House Conference in 1961. In addition, many questions discussed at the earlier conference are in need of intensive reexamination.

Issues related to economic security in retirement, for example, are of major concern. As the Committee on Aging said in its report issued on April 29:

> Income, or the lack of it, is now more than ever the major problem faced by a majority of Americans living in retirement.

The committee will devote considerable attention during the next year to a study of the economics of aging in order to help prepare the way for a searching appraisal of relevant programs and proposals at the White House Conference. We will welcome suggestions for matters that should receive committee attention, and we will attempt to show the impact of present economic trends upon the budgets and well-being of older Americans today and in the future.

Sylvia Porter, the economist and columnist, dealt with several of those questions in her syndicated article of March 14. Drawing from testimony taken by the Committee on Aging in December, she described the increasing difficulties faced by Americans who are trying to provide adequately for retirement. She also asks several probing questions that should receive careful attention at the White House conference and before.

Mr. President, I ask unanimous consent that the column be printed in the RECORD as one more piece of evidence on the need for the early final passage of Senate Joint Resolution 117.

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

[From the Star, Mar. 14, 1968]

YOUR MONEY'S WORTH: PREPARING FOR RETIREMENT?

(By Sylvia Porter)

Let's say you are now saving a proportion of your income that will give you, combined with your expected Social Security retirement benefits, a total retirement income roughly equal to your current earnings.

If you are doing this—and if you are in the minority of America's informed, affluent and thrifty—the chances are overwhelming your actual retirement income will be only about 50 percent of what other Americans will be earning by the time you retire.

This is a projection developed by two Duke University economists, Juanita M. Kreps and John O. Blackburn, for a recent hearing on retirement problems by the Senate Committee on Aging. It dramatizes how abysmally inadequate are today's actual retirement incomes; it also warns that tomorrow's retirement incomes will be even more inadequate in terms of tomorrow's living standards and living costs.

OBVIOUS RIGHT NOW

It's obvious right now. The typical income of a family headed by a person over 65 is only 46 percent of the median income of families headed by younger Americans. The median income for an elderly individual is a subpoverty $1,443, or only 42 percent of the median $3,443 for younger individuals. And the gap is widening steadily.

What place does Social Security have? On average, benefits amount to about a third of retired Americans' income.

But this is an average: For many in their 70's and 80's, no longer able to supplement their benefits with part-time earnings Social Security is the only source of income.

The problem didn't seem so awesome in previous generation when it was part of the American family tradition for the younger ones to take care of elderly members within the home and the parents died early anyway. But now tradition has been broken—and life expectancy for a 65-year-old man is 13 years, while for his slightly younger wife it's 20 years.

QUESTIONS ASKED

How do we handle it, then? What should we do as responsible participants in a civilized society?

Let me admit right here I do not have the right answers. What I do have, though, are some of the right questions. Specifically:

How big a place should Social Security benefits play in a personal retirement program?

Can individuals save anywhere near enough to supplement in a meaningful way the modest Social Security benefits we can look forward to?

Will rising pension benefits do anything more in the years ahead than offset probable rises in living costs? According to one recent projection, by 1980 half of retired couples will be receiving $3,000 or less in Social Security and private pension incomes, or far below 1980's poverty line.

DEVELOPING URGENCY

Another fundamental question raised by Economists Kreps and Blackburn is: Should the worker who retires now reap retirement benefits based on the spectacular technological gains the nation has been making in recent years, while the worker who retired years ago and also contributed as much as he could to the nation's overall economic growth at that time, gets only a fraction in return for his comparable effort?

Whatever answers we come to eventually, and the questions surely underline the developing urgency of the challenge, will be costly.

To paraphrase an old truism, there's no such thing as a free retirement.

"STEEL INDUSTRY'S VITAL ROLE IN AMERICA'S FUTURE"—SPEECH BY SENATOR DOMINICK

Mr. SCOTT. Mr. President, we are all well aware of the financial crisis this Nation is facing. The news is filled with graphs and charts detailing our accelerating backslide toward economic disaster. One of the most dramatic declines has been in our balance of foreign trade. In March of this year, our exports fell below the level of imports for the first time in 5 years, and the result was an adverse trade balance of over $157 million.

The steel industry is a major barometer of a nation's business health and it is not surprising that in the United States the steel industry is in dire straits.

My distinguished colleague, Senator PETER DOMINICK, of Colorado, recently spoke on this topic and summarized the critical importance of maintaining a strong and viable steel industry. His talk before the Steel Service Center Institute pointed out that 1967 was the ninth straight year that the United States has experienced an unfavorable balance in steel trade. His remarks were entitled "Steel Industry's Vital Role in America's Future."

Mr. President, Senator DOMINICK's speech dramatically illustrates one of the major factors contributing to our economic ills, and I ask unanimous consent that the text of Senator DOMINICK's remarks be printed in the RECORD.

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

STEEL INDUSTRY'S VITAL ROLE IN AMERICA'S FUTURE

(Speech by Senator PETER H. DOMINICK before the Steel Service Center Institute, Denver, Colorado, May 13, 1968)

Despite the glowing headlines which appeared recently in some of our newspapers proclaiming huge profits in steel during the first quarter of 1968, our problems are getting worse instead of better. As most of you know, much of the sales and earnings increase during the last six months resulted from an accelerated buildup of inventories by your customers hedging against the possibility of a steel industry strike in midsummer.

Foreign trade statistics which have just been released show that for the first time in five years, our exports for a single month—the month of March, 1968—fell below the level of imports. During March, U.S. exports fell 11.5 percent below the February level, while imports increased .4 percent. The result was an adverse trade balance of $157.7 million. Steel imports are a major factor in this deficit. It is part of a continuing trend.

In 1967, for the *ninth straight year*, we had an unfavorable balance in steel. Last year, domestic firms imported 11.5 million tons of steel. This is 6.5 percent more steel tonnage than was imported in 1966. This year imports of steel will climb still higher. Figures recently released by the Department of Commerce estimate that, on the basis of first quarter statistics, imports of steel may reach as high as 14.5 million tons in 1968. By comparison with 1961, when 2.9 million tons of steel were imported, the increase in imports during the past eight years amounts to almost 500 percent.

Many of us can recall that after World War II, our money and know-how enabled the shattered nations of Europe and Asia to build modern steel plants. Today those plants—operated by workers who earn only a fraction of the wages paid to American steelworkers—are taking over a greater and greater share of the United States market.

Japan's rapidly expanding steel industry has set its sights on our market. Japan expects to increase its steel producing ability by 66 percent over the next ten years, and already dominates our barbed wire and wire nail market.

While the penetration of the United States market varies from product to product and from region to region, no important steel product line or steel market area is immune from the impact of imports. Unless the spiraling import trend is halted, thousands of jobs in our steel plants and even our national security may be put in danger.

Our government's foreign trade policy is based on the assumption of fair competition among all nations. But today we don't have fair competition! Most foreign steel producers are assisted by their governments in several ways to help them compete against U.S. steel companies. For example, in most important steel producing countries of Western Europe the domestic tax system provides incentives for exporting steel at low prices and imposes severe penalties upon American steel imports.

In the past, technological progress within the United States steel industry has provided a defense against foreign penetration of our market. But today, many foreign steel producers are showing the same technological progress.

The result has been that in the relatively short span of years since the end of World War II the United States' share of world steel production has dropped from 61 percent to 26 percent. Japan's share has increased tenfold. Italy's share has tripled and the Soviet Union's has doubled. And, frankly, the end of this trend is not in sight, as foreign steel producing capacity still is increasing more rapidly than demand.

Our steel mills have attempted to turn the tide of imports by offering extended-payment terms and agreeing to store strike-hedge steel for purchasers—an effort that will cost the industry $30 million. But still this offer has done little to stem imports.

One of the most serious results of cheap steel imports is the shrinking employment opportunity in the steel industry. The Library of Congress has provided a calculation that about 6,400 people are now employed in our steel plants for every million tons of finished product shipped in a year. An additional 1,300 persons are involved in coal and ore mining and transportation. Thus, 7,700 American men and women are employed for every million tons of domestic steel mill products shipped. Accordingly, the 14.5 million tons of steel imports predicted by the Department of Commerce for this year will represent the export of 111,650 American jobs that have gone abroad!

Despite all the brave talk, our balance-of-payments problem *is* getting worse. It is interesting here to note, however, that the entire deficit in our balance-of-payments, which amounts to about $1.4 billion, is about the same amount as our anticipated trade deficit with respect to steel this year!

Although I am one of the few who voted against the Trade Expansion Act, I am not opposed to freer world trade. This Act, however, penalizes more than it helps. It seems to me perfectly naive to ignore non-tariff barriers. These are economic and, often more importantly, political factors that are structured in such a way as to restrict trade. This is especially the case in steel.

I feel that we must act now in our own national interest. Almost all nations recognize how imperative steel production is to their economies and national security. And almost every country has import problems. I feel we must insist that our trade agreements be truly reciprocal, including political as well as economic considerations.

We must act in our national interest to guarantee that our steel industry will be kept viable if we are to meet our needs in the decade of the seventies and beyond. Steel has a big role to play once we are past the obstacles of Vietnam.

Not only will we need to replace our military hardware depleted by Vietnam, but we also need to revitalize our maritime fleet. We are slipping farther and farther behind in

this field. Today only five percent of our trade is carried in American bottoms.

We need to move ahead in developing rapid mass transportation systems. Nowhere is this need more apparent than between our airports and the major cities they serve.

And most importantly, steel will play a major role in our efforts to overcome our crisis of "urban senility"—the decay of our core cities. Tremendous amounts of steel will be required to accomplish this job. The magnitude and anticipated cost of rebuilding our core cities boggles the mind; but it must be done, and we must be certain that our steel industry is able to meet this challenge, and to provide job opportunities for future generations of Americans.

DEPARTMENT OF AGRICULTURE AWARD TO TOM F. McGOURIN, OF VIRGINIA

Mr. BYRD of Virginia. Mr. President, I am always pleased to see our civil servants recognized for their accomplishments, but I take special pride when they are from Virginia.

On Tuesday of this week, May 14, the Department of Agriculture presented a Superior Service Award to Tom F. McGourin, who directs the work of the Soil Conservation Service in Virginia. The award cited him "for demonstrating exceptional leadership in applying agricultural science to the solution of nonagricultural problems in rapidly expanding areas, while improving Soil Conservation Service professional working relationships with all resource conservation agencies in Virginia."

Mr. McGourin pioneered new concepts of soil and water conservation in Virginia, initiating programs to help minimize soil and water problems where large-scale urban development is taking place.

Many of the results may be seen just across the river from the Capital—at Dulles International Airport; at Reston, the "new town" in a rural setting; and at the huge new shopping area being built at Tysons Corners. Virginia's tidewater streams and bay fronts are also the scene of other conservation work to abate erosion damage.

Mr. McGourin, through his leadership, has gained public acceptance to new ideas and techniques. The results will benefit more than just Virginia. People from all across the country have toured these models of conservation to observe the techniques used.

Mr. McGourin has been a Federal employee for 32 years, 7 of which he has spent in Virginia. His dedication, vigor, and enthusiasm are reflected in the many lasting contributions he has made to the soil and water, conservation program. He exemplifies the best of our civil servants and I am very much pleased to see him recognized.

TRIBUTE TO SENATOR LAUSCHE

Mr. WILLIAMS of Delaware. Mr. President, the Wilmington Morning News of May 15, 1968, contains a well-deserved tribute to Senator FRANK LAUSCHE of Ohio, by James J. Kilpatrick.

I agree completely with the writer's conclusion that FRANK LAUSCHE'S departure from the Senate will leave a vacuum, one which it will take a mighty strong man to fill.

FRANK LAUSCHE is a statesman, a patriot, a true servant of the people he represents, and a man whom I am proud to call a friend.

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

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

SENATOR LAUSCHE ONE OF KIND

(By James Jackson Kilpatrick)

WASHINGTON.—Back in mid-April, when the newspaper editors were having their annual consistory out at the Shoreham, I ran into Ohio's Sen. Frank Lausche and asked him how he was doing. He rolled those expressive eyes to heaven and crossed his fingers for luck. I promised myself to write a piece about the old maverick, but other things got in the way. Now, dammit, it's too late. He went down to defeat in last week's senatorial primary. His departure from the Washington scene will be a real loss to the Senate, and to the country, too.

Lausche was in a class by himself. Over the years, you came to expect most of the Southern Democrats to rack up a stoutly Republican record, but the old warhorses from Dixie were secure in their saddles; no one paid much attention. By the same token, you knew about where Wayne Morse, the Oregon cactus, would sink his barbs. Lausche was different. He voted his convictions with reckless disdain for party labels. He was a conservative, but a restless conservative; he would not stand and be hitched.

Great day, we will miss him next year. He came to the Senate in 1957, after serving five terms as governor of Ohio. He had done a brilliant job in the statehouse. My own recollection of Lausche goes back to the fall of 1951, when the National Conference of Editorial Writers met in Cleveland. He held his tough audience spellbound for an hour, with a virtuoso performance on the problems and prospects of state government.

Come to think of it, he always had the air of a virtuoso. He looked like a solo pianist or a visiting guest conductor—swarthy, his hands always in motion, his mobile face urging a faster tempo. Over the years, his great shock of dark hair turned grey; the lines deepened around his eyes and mouth, but he never lost the vitality of 1951. In a chamber of lusty debaters, he held his own with the best.

A good deal was made in the press of the senator's age—he is 72—but it wasn't his age that beat him on Tuesday. It was a combination of Lausche's own stubbornness and organized labor's strength. The last time the senator ran, in 1962, he won re-election by nearly 700,000 votes. He spent next to nothing in that campaign, and he adamantly refused to spend much of anything this spring. The people knew where he stood—or they ought to know. He had voted for the open housing bill, but he also had sponsored (with Strom Thurmond) a tough amendment to punish rioters. He was hard on Vietnam. He was hard, in truth, on just about everything. There was mighty little softness in him.

It is especially ironic that Lausche should have been toppled by former Rep. John J. Gilligan, for Gilligan was defeated two years ago by young Robert Taft. In the zoology of politics, Taft is a kitten and Lausche a catamount.

This time, Gilligan benefited from one of those great efforts that labor can mount in Ohio. During his single term in the House (1965–66), Gilligan rated a neat 100 per cent in the scorecards of the AFL–CIO. By contrast, his rating from the conservative Americans for Constitutional Action was a feeble 7. Gilligan also benefited in Cleveland from the help of Negro leaders identified with Mayor Carl Stokes.

In November, Gilligan will be pitted against the Republican senatorial nominee. Ohio's Atty. Gen. William B. Saxbe. Conservatives who are dismayed by the loss of Lausche may be consoled, to some extent, by the lively hope of seeing Saxbe elected. Saxbe is known as a pragmatist, a savvy campaigner, a competent middle-of-the-roader with broad appeal across the Republican spectrum. The House elections of 1966 demonstrated a Republican trend in Ohio; if the momentum can be sustained in November, Saxbe should win.

But with deference to the gentleman, he won't bring to the Senate the color, the verve, and the bare-knuckled spirit of Ohio's little giant. In the lovely hurly-burly of the Hill, Lausche has fought the good fight. It's a pity to see him knocked out.

IMPORTANCE OF FEDERAL CROP INSURANCE CORPORATION

Mr. BURDICK. Mr. President, the importance to the rural economy of the Federal Crop Insurance Corporation of the U.S. Department of Agriculture can be illustrated in my home State of North Dakota.

In 1967 approximately 20,000 farmers in 52 counties of my State were carrying almost $60 million in Federal Crop Insurance protection on one or more of seven separate crops: barley, corn, flax, oats, soybeans, sugar beets, and wheat.

For the 1957 crop year, Federal Crop Insurance paid more than 5,600 losses totalling near $3½ million. In many cases the loss payment was a lifesaver for individual farm families who, without it, might have been squeezed out of farming, deeply in debt.

Over the last two decades 3 other years of adverse weather accounted for higher loss payments than were paid in 1967: nearly $7 million was paid in 1961, more than $6½ million in 1953, and about $5½ million in 1952. Over the 20-year period, the average annual loss payment by FCIC to North Dakota insured farmers has been nearly $2½ million. Over the 20 years, however, both in North Dakota and nationally, loss payments by FCIC have been less than the premium total that insured farmers have paid in.

Wheat, of course, accounts for nearly half of the entire Federal crop insurance program in North Dakota, and last year nearly half of all losses—more than 2,200—totalling $1½ million, were paid to the State's FCIC-insured wheat farmers.

Drought, over the last quarter century, has accounted for more than 37 percent of all North Dakota loss payments by FCIC, with disease accounting for more than 26 percent. The remainder of the losses were paid for a dozen lesser causes of crop damage.

During the last 20 years, North Dakota farmers carrying Federal crop insurance not only have been paid nearly $50 million in losses—a significant factor in the State's rural economy—but also they have benefited from the credit value which Federal crop insurance usually gives a farmer-borrower when he applies for a loan for operating capital or for the expansion of his farming operation.

AN OPEN LETTER TO THE PRESIDENT OF THE UNITED STATES AND THE MAYOR OF WASHINGTON, D.C.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an open letter to the President of the United States and the Mayor of Washington which appeared in today's Washington Star. The "open letter" appeared in the form of an advertisement by the Greater Washington Division of Maryland-Delaware-District of Columbia Jewelers' Association.

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

AN OPEN LETTER TO THE PRESIDENT OF THE UNITED STATES AND THE MAYOR OF WASHINGTON, D.C.

It can happen here. The District of Columbia has become a disaster area and a battleground. The field of combat is clearly defined. It is in the minds of the lawbreakers—and those who are tempted to break the law. Our most powerful weapon must be knowledge that the law will be enforced—fairly and firmly.

The ultimate restraint for the lawless is not jail. It is the possibility of jail. When that possibility is diminished by lax law enforcement, crime becomes a way of life. When lawlessness is blinked at, we're eyeball to eyeball with anarchy; "window shoppers" are encouraged—to break the window. Give a potential criminal an inch and he'll take everything he can get, along with human life.

There are those who think that to deplore the increase in the spirial of crime brands one a reactionary. We are not reactionaries but if we did not react to the growing lawlessness in our city with alarm and protest, we would be irresponsible citizens.

We respectfully urge you, Mr. President and Mr. Mayor, while you seek from Congress the needed legislation for the disadvantaged, to seek also laws which will protect all citizens from irresponsible elements in the community—and to seek the means, if in your opinion you do not have them, to enforce those laws. We ask you to enforce and reinforce the law's presence—to alter the present climate which keeps salesmen of national manufacturers from visiting our stores in the Washington area because of danger on the streets, and prevents the law-abiding from going about their lawful pursuits. Escalate the war against robbers, arsonists and murderers—to achieve safety in our city and peace at home.

GREATER WASHINGTON DIVISION OF MARYLAND-DELAWARE-DISTRICT OF COLUMBIA JEWELERS' ASSOCIATION

"PAPER GOLD" OFFERS A NEW APPROACH

Mr. BENNETT. Mr. President, on April 30, the President sent to Congress a proposal which would create a new form of international monetary reserve. The plan involves the creation of special drawing rights—SDR's—within the International Monetary Fund as reserve assets supplementing principally gold and the dollar.

As the ranking Republican member of the Committee on Banking and Currency and as one who has given much thought and study to the economic problems facing us on an international scale, I think that the President's proposal makes a great deal of sense, and I am hopeful that it can be adopted as quickly as possible.

I realize that one of the problems facing us in complicated international monetary affairs is explaining the issue at hand so that enough support can be mustered for adoption. In this regard, the Salt Lake Tribune, on Sunday, May 12, 1968, provided a fine public service in an editorial entitled "Paper Gold Offers a New Approach." It succintly lists the problems, explains the special drawing rights proposal in easily understood terms, and generally urges the early passage of a bill "to bring order out of the chaos of world finances."

I commend the editorial and the Salt Lake Tribune and ask unanimous consent that it be printed in the RECORD.

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

"PAPER GOLD" OFFERS A NEW APPROACH

Because they are not designed for general circulation and can only be used by governments in settling international accounts, Special Drawing Rights (SDR) or "paper gold" will never end up in anyone's savings account or safety deposit box. But they will have great bearing on how much ordinary money a person has in either.

President Johnson has asked Congress to approve this plan for a new international reserve currency—the "coin" governments use in settling their accounts with one another—and the request has considerable bipartisan support. But, as with most aspects of world finance, there is little public understanding of what it's all about and why a new reserve currency is so necessary.

"Paper gold" is not a new idea, not a half-baked scheme worked out in a hurry under pressure. It has been kicked around by monetary experts for years but it began to get serious consideration near the end of World War II at the Bretton Woods meetings out of which grew the International Monetary Fund (IMF). Three years ago the President directed Secretary of the Treasury Henry H. Fowler to undertake international negotiations to reform the world money system that since 1945 has depended on the use of gold, dollars and sterling (British pound) to settle international accounts.

This request was prompted by need for a new reserve currency brought about by unprecedented increases in world trade after the war and continuing to the present. There simply is not enough reserve currency—gold, dollars and pounds—to go around, and as a result trade, which in the long run affects the paycheck of the corporation executive and wage earner alike, is threatened with curtailment and possible collapse.

Under the present system the rest of the world accumulates its reserve currencies—gold, dollars, and pounds—only to the extent that the United States and Britain run balance of payments deficits, that is, when these two countries buy more than they sell or spend more they earn, thus enabling other nations to acquire dollars and pounds to use in meeting their own international obligations.

But the very fact of such balance of payments deficits in turn weakens the dollar and pound and makes them less desirable as reserve assets because other nations begin to fear that the value of these currencies won't hold up (recent devaluation of the pound is seen as a justification of these fears) if such balance of payments deficits continue. In such cases other nations turn to gold as the only reserve asset they are willing to accept and hold. Since the supply of gold is limited, increased demand further curtails its ability to meet reserve needs and forces its price up, too.

In order to restore confidence in the dollar and pound it is necessary to bring the external accounts of the United States and Britain into better balance. But this serves to eliminate the major source of new additions to the world's supply of reserve currencies.

If this supply is to continue to grow as needed to fuel world trade expansion there are three alternatives: Encourage the U.S. and Britain to continue their balance of payments deficits, thereby spreading more dollars and pounds around, or raising the official price of gold—neither or which is acceptable to most leading countries—or set out to create an entirely new reserve currency which would be available when and as needed. Special Drawing Rights, "paper gold," is that new currency.

We see "paper gold" as a logical solution to the world's monetary ills, relieving current overdependence on dollars and gold. It will not solve all of the United States' domestic and international monetary deficits. This country still must get its fiscal house in order. Indeed, until it does, there is small hope the Special Drawing Rights plan can begin effective operation.

We urge Congress to give the President's request high priority in the hope that the 10 percent surcharge and mandatory government spending cuts now before Congress, along with other proposed curbs on dollar outflow will put the United States in a position to provide the economic stability so necessary for success of this farsighted attempt to bring order out of the chaos of world finances.

HUMAN RIGHTS VALID SUBJECT FOR TREATIES

Mr. PROXMIRE. Mr. President, a common objection to the ratification of the human rights conventions is based on the theory that human rights is not an appropriate subject for international treaty. Those who are opposed to the pacts on the political rights of women, abolition of forced labor, and genocide argue that these matters belong within the domestic domain of a nation; that the protection of the rights of man has no place in international affairs.

Mr. William Gerber, in a report entitled "The Human Rights Protection," contained in the Editorial Research Reports series, refutes this objection. In one concise passage, he traces the evolution of human rights in international treaty and shows its vital role today. The Senate can carry this evolution one step further by ratifying the Conventions on the Political Rights of Women and the Abolition of Forced Labor. I ask unanimous consent that a portion of Mr. Gerber's report be printed in the RECORD.

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

NEGOTIATION OF TREATIES ON INDIVIDUAL RIGHTS

International law respecting the preservation of human rights evolved through various stages:

First, it was recognized that citizens of state A residing temporarily in state B could not rightfully be mistreated by the latter. Thus, according to an early writer on international law, "It is reckoned among all nations inhumane to treat visitors and foreigners badly without some special cause."

Later, it became apparent that, in the words of a distinguished British scholar, "the individual in his capacity as an alien enjoys a larger measure of protection by international law than in his character as the citizen of his own state." To overcome this anomaly, some world powers in the 19th century made representations to other states regarding persecution by the latter of their

own nationals—for example, the persecution of Christians in Turkey and of Jews in Czarist Russia.

Finally, formal treaties were entered into for the purpose of protecting the rights both of aliens and of nationals. Such treaties included, among others, a series begun in 1864 (particularly the Hague conventions of 1897 and 1907) on rights of civilians, prisoners of war, and others in time of war; treaties of 1890 and 1922 abolishing the slave trade and slavery; treaties of 1919 governing the treatment of minorities in Eastern Europe and the Balkans; the inter-American convention of 1933 on the nationality of women; and the four-power agreement of 1945 on crimes against humanity (governing the Nuremberg trials).

The post-World War II peace treaties with Bulgaria, Hungary, Italy, and Rumania contained general provisions aimed to assure "the enjoyment of human rights and fundamental freedoms" without discrimination.

FORESTRY COOPERATIVES DOING A GOOD JOB

Mr. HART. Mr. President, two forestry cooperatives in my home State of Michigan received recognition in the April issue of News for Farmer Cooperatives, a monthly magazine of Farmer Cooperative Service, U.S. Department of Agriculture.

A series of articles in the publication discusses the potentials for forestry cooperatives in this country. I was glad to see the cooperatives in my State used as an example of how owners of smaller woodland tracts can join together to make more money from these tracts, reduce their costs, and manage them more effectively.

Let me quote what Edward P. Cliff, Chief, Forest Service, wrote:

Au Sable Forest Products Association, East Tawas, Mich., is an example of a successful pulpwood producers' cooperative. Membership in this association varies from year to year, depending on producers' marketing needs. Over the past decade, membership has averaged about 135 producers making round wood sales totaling $350,000 a year.

An example of a processors' cooperative is Michigan Forest Products Cooperative, Inc., Saginaw, an association of 86 small sawmills and pallet producers.

Through membership in the cooperative, small mills have drastically reduced their compensation insurance rates. They are also obtaining group rates for their employees on accident, medical, and life insurance.

This cooperative purchases supplies and equipment for its members at reduced rates, assists members with marketing on a request basis, and helps seek solutions to mutual problems of industrywide concern. To illustrate, ways of reducing air polluition caused by mill waste burners are being studied.

Au Sable is a good example of how people working together can help solve some of their own economic problems—certainly something we want to encourage.

Woodland owners can call on the Department of Agriculture for help for existing cooperatives or for advice on possibilities of starting a new association. Michigan has a great deal of woodland and should be making the best possible use of this natural resource.

David W. Angevine, Administrator, Farmer Cooperative Service, outlined how this agency can and is helping:

Under our specialized cooperative research program and in cooperation with the West Virginia University, we're studying the economic feasibility of forest management, processing, and marketing cooperatives. We are discovering, for example, how woodland owners react to the possibilities of using cooperatives to manage the timber stands and to process and market their wood . . .

Under our cooperative marketing and farm supplies program, our staff is helping groups of rural people use research and approved business practice to operate their cooperative enterprises. Over the last year we have aided half a dozen forestry-based groups, and we expect these requests to increase.

Mr. Cliff also discussed in his article how groups can get help from the Department. He said:

The U.S. Department of Agriculture, working with the States, can assist in establishing forestry cooperatives. Help is available in every State through the State Technical Action Panels. In 32 States these Panels have organized Forestry Cooperative Advisory Groups to provide the services of specialists in cooperative formation, of foresters, and of financial specialists . . .

Services of these specialists can be obtained by contacting the Chairman of the State Technical Action Panel, usually the State Director of the Farmers Home Administration.

The USDA Committee on Forestry Cooperatives (consisting of representatives of eight USDA agencies) in Washington, D.C., has developed guidelines and furnishes information for the use of State Forestry Cooperative Advisory Groups, development groups, and others interested in forestry cooperatives.

DIALOG ON IRS PRACTICES

Mr. LONG of Missouri. Mr. President, on January 17, 1968, my Subcommittee on Administrative Practice and Procedure held a hearing on various constitutional and administrative problems of enforcing Internal Revenue statutes.

The subcommittee was pleased to have as a witness Mr. Vincent L. Connery, president of the National Association of Internal Revenue Employees—NAIRE. Mr. Connery was accompanied by Mr. John Brady, Mr. Glenn R. Graves, counsel; and Mr. Michael Flattery, management relations adviser.

The testimony presented by the NAIRE delegation was extremely critical of certain IRS management attitudes and practices. They singled out for particular criticism the use of a quota system and IRS snooping on its own employees. It was also pointed out that morale in the IRS is very low at the present time and that this was reflected in the extremely high turnover rates of recent years.

Because of the nature of this testimony, the subcommittee asked Mr. William H. Smith, Deputy Commissioner of IRS, who was present at the hearing, if he would care to comment on Mr. Connery's remarks. Mr. Smith indicated that he would prefer to study the hearing transcript and submit written comments thereon at a later date.

Accordingly, the IRS submitted its comments on the NAIRE testimony on January 25, 1968. NAIRE, in turn, later submitted its rebuttal to the IRS rebuttal.

An interesting and healthy dialog has developed as a result of the initial NAIRE testimony before my subcommittee.

The latest issue of the NAIRE Bulletin, dated May 1–15, 1968, summarizes this dialog, which I think may be of considerable interest to the public.

I ask unanimous consent that the summary from the NAIRE Bulletin be printed in the RECORD.

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

PRESIDENT CONNERY'S RESPONSE TO COMMISSIONER COHEN'S COMMENTS ON CONNERY'S TESTIMONY BEFORE THE LONG COMMITTEE

The February 15, 1968, issue of The NAIRE Bulletin carried the complete text of President Connery's testimony before the Senate Subcommittee on Administrative Practice & Procedure (Long Committee) on January 17, 1968. Late in February an IRS official informed Mr. Connery that Commissioner Cohen had written to Senator Long commenting on the Connery testimony; the IRS official asked if NAIRE would publish the IRS comments in The NAIRE Bulletin. Mr. Connery agreed, and on March 12, 1968, IRS furnished NAIRE headquarters a copy of Commissioner Cohen's letter of January 25, 1968, to Senator Long.

In his January 25th letter the Commissioner set forth ten numbered excerpts from the NAIRE testimony followed by a "Comment" on each issue excerpted. This letter was circulated within IRS on a nationwide basis down to at least the first supervisory level. In many instances the NAIRE testimony and IRS comments were discussed with employees.

While NAIRE has no desire to extend and prolong the debate on these issues, being primarily concerned with the need for corrective action by IRS, the tack taken by the IRS staff in preparing Commissioner Cohen's comments called for further action by NAIRE. Therefore, by letter dated April 11, 1968, addressed to Senator Long, President Connery submitted NAIRE's response in the form of observations on the IRS comments. Set forth below are the IRS-selected excerpts from the NAIRE testimony, the IRS comments, and the NAIRE response to each comment.

NO. 1

NAIRE testimony: Equally significant, however, is the fact that the controversial techniques (illegal eavesdropping) used were ordered, authorized, tolerated, sanctioned, or condoned by responsible IRS management officials . . .

IRS comment: The best response to this charge is to be found in my statement before the Subcommittee on Administrative Practice and Procedure on April 4, 1967, pertinent parts of which are as follows:

"As the picture has unfolded internally and before the Subcommittee, those relatively few working level agents who had actually engaged in illegal eavesdropping were operating under orders from intermediate level supervisors. Such supervisors had moved in isolated cases under the rules of the road as they understood—or misunderstood—them at the time. The more remote supervisors, who had no actual knowledge of illegal investigative acts, but who pressured for successful investigations and authorized technical training and the acquisition of electronic equipment, were perhaps not farseeing enough."

"In sum, the picture becomes with hindsight one of unfortunate breakdowns in understanding between our top National Office officials and the far-flung investigative posts. As you, Mr. Chairman, have publicly recognized, it is most difficult to affix blame on particular individuals under these complex circumstances."

NAIRE response: This is a two-paragraph illustration of how to plead "Guilty" in a way that sounds remarkably like "I didn't do it." It is a fairly brilliant exercise of literary

composition and should probably be printed in the Official Federal Manual of Management Doublethink. But it hardly advances the discussion before this Subcommittee.

To cull one hard example from any possibilities—We say the admitted IRS snooping was "ordered, authorized, tolerated, sanctioned, or condoned" by management officials. They say the management officials who pressed for investigations and provided the snooping gear to the field men were "perhaps not farseeing enough." Why did they add "perhaps"? Aren't their standards as managerial competence as high as those for the hard-working souls in the field—who have thus far been saddled by an adroit management with the lion's share of the blame? Or is it simply that a "good" manager is one who can arrange things so that his subordinates catch hell for his own miscalculations?

NO. 2

NAIRE testimony: Aside from outside pressures, however, it is our considered judgment that certain IRS management policies and procedures tend to generate and foster a climate in which offensive practices may well take root and flourish. We have in mind specifically management's emphasis on quotas and production goals.

IRS comment: We categorically deny that our policies and procedures cause a climate in which offensive practices may take root. We assume that in making this statement Mr. Connery really has in mind what he perceives to be an emphasis on quotas and production goals, since he goes on specifically to mention this. Herein, let me assure you there are no quotas in the Internal Revenue Service, nor do we have production goals in the sense clearly implied—that is, in the sense of goals for individual employees.

In order to manage its operations effectively the Revenue Service has production goals as an organization. Indeed, the Congress itself expects the Service to be able to produce a quantitative picture of its accomplishments. Certainly, it is understandable that Congress would want to know what we have accomplished with the money it has appropriated to us and what we expect to do with future appropriations.

The Internal Revenue Service therefore compiles national, regional, and district figures upon which these estimates and projections can be made. However, we strictly prohibit supervisors of enforcement officers from establishing individual employee quotas and keeping track of employees' quantitative production. To the contrary, we encourage supervisors to know and understand their subordinates' overall work record. We foster the idea that a job well done does not necessarily mean one done in haste or productive of the most revenue. We have had cases where supervisors, despite our best efforts to provide adequate guidance, have compiled individual statistics or made invidious comparisons of production between employees. Whenever we have learned of such a practice we have moved summarily to stop it.

NAIRE response: Another interesting non sequitur.

IRS admits the use of national, regional, and district production goals.

IRS also admits that in spite of its best efforts local supervisors sometimes keep books on employees and make "invidious" production comparisons.

But IRS concludes—with a straight face—that its policies and procedures categorically do not provide a climate in which offensive practices may take root.

Over-all, this response is so self-defeating on its face that it makes one wonder whether the staff that drew it up is being serious with this Subcommittee or indulging a high level game of cat and mouse.

Less obvious is another fatal error in the reply: the apparent assumption that the production "system" does not break down until some supervisor starts keeping an actual statistical log on his men. The hard and unpleasant truth is that the system can and does generate inordinate production pressures regardless of whether a supervisor happens to resort to the crude device of an actual log or written production record. These pressures are inherent in the system itself and in precisely that sense IRS policies do tend to foster a climate in which offensive practices take root.

NO. 3

NAIRE testimony: The IRS employee himself is sometimes the victim of invasions of privacy. Consider the case of Mr. Brendan J. Hagarty who was convicted of perjury on the basis of evidence obtained and supplied by IRS inspection.

IRS comment: The Hagarty decision remains subject to further appellate review. Accordingly, we cannot discuss our position in detail. In passing, however, we note that the critical electronic surveillance occurred in January of 1963—more than four years before the Attorney General's restrictions on such activity were put into effect and almost five years before the Supreme Court ruled on investigative techniques of the nature involved.

NAIRE response: Among other things, Hagarty involved the secret tapping of telephone conversations, without the consent of either talking party. This practice was expressly outlawed in 1934 by a Federal statute. The fact is that Hagarty-type wiretapping of employees should have been forbidden by the Commissioner—or at least by the Secretary of the Treasury—for the last 30 years or so. And they could have been. The reference to the Attorney General's administrative "restrictions" is a red herring. It is not the Attorney General but the Secretary of the Treasury who is the departmental head of IRS. At least he is supposed to be—and if he no longer runs the Service, it's high time we—the employees, Congress, the public—were let in on the subcontracting of administrative control.

Also involved in Hagarty was the secret tape recording of an Inspection interview of the employee.

Has this practice also been completely banished in IRS, along with wiretapping and wallbugging? The Commissioner's response does not say. We think it should have. We think the suggestion that IRS has turned over a new leaf—repeatedly stressed in IRS press releases—would gain in credibility if the Commissioner would make a flat statement that Inspection interviews will never again be tape recorded without the explicit consent of the employee.

NO. 4

NAIRE testimony: Morale in IRS is very low; the turnover rate last fiscal year was higher than ever.

IRS comment: It is always difficult to measure an intangible like morale and we are reluctant to characterize this subject with the same certainty Mr. Connery brings to it. All we can say is that we do not believe there is evidence that indicates that morale generally is low. To the contrary, on the basis of the evidence available to us we would conclude that morale in the Internal Revenue Service is relatively high. Morale is made up of many elements and any attempt to measure it has to take into account a number of underlying factors that influence morale. Employees often have strong feelings on these factors, and these feelings are likely to carry over to other matters. For example, if an employee is dissatisfied about salary levels or is housed in poor office space, he will tend to cast a jaundiced eye on his employment in general.

Morale is not all it should be in the case of Revenue Officers—those employees engaged in the collection of delinquent taxes and the securing of delinquent returns. We are working to pinpoint causes of dissatisfaction and do what we can to overcome them. We believe the basic problem here lies in the nature of the work and in the unjustified obloquy and abuse, and sometimes physical assault, that Revenue Officers are subject to.

On the whole, we would agree with the independent findings of the Civil Service Commission, made after a nationwide inspection of the IRS offices. The Commission said in 1966: ". . . Contributing in no small measure to the success of these efforts is the Service's remarkable esprit de corps.

"We were impressed throughout the inspection with the extremely high degree of enthusiasm and support for the Service's mission shown by all representatives of the Service with whom we came in contact, from top management on down."

Similarly, turnover is another area that needs careful definition. If we consider the over-all separation rate which reflects the number of people leaving employment for all reasons, the turnover rate has dropped. In FY 1967 the over-all separation rate for permanent employees in the Internal Revenue Service was 16%, a drop of 3.4% from FY 1966.

Our separation rate compares very favorably with that of other Federal agencies employing large auditing work forces. When one considers also that Internal Revenue Agents are frequently offered lucrative positions by private firms specializing in tax matters, our turnover of professionals is normal in today's labor market.

NAIRE response: Without knowing the sources and method of calculation, we naturally cannot comment on the accuracy of the turnover rate offered in the response.

We do, however, know something about Civil Service Commission inspection techniquse. They are—as any competent observer will tell you—totally worthless as an index of employee "morale".

We fully concur with the observation that morale is flagging among Revenue Officers. Our own sources suggest that the morale problem extends pretty far beyond this occupationad group—including workers in Service and Data Processing Centers, whom the statement does not even mention.

NO. 5

NAIRE testimony: A good example (of highhandedness and arrogance) drawn from our own experience is the sorry history of foot-dragging and delay by IRS as NAIRE sought to obtain for all IRS employees the right to counsel during investigations which might result in their discharge or loss of earnings.

IRS comment: This is not a new issue but has been called to Congressional attention on at least two previous occasions. On August 3, 1966, NAIRE issued a press release on the subject and we wrote you a letter on the problem on August 17, 1966. Again, in testimony before the Subcommittee on Constitutional Rights of the Committee on the Judiciary on September 29, 1966, Messrs. Connery and Graves, representing NAIRE, both spoke to this issue. My letter of December 20, 1966, to Senator Ervin, once more responded to NAIRE's charge.

Because we have been over this ground on a number of occasions I think the simplest way to deal with the matter is to quote from my letter to you of August 17, 1966: "The facts as presented in the release are, essentially correct. I can very readily understand NAIRE's impatience with the amount of time required to formally issue the policy statement. Ironically, the NAIRE statement was issued at the very time the policy was in its final clearance stages. In fact, I formally approved the policy statement for issuance on August 5. A copy of the NAIRE press release announcing its issuance is attached.

"I personally regret that it took us as long as it did to complete action on our part. Not because I believe the required time was excessive, but rather because it gave rise to suspicion and misunderstanding.

"We expected back in February that the internal reviews and clearances would be completed quickly. Unfortunately, this was

not the case. Questions regarding the relationship of the proposed policy statement to the statute prohibiting unauthorized disclosure of tax information and the Supreme Court's decision in the Miranda case were raised and had to be answered before it could be issued.

"The basis for the delay had been communicated to NAIRE along with the assurance that the Service would honor its commitment to issue the policy at the earliest possible date.

"As evidence of our sincerity, the Inspection Service early this year issued instructions permitting employees to have counsel present during interviews. Between February and June 30 of this year, seven employees requested the presence of counsel at Inspection interviews. All of these requests were approved, although two employees subsequently did not actually appear with counsel. These interviews involved both possible criminal and administrative offenses.

"It is regrettable that our inability to issue the policy statement earlier introduced a discordant note into what has otherwise been a very constructive and co-operative joint effort."

I hesitate to characterize this complaint as beating a dead horse but I do not know what else to say. We are still sorry this delay occurred although in the circumstances it was understandable.

NAIRE response: This is an example of how to say "We're guilty but let's hear no more about it."

Inasmuch as IRS has concededly lost on this issue, their anxiety to label it as a "dead horse" is understandable. We suggest, however, that the burial of this particular issue might be a trifle premature. The response states that the delay in keeping the official IRS word was not excessive. We think it was. We think a year-long delay in IRS delivery on a purely administrative action it promises in a short time is explainable on only two possible grounds: arrogance or ineptitude. It should not be so lightly dismissed and forgotten as the response would propose.

The management position would of course be easier to swallow if it were not also hypocritical. What, after all, does IRS management consider a reasonable period of delay when dealing with a delinquent taxpayer? We all know the answer and NAIRE strongly resents management's application of a double-standard to its own employees.

NO. 6

NAIRE testimony: What is worse, the right to counsel in administrative cases proved to be illusory. The language of the regulation, as it finally emerged, provided that the Regional Inspector will "permit such representation as he deems in the best interest of both the Service and the employee".

IRS comment: The word "illusory" implies that we held out hopes that did not materialize or otherwise failed to deliver on a promise. This is not true. The Service's position on this matter has been clear from the outset and NAIRE gave every appearance of understanding this.

In order to provide for the orderly conduct of the public business, Service executives, managers, and supervisors have to have direct access to subordinates on matters of an official nature. In this respect the Inspection Service—both the Internal Audit Division and the Internal Security Division—acts as an arm of management in gathering facts relating to the efficiency and integrity of the Internal Revenue Service. Obviously, in order to do this Inspection representatives must have free and open access to talk with an employee when circumstances so warrant. To say that Inspection cannot talk to an employee on administrative matters without the employee's counsel present is to say, in effect, that the Commissioner cannot discuss work matters with an employee without the employee's counsel being present. No business operation, private or governmental, could function effectively if such a condition were imposed on the workaday communications between supervisors and employees.

A representative of the employee is authorized, as a matter of privilege, during Inspection investigations of noncriminal matters provided the representative is an attorney and member of a bar in good standing who is not employed in any capacity by the Internal Revenue Service.

NAIRE response: On the one hand, IRS is saying that Inspection should have untrammelled access to an employee on a noncriminal matter. On the other hand, they will permit counsel provided the employee can afford the services of an attorney not employed by IRS. Furthermore, they are saying that an Inspector is qualified to determine not only what is in the best interest of the Service, but also what is in the best interest of the employee. In other words, the Regional Inspector, or the Assistant Commissioner (Inspection) is in a better position to determine what is in the employee's best interest than is the employee or a union representative.

If this doesn't render the "right" somewhat "illusory", then we don't know what would.

NAIRE also has evidence that Inspectors frequently try to "persuade" employees not to request counsel—arguing, among other things, that this might tend to blow up an otherwise routine investigation into something bigger. Given the inherently coercive nature of the Inspector-employee relationship, this represents a substantial cheapening of the highly qualified "right" to counsel IRS has provided in its regulations.

NO. 7

NAIRE testimony: . . . under the Inspection scheme (the lawyer) is afforded no leeway whereby he can provide the employee any genuine representation. At one recent interrogation in the IRS National Office, for example, when the employee's attorney sought to ask some questions about ground rules at the outset, he was told by the Inspector that he had no right to ask questions. Incredible as it may seem, the stenographer was also later directed not to transcribe certain remarks made in behalf of his client by the attorney; the interrogation was summarily terminated by the Inspector because of his displeasure with the direction the dialogue was taking; and when the attorney later sought to obtain a copy of the transcript including some of his observations, IRS refused to furnish it.

IRS comment: The case cited here apparently refers to an employee who resigned on January 12, 1968, after charges looking to his removal were prepared. The investigation had established that the employee engaged in homosexual acts and that he had lived and associated with known and admitted homosexuals.

Mr. Connery contends that the attorney for this employee was not permitted to provide his client genuine representation; that the interview was summarily terminated; and that a copy of the transcript was refused him.

The facts are that an interview with the employee was rescheduled four times for the convenience of the employee; that the employee's attorney insisted at the outset of the interview that he be permitted to tape record the entire proceedings; and that he bring with him an individual whom he purported to be a consultant on homosexual affairs. When this request was refused, an impasse was indeed reached, the interview was not commenced, the employee was not talked to, and the discussion with the attorney was terminated.

In regard to the attorney being denied a copy of the transcript of the interview, as stated, none was held.

NAIRE response: Just so the record will be free of any hint of ambiguity—everything NAIRE asserted is true; nothing IRS says rebuts it; and some of the implications management tries to leave in the record are untrue in the most despicable sense of the word.

The attorney in question was not permitted to provide genuine representation for his client; the interview was summarily terminated by IRS (over his objections, in fact); a copy of the transcript was—and still is denied to him.

Fortunately, this particular dispute need not degenerate into a swearing match. There are two avenues by which the NAIRE position can be clearly substantiated:

(1) The sworn affidavit of the attorney, a distinguished official of the Civil Liberties Union and a former associate of Commissioner Cohen in private practice.

(2) The actual transcript of the meeting, which does exist and is presently in the custody of one Stanton Hunter, Esq., an attorney in the Office of Chief Counsel.

In tone and language the entire IRS comment is disingenuous in the extreme. The concluding sentence is phrased to suggest that there is no transcript, when in fact there is. The officials who drafted it also saw fit to becloud the genuine issues of procedural fair play by disclosing the nature of the suspected employee misconduct—disclosures which, because irrelevant, are nothing short of shameful and lascivious.

NAIRE can prove what it alleges here. We welcome any challenege IRS may wish to offer.

NO. 8

NAIRE testimony: NAIRE recently represented an employee in a case in which IRS Inspection completely disregarded the rights and human dignity of a third party who was not a Federal employee. During the course of the investigation, which was of noncriminal type, Inspection wished to interrogate an insurance company clerk. However, they did not attempt to ascertain from the clerk first of all whether she would consent to talk to them; secondly, they never asked her whether she would select her home, place of employment, or the IRS office as the site for the interview. Instead, the two-man team of IRS inspectors went directly to an official of the insurance company who called the clerk from her desk, took her to his private office, and left her alone with the Inspectors. She was a captive and embarrassed witness, fearful for her job if she failed to "co-operate". An interesting sidelight is that while that team was interrogating the bewildered young woman, another two-man Inspection team was interrogating the hapless employee in the IRS office. He was not released by the Inspectors until after the interrogation of the insurance company clerk had been completed.

IRS comment: This is a distorted account of Inspection's interview of a female insurance company clerk who was a third party witness in an Inspection investigation of an IRS employee. She was interviewed at her place of employment with prior permission of the company's personnel officer and her supervisor and it was conducted in the privacy of the supervisor's office. It was purposely conducted at the same time the IRS employee was being interviewed to preclude a reasonable possibility, based on knowledge of a close personal relationship between the insurance company clerk and the IRS employee, that the IRS employee would guide her testimony if given opportunity to do so.

At no time during the interview did the insurance company clerk display any resentment, reluctance, or embarrassment. She freely responded to all questions, except one, and voluntarily and freely discussed her relationship with the IRS employee. The one

question which she declined to answer concerned whether she was in a Government automobile with the IRS employee on a particular occasion. She stated she would decline to answer that question as she did not want to cause any trouble for the IRS employee. Her reason for declining was accepted and she was not pressed for additional response.

Throughout the interview the insurance company clerk gave every appearance of being satisfied with the approach used and the interview ended amicably.

NAIRE response: IRS admits the facts set forth in my statement of January 17th. However, as an alibi for Inspection, they resort to the technique of the "big smear". They defend Inspection tactics by insinuating that the IRS employee would have prevailed on the insurance clerk to lie, and that the insurance clerk would have lied at the behest of the IRS employee. The Inspectors allege that the lady refused to answer a question as to whether she was in a Government car with the IRS employee on a particular occasion. However, IRS fails to mention that in an affidavit and in sworn testimony at a hearing, she unequivocally denied that she had ever ridden in any Government car with the IRS employee at any time or on any occasion.

NO. 9

NAIRE testimony: An employee may be compelled without notice to take an oath, submit to prolonged questioning, and give an account of himself without being apprised of the reasons for the inquisition; he can be confronted with an affidavit prepared by Inspection and required to decide whether to sign it—without even a chance to take it home and read it. And running throughout all such interrogations is the employee's fear that, even if he is totally innocent of all wrongdoing, he may still be cashiered for a failure to "co-operate" with the internal investigative unit of IRS itself.

IRS comment: Any such statement or affidavit made by an employee during an Inspection interview becomes a part of the Inspector's report on what the employee said during the interview. As such it is an integral part of the file, no matter what action is subsequently taken by the employee.

The employee has a number of alternatives with regard to reviewing and signing a statement, which give him every opportunity to ascertain its accuracy. Any employee may:

(1) if he so desires, sign the statement;

(2) correct the statement and then sign it; that is, if he feels it needs clarification, or editing;

(3) not sign the statement at all;

(4) prepare any supplementary statement, whether or not he has signed the original statement, to clarify or to correct the record if he feels it is erroneous.

There is no penalty for refusal of an employee to sign a statement or affidavit.

NAIRE response: The IRS comment does not dispute any part of my statement of January 17th, on which I stand.

NO. 10

NAIRE testimony: In another recent case in which NAIRE was representing an employee who had been demoted, some more restrictive IRS policies came to light—for the first time so far as we were aware. This situation involved IRS management officials not Inspection.

The employee-appellant was in the Training Division of the National Office. The Training Division Director took the position that the employee's lawyer could not interview any IRS employee (even with his consent) unless the lawyer or his client had set up the appointment. The lawyer's view—which we support as perfectly reasonable—was that he had a right to interview any IRS employee so long as (1) the employee consented to see him; and (2) the interviewee adhered to internal rules governing annual leave. The dispute was carried directly to Commissioner Cohen and, to our regret, he unequivocally upheld the Director's view as proper IRS policy and practice.

In the same case the IRS lawyer, on the other hand, claimed an absolute right to compel any IRS employee to submit to his interrogation even without employee consent, in an effort to develop the case against the employee-appellant. Such discriminatory power was claimed under a specific IRS regulation, one of the IRS Rules of Conduct. This issue was also carried to the Commissioner. Regrettably, he saw fit not to intercede in the case and declined to overrule the position espoused by the IRS counsel.

IRS comment: Mr. Connery's statement adverts to a controversy that arose during NAIRE's representation of a demoted Training Division employee. The employee appealed his demotion to the Civil Service Commission, and was represented by a NAIRE attorney. In connection with an anticipated appeal hearing, this attorney approached some of our Training Division employees at their desks during working hours, and sought to interrogate them on the case, without regard to their work assignments. When this came to the attention of the Acting Director of the Training Division, he requested the attorney to desist from thus interrupting the employees without first clearing with him.

The attorney then wrote directly to me (by-passing the IRS attorney known by the NAIRE attorney to be handling the case) asserting his right to "direct and unfettered access to IRS witnesses". It was then and is now my view that no practicing attorney has an "unfettered" right to interrupt our employees at their work without any notice to their supervisors.

A few days later, the NAIRE attorney wrote directly to me again, this time complaining of the manner in which the IRS attorney was preparing for the hearing. His complaint was based on no relevant issue or factual occurrence, but pertained solely to the right of the IRS attorney to interview IRS employees on matters of official IRS interest.

It was then and is now my view that our attorneys, if they are to perform their duties effectively, must have the co-operation of IRS employees in matters of official interest. Any other position would deny the Service the full legal representation to which the public's business is entitled.

As a further irony, we even provided ground rules to the employee-appellant designed to give him access to employees; these were ignored.

NAIRE response: Again, everything NAIRE alleged is true; nothing IRS says in reply refutes it; and some of the things IRS says are absolutely false.

The NAIRE attorney, for example, did not "approach" any IRS employees or "seek" to interrogate them "without regard to their work assignments". He interviewed two high-level employees, first having received their consent by telephone (and advising them that they did not have to talk to him), at times and places chosen by them. Nor did he ever assert the right to totally unfettered access to IRS employees on the job. What he did assert was his right, as outside counsel, to interview IRS witnesses (a) with their consent and (b) subject to the requirements of annual leave.

The real subject of this dispute—which one would never grasp from management's comment—is the IRS procedure adopted in this case and apparently now condoned by the Commissioner.

When an IRS employee obtains counsel for his adverse action, it is the IRS position that:

(1) The appellant's superiors (the ones who took the adverse action) can compel the counsel to channel through their office his efforts to locate employee-witnesses helpful to appellant's cause.

(2) At the same time, IRS counsel has the power to compel any IRS employee—even over his objections—to submit to interrogation for the purpose of securing evidence against the appellant.

It is understandable that IRS, in its comments, might seek to obscure such a position, since its unfairness is painfully clear. Nevertheless, it is their position and NAIRE will be glad to produce their own correspondence in proof of it, should it be denied.

THE REFUGEE PROBLEM IN VIETNAM

Mr. KENNEDY of Massachusetts. Mr. President, a matter of deep concern to me for more than 3 years has been the heavy toll in human suffering—especially the extraordinary flow of refugees—brought on by the conflict in South Vietnam.

Because my views on the refugee problem are a matter of record—and because the Judiciary Subcommittee on Refugees, which I serve as chairman, will shortly issue a report on civilian problems in South Vietnam—I shall refrain from any lengthy discussion at this time.

But I am prompted to offer some general observations today, because of the new surge in the flow of refugees as a result of the Vietcong offensive against Saigon and other areas over the last 2 weeks.

I attach a special importance and significance to the refugee problem, because I believe there is nothing in Vietnam which offers a better clue to the nature and brutal results of the conflict, which defines more clearly the basic task of the Government and its allies, and which underscores more dramatically their collective lack of a sense of urgency and substantive progress in serving and protecting the people, in building up a nation, than the recent history and continued neglect of the refugees.

Mr. President, the war in Vietnam is unlike the traditional wars in history—and all of us know it. We label it unconventional. Those we are resisting label it a war of national liberation—a revolutionary effort to undermine and destroy the existing government in Vietnam and its socioeconomic pattern, and to replace it with a new order. As in neighboring Laos, the opponent presses his purpose through a combination of political action, subversion, military action, and terrorism—through determined but protracted conflict, during which the authority and infrastructure of the incumbent regime will systematically erode.

The enemy is guided by a central principle—the ideological mobilization and complicity of the people. It is they who bear the brunt of this strategy and tactics, and of the conflict produced by counteraction on the part of the Central Government and its allies. It is they who suffer as civilian casualties, who leave their homes as refugees. The care and protection of these people and their fellow citizens in distress is inevitably a key task for the Central Government and its allies.

Since early 1965, some 3,000,000 persons have been officially registered by the Saigon government as refugees. At least

1,500,000 remain officially in that status—and the number is growing daily. In Saigon, alone, more than 100,000 persons were made homeless during the last Vietcong offensive against the capital city.

But the official register is only part of the picture. At least 2 to 3 million additional persons displaced by the war are not recorded on the Government's rolls—but are found in the slums of Saigon and other cities, and in the squatter towns which dot the countryside and the outskirts of provincial and district capitals throughout the country.

It is an alarming fact, that because of the war more than one-fourth of the population of South Vietnam is displaced. The tragic and disruptive consequences of this tremendous movement to the life of the individual refugee and in the society of which he is a part, staggers the imagination and all but defies comprehension.

It plays havoc on the social fabric of the countryside. It creates a rootless proletariat in the larger cities and towns. It destroys the familiar rituals and morés of village life. It numbs the spirit of creativity and initiative, and fosters apathy and disorientation within a significant cross section of the South Vietnamese people.

The evidence is everywhere present. We see it in the shattered lives of the fatherless families who have been torn from their surroundings—from their homes, their fields, and the graves of their ancestors—from the ingredients of life which give them strength to carry on amidst great hardship.

We see it in the forlorn spirit of the mothers and children who beg and sleep in front of the bars and establishments on the streets of Saigon and Danang. We see it in the sullen faces of thousands of refugees sitting idle in camps throughout the country.

We see it in the squalor of makeshift huts built by squatters around the tombstones in cemeteries, and along Highway 9 just south of the demilitarized zone. We see it in the disruption of needed public services in Saigon and elsewhere, where refugees, for want of shelter, have taken over a school or dispensary.

Humanitarian considerations alone should compel us to make every effort to meet the needs of the displaced persons—to provide for their care and protection. But more than humanitarian considerations are involved. I believe that creative efforts to reestablish the refugees offers a clue to successful pacification, and progress in meeting the challenge of the so-called other war.

But we have not faced up to the refugee problem. We have failed to appreciate its full measure and significance. We have moved from crisis to crisis—on an ad hoc basis—with little planning or motivation—viewing the refugees more as a burden of conflict, rather than an opportunity to help win the allegiance of a significant cross section of the Vietnamese people. We have simply failed to give the refugee problem the priority it so urgently needs and so rightfully deserves.

To cite these general conditions is not to belittle the work of the many brave and compassionate individuals who have gone to Vietnam to help the refugees. Our civic action teams in the military, our AID personnel, the doctors who volunteer their sevices, and the dedicated staffs of the private voluntary agencies, deserve the respect and admiration of us all. It is unfortunate, but true, that they labor under the most difficult of circumstances—in part because they are working in war—but also because they are trying to do a job without the full support of those we have entrusted with the effective direction of the military effort and the winning of the people of South Vietnam.

Mr. President, a very genuine and active concern for the immediate and long-term welfare of these people should have always been a matter of prime importance to the Saigon government and ourselves—but especially today, given the hope all of us have that the Paris meetings will produce an honorable settlement in Southeast Asia.

The aftermath of conflict will involve a tremendous reconstruction of a tortured land and a fractured society, in which the rehabilitation of a bewildered people will be a major task.

There is little doubt, Mr. President, that our country will be deeply involved in the reconstruction process—but there is little public evidence to suggest that our Government has given the matter much systematic thought.

And so that a beginning be made in which the American people can participate, I strongly recommend that the President create a panel of experts to help identify and measure the areas of need and the resources available in South Vietnam, and to help determine our country's current and future role in the recontruction process. The panel's members must be politically acceptable to all and broadly representative of prevailing views within our country. I feel that such a panel would contribute much in helping our country to meet its responsibilities to the Vietnamese people in an orderly way and to the best of our ability.

The disheveled state of Vietnam's society, reflected in the extraordinary flow of refugees, dramatically underscores the task which lies ahead.

A NEW GENERATION IN POLITICS

Mr. HART. Mr. President; the skilled political writer, David Broder, observed in the Washington Post Tuesday the new sense of involvement that the McCarthy presidential campaign is giving many of the Nation's young people.

I read his piece with fascination because I have had first-hand experience with the McCarthy phenomenon. Several of my children have been heavily engaged in promoting the Senator's candidacy.

If I can do so without violating my declared neutrality in the Democratic presidential derby, I should like to observe that the new sense of involvement these youngsters are finding is a very heartening development to at least one father.

These young men and women are discovering—perhaps to their own surprise—that they can have an influence on events, that the national political system is not rigidly structured and controlled by an elderly and inflexible establishment.

This return to active public life by many of our most talented young citizens already marks the McCarthy campaign as having made a fine contribution to the political health of the Nation.

Senator McCarthy's sensitivity and courage are understandably attractive to the young, as they should be to us all. Indeed, the quality and ability of those active in Michigan for Gene McCarthy reflect great credit on our colleague, whatever the verdict of the Democratic National Convention, history's verdict is clear that he has elevated our political life and enthused to particpte activity many of our finest citizen, young and not so young.

Probably I should make it clear that I am also prepared to make equally admiring remarks about Senator Kennedy and Vice President Humphrey. There is no Democratic candidate who would not have my strong support in the general election.

But this one aspect of the 1968 campaign is a particularly refreshing one and I ask unanimous consent that the Broder article be printed in the Record.

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

McCarthy Challenge Attracts a New Generation to Politics

Omaha, Nebr.—It was Sunday morning in the abandoned auto showroom that is the McCarthy For President headquarters in Omaha, and the volunteer "shape-up" was taking place.

A young man with a bullhorn was standing in the middle of the vast floor. A canvass captain would hand him a slip of paper and he would sound off:

"I need five volunteers for Ward Four—five for Ward Four."

In groups of two or five or ten, scattered around the floor, the college kids from Iowa and Illinois and Texas and Missouri were waiting, sleep still in their eyes. The Saturday night party had been a good one, and they looked somewhat the worse for wear. But there was little delay in filling the canvass quotas. They would stand, stretch and come forward to receive their instructions.

One's mind went back, and one remembered similar scenes. These same kids or their brothers and sisters had come to Manchester, to Milwaukee, to Indianapolis and now to Omaha, bringing their bedrolls and battered suitcases with them, to spend their weekend working for McCarthy. One knew, with certainty, that whatever the results in Nebraska today, they will be coming again, by bus and by car, to work in the Oregon, California and South Dakota primaries.

This is the great thing McCarthy has done. He has involved a whole new generation in politics—and what marvelous young people they are. As he prophesied his challenge to President Johnson channeled at least some of the energy and the idealism of the campus protesters into legitimate channels of politics.

In a sense McCarthy's own fate has now become irrelevant. The student workers think they have accomplished their major goals of denying President Johnson renomination and forcing a start of peace talks on Vietnam. No one can prove them wrong.

If they fail to win their third objective, McCarthy's nomination, they seem realistic enough to accept that.

The whole history of our political era shows that efforts which fall short—or even fail utterly—of their objective nonetheless

can leave behind the seeds of future triumphs.

The Democratic Party for a decade lived off the ideas that were generated, the enthusiasms that were kindled and the talent that was brought into politics in the Adlai Stevenson campaign of 1952.

Similarly, many of the young Goldwater enthusiasts of 1964 undoubtedly will emerge as Republican leaders of the 1970's.

But perhaps the most pertinent parallel to the McCarthy movement—for those of us who can remember that far back—was the struggle on the college campuses, centering on the American Veterans Committee (AVC), immediately after World War II. A generation of idealistic GIs found themselves locked in battle with the Communist cadres for control of the AVC. So bloody was the strife before the non-Communists liberals won that the organization itself was in ruins. AVC failed, but the survivors have a lesson in politics of immense value, and many of them have gone on the prominence in both parties.

I think it is predictable that the McCarthy movement will yield greated future dividends than either AVC or the Stevenson campaign. The AVC fight taught chiefly the tactics of parliamentary maneuver and the caucus and convention strategy. Its most distinguished alumni—men like Rep. Richard Bolling of Missouri, the liberal Democratic strongman of the House Rules Committee, and F. Clifton White, the conservative Republican who organized Goldwater's nomination.

The Stevenson campaign veterans—men like Arthur Schlesinger Jr. and Willard Wirtz and John Gilligan and George Ball—practice the politics of aristrocratic eloquence that reflects the man who was its source. But the Stevenson campaign experience was also a limited one. Its precinct work, for example, was confined largely to white middle and upper class areas, and in states like California, where the Stevenson heirs are still in control of the Democratic Party, this weakness shows up.

The McCarthy campaign has been an inclusive political curriculum. Its leader has set a Stevensonian example of eloquence, and his rapport with the intellectuals and upper-class whites of both parties is exceptional.

But his disciples have also had lessons in convention in-fighting from their bruising (*and mostly* losing) battles in Minnesota, Iowa and other states. And their canvassing has taken them, like their predecessors in the Stevenson movement, into all parts of America—farms and ghettos, suburbs and city apartments.

You cannot talk to the McCarthy volunteers without knowing that as they have been explaining McCarthy, they have also been discovering America.

That is why, whatever his own fate this year, McCarthy was right when he told the University of Nebraska students Sunday, "What has happened in our campaign will not be a footnote in history but a part of the main text."

PARIS PEACE TALKS AND THEIR RELATIONSHIP TO THE MIDDLE EAST

Mr. SPONG. Mr. President, the stepped-up tempo of attacks upon our forces in South Vietnam in recent weeks is reminiscent of the increased intensity of fighting in the Indochina War in 1954 when peace talks began in Geneva. The similarities of the situation then and now would indicate that the strategy of 1968 is the same as that in 1954.

We should be cognizant of the failure of the Vietnam settlement negotiated by the French in 1954, and the pitfalls in some of our other Southeast Asian agreements. We must learn from these experiences.

In addition to the delicateness of the Vietnam peace talks in Paris, we must be mindful of the threat to world peace which exists in the Middle East, and recognize that increased tension in the Arab-Israel dispute could have a marked effect upon our efforts in Paris.

The relationship between our situation in Paris and in the Middle East was pointed out with clarity in an article in the Wall Street Journal on May 13, 1968. I commend the article to the Members of the Senate, and ask unanimous consent that it be inserted in the RECORD.

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

SOVIET SQUEEZE?—MIDWEST COULD BE USED TO EMBARRASS UNITED STATES IN VIETNAM TALKS

(By Ray Vicker)

BEIRUT, LEBANON.—There is more than a hint in current Communist moves here that the Soviet Union may be hatching fresh troubles in the Middle East to coincide with the Vietnam talks that began Friday in Paris.

A little heat applied to Arab-Israeli animosities could complicate America's task no end. The U.S., already deeply mired in Vietnam, certainly has no stomach for two crises at the same time. And the Soviets are now suggesting to their Arab friends that if diplomacy finds no solution to the Arab-Israeli dispute, then "other steps" should be employed.

There is surely no reason to think that the Russians will make things easy for the U.S. during the Paris talks. And the Middle East provides the Reds with an opportunity to embarrass the U.S. and at the same time solidify its already strong foothold in the eastern Mediterranean, to help its North Vietnamese Communist friends, and perhaps to weaken the dollar as well.

"We're really worried about the Middle East situation," admits one U.S. diplomat in Europe. Almost as if in echo to his thoughts, an official of the Bahrain government, in the Persian Gulf, says, "American influence is steadily receding in the Arab world." Then, he adds, bitterly, "And can you blame the Arabs for seeing Russians as friends, when you consider that they are the only ones who are helping us in our war with Israel?"

REFLECTIONS OF BITTERNESS

The U.S., of course, has not deliberately tried to antagonize the Arabs. Its hope is that ultimately a free Israel will be living side by side with peaceable Arab neighbors, while both sides work together to improve the lot of all citizens in the area. Commendable as this goal may seem, it fails to jibe with the Arab picture of the situation. Anyone who travels through this part of the world finds most Arabs convinced that America is showing bias for Israel. This has resulted in a bitterness that is reflected in U.S.-Arab dealings at government levels. In the oil industry, in mercantile businesses and even in tourism.

This makes Arab lands fertile ground for Communist propaganda, especially now that peace talks are beginning. Soviet moves suggest that the Reds are well aware of this factor, probably hoping that any serious pressure in the Middle East could push the U.S. toward acceptance of unappetizing terms in the negotiations.

Some recent moves are indeed discouraging.

Item. Red arms have been pouring into the eastern Mediterranean; ground-to-ground missiles are currently escalating that war buildup.

Item. A Soviet naval flotilla seeks a foothold in the Persian Gulf, an area that includes the richest concentration of U.S. nonmanufacturing investments in the world.

Item. A Soviet version of the U.S. Mediterranean Sixth Fleet is now 46 vessels strong, and a landing force is being added to provide more muscle.

Item. Communist penetration of the Middle East oil industry is accelerating.

Item. Nearly everywhere in the Middle East the Soviets are courting Arabs and Iranians.

A Soviet government note is currently being studied by foreign ministries in Arab nations. It suggests that if UN diplomacy fails to dislodge Israeli troops from conquered Arab lands, than "other steps" must be employed. Moreover, the Soviets are recognizing El Fatah, the Arab terrorist compaign, as a "legitimate Palestinian Arab resistance movement." This endorsement is expected to result in increased activity by this guerrilla outfit, which has been planting mines, exploding bombs and attacking the Israelis from bases in Jordan and Syria. Such raids have stimulated Israel to massive retaliation.

As for the "other steps." Red arms portend what the Soviets have in mind. Ever since last June's six-day war, the Reds have been sending guns, planes, tanks and other equipment into Arab countries, chiefly the United Arab Republic. Rockets are being added to the arsenal in an ever increasing quantity.

The UAR showed last year how accurate a Russian Styx rocket could be by sinking an Israeli destroyer. Soviet technicians are currently in Egypt by the hundreds (some reports say thousands) to help train Egyptians in the handling of new, sophisticated weapons. Last week a vital cargo of rockets with an undisclosed range was landed at the UAR port of Alexandria.

Arabs argue that it is Israel that is escalating weaponry. They point to the recent disclosure that France's Marcel Dassault, builders of the formidable Mirage fighters, is currently testing the MD660 rocket for Israel. This is a highly mobile device with a range of 300 miles and the potential for toting an atomic warhead.

But MD660 rockets aren't due to be delivered to Israel until 1970, and now that the secret of their production is out they may never be delivered.

Admittedly, it takes more than armaments to build a fighting force, and the growing Russian-backed belligerence evidenced by the UAR's President Nasser may be all bluff, for Israel undoubtedly still has the fightingest army in the Middle East. Nevertheless, nobody can be absolutely sure that rocket rattling will be confined to noise-making only when the unstable Middle East is the site.

Moreover, some of the military buildup involves Soviet naval units. The presence of the Soviet fleet in the Mediterranean is already well known, of course. Currently, the Soviets are building a couple of helicopter carriers, and landing craft are being added to the fleet. The purpose seems to be to develop a strike force capable of landing troops in any country that might request direct Soviet military aid. In the past the U.S. has claimed the right to land troops in a friendly country. Perhaps the Communists intend to claim the same right.

The key questions that bother Allied military planners are these: What happens if an Arab nation, beset by Israel, calls for help from Russia? And what response should the U.S. make if Red troops are actually landed in an Arab country?

Last June the Russians seemed to back down from any such showdown. But a case could be made that last June's war was over so fast that the Reds were caught flat-footed along with their Arab friends. Now they may be preparing themselves well in advance for actual intervention if another fighting round develops.

This time the Soviets are trying to obtain a foothold in the Persian Gulf, as well as in the Mediterranean. Ever since Britain announced earlier this year its intention to pull out of the gulf, there has been a flurry of political activity in that area. The Trucial

states, Bahrain and Qatar, have joined in a loose federation, aimed at strengthening their positions. Iran has been voicing its claim to Bahrain, and some friction has developed over the limits of offshore oil rights claimed by each country in the gulf. Tass, the Soviet news agency, recently made it clear that the Soviets believe they have rights in the area. A small flotilla of Soviet ships is said to be sailing in the gulf now on a "courtesy" visit. Communists are seeking landing privileges in Iraq, a country that is receiving Red assistance in enlarging several military airfields.

Meanwhile, Communists are penetrating ever deeper into a Middle Eastern oil industry that has always been dominated by U.S. and West European companies. In March the first oil produced in the Middle East with the help of Russian technicians started flowing from wells in Syria. Soviet oil exploration teams are at work in southern Algeria and in Egypt's Siwa Oasis, west of the Nile. This summer more Soviet teams will fan across arid lands of Iraq, searching for oil in an agreement in which Reds furnish only technical help for a payoff in petroleum.

SECOND THOUGHTS

For years Western oil men have scoffed at Russian competition in the Middle East, averring that the Reds have so much oil at home they have no use for Arab oil. Now they are having second thoughts about this, and their rethinking indicates that Western oil companies may be encountering far more competition from Red bloc petroleum outfits.

A study by the Shell group, for instance, notes that the Soviets have a lot of oil, but some of it is in the wrong places. So as Red Bloc petroleum consumption rises, it may help East European countries to import some oil from the Middle East. Thus arrangements are being made with several national oil companies.

Explains David Barran, chairman of Shell Trading & Transport Co., London: "By establishing herself in the Middle Eastern oil scene, Russia would not only be strengthening the hand of local national oil companies vis-a-vis the Western private companies; she would also be taking steps to ensure that at least part of her expected future needs from outside Russia will be there to draw upon when she wants them."

Some financial sources in Europe also believe that the Russians would like nothing more than to bring down the dollar. The Soviets have gold reserves in the range of $2.5 billion to $3 billion, and they are fast increasing production of the metal.

So any increase in the price of gold would provide them with a trade bonanza. A doubling of the price of gold, as an example, would be akin to doubling the purchasing power of Russia in the West.

If the Soviets are convinced that the dollar can be brought down, they might think that the best way to do it would be to de-escalate but not end the Vietnam war. De-escalation would reduce chances of the conflict's spreading, to Russia's detriment. But continuation of that war at a lower level might leave the U.S. bleeding financially, with the dollar tottering to devaluation.

In any case there's no doubt that the heavier the U.S. load of trouble, the harder it will be for the U.S. to negotiate with the North Vietnamese. The Middle East offers opportunities all over the map for adding to America's burden.

VIETNAM PEACE DISCUSSIONS

Mr. McGEE. Mr. President, the toughest job I can think of right now, perhaps, outside of the Presidency itself, is the job which has fallen to Ambassador Harriman and to Cyrus Vance in Paris. Negotiating with the Communists is never an easy matter. Negotiating about the end of a war is, as Max Lerner wrote in Wednesday's Evening Star, a race between death and peace and a race that weighs much heavier upon an open society such as ours than it does upon a tightly closed society such as that run by Ho Chi Minh.

We can be sure, Mr. President, that President Ho and his colleagues consider the Paris talks a second front. We have the evidence. Some of that evidence was disclosed in another column, by Roscoe Drummond, in Wednesday's Washington Post. Their tactic is to seek to win enough on the battlefield, even while the talks go on, to exact a peace settlement in their favor. There are those who believe that Ho Chi Minh, in fact, thinks the negotiations are his key to victory, to control of the south. This theory, of course, is being put to the test by our negotiators in Paris.

Mr. President, I ask that columns I have alluded to by Max Lerner, Roscoe Drummond, and Crosby Noyes be printed in the RECORD.

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

[From the Washington (D.C.) Star, May 15, 1968]

A RACE BETWEEN DEATH AND PEACE

(By Max Lerner)

The hardest death that soldiers will die on either side, and the hardest for their families to bear, will be death during the peacemaking, between now and the day when the script is signed and the guns are stilled. It is hard enough to tolerate death when a war is in full swing. It is doubly hard when there is a race between death and peace—and death wins.

The Hanoi Communist regime, which had hoped for many advantages when the peace talks finally came, has had to watch most of them vanish. Although a battle is still being fought on the outskirts of Saigon, there are no Viet Cong flags flying in any South Vietnamese city. The Saigon government, written off so many times, has survived every crisis and is functioning tolerably.

While Hanoi is still on the military offensive, it can no longer strike at will and with surprise, as it did in the Tet attacks. Within America itself Lyndon Johnson is no longer the whipping-boy for intense antiwar feeling and demonstrations. The headlines are about student sit-ins on campus issues, not war or draft. Having withdrawn as a candidate for president, Johnson can concentrate on the home and peace fronts.

The one advantage Hanoi still has is its greater capacity to support deaths while the talks go on in Paris. One other linked advantage: the American watching and responding to the talks will be totally open to view, with its campaigns, its candidates, its conflicts and inner violence. Not so North Vietnam, the secret responses of whose people we shall probably never know.

In the history of peace talks, the outcome for each side has always depended on four sets of factors: its military bargaining strength, in terms of the balance of forces in the field; the skill, will and resourcefulness of its negotiators; the strength and leadership of the people, for whom the negotiators are speaking; the climate surrounding both the negotiators and the nation—the envelope of ideas and emotions which contains them both.

We have been repeatedly told how difficult it is to negotiate with Communists and there can be no question that it is. But it is not because they are more tortuous or inscrutable than other elites and other power systems. It is quite simply because they take account of all the sets of factors I have cited and are especially aware of the psychological and political factors.

They know that if you stretch out the peace talks and keep up the fighting, the other side may tire of fighting in its eagerness for peace. Then you get what happened during the Korean negotiations, when so many allied lives were lost because of the slackening of patience and the will to fight.

This question of patient strength, and of good will along with firmness at the conference table, may well determine how many or how few lives are lost before the final script is signed, and whether we can escape another dismal episode like the Vietnamese war in our time.

The position of Averell Harriman and Cyrus Vance at Paris will be all the more difficult because America has fought the war in tandem with the Saigon regime and cannot help making the peace in tandem with them as well. But since it is American strength that has kept the war going, it is America which is the stronger partner in the team.

On the issue of recognizing the Viet Cong as a party to the final agreement, Saigon's veto cannot prevail. On the issue of an all-out end to bombing in the north, Saigon's stress on a reciprocal lowering of the infiltration rate into the south makes sense.

On the question of agreeing to a "fusion" or "coalition" government in the south after the peace, America cannot—either politically or morally—sign away beforehand the right of the people of South Vietnam to decide on what regime they will have. But out of the bargaining there may emerge an agreement to make the Viet Cong a legal party in later elections, provided it gives up its resort to arms and accepts the resort to the ballot.

One additional word about Lyndon Johnson. The peacemaking will be his final role as President—the role for which he has braced himself and for which he made the sacrifice of renouncing his bid for another term. It will be his greatest testing as a political leader—and he knows it. His ruling passion is to have his total presidential tenure justified by history. That is the most cogent reason for believing that he will do everything possible for a reasonable and humane settlement.

[From the Washington (D.C.) Post, May 15, 1968]

HANOI CONSIDERS PARIS TALKS AS OPENING OF A 2D FRONT

(By Roscoe Drummond)

To judge how the Paris talks are going, we need to keep in mind:

1—The best clues on the prospect of settlement will come first from the state of the fighting in Vietnam, not from the state of negotiation in Paris.

2—Hanoi's announced aim is to step up the war, pressing for battlefield gains to extract conference table concessions.

3—The Communists will be working to undermine the will to fight of both South Vietnam and the United States as the talks will almost certainly be painful and protracted, as they were in Korea, with the possibility of stalemated recesses.

These judgments do not come from guessing what Ho Chi Minh has in mind. They come from reading two of his detailed policy papers on his peace talk plans, prepared for political cadres in South Vietnam. They were found on captured enemy troops and are extremely illuminating about what to expect in Paris.

The reason why the news from the battlefronts in South Vietnam will tell more about the prospects for peace than what is now

being said in Paris is bluntly set out by Hanoi in this confidential memorandum for the VC:

"In fighting while negotiating, the side which fights more strongly will compel the adversary to accept its conditions. Considering the comparative balance of forces, the war proceeds through the following stages:

"The fighting stage.

"The stage of fighting while negotiating.

"Negotiations and signing of agreements."

Hanoi also stressed that the second stage of the war, now opening in Paris, will be marked by more fighting, not less. It put it this way:

"The future situation may lead to negotiations. Yet, even if there are negotiations, they are to be conducted simultaneously with fighting. While negotiating, we will continue fighting more vigorously."

This explains why, thus far at least, Hanoi will not say that it will not take advantage of an end to U.S. bombing or match U.S. de-escalation of the fighting with any de-escalation on its part.

This explains why North Vietnam timed its renewed offensive against Saigon to coincide with the opening of the Paris talks.

We can be sure that these Hanoi documents are a valid guide to Communist policy because they clearly state that the North Vietnamese Politburo "has been unanimously entrusted with the task of carrying out" the three-stage strategy outlined above.

They also shed light on other questions arising from the Paris conversations. For example, why did North Vietnam reject talks when the U.S. ceased all bombing of the North for 37 days over the '65–'66 holidays, but agreed to talk on the basis of a limited cessation last month?

One answer in a Hanoi document captured a year ago is that the North Vietnamese were then counting on Red China for more aid or direct entry into the war.

"What we should do in the south today," Hanoi said, "is to try to restrain the enemy and make him bog down, waiting until China has built strong forces to launch an all-out offensive."

But waiting for China to do more has been fruitless; Peking has been helping less and less, not more and more. And today, while trying to persuade Hanoi not to negotiate under any circumstances, China has become so riven with internal strife that its ability to offer Hanoi much more than words is in serious doubt.

According to its own official statements, Hanoi considers the Paris talks the opening of a second front in the war, to continue while North Vietnam seeks to win enough on the battlefield to exact a peace settlement which will give it control of South Vietnam.

Not that they will succeed. But they will try "more vigorously" and the talks, as war tactics, will be prolonged.

[From the Washington (D.C.) Star, May 9, 1968]

MOMENT OF TRUTH APPROACHES ON VIETNAM

(By Crosby S. Noyes)

TOKYO.—The Paris talks on Vietnam should at least serve to prove or disprove a gloomy theory that has been making the rounds of various Asian capitals in the last few weeks. This theory is quite simply that the agreement to hold any talks at all at this point is based on a profound mutual misunderstanding between Washington and Hanoi and a complete misreading on both sides of what the other has in mind.

Washington's calculations in pressing for talks have been no great mystery. Although there are divisions of opinion within the administration about prospects for serious negotiations, President Johnson has been followng up on a hunch relayed to him with some insistence from hic advisers in Vietnam.

In the wake of the Communist Tet offensive last February, both Gen. William C. Westmoreland, the American commander in Vietnam, and Ambassador Ellsworth G. Bunker reported on various occasions that the enemy had been badly hurt.

Both men argue that the offensive was launched in the first place because the Communists realized that the military and political situation in Vietnam was turning increasingly against them.

It was, according to this view, a desperate gamble aimed at reversing the whole trend of the war in one stunning series of military victories. And when the enemy failed, despite frightful losses, to achieve any of his major objectives, it was felt with some logic that he might at last be in a receptive mood to talk peace.

Johnson was persuaded that it was at least worth a try. He also concluded that if there was a chance for serious peace talks, that chance would be improved by his withdrawal as an active candidate for re-election.

Eventually, all of these calculations came to a head in his March 31 announcement of a partial halt of the bombing, a new call for peace talks and the declaration of his non-candidacy.

The gloomy theorists hold that this triple-barreled bombshell may well go down in history as a monumental tactical blunder. Because, if their guess is correct, what Johnson succeeded in doing was to transform a promising situation into an utterly hopeless one so far as talks with Hanoi are concerned.

The theory is based on the almost universal misinterpretation of Johnson's decisions that followed his March 31 speech. Even our staunchest and best-informed allies leaped to the conclusion that the President was throwing in the sponge so far as his own political future was concerned. And in this context his offer of negotiations was read far and wide as evidence that he was ready to throw in the sponge on Vietnam, too.

Could the leaders in Hanoi have thought differently? Their own analysis of the situation after the Tet offensive undoubtedly included a number of favorable factors. If their effort was a failure in Vietnam there was considerable encouragement to be found in the psychological flap that ensued in the United States. The mounting pressures of the political campaign, the demonstrations and riots, the recall of Westmoreland and the replacement of Robert S. McNamara as secretary of defense—all capped off by Johnson's bombshell—what better evidence could they want that the President and the nation had finally reached the breaking point?

In the pessimistic view, Hanoi's unexpectedly prompt acceptance of the offer to talk simply means that Ho Chi Minh thinks he is being invited to participate in a surrender ceremony. Although in the interval of bickering over a site for the talks our allies have been largely disabused of any such notion, there are many who still believe the North Vietnamese have settled on Paris as the ideal place to hold a victory celebration.

If so, it should not take long to find out. The coming talks in Paris, like all confrontations of this kind, promise to yield about a hundred parts of propaganda to one part of substance.

But even in the preliminary stages, it should be clear enough what kind of negotiation Hanoi has in mind.

It may be, of course, that the gloomy theorists are wrong and that the Communists are not expecting a peace-at-any-price capitulation by the United States. If so, serious negotiation may be possible, with the outcome depending largely on the course of the war over the coming months.

Under the best of circumstances, however, it is most unlikely that any important decisions will be reached before the elections in November.

Or it may be that the pessimists are partly right, but that the coming confrontation may still serve a useful purpose. The Communists, at least, will be forced to put their cards on the table in Paris. If their demands add up to a flat demand for the surrender of South Vietnam, it will be hard for them to conceal the fact.

At that point, people in the United States and around the world will face the moment of truth about Vietnam and the threat of militant communism wherever it exists.

And this in itself could prove to be a sobering and instructive experience for all concerned.

STATEMENT OF SENATOR HOLLAND ON LOWERING VOTING AGE REQUIREMENT

Mr. HOLLAND. Mr. President, on Wednesday, May 15, I had the honor to appear before the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, of which our distinguished colleague from Indiana, Senator BAYH, is chairman, to testify in regard to a proposed constitutional amendment to reduce the voting age requirement to 18 years.

I ask unanimous consent to have my statement before the subcommittee appear in the RECORD at this point.

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

TESTIMONY OF SENATOR SPESSARD L. HOLLAND BEFORE THE SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS OF THE SENATE JUDICIARY COMMITTEE, MAY 15, 1968, ON THE PROPOSAL TO LOWER THE VOTING AGE REQUIREMENT

Mr. Chairman, I appear before your Subcommittee in opposition to any proposal to lower the voting age requirement by Federal Constitutional Amendment or, for that matter, any such proposal to take over this field by the Federal Government, thus taking from the states their right to determine this question for themselves.

As we all know, there is a provision of the Fourteenth Amendment which empowers Congress to cut down the number of representatives a state has in Congress in proportion to the number of male citizens over 21 which it disfranchises for any reason, "except for participation in rebellion or other crime." While it is conceivable to let Congress proceed under this authorization against any state that raised the voting age above 21 the Constitution is entirely silent in regard to lowering of the voting age, leaving each state free to fix what age it chooses. The states were in agreement from 1787 until 1943 in fixing the age at 21 at which time Georgia departed from it by fixing the minimum age at 18. Apparently, at the time of adoption of the Fourteenth Amendment it was inconceivable that any state would reduce the voting age below 21. Other than Georgia there have been few exceptions to the minimum age of 21 years as being standard practice in the nation since colonial times. I add that the state of Florida that I have the honor to represent in part requires a person to be 21 years of age to be eligible to vote.

As I mentioned, Mr. Chairman, other than Georgia there have been few exceptions to the age 21 as a voting requirement. The other exceptions are the states of Kentucky, Alaska and Hawaii. The second of the few states that have reduced the voting age requirement is the State of Kentucky. Kentucky's Constitution was amended by a referendum at the November election in 1955 reducing the voting age to 18. The third state was Alaska which adopted the voting age of 19 when the voters ratified the Constitution in April, 1956, which became operative as to the 49th state when Alaska became a state in January, 1959. The fourth state was the State of Hawaii when the voters ratified the state's Constitution establishing the voting age at 20 in November, 1950, which became operative as to the 50th state when Hawaii

became a state in August, 1959. I understand that legislative proposals to lower the voting age from 20 years have been introduced in Hawaii since at least the 1961 session of the Legislature. No action was taken on these proposals. However, in 1967, the Legislature approved the convening of a constitutional convention and the voters approved the convening of such a constitutional convention in a referendum last year, having previously expressed such approval in 1966. The convention will convene in July of this year and in all probability the voting age may be debated at that time.

As you no doubt know, four states have rejected, by referendum, the lowering of the voting age—and one state has rejected it twice. Oklahoma put the proposal to a referendum in November, 1952, and it was overwhelmingly defeated by 639,224 to 233,094. South Dakota twice put the proposal to the voters, once in 1952 when it was barely defeated by 128,916 to 128,231, but the second time the question was put to the voters in 1958 it was soundly defeated 137,942 to 71,033. Idaho put the proposal to a referendum in November, 1960, when it was defeated 155,548 to 113,594. The last state to put the question to a referendum was Michigan in 1966 when the voters defeated the proposal by 1,267,872 to 703,076.

The Connecticut constitutional convention rejected an 18 year old voting age proposal in 1965.

The issue of lowering the voting age in New York was considered during the 1967 constitutional convention. The constitutional delegates defeated the proposed voting age of 19 by a vote of 165–8 and a proposed voting age of 20 by a voice vote. They then voted 102 to 76 to maintain the voting age at 21. Later the delegates gave approval to a provision in the Constitution stipulating 21 as the voting age but authorizing the Legislature to lower that to as low as 18 but once the age was lowered it could not later be increased. The delegates approved this provision by 139 to 30 votes after defeating an attempt to lower the voting age to 20. The voters of New York, however, rejected the proposed Constitution at the November, 1967, election by a 3–1 margin.

In the 1967 session of the Nebraska State Legislature the proposal to reduce the voting age to 18 was approved and the amendment will be submitted to the voters in a referendum in November of this year. Also, the North Dakota State Legislature approved a 19 year old voting age amendment which will go to the voters in a referendum on September 3 of this year. And as you know, Maryland included in the Constitution submitted this year for approval of the voters a provision reducing the age to 19 and older. The vote yesterday on the Constitution was 283,048 to 366,438. Of the remaining states, from the latest information I have available to me from the Legislative Reference Service of the Library of Congress, 7 states have taken no action whatsoever to lower the voting age from 21 years, leaving some 30 states, including the State of Indiana from which your distinguished Chairman comes, which have considered legislative proposals within their respective state legislatures; however, to date no further proposals insofar as we can determine have been approved by the state legislatures.

It might interest the Committee to know that, with regard to the general age of majority, 25 states have no laws governing this matter, 16 states have fixed the age of 21 as being the age of majority, 7 states have fixed 21 years for a male and 18 years for a female, 1 state considers the age of 19 as the majority age and 1 state considers the age of 20 as the age of majority.

With regard to the carrying of firearms, 5 states have no laws, 5 states require a person to be 21 years of age to carry firearms, 2 states will permit a person under 21 to carry firearms if he has parental consent, 3 states prohibit the carrying of firearms by minors (21 at common law) and 5 states require a person to be 21 to carry a pistol or revolver.

With reference to the sale of alcoholic beverages, 37 states require a person to be 21 years or over to purchase alcoholic beverages, 4 states will permit the sale of 3.2 beer to persons over 18 years of age, 1 state will permit the sale of light wine and beer to persons between the ages of 18 and 21, 1 state will permit the sale of beer to persons over 20, 1 state will permit the sale of beer less than 4 percent to persons over 18 years of age, 1 state will permit the sale of beer and wine to persons over 18 years of age, 1 state will permit the sale of 3.2 beer to persons over 19 years of age, and 1 state will permit the sale of beer to persons over 18 years of age. Only 2 states will permit the sale of alcoholic beverages to persons over 18 years of age and 1 state will permit the sale of alcoholic beverages to persons over 20 years of age.

It is also interesting to note that in order to enter into contracts a person must be 21 years of age or over in 38 states. In 9 states a male must be 21 years of age and a female 18 years of age. In 1 state a person must be 20 years of age. In another state a person must be 19 years of age and finally in 1 state a person must be 18 years of age.

Further, in order to marry without parental consent a person must be 21 years of age in 46 states.

Mr. Chairman, a great deal has been made of the argument that those old enough to fight are old enough to vote. I do not subscribe to that theory for the draft age and the voting age are as different as night and day. For soldiers are called upon to be obedient to command and to follow the strictest of military rules and orders. They are not in a position to determine matters of policy for themselves. For this reason to draw a parallel between the draft age and the voting age is utterly fallacious for no such parallel exists. The voter must have the ability to separate promise from performance and to evaluate the candidates on the basis of fact which is a prerequisite to good voting. Furthermore, citizens of the female sex are not subject to be drafted to fight but do have the right to vote.

Senator Fulbright read into the CONGRESSIONAL RECORD on January 27, 1954, a statement from a constituent, W. C. B. Lambert, which I should like to quote " . . . that they (the 18 year olds) can fight is a credit to their physical maturity and their realization of the duties and responsibilities of citizenship to protect, as their older brothers, fathers, and ancestors have protected, their country. . . . Intellectual maturity is a more important basis for democratic citizenship than physical maturity is. The catalytic action of physical maturity and duty and responsibility to defend the country physically does not bring about that intellectual maturity nor the feeling of responsibility not to commit crimes, nor the political maturity to vote."

Incidentally, I might say, we have heard the argument that if you are old enough to fight you are old enough to vote; however, we have never heard it argued that if you are too old to fight, you are too old to vote.

Mr. Chairman, lowering the voting age would confer political rights and responsibilities upon minor persons not generally considered to be sufficiently mature to be held fully responsible legally for their actions. This is indicated by the information I previously discussed with regard to the carrying of firearms, the purchase of alcoholic beverages, marrying without parental consent and the entering into contracts and general state rules as to the attaining of majority. I might also add that a parent is permitted to take a tax deduction for his offspring until they reach 21 if he is supporting them.

Mr. Chairman, we all know that leaders of radical movements understand that patience is not a particular virtue of the young and that radicalism has had its greatest appeal to the youth between the ages of 18 and 21. The most intense and concentrated action of the Communist movement throughout the world has been in the universities where concentration is upon the youth between the ages of 18 and 21. So it was with Hitler and Mussolini. They advocated and accomplished the granting of the vote to the 18 year olds. Today we have witnessed the troubles on the Berkeley campus, we have witnessed the sit-in at Howard University here in Washington prior to the assassination of Dr. Martin Luther King. The militants effectively achieved the closing down of the University by taking over the Administration Building and the University switchboard. Such action which stemmed from a few leaders rapidly spread to the more young and less mature teenagers who followed the leaders. Later we heard of the Columbia University in New York City where the few militants apparently desiring the accomplishment of their purposes led to a shut down of that University and such action was effected by the young and less mature students following leaders of a more militant sort. Today no issue is too cosmic or too peripheral to launch a student power demonstration. *Newsweek Magazine* of May 6, 1968, states "A survey of campus protests conducted by the National Student Association and covering the first two months of the current academic year reveals that there were 71 demonstrations in all including 24 demonstrations aimed at the campus representatives of the Dow Chemical Company and 3 demonstrations each aimed at compulsory ROTC and at campus cafeterias." It is my very strong feeling that the greater number of students are followers of those few radicals within the school structure who feel that they have been put on campus for the sole purpose of leading the teenager down the glory path to what they regard as rightful end.

Mr. Chairman, one reason in particular that should make us want to move slowly in lowering age requirements for voting is the thought of the political organizations moving into our college campuses which they would do with a vengeance if the students were voters. This would be a most dangerous situation since the years 18 to 21 are now, as they have been in previous years, formative years where youth is reaching maturity during which time his attitude shifts from place to place and are the years of great uncertainties which are a fertile ground for demagogues for youth attaches itself to promises rather than to performance. Those years are the years of rebellion, as has been indicated on the college campuses today, rather than reflection.

Today's society is much more complex than that of previous generations, consequently the period for fully responsible citizenship has tended to become longer. Children remain in school longer than did their parents and grandparents. In our complex society of today there are many uncertainties requiring intellectual maturity and a firm grasp of responsibility.

Mr. Chairman, if anything, the maintaining of age 21 for the privilege of voting is more important today than it has ever been. The right to vote implies full citizenship and entails certain duties and responsibilities of citizenship. One of these duties is the serving on juries in both civil and criminal cases and I doubt if there are many teenagers that would possess the judgment, sound reasoning and emotional stability to make jury service a practical course.

Mr. Chairman, I have taken up a great deal of the Committee's time but I feel very strongly in regard to maintaining the voting age at 21.

It seems clear to me that all developments in recent years have clearly shown that a majority of our people do not want to reduce the voting age below 21 and that a submission of the proposed amendment which is

being considered at this hearing would be a complete exercise in futility. No amendment reducing the voting age has been adopted by the people of any state since 1955—the date of the adoption of the Kentucky amendment, though proposals to reduce the voting age have been separately submitted to the voters five times in that period of 13 years and rejected every time—namely once each by the voters of Oklahoma, Idaho, and Michigan; and twice by the voters of South Dakota—much more heavily the second time than the first.

No reduction of the voting age has been made as a part of a proposed new Constitution in any state since 1956—the date of the adoption of the Alaska Constitution, though such proposals have been submitted since that date as a part of proposed new Constitutions in New York and Maryland, in both of which cases the new Constitutions were rejected by the voters. I do not have the complete data but we know that state constitutional conventions have refused to incorporate proposals to reduce the voting age in proposed new state constitutions, notably in Connecticut. I hope that this Committee does not recommend the submission of this proposed amendment by Congress since it seems clear to me that such submission would be a completely futile act and would clearly oppose the trend of the thinking of the majority of our people as shown in every case where the matter has been considered in recent years.

Mr. Chairman, if I may add just one more thing. In addition to running upstream against the popular disapproval, as shown in every case since 1955, this amendment would have an additional troublesome time because there are many people, I think, who, like myself, would greatly oppose the taking over by the Federal Government of control in this matter which has been traditionally left to the states.

I thank the Chairman and the committee for their patience, and I hope that the committee will act to report this proposed amendment unfavorably.

DENIAL OF HOUSING DEPRECIATION ALLOWANCE

Mr. MONDALE. Mr. President, recently I cosponsored a bill along with Senator PROXMIRE and Senator PERCY which would deny depreciation allowances for those landlords who have been convicted of housing code violations. I believe that this measure would strengthen the hands of the court enforcement authorities on the local level and improve the quality of housing in our central cities.

The attractive feature of the proposal is that it would do so without an increase in Federal expenditures. On May 3, the Minneapolis Star published an editorial in support of this legislation. I ask unanimous consent that this editorial be included in the RECORD.

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

SPUR TO SLUM IMPROVEMENT

Sens. Proxmire, D-Wis., and Percy, R-Ill., have introduced a bill which would deny depreciation deduction on income taxes for landlords whose property has been found in violation of housing codes.

The theory is that owners of slum rental property should not be able to increase their profits by claiming depreciation. Objectors question whether tax laws should be used to achieve such non-revenue-producing purposes. Proxmire argues there's precedent in such laws as the oil depletion allowance which is intended to encourage oil exploration.

A weakness in the bill is that it still requires local officials to find and prosecute code violations, and some cities haven't had a very good record in this regard. But the threat of denying depreciation allowances is big enough to be helpful in achieving housing code compliance.

INEPT HANDLING HELPS REBELS IN COLLEGE DISORDERS

Mr. BYRD of West Virginia. Mr. President, the second of two editorials dealing with the current disorders on American college campuses appearing in the Washington Post today makes the point that inept handling of such situations by college administration can produce the results the rebels seek.

This is a point to reflect upon, for the same thing is also true of weak-kneed handling of any other civilian disorders including rioting and crime. Unless rightful authority asserts itself, those who rebel against authority can destroy it.

The editorial goes on to say that students must be given the opportunity to participate more fully and more meaningfully in constructive efforts to solve social problems, not only on the campus, but also in the world they are inheriting from their elders, and that is true, for the generation of young people now on college and university campuses has had the opportunity to mature more quickly than any generation that has gone before it.

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:

CRISIS ON THE CAMPUS—II

The widespread support among students and faculty members that the rebels at Columbia University were able to develop underlines the serious problems all American universities now face. The revolutionaries on the campus are in a class apart, numerically small, alien in their beliefs, and violent in their tactics. A far larger number of students are disenchanted with society and with education in a very different way.

These students think universities are badly administered and irrelevant to the needs of the students; in this they often have substantial support from faculty members. They think the Nation is wrong in some of its policies and has put its priorities on the wrong programs. They find, rightly or wrongly, that the world they are inheriting is a miserable one and they blame their parents for its condition. But by and large this vast majority of the disenchanted who wish to change the universities is willing to work for change within the system.

The rub comes, and the real danger to the educational system develops, when the revolutionaries are able to win the support of the disenchanted. They did it at Columbia, and they can do it elsewhere, by seizing the issues that trouble students and making these their very own. Inept handling by a university administration then can produce the results the rebels seek. That, more than anything else, is the lesson of the last few weeks at Columbia.

The best way for a university to avoid the turmoil the revolutionaries desire is to seal off the troublemakers from the rest of the student body. It can do this by meeting the real needs and the real hungers of the Nation's young—by listening to their views and acting on them, by letting them have a voice in how student-faculty-administration affairs are handled, by adapting curricula to let them have a sense of participation in attacking the Nation's problems, by modifying the grading system that has haunted every college student since his earliest years.

There is no clear understanding of why this generation of students is different from its predecessors. Some say that it is the result of earlier exposure, through the educational system itself and through television, to the Nation's problems. Others say it is a product of affluence; students who reach college without a clear mission to acquire there the tools through which a living can be earned are naturally oriented toward social rather than economic problems. Others say it is a result of the fact that this is the first generation of students since college attendance became so widespread that has not been exposed to a great national crisis—war or depression.

Regardless of where the student drive comes from, it is there. This generation of students, already better educated than its parents and intent upon solving the problems of poverty and discrimination its parents have not solved, cannot be confined to a passive role in the classroom at the time in life when the spirit to do *something* is greatest. They intend to be activists, inside the system if it will let them, outside if it will not.

Once a university has accepted this new situation, as some have already done, and adapted to meet it, the problem of student demonstrations will be eased. A rebellion on the campus, like the one at Columbia, can be successful only if it has far more support than the revolutionaries alone can provide. The support will not come from a student body that believes its real needs and desires are being met.

DISTURBANCES ON CAMPUSES

Mr. McGEE. Mr. President, the time has come for American colleges and universities to distinguish between serious students and scholars and the roisterous nonstudents who are a minority, but a noisy and disruptive one. The activities of those whose preferred tactics are to kidnap administrators, seize offices or entire buildings, and bring the process of education to a dead halt are absurd and must be halted, as respected Columnist Carl T. Rowan observed in Wednesday's Washington Evening Star. This column gives added weight to another bit of comment, carried in the Washington Post as a two-part editorial.

The consensus would be, Mr. President, that educators must meet the legitimate needs and answer the valid complaints of the serious students, but crack down upon the activists bent upon destruction of our academic institutions. I ask unanimous consent that Mr. Rowan's column and part two of the Post's editorial. "Crisis on the Campus," be printed in the RECORD.

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

[From the Washington (D.C.) Star, May 15, 1968]

IT'S TIME TO CRACK DOWN ON CAMPUS ACTIVISTS

(By Carl T. Rowan)

MINNEAPOLIS, MINN.—There was a time when young people went to college, wise only to the point of knowing that they had a lot to learn.

Today's campuses are being convulsed by a motley assortment of student "activists" who express an arrogant certainty that they need to educate their presidents, deans, faculties, and most of the rest of mankind. And to a disturbing degree, they have made the process of educating a hapless hostage to their absurdity.

After boisterous upheaval, Stanford University is to be partly run by students who, in their wisdom, have made a topless go-go girl the prime candidate for president of the student body.

The president of Oberlin College has knuckled under to pressures and barred all military recruiters from the campus. Now—on the premise that the United States is guilty of "war crimes"—Oberlin students are demanding that the college sell all its U.S. Savings Bonds and that it pull Oberlin funds out of companies that contribute directly to the military effort in Vietnam.

At Columbia, students seek to force the university to end its ties with the Institute for Defense Analysis, a consortium that does military research for government.

And here, ceremonies to install a new president of the University of Minnesota were disrupted by a group angered mostly because police took action against a colleague who had ignored a batch of tickets for traffic violations.

This group cloaked its anger in "nobler" cause, of course, as it barred regents and scholars from entering the front door of Northrop Auditorium.

"We've been going through back doors for decades," insisted a Negro protester. "Now you will all go through the back door."

People politely complied.

On campus after campus, turmoil rages over such diverse demands as a separate course in Negro history, the right of male students to entertain girls in their dormitory rooms at all hours, or the addition of a bit of color (racial, that is) to the college coaching staffs.

The preferred tactics of the activists, whether their demands are obviously just or patently ridiculous, is to virtually kidnap college administrators, seize offices or entire buildings, and otherwise bring the processes of teaching and learning to a chaotic halt.

It is clearly time for college administrators to meet and adopt some joint strategy to deal with this absurd business—and for these reasons:

1. The anarchists and nihilists, who are more interested in destroying universities and "the system" than they are in improving things, are picking off the schools one by one. Administrators and faculties are knuckling under for fear of becoming the first institutions totally wrecked by student strikes and resignations of faculty sympathizers.

2. In this election year, the politicians are eager to get into the act, as the House has shown. Whatever institutions irresponsible and irrational students fail to wreck will be intellectually dismembered by overly righteous congressmen and their meat-ax attempts to repression.

College administrators must agree on areas where they have been wrong and unresponsive to legitimate complaints.

Administrators making bold, honest efforts to right these wrongs will carry along the great majority of students and thus isolate those bent on destruction.

When this latter group resorts to illegal, mob tactics, it ought to be agreed by every president that they are to be expelled—pronto!

Perhaps a few mushheads will say that this is treating students like juveniles. But it is merely treating immature adolescents like immature adolescents, ruffians like ruffians, and serious students and scholars like students and scholars.

It is high time somebody began to make the distinction.

[From the Washington (D.C.) Post, May 15, 1968]

CRISIS ON THE CAMPUS—II

The widespread support among students and faculty members that the rebels at Columbia University were able to develop underlines the serious problems all American universities now face. The revolutionaries on the campus are in a class apart, numerically small, alien in their beliefs, and violent in their tactics. A far larger number of students are disenchanted with society and with education in a very different way.

These students think universities are badly administered and irrelevant to the needs of the students; in this they often have substantial support from faculty members. They think the Nation is wrong in some of its policies and has put its priorities on the wrong programs. They find, rightly or wrongly, that the world they are inheriting is a miserable one and they blame their parents for its condition. But by and large this vast majority of the disenchanted who wish to change the universities is willing to work for change within the system.

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VIETNAM REPORT

Mr. RIBICOFF. Mr. President, in December 1967, I had the opportunity to travel to Southeast Asia as acting chairman of the Permanent Subcommittee on Investigations, in connection with the subcommittee's investigation into matters involving our aid and military construction programs in that area of the world.

At the conclusion of my trip, I prepared a report to the distinguished chairman of the Committee on Government Operations, [Mr. MCCLELLAN]. I ask unanimous consent that the text of the report be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. RIBICOFF. Mr. President, in summary, the report discusses the management of our aid programs in Vietnam and Thailand. Suggestions are made regarding the commodity import program in South Vietnam, the personnel levels in our missions in Southeast Asia, and the programs being conducted in that area.

With respect to military construction, we found serious questions regarding the performance of certain American construction firms. Chairman MCCLELLAN has requested a detailed investigation of certain contracts by the General Accounting Office. There is a real possibility of recovering several million dollars by the Government.

I wish to express my deep personal appreciation to the distinguished chairman, who gave me the opportunity to undertake this investigation and has cooperated so fully in its implementation. I also want to thank Mr. Jerome Adlerman, general counsel of the subcommittee, and Mr. Philip Morgan, chief counsel to the minority of the subcommittee. These gentlemen accompanied me on the trip and were of great assistance in the investigation and the preparation of this report.

EXHIBIT 1

REPORT TO SENATOR JOHN L. MCCLELLAN, CHAIRMAN, SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS, REGARDING MATTERS IN VIETNAM AND SELECTED SOUTHEAST ASIAN AND MIDDLE EASTERN COUNTRIES BY SENATOR ABRAHAM RIBICOFF (DEMOCRAT, CONNECTICUT)

I. Introduction

On December 1, 1967, I went to the Republic of South Vietnam accompanied by my administrative assistant, Wayne G. Granquist, to conduct a follow-on inquiry to the field investigation made in October 1966 by Jerome S. Adlerman, general counsel, and Philip W. Morgan, chief counsel to the minority, of the Senate Permanent Subcommittee on Investigations.

The subcommittee had held public hearings entitled "Improper Practices, Commodity Import Program, U.S. Foreign Aid, Vietnam" on April 25–27 and August 1–3, 1967, relating to matters disclosed during the first field investigation. You asked me to serve as acting chairman of the subcommittee during the second series of the 1967 hearings in which certain irregularities in procurement of pharmaceuticals and railroad bridges were disclosed. We completed this phase with a hearing on January 31, 1968. You also designated me as acting chairman of the subcommittee to conduct the recent field investigation.

Mr. Adlerman and Mr. Morgan joined me in Vietnam and they assisted me invaluably and greatly advanced the work of the subcommittee. This report of our inquiry reviews the programs we examined. Our trip was made before the Tet offensive by the North Vietnamese/Vietcong forces of last January 1968 and the conclusions of this report are

based, of course, on the conditions we found to exist in the pre-Tet period. The effect of the Tet offensive is still under examination by the Agency for International Development, the Department of Defense, and the Department of State. It seems fair to assume, however, that the events of late January and February in South Vietnam, Thailand, and Laos have increased the magnitude of the problems encountered by AID programs in these nations.

The countries I visited included Israel, Jordan, Thailand, Laos, Vietnam, Malaysia, Singapore, and Indonesia. Mr. Adlerman and Mr. Morgan visited Vietnam, Hong Kong, the British Crown Colony, Thailand, and Israel.

A. VIETNAM

II. Vietnam foreign aid program

The Republic of South Vietnam was granted approximately $750 million for the entire AID program for fiscal year 1966. The grant for fiscal year 1967 was approximately $515 million, and some $490 million is budgeted for fiscal year 1968.

The population of South Vietnam is now estimated at 17 million, an increase in the estimate of 1 million in 1 year. Saigon is now estimated to have 2.5 million persons, with another 1 to 1.5 million living in the city's environs. About 13 million persons are said to live in the rest of the country.

The pacification program is headed by Robert Komer in an operation known as civil operations for revolutionary development support (CORDS). That organization recently stated that 67 percent of the South Vietnamese population are under the control of the Government of the Republic of Vietnam, and that this figure represents an increase of 4½ percent in 1 year. The realism of this estimate is undoubtedly subjected to question, particularly in view of the recent Vietcong insurgency.

(a) Agency for International Development (AID)

AID's staff is largely located in Saigon, with a few officials scattered throughout the rest of the country.

The exact number of American employees at the time of our visit was represented to us as follows:

AID employees, either direct hire or "borrowed" from other Federal agencies (1,200 of these are with CORDS)	2,130
Contracted-for employees	450
Total	2,580

There are hundreds of dedicated Americans working in the American AID program, but I was dismayed to find in the Saigon AID mission one of the most overblown bureaucracies I have ever seen. A vast complex of over 4,700 American and Vietnam employees, the Saigon headquarters outnumbers the AID personnel in the field by nearly two to one.

More than two-thirds of the Americans working for AID in Vietnam have no knowledge of the Vietnamese language—less than half speak French. But these statistics are not surprising in view of the frantic growth of AID in the country.

In the past 18 months, the size of our AID mission to Vietnam has more than doubled—and the end is nowhere in sight. This growth reflects, of course, the magnitude of our effort in South Vietnam. But more than that, I am afraid it reflects a misplaced faith in the magic of American dollars and American personnel. As one young American volunteer told me in Saigon: "A little yeast makes the bread rise; too much sours the dough."

Our aid effort in South Vietnam lacks both the discipline of the dollar—the effort that is made to assess priorities when funds are tightly controlled—and the discipline of a realistic personnel ceiling.

AID officials informed us that they are asking for more personnel, totaling 3,100 people in fiscal year 1968, and 3,600 people in fiscal year 1969. Internal resistance to this plan appears to be justified in view of certain questionable projects which AID is engaged in, which I will discuss subsequently.

Many of these AID employees have their families in several "safe haven" countries which the employees are allowed to visit periodically. The number of visits per year varies in inverse ratio to the employee's status and grade within AID. The "safe haven" areas include Bangkok, Thailand; Taipei, Taiwan, and Tokyo, Japan. The housing, commissaries, schools, and medical dispensaries needed by these dependents are being financed with AID funds. AID officials could not provide us with exact cost breakdowns, but stated that the costs were "high." They did not feel that such arrangements were placing much strain upon the host countries, pointing out, for example, that all dependent housing was being built in one place in Taiwan. AID seemingly does not consider the fact that this housing costs a great deal in view of the fact that its anticipated use may be curtailed if the dependents are sent home to the United States or returned to South Vietnam. I would recommend that the subcommittee inquire into alternative ways—such as rental housing or transport of AID personnel on home leave through charter flights to the United States—of resolving this situation.

I asked about the number of projects that AID has undertaken in Vietnam, noting that the Director of AID in Thailand had earlier told me he felt he could cut down, and eliminate at a reasonably early date, some 15 of his 35 major programs and projects. My question was met with a great deal of dissent by AID officials in Vietnam. I was told that there are approximately 80 programs involving some 200 projects currently being undertaken, and that this represents a cut from 300 projects in the previous year. When I continued to ask what projects could be eliminated with a resultant decrease in employees, the resistance continued. The AID Director indicated that he had not permitted a few planned programs to materialize. When pressed, he indicated that he had cut the staff of the land reform section within AID from 26 persons down to two. I had been advised by AID officials that the technical assistance programs in Vietnam started in 1952 and that the commodity import program began in 1956. Therefore I asked if some of the early programs were still in existence. I was told they are, because "it is very hard to drop them."

I asked that a list of programs and projects be provided the subcommittee, including the dates that they started, the amounts spent on them for each reporting year, the purpose of the programs, and the possibilities of eliminating, decreasing, or redirecting them. This request was subsequently repeated by Messrs. Adlerman and Morgan after my departure. The list has been promised to us but is yet to be delivered. I believe that the subcommittee should study this report carefully and that the staff, if necessary, should "look behind it" to verify the accuracy of information provided. If AID will not streamline their own operations, perhaps the subcommittee should do it.

The main purposes of the AID program in Vietnam were explained to us as follows:

(1) *Long-term development.*—This includes the installation of an additional port facility in Saigon, known as Newport, which is supposedly a permanent structure to serve the Vietnamese when the emergency is over and when the existing port facilities become antiquated.

(2) *War relief and support.*—We were advised that AID's support to the total war effort amounts to about $60 million annually, principally through local currency (piasters) generated by AID's commodity import program and the AID administered Public Law 480 (agricultural) program.

(3) *Revolutionary development.*—This is an overall program to secure the hamlets and to root out the Vietcong infrastructure. This program uses 59-man cadre teams of both United States and Vietnamese personnel. (Local criticism is that these civilian cadre teams offer an alternative to military service for sons of influential Vietnamese.) The purpose is to "restore the line" between the farms, villages, and province towns and the national ministries.

(4) *Commodity import program.*—This will be detailed in the following section.

An example of the overall AID budget can be seen from the proposed budget for fiscal year 1968, which AID officials described as follows:

Project programs (including CIP)	$257,141,000
Overhead and technical support in Washington, D.C.	17,859,000
Contingencies for major policy purposes (e.g., Vietnamese road system)	15,000,000
Public Law 480 (both title I and title II, but primarily title I; title I includes rice, mainly, also corn for pigs, etc.; titles II and III were combined last year. They include commodities such as bulgar wheat and oil, etc.)	200,000,000
Total	400,000,000

(b) Commodity Import Program

The commodity import program was the subject of much testimony in both the April and August hearings of last year. Therefore, I will not repeat the mechanics of the program here but, rather, will comment upon some of the observations we made during the recent trip to Vietnam.

AID officials' combined reporting to us—in October 1966 and in December 1967—showed that the money we have put into the commodity import program to Vietnam since fiscal year 1962 has been as follows:

	Millions
Fiscal year 1962	$97.8
Fiscal year 1963	95.0
Fiscal year 1964	113.9
Fiscal year 1965	152.8
Fiscal year 1966	398.1
Fiscal year 1967	160.0
Fiscal year 1968 (estimated)	200.0
Total (including 1968 estimate)	1,217.6

The manner in which the commodity import program functions was summarized for us, through briefing materials, as follows:

"The commercial import program (CIP) functions basically as a supplement to the foreign exchange resources of the GVN in financing imports for the private sector of the economy. As such, it contributes to the stability of prices, since commercial imports absorb piasters, that is, they satisfy inflationary demand. The program pays the foreign exchange cost of the commodities which it finances. The goods are paid for by the importer in piasters and these piasters, known as counterpart, are used for support of the GVN budget in projects and programs approved by the United States."

The purpose of the program was explained as follows:

"The CIP in Vietnam was initiated in 1955 following the signing of the Geneva accord. The program was designed to counter inflation resulting from the deficit spending in support of the military establishment required by the emergency conditions prevailing at the time."

The economists in the U.S. overseas mission tend to see the commodity import program

as a stabilizing influence in meeting peaks of supply and demand by transferring purchasing of various commodities from Vietnamese Government agencies to the AID commodity import program as may be periodically necessary. For example, we were told that the large military buildup in 1965 found the U.S. military "living off of the local economy," so to speak, and that price increases averaged 125 percent between May of 1965 and July of 1966. Devaluation of the local currency therefore became necessary. However, the Vietnamese relaxed import licensing requirements just before the June 1966 devaluation. The relaxation, coupled with the speculative tendencies of Vietnamese importers, resulted in a tremendous oversupply of commodities. These circumstances, linked to chaotic port congestion, resulted in high inventories and tight bank credit.

The economists, on the one hand, said that importers then bought such items as motorbikes, refrigerators, air conditioners, TV sets, and radios, to attract consumer dollars. On the other hand, the economists said that as troop spending increased in 1966, the Vietnamese Government accumulated more foreign exchange than it was spending. Therefore, in January and March 1967 such items as petroleum products, sugar, pulp and paper, cement, and nonferrous metals were transferred to Vietnamese Government financing. By the end of November 1967, the financing of petroleum products, sugar, cement and fertilizer was returned to AID because of some unexplained decreases in the foreign exchange holdings of the Vietnamese Government.

While there undoubtedly is a great deal of troop spending by U.S. forces, we know that all soldiers have been encouraged to save their money in the 10-percent interest special savings plan that is in effect for them in Vietnam. We found that the average serviceman spends only less than $15 of his own money monthly for purchases in the local economy. This would amount to a total impact on the South Vietnamese economy of less than $100 million annually at current troop levels—far less at 1966 levels.

I believe that the foreign reserves now held by the Government of Vietnam have actually been built up by the generation of piasters in the counterpart aspects of two major programs: AID's commodity import program, and the AID-administered Public Law 480 (USDA) program.

For example, let us take as a basis the commodity import program's budget of $200 million for the current fiscal year, plus the $200 million programed for Public Law 480, title I funds. The amount of the counterpart funds which would be generated from these two programs would be:

	Millions
CIP: 100 percent of the CIP money goes into counterpart funds. It all goes to the Vietnamese Government, per the terms of the program, although we have a right to agree on the use of the funds; most of these funds are used for the Vietnamese defense budget, we were told	$200
Public Law 480:	
80 percent of this is "plain counterpart," which is U.S. owned but is used to assist the Vietnamese Government in different ways, as spelled out in the sales agreement; Vietnamese military pay rolls have been included here from time to time	160
20 percent is used, also in piaster form, for U.S. projects in Vietnam	40
Representing 100 percent of both programs	400

We were told that if the United States discontinued the AID commodity import program to Vietnam, the Vietnamese foreign reserve balance would start to fall. Yet in fiscal year 1967, when AID's CIP program was cut more than 100 percent (from $398.1 million in fiscal year 1966 to $160 million in fiscal year 1967), the Government of Vietnam spent $306 million in foreign exchange for imports—and the South Vietnamese foreign reserve balance continued to increase.

The economists told us that AID CIP-financed commodities were generally held to essentials—raw and semifinished materials for production, bulk commodities, maintenance material and spare parts, and certain capital equipment—while the Vietnamese program financed consumer goods for the most part. What this really means is that we finance the necessities and the Government of Vietnam finances either luxuries or items that are prohibited in the AID commodity import program. Two examples follow:

1. In our subcommittee's hearings of August 2–4, 1967, we disclosed excessive imports of antibiotics into Vietnam. Enough chloramphenicol, for example, was shipped to Vietnam to supply the normal needs of an Asian country of 100 million people. South Vietnam, of course, has a population of 17 million. We further showed that at least $870,000 in kickbacks and improper commissions had been paid by American and European exporters to Vietnamese importer La Than Nghe between 1957 and 1965.

Similarly, we showed in our January 31, 1968, hearing that kickbacks and ineligible commissions were an important part of the operations of the Clement Gubbay complex during the same general period of time. Apparently in anticipation of our findings, AID officials announced during our hearings that they had discontinued the financing of all pharmaceuticals under the commodity import program.

Our investigation disclosed, however, that the Government of Vietnam is still financing the import of pharmaceuticals, including chloramphenicol.

2. We were told that following the currency devaluation of June 1966 there was both chaos in the Port of Saigon and a hectic period of oversupply in the economy. Yet despite the port congestion and the oversupply of consumer goods, we were informed that importers turned to quick-turnover, fast-delivery, high-profit goods to obtain the piasters still in the hands of individual consumers. We were further informed that the principal commodities imported were Government-financed luxury goods, including motorbikes, refrigerators, air conditioners, TV sets, and radios.

It seems highly questionable to me whether heavy taxes for such items would have much effect on the flood of orders in such a booming economy, even if the taxes ever were collected.

Prior to the Tet offensive, the affluence of the people of Saigon was noticeable everywhere. Many of the items listed above were in obvious abundance. We learned that there is little or no unemployment in Saigon. In fact, many persons have a second, or "moonlight" job. The people in Saigon were obviously living well, and conversely, there is no apparent austerity to be seen anywhere in the city.

One cannot help wondering about the obvious absence in Saigon of the kind of austerity that has historically marked successful national struggles. It certainly is to be considered in discussing the apparent lack of any "will to win" upon the part of the Vietnamese people.

A serious and paradoxical weakness in our AID program in Vietnam is that while we have been "footing the bill" for the Vietnamese war effort, the Government of Vietnam, through its own import system has been purchasing almost all commodities everywhere but in the United States. The breakdown of such commodity purchases for fiscal year 1967 follows:

	Millions
Japan	$131
Taiwan	24
Italy	24
United States	17
France	15
West Germany	15
All other countries	80
Total	306

The explanation given to us was not very convincing. I was told that the individual Vietnamese importer does the ordering and buying and that costs were important; the other markets were cheaper and closer. However, I pointed out that the individual Vietnamese importer also does the ordering and buying under our commodity import program, and that although some markets might be cheaper, Italy, France, and West Germany certainly are not closer.

I sincerely believe that this situation should be rectified immediately if we are to continue to finance these programs as abundantly as we have in the past.

It should be pointed out that the administration and efficiency of the AID commodity import program to Vietnam seems to have increased considerably. I am sure that part of the improvement is attributable to the work of our subcommittee in pointing out several deficiencies.

For example, the commodity import program's staff has been increased from five, in early 1966, to 22 at present. There was only one commodity analyst in late 1965, and now there are 10. Some subcommittee members had been critical of the fact that the AID practice had been to let the market select the commodity. It now appears that these analysts have the technical tools and their own expertise to determine commodity requirements.

Some innovations which give more program control include a new seven-digit code which permits a simple specific identification number for each commodity; a positive list of commodities that are eligible for AID financing; and a new central importer file which has much information on importers. An automatic data processing (ADP) system has been established to provide information regarding licenses, letters of credit, and commodities in transit, in customs, and released from customs. An IBM 360–30 computer was received on November 30, 1967, and it is anticipated that the foregoing information will be incorporated into its processing units. It will provide automatic identification, if any, of approved licenses. The computer will control and analyze the CIP pipeline from the initial obligation through customs clearance of the commodities. I am advised that the Commodity Import Division Director, in October 1966 told Messrs. Adlerman and Morgan that many of the functions which the foregoing innovations will provide were going to be put into effect "in 2 weeks." I am sure that until the automatic data processing system and the 360–30 computer are put into operation, the amount of commodities in the pipeline will still not be known accurately.

Finally, I believe that the changes that have been made in the operation of the commodity import program as the result of our hearings to date have been constructive ones. For example, the curtailment of the use of import licenses under $5,000 in value and the requirement that they be advertised in the Small Business Circular both tend to minimize the chicanery that can take place. Positive action also has been taken about a "suspension list" of importers who obviously should not be doing business in Vietnam. A Special Assistant to the Director carries out this responsibility according to procedures set forth in the AID regulations. We were told that the most recent suspension list, dated November 10, 1967, identifies 25 sus-

pended importers who were involved in the "Higgins battery additive" operation that was a subject of our hearings. The list also shows that importers were suspended by the Vietnamese Government for speculation, tax evasion, and black marketing, that 71 ineligible suppliers were suspended or debarred by AID/Washington, two agents were suspended by Vietnamese decrees, and four firms and/or individuals have transactions which are subject to prior review.

All import licenses and amendments thereto are carefully checked for the identities of importers, sales agents, and suppliers, and study is given to prices and commodity amounts already under license. The approved license is stamped and signed by the commodity analyst. Subsequently, copies approved by the Vietnamese Government and the Bank of Vietnam are returned to the analyst for comparison with the approved copy. Some of these techniques, of course, are subject to constant review and updating. For instance, in our January 31, 1968, 1-day hearing, it was disclosed that nine pharmaceutical import licenses—involving some $90,000 of commodities—were altered after the July 15, 1967, cutoff date for pharmaceuticals to indicate that they had been approved on or before that date. However, there is no doubt that improvements in the administration of the commodity import program have been, and are being, made.

(c) Economic Warfare Section of AID

Last year an Economic Warfare Committee, with representation from the various military and civilian U.S. agencies, was created in Saigon. The committee met every 7 to 10 days, and its stated purpose was to keep critical resources from the Vietcong, to prevent the diversion of U.S.-financed goods to the Vietcong, and to counter the enemy's attempts to disrupt the South Vietnamese economy.

The committee was then chaired by the head of the existing AID Office of Special Projects, which was composed of a small group of specialists (e.g.—experts on ports, ships and ship's cargo, narcotics, resources and commodities, currency manipulations, etc.) and auditors who acted on information from Washington about suspect shipments in port, who worked with Government of Vietnam officials on strategic materials, and who *investigated* Vietnamese firms for irregularities, particularly in suspected diversions of materials.

The committee and the Office of Special Projects were designed to work together, although it should be recognized that attempts to control and to account for AID commodities are generally contradictory to AID philosophy. Specifically, control and accounting were repugnant to the commodity import program in Vietnam, which was geared to bring commodities into the economy in sufficient quantities to provide abundance and thus to avoid the possibility of runaway inflation.

Senator Karl E. Mundt, ranking subcommittee minority member, questioned Deputy AID Director Rutherford M. Poats about the Economic Warfare Committee during subcommittee hearings on the AID program to Vietnam (p. 71, April 26, 1967). The colloquy follows:

"Senator MUNDT. * * * I would like to ask you what contact you have in your office with the economic warfare group?

"Mr. POATS. The economic warfare group is set up under the Deputy Ambassador in Saigon. A member of that group is from the AID mission. There are members from the other U.S. elements in Vietnam. We have in the AID mission an Office of Special Projects which is our economic warfare office, but it is also concerned with other types of surveillance of commodities which have special problems.

"We have several members of that office presently in Vietnam. We also have a group in the Controller's Office of the AID mission which works closely with it. The AID management inspections staff, now called investigations and inspections staff, in Saigon also works with it on occasion. This is a group of six investigators. I believe, on board now.

"Senator MUNDT. How many men are there in the economic warfare section?

"Mr. POATS. Five in the AID organization directly, plus these that I mentioned that are cooperating with it. I haven't mentioned one major aspect of the economic warfare, Senator Mundt, and that is the resources control program of the Vietnamese police."

Mr. Poats went on to describe an extensive system of checkpoints, set up through AID's public assistance program, in cooperation with the Vietnamese police. On land and water these checkpoints are designed to deter and interdict the movement of goods to known VC areas. Mr. Poats said there were 9 full-time employees and 65 part-time province workers on this program, plus 7,204 Vietnamese, all operating 645 checkpoints.

The operation of the checkpoints will be discussed at greater length in the next section. However, the explanation given the subcommittee by Mr. Poats is at odds with the information I received while in Vietnam.

We were told that even though the committee system for handling such matters is cumbersome enough, real embassy support of economic warfare activities was held in abeyance starting in August 1966 pending the arrival of a special Defense Department study group headed by Dr. Stephen Enke. Additionally, the Central Intelligence Agency and the Rand Corp. also looked at the economic warfare program in Vietnam and all of them were substantially in accord with it. However, at about the same time—in early 1967—the Office of Special Projects' staff was reduced to two employees with token responsibilities. As far as we were able to tell, the Economic Warfare Committee and its meaningful accomplishments had become things of the past.

If this function has been curtailed, it should be reestablished. An effective and realistic economic warfare organization, properly supported, is necessary to carry out both "incentive-to-defect" and "denial-of-material" programs which will save lives and shorten the Vietnamese war.

(d) Port Congestion

The unbelievably congested situation at the Port of Saigon of 1966 has vastly improved. This is one area of our inquiry in which great improvements have resulted in efficient operations.

We were told that congestion in the Port of Saigon between the latter part of 1965 and the early part of 1967 was attributable to the rapid build-up of military forces. While this may have been one reason, I believe that there were three factors: (1) the military buildup, (2) the overzealousness of Vietnamese importers in taking advantage of a very small required piaster deposit (10 percent on a predevaluation exchange rate of 69 piasters=$1 United States, to order more commodities than they could use, and (3) the Vietnamese import system that discharged more cargo than could be absorbed by the port. There were very few coastal ports in operation in those days, and there was little or no enforcement system to press the Vietnamese importer to remove his cargo from the docks if the local market did not suit him. Management was lacking when USAID was in charge of port operations. The 4th Transportation Command, 1st Logistical Command, U.S. Army Vietnam (USARV) took over all functions—including the handling of AID and Vietnamese Government cargo in July 1966. The 4th Terminal Command should be given great credit for doing an almost impossible task. They not only cleaned up the chaos on the docks, but they eliminated over 600 barges, which served as temporary river storage and helped to congest the harbor.

During the military buildup, practically all physical facilities in the Saigon area for the unloading of ocean vessels were at the Port of Saigon. These included 13 deep draft berths, 26 in-transit storage sheds adjacent to the docks, and 17 to 21 buoy anchorages in the Saigon River. The military utilized six draft berths and 13 in-transit sheds during the busiest time period, from late 1965 through early 1967. The biggest problem encountered during this period was that the port facilities capability to discharge cargo, even though strained, was still greater than the capability of the military supply depots, USAID warehouses and contractor's facilities, to absorb it. I was told that some of the reasons for this were:

(1) The advance summaries and stow plans sent out by the responsible military authorities in the United States frequently were incomplete or in error. Also, as Messrs. Adlerman and Morgan found in 1966, the cargo manifests from U.S. ports either were late in arriving in Vietnam, or, in some cases, never arrived at all.

(2) The physical condition of the facilities at the Port of Saigon were in deplorable condition and yet, as late as February of 1967, the responsible 1st Logistical Command had not acted on proposals, costing $300,000, to remedy the port deficiencies.

(3) The material handling equipment—forklifts and cranes—at the port was a critical item because only half of the authorized quantity was on hand, and it was deadlined for maintenance and repair at least one-fourth of the time. Such equipment was generally operated on a 24-hour day basis. Shortages of spare parts also kept the machinery out of action.

(4) While 90 percent of the tonnage transported from the port to the consignee was carried in commercial trucks, the long unloading time at several installations cut into a reasonably efficient estimate of 12 hours "turn-around time." (All consignees were located within 25 miles of the port.)

(5) The discharge capability of the port was affected by the limited availability of barges to receive cargo discharged from vessels anchored at the buoys and the frequent lack of tugs to move the barges to consignee locations for unloading. Additionally, the barges were kept loaded at anchor for long periods, under contract with various importers. They served as floating storage facilities because of the lack of wharf facilities. The tugs operated by the Army had exceeded their planned life of 14 years. In December of 1966, 33 percent of the tugs were deadlined because of age and lack of marine maintenance.

We were told that, in addition to the fine work done by the 4th Terminal Command, the combined actions of the Military Assistance Command, Vietnam (MACV), USAID, and the Vietnamese Government were the principal reasons for the relief of the port congestion. To quote from the briefing material furnished us:

"(1) Increasing the number of buoys, barges, and tugs in order to discharge as many vessels as possible in stream.

"(2) Improving the efficiency of the port through use of pallets and materials handling equipment (MHE).

"(3) Institution of better storage practices in order to assist importer in locating and outloading their cargo.

"(4) *The construction of Newport, permitting the U.S. military forces to vacate and return to the commercial port four deep draft berths.* [Emphasis supplied.]

"(5) Organization of an 'importer task force' which visited importers on a continuing basis to determine the reasons for the importers' failure to remove cargo from the port.

"(6) The development of upcountry mili-

tary ports which obviated the need for transshipment of military cargo through Saigon.

"(7) The AID/DOD agreement whereby certain GVN cargoes are carried under military cognizance and delivered directly to upcountry ports, obviating the need for transshipment through Saigon."

In addition to alleviating the port congestion, the actions taken have resulted in the proper storage of cargo in both open areas and in transit warehouses, as well as rapid discharge to the waiting consignees. Ship "turn-around time" has been sharply cut from a high of 89 days in August 1966 to an average of 7 days in May 1967; 6.2 days in September 1967; and 5 days in December 1967. The specified demurrage for voyage-chartered ships which have to wait for berths or which are held up by slow discharge has dropped markedly as follows:

Time period	Number of ships	Amount of demurrage
Fiscal year 1966	85	$2,480,722.60 plus 69,125.06 new francs.
Fiscal year 1967	96	$2,749,728.76 plus 55,583.19 new francs.
Fiscal year 1968 (1st 5 months)	10	$107,577.65.

A "congestion surcharge" for "liner" or "berth term" ships is imposed by the shipowners on a per-ton basis for cargo delivered to a congested port. This, too, has decreased from $8.25 per revenue ton, at the August 1966 peak to $3.50 per revenue ton in July 1967.

Finally, barge congestion has been remarkably decreased from a peak of 966 barges under load with non-customs cleared cargo on March 20, 1967—658 had been under load for more than 30 days—down to only 3 such barges on November 3, 1967, and only one of them had been under load for more than 30 days.

The additional port facilities, known as Newport, are as modern a facility as can be found in any world port of comparable size. The facilities consist of 4 deep draft berths, 2 LST ships, a landing area for smaller craft (LCM, LSU), 700 feet of barge wharf, and several transit sheds. A highway interchange and bridge supposedly are contemplated in the future. It is located upriver from the main Saigon port. Newport has released four deep draft berths at the Port of Saigon for commercial uses. The additional major ports that have been developed on the eastern coast at Cam Ranh Bay, Qui Nhon, Da Nang and elsewhere have greatly improved the port situation in Vietnam.

Several criticisms, however, have been leveled against the construction of the Newport facility, and some of them appear to be well-founded. In October 1965, Newport was justified on the basis of a continuing need to serve the Saigon area. The original cost estimate was $13.8 million. The proposed scope of the work included deep draft berths which could accommodate class C–4 (large) cargo ships as well as LST's, and other smaller craft. The first funds were received in early January 1966 but late in the same month the Parsons-Certeza Construction Engineers Co. found that "the soil conditions at the site are extremely poor" and they recommended that "deep pile foundations" be used. The result was that the Newport design was changed from sheet pile bulkhead to much more costly jacket-template construction.

On May 9, 1966, the director of construction, MACV, gave the Newport project the highest priority of all construction projects in Vietnam. Then, on August 4, 1966, MACV *requested nearly $30 million additional funding for the project. The entire project,* counting the highway interchange and bridge (increment III), *is now estimated at $70 million, as compared with the original estimate of $13.8 million.* The main reasons for the huge increase were said to be: (1) Soil conditions were far worse than known at the time of the first cost estimate ($16 million more); (2) The change in scope since the original cost estimate ($25 million more).

We learned that few questions were asked "until late in the game" about the physical limitations of the facility. Then, alternate plans were discussed, such as building the port at the coastal city of Vung Tau—the Saigon River mouth on the China Sea some 45 miles southeast of Saigon—and constructing a connecting road to our large military complex at Long Binh so as to bypass Saigon. (A similar connection was accomplished in Thailand when the U.S. Navy port at Sattahip, located some 75 miles Southeast of Bangkok, was constructed to tie into a road network that bypassed Bangkok while reaching out to several of our other bases "up country.") However, this appears to be "after-the-fact reasoning" at best.

In addition, the plan to provide 4 deep berth drafts at Newport to accommodate C–4 vessels has not been accomplished because there is insufficient space to turn the ships around in order to dock. I have been told by the Navy's construction office that the added cost to build the Newport facility for C–4's rather than the smaller C–3 cargo vessels is between $2.8 million and $4.8 million. There would be an additional expense of some $1.7 million to widen the turning basin.

Just before my arrival, the largest cargo vessels going into Newport were the class 2 (C–2) ships because of the turnaround problem. According to the 4th Terminal Command, more cargo still continues to flow through the Port of Saigon than through Newport. The modern use of "roll-on, roll-off" vessels is also precluded at Newport because of the turnaround problem.

While the logistics problems that created the need for a facility like Newport were real and demanded solution, it does not seem to me necessary that the facility must be built to standard permanent specifications. In view of the pressing dollar requirements we face not only in Vietnam but at home, and since—we devoutly hope—we are not in Vietnam forever, it is questionable whether we must build—as we have—with a permanence that will endure through the ages. Finally, it seems proper to ask whether we should build permanent installations when we are in another country on a temporary basis. There are so many places that the American dollar could otherwise be used wisely in Vietnam and at home. "Nothing but the best" seems to be the prevailing attitude in our construction efforts in Vietnam.

III. Theft, diversions, and corruption

(a) Theft

The congested conditions in the port of Saigon that were described in last year's report have changed considerably, as I have described in earlier sections of this report. Indications are that cargo moves through the port with little difficulty to its first destination—military, contractors' warehouses, and some 80 different AID locations all within 25 miles of Saigon.

The cargo is shipped under a transportation control and movement document (TCDM) which is prepared by cargo checkers assigned to the Cargo Accounting Division, Fourth Terminal Command. One copy of the document is left with the checkers while the goods move under guard to the consignee. If the goods are correctly described, the consignee signs the document and that copy ultimately returns to the accountants and is matched with the suspense copy. Much effort has been given to making sure that individual consignees understand the procedure and the importance of using the TCDM. To prevent forgery of the documents, a "chop" system is being introduced. This is a control device whereby the location of the "chop-mark" is changed daily on the documents, although it can be easily identified by a template device.

The condition that remains most difficult to control is the collusion between Vietnamese racketeers, military and civilian personnel, and the gate checkers on the docks. Collusion permits unauthorized persons to take goods off the docks.

In fact, the General Accounting Office has found—contrary to what the subcommittee was advised—that even late in 1967 there were no statistics or records available to indicate the amount of cargo lost or stolen *while in transit through the port.* There is documentation in the form of ships tallies showing cargo discharged from vessels and there are the transportation control movements documents which show the cargo moving out to the various consignees. But the cargo shipped in has not been reconciled to the cargo discharged and thus there was no determination made on cargo lost in transit through the port. The Fourth Terminal Command has recognized this weakness and is working on it, but it was shocking to me that nothing was done about it for such a long time.

It seems to me that a security fence should have been placed around the entire port area long ago. The adjacent area should have been appropriately lighted. Land and water police patrols should have been assigned to keep the discharged cargo intact at least until it was counted and moved on to its first destination. When supplies of all types—military, military construction, contractors' materials, and AID commodity import program and counterinsurgency goods were all coming into one main port area at the same time, it became increasingly important to insure proper control over them from the time they arrived at the port until they moved to their destinations.

(b) Diversions

It is not surprising that lost or stolen goods were given or sold to the Vietcong. The fact that many Vietcong are unidentified is important in considering their ability to buy on the open market. Their ability to obtain such diverted goods at low prices is to their economic advantage just as much as interdiction of their efforts is to ours.

There are two types of diversions—economic (theft for profit) and strategic. It is difficult to determine the amount of the diversions—especially the diversions of rice, which will be discussed later in this report.

Much Vietcong diversion is carried out through use of their own checkpoints. Our officials in Vietnam now seem to accept this as a reality of life more than they did in October 1966. We were told that the Vietcong exact three different types of taxes on the production and transportation of rice. They are:

(1) *Production taxes.*—These are percentages of the production surplus after allowances for family consumption and seed requirements. Percentages are usually from 20 to 50 percent and the taxes are taken either in cash or in kind.

(2) *Sales taxes.*—These are variable percentage taxes taken in cash on the proceeds of commercial sales.

(3) *Transportation taxes.*—The Vietcong taxes rice moving out of the Vietcong areas. The tax usually is set at 15 percent and is taken in cash.

There is no question that diversions are important in other commodities as well.

(c) Improper Use of PX Supplies

Adequate control of PX supplies, now handled by the Army except for those in I Corps, under U.S. Marine Corps control, has improved considerably since so much attention was focused on PX losses and diversions and improper distribution and use of many

PX items. We were told that the Army had $4.2 million in maritime losses, from March to November 1967, from a total of $229 million of merchandise shipped. The actual accountability loss was about $6 million for over $600 million of merchandise in the inventory. The accountability loss is attributable to poor accountability, shoplifting, salesclerks taking money, shrinkage, and other factors. When the loss reaches a figure of over 1 percent of the inventory, an investigation is automatically undertaken.

In spite of control improvements, a considerable amount of diversion still occurs. The main post exchange which we inspected was well stocked with items which were in short supply a year ago, such as transistor radios, stereo sets, photographic equipment, and other luxury items. There was notable increases in the supply of basic "health and comfort" items, toothpaste, shaving cream, etc. Many of these products can also be found in the street vendor stalls in downtown Saigon. Some of them bear the Federal stock numbers, and almost all have PX price markings on them. They are probably resold to the vendors by PX customers. On "PX Alley," Tu Do Street near the National Assembly, the PX item seemed to have disappeared, probably because of official pressure. However, there were quantities of PX supplies in the small stalls which are found on almost every principal street of Saigon.

(d) Black Market and Currency Manipulations

AID and our Embassy officials seemed to indicate that the black market was not a very serious thing. (One assistant to the AID Director said that the black market rate has been "stabilized" for some time at 155 piasters=U.S. $1, but that it was about 200 piasters=U.S. $1 some 1½ years ago.) The U.S. Army provost marshal, on the other hand, indicated that the current rate was as high as 180 piasters=U.S. $1 regular currency—so-called green dollars to differentiate them from military payment certificates (MPC's). In fact, we were told that there was also a black market rate for the military script at a current rate of 140 piasters=$1 MPC.

The U.S. provost marshal did not minimize the existence of the black market and the currency manipulations associated with it, but instead gave us specific examples of the problems being encountered. Some examples were:

(1) An accomplice in the United States sends green dollars to a serviceman in Vietnam via registered mail. The serviceman sells the green on the black market at a profit for military payment certificates (MPC). He then purchases dollar instruments (e.g., postal money orders, Treasury checks, bank drafts, etc.) which he sends to his accomplice, who uses these instruments to obtain more green dollars, and the cycle repeats itself. One recent case involved a military postal money order clerk who sold himself the postal money orders without completing the MACV form 311, required to record amounts and purposes. This particular case involved in excess of $10,000.

(2) A noncommissioned officer who managed an open mess replaced personal checks cashed at the mess with MPC's to obtain the checks as dollar instruments. He then sold the checks on the black market for a profit, which was then used to replace additional personal checks to be sent to U.S. banks in the form of bank-by-mail deposits.

This procedure completely circumvents the MACV form 311 system. The offender in this case transferred more than $65,000 to a Swiss bank through one bank account of the several he maintained.

(3) Finance personnel have been known to manipulate the sale of piasters above the official preferred rate of exchange, realizing about 38 piasters profit per dollar. (This is not possible any longer since all rates—official, individual, country to country—are set at 118 piasters=U.S. $1 now.) The profits realized would then be used to replace green turned in to finance offices for conversion which, in turn, would then be sold for additional profit. Collusion among finance clerks would produce treasury checks of the Vietnamese Government to transmit the profits. Some persons are known to have made profits in excess of $200,000.

(4) At the rest-and-rehabilitation center, Ton Son Nhut Airbase, just outside of Saigon, a serviceman starts out with a $100 MPC, representing his pay. He solicits the assistance of other personnel going on rest-and-rehabilitation trips to convert it to green dollars, which are then sold on the black market for a profit, and the cycle repeats. It is estimated that funds in excess of $500,000 have been converted in this manner. A recent development has been obtaining permission to go to Bangkok or Hong Kong on military planes for weekends. When a person is on the airplane's manifest, the Tan Son Nhut exchange booth converts his money to green dollars, which are later sold on the black market for a profit.

(5) U.S. civilians in Bangkok purchase U.S. green dollars from the legal money exchanges in Bangkok. They then travel to South Vietnam aboard commercial flights and sell the green dollars for a profit. They use false military identification cards to purchase U.S. dollar instruments, selling them for a profit or returning to Bangkok and depositing them in their bank accounts. One offender mailed in excess of $15,000 to the United States by fourth-class mail which was finally intercepted during a U.S. customs inspection. It is estimated that several hundred thousand dollars have been converted in this way.

The person who obtains profits in Vietnam has the problem of getting the money out of the country. The usual method is to falsify a MACV form 311 by overstating the amount of money received on his last payday. Since form 311 cards presently must be manually filed and checked, and some 400,000 cards are generated each month, it is practically impossible to keep up with the manipulators. An automatic data processing system now is being set up for rapid processing of the cards. This will identify the large-scale manipulators, but the provost marshal knows of no way to identify the one-time offender who spends his profits in the country. Another method to take money out is to buy more than one airline ticket and sometimes one or more automobiles while in Vietnam. The air tickets are cashed and the automobile purchases are canceled upon arrival in the Untied States.

(e) Corruption

This subject could be discussed throughout the entire report. It was a vital matter when we first became involved in South Vietnam and it will be vital until our last citizen leaves the country at the end of our commitment.

The December 1967 issue of Harper's magazine has an excellent article by David Halberstam on corruption in Vietnam. Halberstam was interviewed by a subcommittee staff member and furnished invaluable leads which we tried to develop in the relatively short period of time we were in Vietnam.

There is, no doubt, much substance to his allegations. It is clear that the whole Vietnamese infrastructure, in the civilian government and the military and other aspects of the society, is riddled with corruption. The most difficult thing, of course, is to prove the facts about corruption in either a court of law or in a subcommittee hearing. A Vietnamese witness who testified about it could do so only at the risk of personal danger.

We talked with various newspaper men to whom Mr. Halberstam referred us. These people had all been in Vietnam for about 5 years. They were very knowledgeable about the country. They quietly put us in touch with some influential Vietnamese.

One person we met was a former high official of the national police. He spoke of corruption everywhere. He cited a Vietnamese Army captain who owns a bar at Long Bienh and has a half-dozen or so of his soldiers serving as bartenders and otherwise running the bar for him on a full-time basis. The man we spoke to said he lost his police post because he was too honest. The former police official now has been relegated to a relatively unimportant job.

Another person we talked to had been a cabinet minister in the government of Gen. Duong Van Minh, who has been exiled to Thailand. This man, very well educated with advanced degrees from a well-known university in the United States, similarly spoke of the pervasive corruption in Vietnam.

We received corroboration of these charges of corruption during our field trips in the Mekong Delta from U.S. field officials who related to us that corruption was widespread, from the Province chiefs down to the lower echelons.

There is no doubt in my mind that corruption in the Government and in the society of Vietnam is widespread, continuing, and extremely harmful to our massive effort in that country and to the prospects of the Vietnamese themselves for victory in their struggle and for eventual peace and stability.

All over Southeast Asia, I was told by both American officials and Asians that corruption is a way of life—that it is endemic to the societies of Asia. This may be so—and surely the experience of anyone who has lived in Southeast Asia will bear the officials out. But this is no excuse for doing little or nothing about it.

We know that the corruption of Government officials is a prime argument used by the Vietcong and other National Liberation Fronts to turn people against their governments.

We know that, in the long run, corrupt officials are not responsive to the people they serve.

Therefore, our policy must use the leverage we possess to assure that the Government of South Vietnam takes meaningful steps against corruption.

As one step forward the tax collection and enforcement system of South Vietnam must be substantially strengthened. Such a strengthening would not only provide additional revenue—improving the caliber and quantity of Government services—it would also create new respect for, and confidence in, the fairness of law enforcement in South Vietnam.

It is estimated that less than half the taxes that should be paid are collected. In the words of one U.S. official I spoke to, "Tax evasion is the name of the game." We have stationed Internal Revenue Service advisers in Saigon, and they can help. But here again, it is the Government of South Vietnam that must act.

Saigon has become a booming, bustling city. It is not unreasonable to ask those who are profiting economically from the war effort to contribute substantially more to the development of their country.

As an equally important step in a drive to reduce corrupt influences in the Government, the United States should give direct support and backing to the efforts now underway in the Government of South Vietnam to centralize the appointment of Province chiefs in the elected government—removing what has been a strong power from the Vietnamese Army corps commanders.

This step may appear on the surface to be a bureaucratic reorganization. In fact, it would be a major step forward in the fight against corruption.

At the time of our trip, great numbers of the provincial chief positions were being bought and sold. The going rate for such a job, I was told, was a $25,000 payoff to the army corps commander. Needless to say, the jobs would be worth the price. The Province

chief is the basic authority over funds and assistance that are funneled into his Province. The opportunities for favoritism, bribes and kickbacks are enormous.

The Central Government has spoken out strongly against corruption. Recently, the Thieu government announced the firing of seven Province chiefs. Their replacements have yet to be selected.

In the final analysis, the best weapons against corruption and the most effective tool for progress in South Vietnam is the placing of responsibility at the local level—giving the villages and hamlets a voice and a power over the projects to be carried out in their areas. Realistically, the more echelons that decisions regarding projects, contract awards, and financial assistance must go through—the more opportunities there are for corruption and graft.

The people of South Vietnam have an old saying: "There are six calamities that befall mankind—famine, fire, flood, drought, pestilence—and Central Government."

Traditionally, the activities of local councils and governments have been supervised in minute detail by the Central Government. Saigon has insisted on the uniform application of programs and assistance, often ignoring local initiative and unique local problems.

This has resulted in waste and inefficiency—like building schools where there are no pupils, and bridges where there is no traffic.

But more than that, the tradition flies in the face of modern self-government. Every society on the way to successful development—whether it is Taiwan or Puerto Rico—has reversed this tradition, and encouraged local and individual initiative.

Ordinary people must come to understand that they can influence the Central Government—that the Government will respond to their opinions or run the risk of losing office.

There is a long tradition of local elections of village officials in South Vietnam, and as the so-called pacification program proceeds, elections are to be held in each hamlet and village in the country.

There must be a meaningful transfer of power to the elected local officials. The most significant immediate power that could be given them would be the power to distribute Government-held land to landless peasants under the land reform program. Such a distribution would build an immediate bond between the new officials and the villagers—and provide concrete evidence of the good faith and concern of Saigon for the well-being of the South Vietnamese.

Second, local officials should be granted some authority to raise revenues locally and to use them for locally initiated and developed projects—projects the people can see and use. The impact of the present system, under which taxes are levied by Saigon and revenues are passed up and down the chain of government, was summed up well—if unintentionally—in a recent American booklet prepared by the mission in Vietnam as a guide to the Delta: "In a * * * third of the Delta, the government exercises sufficient control to bring the greater part of the *normal government services* to the people, *which take the form of forced levies on the people for money and labor.*" [Emphasis supplied.]

It is also necessary to proceed as rapidly as possible to expand elective government to the district and province levels—the next levels up from the hamlet and village.

Making province chiefs directly responsible to the elected government in Saigon would be a great step forward. In the long run, however, these province chiefs should be elective officials. In Vietnam, they represent the main channel between the local communities and the central government. So long as they are responsible to the central government, they will continue in the long tradition of government from the top down. If they are elected, there will be substantially more pressure on them to represent the desires of their constituents—rather than the will of the government in Saigon.

The new Constitution in South Vietnam states that province chiefs should be elected officials, but allows them to be appointed by the central government through 1971, if the government chooses. It seems to me that moves toward the election of province chiefs in those provinces where security permits would be an excellent step for the South Vietnamese government to take as soon as possible.

IV. Rice

(a) Production, Importation and Consumption

Rice is a key to our war effort today as it was when the first report was made to you last year.

The Agency for International Development has supplied me with information which shows annual rice production in Vietnam. The rice year generally starts in the fall. The rice is harvested in different locales from January through March of the following year. There are some double croppings annually in the I Corps area but the total production there, which has been reduced by increased military activities, has represented only about 9 percent of the country's annual rice crop. Sixty-eight percent of the production has come from the IV Corps area in the Mekong Delta. About 13 percent was grown in the III Corps area, and the II Corps area accounts for the remaining 10 percent of the Nation's rice production.

The total Vietnamese production for the past 5 years and imports of rice for the same period are shown below:

[In metric tons]

Period	Paddy	Milled rice equivalent	Imports
1962–63	5,205,000	3,383,000	----------
1963–64	5,327,000	3,463,000	----------
1964–65	5,185,000	3,370,000	128,451
1965–66	4,822,000	3,134,000	434,194
1966–67	4,336,000	[1] 2,818,000	773,126

[1] About ½ of the reduction from the previous year was due to flood damage. Also a 20 percent margin should be considered to allow for loss and for nonhuman consumption.

The imports in 1965 started because the United States supplied 25,000 tons of rice under Public Law 480 title I when floods ravaged central Vietnam. The emergency resulted in decreased shipments from the delta and deficit requirements from the northern two-thirds of the country. More American and some Thai rice was imported for 1964–1965.

The availability of rice decreased subsequently because of the decline in the surplus shipped out of the delta to Saigon, the flood of 1966, and the increased deficit in the Eastern and Central Provinces. That deficit was caused by increased military activity and more refugees to feed. While we were told that the deficits will begin to level off in the near future, the effect of the recent Tet offensive has undoubtedly made those predictions overoptimistic.

The estimates for domestic production, importation, and consumption for the ensuing year (1967–68) were represented to me as follows:

Milled rice

	Metric tons
Estimate of production, primarily from the delta	2,200,000
Approximate importation, with 600,000 to 700,000 metric tons to come from the United States	775,000
Total	2,975,000
Less additions to stored stock	50,000
Estimated to be consumed	2,925,000

The briefing material supplied to us indicated that AID officials do not have a good grip on the essential facts and figures of rice production, while one reliable AID source indicated that the consumption figures were probably the weakest of all.

I believe therefore that the accuracy of the foregoing figures may be questioned, and, more importantly, that all rice may not be used for the legitimate purposes for which it is intended.

We were told that the average daily consumption of rice is 1 pound per day per person. An estimated population of 17 million would consume 3,102,500 tons per year. The 2,925,000 tons noted above is based on a metric ton calculation, which is somewhat larger than the American measurement. The two figures therefore relate to each other.

However, some reliable sources in AID's Washington, D.C., headquarters state that the official estimate of rice that was needed beyond Vietnam's dometsic production was set at 35,000 metric tons per month in February, 1965. From the same reliable sources, we have learned that the mission in Vietnam was actually asking AID/Washington to finance additional rice in the amount of 100,000 metric tons per month—even before the Tet offensive. Not all of this would necessarily come from the United States.

There are two obvious questions: (1) Why has the estimate for additional rice tripled in 3 years' time, when the actual production has remained relatively constant and fairly high, except as affected by the 1966 flood? (2) Why has the need for more rice tripled when the holdings of secured land have increased annually, and while the population has remained relatively constant (between 16 and 17 million) throughout these years?

Rice is not cheap. Medium-grain rice is shipped at $175 per metric ton, and long-grain rice is shipped at $195. Both U.S. types carry $30 per metric ton freight costs. Foreign rice is similarly priced, although shipping costs may be less in some instances. Thus, at the 775,000 metric ton figure estimated by AID as imports for this year, the annual cost of the program is at least $135.6 million (for medium-grain rice) $151.1 million for the long-grain variety. Both prices are current under the Public Law 480 program.

Private rice producers have protested that they could command higher prices in the free world market, particularly for long-grain rice. We have received reliable information that our mission officials in Vietnam only recently realized that the Vietnamese prefer the cheaper, medium-grain rice to the long-grain variety long shipped to Vietnam. A colossal blunder appears to have been made.

We also have information that the Rand Corporation has made a study and is in the process of developing a report which will indicate higher production estimates for the current rice crop than AID is forecasting. The U.S. Army has recently made a report showing that some 500,000 tons of rice shipped into Vietnam cannot be accounted for. I have asked the subcommittee's staff to obtain these reports and investigate further.

In concluding these comments on rice, I should point out that the amount of rice in storage does not explain the variance among the aforementioned estimates, because the amount of stored rice is relatively constant, never exceeding some 130,000 tons, which is slightly more than 1 month's supply. However, this is not meant to say that all of the rice in the warehouse is kept in excellent condition. We accompanied representatives of the State Department's Inspector General's Office to a warehousing complex known as Thu Duc, which is located between Saigon and the large U.S. military encampment at Bien Hoa. The warehouses were constructed under AID financing and were then being used by the Vietnamese Government's Central Purchasing and Supply Agency. In this complex alone, inspection disclosed that

of the 70,000 tons of United States and Thai rice (worth more than $12 million) stored in the complex, some 12,000 tons (at least $1.1 million worth) suffered from spoilage and infestation.

(b) Price of Rice

We were told that at the start of the import program, the price of imported rice was converted into piasters at the rate of 60 piasters to the U.S. dollar, making the imported rice generally competitive with the domestic price of Vietnamese rice. However, the devaluation of the piaster in June 1966 and the steady rise in world rice prices has changed this to the point that imported rice without subsidy would be considerably higher in price than the domestic rice.

Therefore, the Vietnamese Government began a subsidy program with American encouragement at the time of devaluation in order to keep the rice price low. By the end of 1966, however, it was apparent that the large and growing subsidy could not be supported indefinitely. Some experts felt that this artificially low price also contributed to declining domestic rice production.

In March of 1967, the Vietnamese Government decided, again with our encouragement, that an increase in the price of rice was necessary. The price of medium-grain U.S. rice in Saigon was raised to 15,000 piasters per ton (18,000 piasters per ton if remilled) while the price of long-grain rice became 22,000 piasters (25,000 piasters if remilled). However, the Vietnamese did not raise the price in central Vietnam (I and II Corps) where the price remained at 11,800 piasters per ton. If these prices are continued in 1968, the government subsidy will be slightly over 7 billion piasters, not including storage costs.

We were advised by AID officials that a survey conducted by the Vietnamese Economics and Statistics Section of the Ministry of Agriculture had established the prices paid to farmers. The study involved 1,350 farmers in selected provinces of the Mekong Delta, who stated that they had more than one potential customer and that they averaged 12 to 13 piasters per kilo for high grade paddy rice. (Approximately 156 kilos of paddy rice produces 100 kilos of No. 1, 25-percent broken milled rice.) If, for example, the farmer receives 12 piasters per kilo for ordinary white paddy rice (which is better than "red rice" or "floating rice"), the price at the provincial capital's mills is about 13 piasters. (The miller accepts the brans and broken grains that result from the milling process as his compensation for the milling.) At this point, handling and transportation costs per hundred kilos would add 100 piasters, plus another 100 piasters for the wholesaler's margin. This would bring the wholesale price in Saigon to about 2,228 piasters per 100 kilos of white milled rice. With a retailer's margin of 100 piasters added on, the figure would rise to 2,328 piasters. It was emphasized that the rice market operates on about a 2-piaster spread per kilo between the wholesaler and the consumer. As is the case with other scarce commodities, the price usually fluctuates upward as the supply decreases.

The same officials did say that the price of paddy rice to the farmer 1½ years ago was only 7 piasters per kilo. They seemed to feel that the subsidized market conditions had resulted in a general increase in price to the farmer, and that therefore it had not been necessary to give any subsidy to the farmer. The difference in overall cost between the present system and the system of price subsidy to the farmer apparently has never been determined.

(c) IR–8 "Miracle" Rice

The rice economists indicate that the war has caused some 1.5 million people and 300,000 hectares of land to have been withdrawn from rice production in the last 4 years. This has relieved manpower shortages which have developed elsewhere but the question of further labor input into rice production at this time is of critical concern. Therefore, the economists feel that efforts to increase production must be restricted to efforts to increase yield.

Such increased production will have to concentrate on the introduction of improved seed varieties, increased use of fertilizer, and improvements in the distribution of other agricultural inputs and technical information.

AID's agricultural advisers, with the support of Vietnamese Minister of Agriculture Ton That Triuh, have recommended a high yielding rice seed, which is also responsive to fertilizer application. This rice, known as IR–8, was developed by the International Rice Research Institute in the Philippines. It was introduced to Vietnam in November 1967 in small plots at a hamlet known as Vo Dat, in Bien Tuy Province, some 100 miles northeast of Saigon.

The rice, when full grown, was planned to be used for early seeding in the delta in March 1968. Present yields for existing Vietnamese rice have ranged from 1.9 to 2.1 metric tons per hectare, from 1958–59 through 1966–67. Estimates, based upon testing of the new rice, vary from a conservative figure of 3 metric tons to a "not uncommon" figure of 6 metric tons per hectare. In fact, the experts are using 3.5 metric tons per hectare in their calculations to show that Vietnam eventually can be self-sufficient in rice.

Estimates were that 2,400 metric tons would be produced on the random 800 hectares now planted with IR–8 rice. Thereafter, the proposed growth schedule for the IR–8 acreage would be:

Year	Proposed growth schedule (hectares)
Fall of 1968	20,000
Fall of 1969	100,000
Fall of 1970	500,000
Fall of 1971	750,000

Vitally needed water control projects are planned for initiation in 1968 through 1971, to add an additional 250,000 hectares for IR–8 use. AID has also indicated that the first seed, presently used, costs about $200 per metric ton in its rough form, and that the farmers experimenting with it are "paying their own way" thus far.

The plan appears to be extremely overoptimistic—especially in view of security problems and the extremely rapid increase in hectares. The agricultural economists have pointed out other pitfalls to the success of the program:

(1) *Paddy price.*—Farmers must be assured of paddy prices which clearly make it profitable to grow rice and to adopt improved practices. Imports must be planned and prices set to hold market prices, especially during harvesttime.

(2) *Fertilizer requirements* are large for IR–8, over 100 kilos per hectare, and will increase with rice production. The present estimates are that the following tonnage of plant nutrients, in thousands of metric tons, will be absorbed:

Fall of 1968	48.0
Fall of 1969	70.0
Fall of 1970	94.0
Fall of 1971	122.5

It is also estimated that financing for fertilizer required for the 4-year period will be about $182.5 million (U.S.) plus 3,566 million piasters (GVN).

(3) *Plant-protection.*—The agricultural experts estimate that the following amounts of pesticides will be needed:

	Metric tons
Fall of 1968	1,800
Fall of 1969	2,000
Fall of 1970	2,400
Fall of 1971	2,600

The 4-year cost of this program is estimated at $44.5 million (U.S.) plus 170 million piasters (GVN).

(4) *Rice production training and demonstration.*—Extension advisers, both American and Vietnamese, are to be trained in IR–8 cultural methods to guide Vietnamese farmers. Some 50 American and 140 Vietnamese advisers are to train for about 2 weeks per course, and 1,000 controlled demonstrations were planned in 1968 and 1969. A Vietnam training center will be established.

The estimated cost of these services will be approximately $1.8 million (U.S.) plus 103 million piasters (GVN).

(5) *Farm credit.*—Studies show that credit and capital are important limiting factors upon agricultural production in developing countries. The experts say that the minimum agricultural credit inputs, including IR–8 production credit needs, should be supplied:

Fall of:	Million piasters
1968	896
1969	1,380
1970	2,485
1971	3,811

(6) *Water control and management.*—About 250,000 hectares of high quality riceland are planned to be converted for IR–8 production in the period from 1968–71. The program emphasizes smaller scale water control and management projects rather than long-term irrigation investments. The estimated financial assistance needed for these programs would be approximately 9.2 million (U.S.) plus 2,200 million piasters (GVN).

(7) *Seed research and multiplication.*—These requirements greatly increase as the IR–8 seed is adopted widely. The program calls for seed storage processing and laboratory equipment for use at rice research stations and training centers. No financial estimate for such a program has been given.

(8) *Labor requirement and mechanization.*—If the targets for the IR–8 production are met, the experts feel that this will result in a 6-percent increase in labor needs in fiscal year 1970, and a 20-percent increase in fiscal year 1971, assuming no progress in mechanization.

Alternately, if the optimistic estimate of 5 tons per hectare is realized, there will be a strong inducement for increased mechanization in the form of expanded use of tractors, power tillers, pumps, and power threshers. Labor input would thereby be reduced up to the same 20 pecent.

In any event, there would be either the added cost of labor or the added cost of the mechanization to be considered.

(9) *Marketing.*—The planned increase of nearly 50 percent in paddy production by 1970–71 will require expansion of the marketing system. Handling methods, storage, milling, and transport will all have to be made more efficient. Main reliance will be placed on the initiative and investment of private business. However, the experts anticipate the rice shipments from the delta, in thousands of metric tons, to be:

1968	338
1969	495
1970	475
1971	1,069
1972	1,321

The realism of these estimates in the light of heightened Vietcong activity is subject to question. In that regard, I am inserting a copy of a newspaper article, found in the New York Times of April 10, 1968, entitled "Lack of Security in Rural Areas Upsets South Vietnam Rice Plan."

"SAIGON, SOUTH VIETNAM, April 9.—A lack of security in large parts of the South Vietnamese countryside has seriously upset the American timetable for making the nation self-sufficient in rice production.

"The U.S. Agency for International Development said in January that it was confident a rice surplus could be created in just 3 years by introducing a new variety of rice seed, IR–8, in South Vietnam.

"But today a high official of the Agency said that the prediction had been far too optimistic. He said that, instead of planting the seed on 110,000 acres this year, as it had planned, the Agency had adjusted its goal to about 70,000 acres.

"The reason for the adjustment, he added, is the insecurity caused by the enemy's Lunar New Year offensive against the cities. In responding to the attacks at the end of January, the South Vietnamese Government pulled many of its rural security forces into the cities, leaving much of the countryside exposed to the enemy.

"ROADS ARE DANGEROUS

" 'The situation is improving, but the roads in several areas still are not secure enough for us to get fertilizer through to the farmers on a regular basis,' the official said. 'This variety of rice seed requires regular fertilization.'

"The Agency also fears that, in some areas, the rice would fall into the enemy's hands, at harvest.

"In January, when planning for the rice experiment was moving into its final stages, the agency and the South Vietnamese Ministry of Agriculture decided to send the new seed to what were then thought to be the most secure parts of the country's rich ricelands.

"The Agency referred to its rice program then as a 'major new thrust' against communism. It reasoned that when the seed substantially increased rice yields in secure areas, farmers in insecure areas would help the Government defense forces in order to get the special seed.

" 'One of the best ways to attack the Vietcong is through the pocketbook,' an Agency official said early this year. 'Now that rice prices have been stabilized in South Vietnam, even a very small farmer can do well by Asian standards if he can substantially increase his rice yields. And if the small farmers—the peasants—do well, the Vietcong philosophy will lose some of its appeal.'

"BOON TO PHILIPPINES

"In the Philippines, where the special seed was planted on a vast scale, it not only increased the incomes of farmers, but made the nation self-sufficient in rice production. The Philippines had been a heavy rice importer.

"Officials of the Agency were confident that IR–8 would do the same for South Vietnam. The country, once a rice exporter, is now importing 800,000 tons of rice a year—a development that has increased the financial burden on the United States and South Vietnam.

" 'But all of our hopes rested on having secure parts of the countryside,' an agricultural adviser said. 'We still have enough of them to get the program started, but it will not be nearly as big a program as we had hoped.'

"To arouse the interest of South Vietnamese farmers, agricultural advisers planted several small IR–8 plots in scattered parts of the countryside last year. The purpose of the program was to show that IR–8 would not only produce more rice per acre, but could produce two crops a year in some areas.

"The short growing cycle impressed many farmers immediately and agricultural advisers said that they had little trouble signing up applicants for the seed.

" 'Things really looked great,' one of the advisers said, 'until the Tet offensive came along.' "

This article corroborates my concern which I felt when I was in Vietnam last December.

Additional objections to the introduction of the new IR–8 rice to Vietnam were given to us as follows:

(1) Such new rice strains could wipe out the existing rice.

(2) Some Vietnamese say that they have failed with other experimental types of rice. Nationalistic pride seems upset because IR–8 was developed by the Institute in the Philippines and appears to be a success.

(3) Farmer education will be required because the IR–8 rice will require more fertilizer, more insecticides, and more work.

(4) Consumer acceptance is still to be determined.

(5) The product may be less nutritional.

While the program followed thus far seems to be constructive, considerable study appears to be required to determine the economic effects of introduction of the new rice. Particularly needed will be complete facts about the total costs of the ambitious program now planned and consideration of the possibility that economic problems may rise from an eventual overabundance of rice in the Vietnamese economy.

(d) Land Reform and Credit Initiative

Throughout the delta and other rice-bearing areas land tenure varies greatly. In some Provinces land is held by small owners. In others, large blocks are owned by families—often in violation of the 100 hectare (247 acre) limitation—and rented to tenants. In fact, about 60 percent of South Vietnam's land suited to rice production is cultivated by tenants—tenants who resent their landlords taking advantage of them.

It is a well known fact that of the 800,000 tenant farmers, the rental contracts held by more than two-thirds long ago expired. And it is certainly no secret that rental charges imposed on large numbers of peasants greatly exceed the authorized maximum charge, while rentals tend to increase when security conditions improve.

In a country whose very future depends on the peasant's confidence in his government—and a country so desperately in need of rice production increases—these breaches of the law are of critical importance.

For the relationship between a farmer and the land he tills determines both his desire and capability for increasing production. Indeed, it is estimated that rice production would increase from 5 to 10 percent if rental regulations are properly enforced.

If these tenant farmers received titles of ownership to land they work, pride of ownership would surely produce even more dramatic results.

While security is the first priority for South Vietnam, land reform must follow in its wake if the peasants in the countryside are to see concrete evidence of the Government's concern for them, and if a strong economic base is to be built.

It, therefore, seems to me that our mission in Vietnam should couple our investment in the IR–8 rice program with strong efforts to urge the South Vietnamese Government to undertake two programs concerned with land reform:

(1) The Government should distribute immediately—and, wherever possible, through local elected governments—as much of the land in its possession as is now secure; and the remaining titles should be given to farmers just as soon as conditions of security prevail.

(2) Hundreds of thousands of acres are now held by landowners in large blocks violating the 100 hectare (247 acres) limit. The newly elected South Vietnamese Government—with its clearly enunciated promise of land reform—must vigorously enforce the landownership limitation if it is to gain credibility with the people.

Landownership will encourage the Vietnamese peasants to increase paddy production by using the improved high-yielding seed, new technology, irrigation water, more effective pesticides, advanced agricultural methods and machinery, adequate fertilizer, proper storage facilities as they become available, and more efficient means of transport and marketing. All require investments of capital.

Financial limitations—not a lack of peasant initiative—will be the single most restricting factor after land distribution in the secure areas of South Vietnam has been carried out.

It seems to me that the United States should make every possible effort to see that two steps are taken immediately:

(1) The Government of South Vietnam should raise the price of rice received by the farmer in order to create greater incentives for the production of rice and capital for reinvestment; and

(2) The Government should develop adequate incentives for savings.

Estimates of the credit rice farmers will need by 1971 will exceed 20 billion piasters. The Agricultural Development Bank's goal of 5 billion piasters by 1971 will be helpful in extending short-term credit, but this sum will only serve a small part of the total requirement.

The Vietnamese people themselves are the main source of untapped farm capital. In Japan, Taiwan, and Korea the people are the prime source of funds for financing farm credit needs. This could be true in Vietnam, too, if the Government would develop adequate incentives for savings. Interest rates on savings and deposits are unrealistically low. The Government must allow rates to reflect the shortage of savings. It must also initiate savings operations in rural areas.

Rice production goals—long expired and never realized—are nothing new in Vietnam. This time, with technical and financial assistance from the United States, we hope for success.

But the burden of responsibility for success or failure rests with the South Vietnam Government. Secure conditions must be followed closely by widespread land reform and the creation of capital resources if success is to be the end result. Success is badly needed.

V. Military construction

(a) Raymond, Morris-Knudsen, Brown, Root & Jones

The RMK/BRJ (Raymond, Morris-Knudsen, Brown, Root & Jones) joint venture has handled practically all contracts for military construction in South Vietnam, with the one major exception of a "package" Air Force contract for an airfield at Tuy Hoa, which was handled by the Walter Kidde Co. with a ceiling of $47 million.

RMK/BRJ has been in South Vietnam for the past 7 years, doing construction work under contract with the U.S. Navy Civil Engineering Corps for which it built facilities, airports, docks, and many other installations. The contract, when it is phased out in late 1968 or in early 1969, will total approximately $1.4 billion. RMK/BRJ is operating under a cost-plus-award-fee (CPAF) contract which provides a 1.7 percent fixed fee, if the contract is performed correctly, plus a maximum incentive of 0.76 percent if the contractors meet the Navy's established criteria for outstanding performance. The incentive fee is fixed and paid on a periodical basis. Thus far the combine has received the maximum amount each time that the Navy has made a determination.

Projects current, at the time of our visit, included the following:

(1) *Port of Hue.*—This will allow 4 LST's to unload simultaneously and will also provide a storage area.

(2) *Civilian casualty hospitals.*—Three hospitals will be at Da Nang, Chu Lai, in the north, and Can Tho in the delta. They will total 1,100 beds and will be completed in the summer of 1968. This contract may be a lump sum contract instead of CPAF.

(3) *Power generation and distribution systems.*—These will be for military bases only.

(4) *Completion of the water and sewage system.*—$10 million is estimated for this project.

(5) *Development of the Au Giang rock quarry.*—This is an AID project in the delta.

(6) *Extensive road building program.*—Some of this will be done by RMK/BRJ, some

by military troops, and some by Vietnamese Public Works Department.

The crash program of new construction and the surge of incoming equipment, materials, and supplies—all Government reimbursable—followed the military buildup of 1965 and reached a peak in the spring of 1966, although the work in place did not peak out until the following March of 1967 ($64 million).

The subcommittee was concerned in 1966 that RMK/BRJ did not appear to use necessary foresight to obtain sufficient personnel to handle the influx of material, nor did they apparently take other proper steps to insure receipt, storage, theft protection, and accountability for shipments. There was sufficient time to prepare; there was usually 3 to 4 months lapse of time between procurement in San Bruno, Calif., and delivery in Vietnam. RMK/BRJ had been on contract in Vietnam for a number of years.

In fact, the RMK/BRJ manager of procurement and supply acknowledged failure in satisfactory documentary and recordkeeping control, or physical control, or receipt, custody and disposition of materials. We have learned that, because of RMK/BRJ's initial negligence, there was no intention to keep proper records of the supplies or of the claims that should have been made for short or improper deliveries. These claims against suppliers normally should run into the millions of dollars for a contract of this size. It was also learned that RMK/BRJ intended to build the lack of accountability to a sizable amount so that the very magnitude of the unaccounted-for items would facilitate the issuance of a waiver of accountability for them. Further information indicated that the procurement officer, Bernard J. Coyne, was sent to Vietnam specifically to aid the combine's cause in waiver negotiations with the Navy. Morris-Knudsen did get a writeoff of between $25 and $32 million for earlier work in Alaska, and Coyne was reported to have said there was no need to worry about Vietnam on this score.

The minutes of an RMK/BRJ "managers and superintendents meeting," dated July 12, 1966, indicated that Coyne had estimated approximately $45 million worth of materials would probably not be accounted for because of theft, unapproved withdrawals from warehouses, and improper paperwork. The obvious implication was that the fault, if any, for this loss would be placed upon the Navy.

Since that meeting, the General Accounting Office has had personnel assigned to auditing and review of the RMK/BRJ contract. In May 1967, GAO reported to the Congress that millions of dollars worth of materials and supplies had been dumped in temporary open storage areas and were issued directly from them without controls. *The GAO felt that it would be practically impossible to reconstruct, with any degree of accuracy, the accountability for materials and equipment which have been:*

(1) Used on authorized construction projects without accountability.

(2) Appropriated without authorization or documentation by military units or others for use outside the scope of the contract.

(3) Damaged, pilfered, or stolen.

At the same time, the GAO said the contractor could not account for approximately $120 million worth of material shipped from the United States to Vietnam.

Now, however, we have been told by both RMK/BRJ Officials and Navy officers that the $120 million of materials reported unaccounted for, has dwindled to a mere $5 million carried in the "in transit" account.

RMK/BRJ has engaged a firm of accountants—Touche, Boss, Bailey and Smart—who assisted in the materials accounting work. The tremendous decrease supposedly has resulted from: (1) extensive engineering studies about materials that have become in-place, and products in the construction work; (2) materials actually on hand but not properly entered in the accounting records as well as materials issued without proper documentation; (3) known and reported cases of thefts or other losses; (4) unaccounted-for materials left in the "in transit" account.

In addition to this supposed $5 million carried in the "in transit" account, RMK/BRJ officials stated that another $5.6 million of equipment, materials and supplies, had been "surveyed" as worn out, lost or stolen. Navy officials stressed that equipment does not wear well in the Vietnamese environment. The Navy said that the actual survey work is done by the Army, after the Navy turns over the equipment, since the Army is the disposal agency. We were also advised that total RMK/BRJ procurements were $465 million, consisting of $340 million in materials and supplies, and $125 million of equipment.

I find it incredible that the RMK/BRJ joint venture could reduce the total figures for unaccounted-for materials and supplies from $120 million in May of 1967 to $5 million in November of 1967, *particularly after GAO had indicated such a lack of accountability controls.* It is hard to believe that the Navy would acquiesce in what appears to be some form of coverup or subterfuge. In my view, the information given to us was completely unconvincing.

I learned in Saigon that the GAO has done very little about this matter since the report was issued in May of 1967. Our subcommittee's staff is primarily engaged in working on the riot investigation, but the GAO does have personnel assigned to Vietnam. I personally feel that we would be remiss in our duties if we failed to seek the facts. I believe that the GAO should take a hard close look at this situation so that any obvious deficiencies can be corrected while there is still time.

(b) Pacific Architect & Engineers—Grand Hotel

The Army Procurement Agency entered into a cost-plus-fixed-fee contract with Pacific Architect & Engineers (PAE) in 1963 to provide management and to operate and maintain physical facilities and utilities of installations used by the U.S. Army and related units throughout all of South Vietnam. The 1st Logistics Command of the U.S. Army, Vietnam (USARV) was designated to administer the contract for the Army.

The work done by PAE under the terms of the contract is somewhat comparable to the work of an Army Post Engineer at continental U.S. Army posts in the field of repair and utilities (R. & U.) work. The size of the contracts have expanded rapidly, from an estimated $500,000 reimbursable cost for R. & U. service to 5,000 troops at nine military locations in 1963, to $133 million for R. & U. and related services for 500,000 troops at 97 military locations by the end of fiscal year 1967. The cumulative dollar amount is second only to the RMK/BRJ total construction contract. PAE's employee ceilings are presently set at about 27,000 persons.

Mr. Adlerman and Mr. Morgan first learned about this company when two former employees came to them during their October 1966 visit to Vietnam. The employees were concerned about a construction project that this company had undertaken in very questionable circumstances. It was known as the Grand Hotel, located at Nha Trang, Vietnam. In mid-year 1965, the U.S. Army determined that office space, troop barracks, and messing facilities were required in Nha Trang for a Field Forces I headquarters. The only facility readily available was the Grand Hotel, formerly a commercial hotel which was then being used by the Air Force for billeting under a lease arrangement with the Vietnamese owners.

The 1st Logistical Command leased the hotel from August 16, 1965, to August 15, 1966, at an annual rent of about $78,300, with the option to renew for 4 additional years at approximately the same rate.

The initial Army estimate was $208,423 to renovate the hotel and its annex as a headquarters site, including a 600-man cantonment, powerplant, and electrical system. However, when it was determined that congressionally appropriated military construction funds (MCA) were not availabe, it was then determined by the Army that operation and maintenance (O. & M.) funds would be used. The statutory limit for the use of such funds under these circumstances was $25,000. The 600-man cantonment (25 billets) therefore was reduced to six billets, seven air conditioners were deleted, the total was reduced to $73,655 with each of six individual segments of the project reduced to less than $25,000.

The estimates, before and after revision, were:

	Initial estimate	Revised estimate
600-man cantonment	$121,500	$22,800
Powerplant	22,000	22,000
Security fence	16,200	16,200
Renovation of Grand Hotel	2,221	2,221
Renovation of annex and garage	1,434	1,434
Electrical distribution	45,068	9,000
Total	208,423	73,655

The facts are that the Army, on August 16, 1965, verbally gave PAE authority to start the renovation and construction under the regular R. & U. contract. Six individual job orders, *all under $25,000 each,* were approved by the 1st Logistical Command.

By early December 1965, it was apparent that the costs for the headquarters facility would far exceed the funding limitations. It was then estimated by the Army that the costs would be around $475,000 for labor and supplies, including some Government-furnished generators costing $90,000. PAE at the same time was estimating the costs to be about $787,000, including some $253,000 in Government-furnished equipment.

At a meeting on December 17, 1965, between PAE and Army personnel, it was decided that new contracts should be executed to use assistance-in-kind funds, which are local currencies generated by country-to-country agreements in the form of counterpart funds. In fact, the Army approved two AIK contracts on December 31, 1965. They included some $175,000 which had been expended under the basic R. & U. contract and was backed out and put into the assistance-in-kind contracts. The first contract, AIK–14–66, was awarded on a cost-plus-fixed-fee basis, in the amount of $252,361, and provided for the supervision, labor, material, and equipment necessary to rehabilitate the Grand Hotel and Annex. The second contract, AIK–15–66, was awarded on a fixed-price basis, in the amount of $172,610, and provided for supervision and labor necessary to construct a 500-man messhall, three bathhouses, six administrative buildings (similar to billets), one water supply and distribution system, and one security fence. The Army was to furnish the necessary materials, supplies and equipment, all charged to AIK–14–66. On January 29, 1966, the contracting officer orally originated three individual job orders for the construction of a powerplant facility, power distribution system, and communications center in the total amount of $412,531. These were to be incorporated into the AIK–15–66 contract. We understand that the Army contracting officer did not necessarily agree with this arrangement, but indicated that this was the only way he could get the funds and that he was going to burn all of the records shortly after the completion of the project.

When the work was finished, PAE submitted public vouchers for reimbursement

totaling $701,973. The Army provided material and supplies valued at $294,253. The total recorded costs of the project were $996,226.

Significantly, the pertinent statute which was being circumvented here reads as follows:

"(Title 10, U.S.C., sec. 2674)

"2674. Establishment and development of military facilities and installations costing less than $200,000.

"(a) Under such regulations as the Secretary of Defense may prescribe, the Secretary of a military department may acquire, construct, convert, extend, and install, at military installations and facilities, urgently needed permanent or temporary public works not otherwise authorized by law, including the preparation of sites and the furnishing of appurtenances, utilities, and equipment, but excluding the construction of family quarters. However, a determination that a project is urgently needed is not required for a project costing more than $15,000.

"(b) This section does not authorize a project costing more than $200,000. *A project costing more than $50,000 must be approved in advance by the Secretary of Defense, and a project costing more than $25,000 must be approved in advance by the Secretary concerned.* [Emphasis supplied.]

* * * * *

"(f) The Secretary of each military department shall report in detail every six months to the Committees on Armed Services of the Senate and House of Representatives on the administration of this section."

It should be noted that the Secretary of the Army did not approve of the expenditure of this money in any way at any time and that the approval of the original job orders appears to have been a circumvention of the statute. The attempt to transfer the contracts to assistance-in-kind funds appears to have been both a circumvention of the same statute as well as a violation of a MACV directive on the use of some of these funds for offshore procurement.

PAE personnel and the Army contracting officer went to Hong Kong and Singapore to purchase material and supplies for the Grand Hotel project. Some $125,000 was spent in Singapore, in spite of the fact that assistance-in-kind funds are provided by the Government of Vietnam to U.S. forces for use only in Vietnam. The pertinent portion of MACV directive No. 35–1 to this effect is:

"Assistance-in-kind is authorized for contracts and services available in Vietnam only. AIK may not be used for goods and services provided from sources outside the Republic of Vietnam."

There were also definite indications that some of the PAE employees were receiving kickbacks for giving the business to certain Singapore firms. There were further indications that the contracting officer if not directly involved was purchasing inferior commodities at higher prices.

In addition the GAO accountants assigned to the subcommittee in Vietnam last year found that PAE records were poorly kept. However they were able to determine that $165,964 worth of materials paid for by the United States under the terms of the contracts were unaccounted for.

When our staff members were in Vietnam in 1966 they asked for an independent engineering survey of the Grand Hotel project. This request was turned over to a GAO accountant to pursue. He met with delay after delay but finally just before we left for Vietnam last December the engineering survey was given to the subcommittee. It is so conditioned in its premise that it is of little, if any, value. *Not surprisingly, the results based upon such conditioned premises nonetheless justify the expenditures that were made.*

On March 20, 1967, the Comptroller General, answering our request for an opinion, said that the provisions of title 10, United States Code, section 2674, including those relating to operation and maintenance funds, apply to construction and renovation projects in Vietnam in the same manner as they apply to similar projects in the United States.

The significance is that when the matter was called to the attention of the provost marshal at U.S. Army Headquarters, whose investigations division did a considerable amount of investigative work on this matter, the Army seemed to be completely satisfied with the facts as they remain. The Army had referred the matter of kickbacks involving a PAE civilian employee to the Department of Justice, and the U.S. attorney had declined prosecution, apparently because witnesses were scattered around the world. The Army also relied upon the worthless engineering survey to show that the costs were justified. The Army had nothing to say about the violation of the Federal statute or about the use of assistance-in-kind funds. No comment was made about the GAO's indication that some $165,000 in materials were unaccounted for.

Under these circumstances, and because the subcommittee was unable to pursue this matter further last year because of other business, I recommend that we ask the General Accounting Office to examine the situation to see if there cannot be some recovery for the Government.

(c) Pacific Architect & Engineers, General Information

Because of the haphazard manner in which Pacific Architects & Engineers seemed to be operating when Messrs. Adlerman and Morgan visited Vietnam in October 1966, the new GAO members assigned to the subcommittee to replace the two-man team that had worked on the Grand Hotel project were told to study the PAE operations in depth.

The rapid growth of the PAE contract has been explained. Because of it, PAE was able to eliminate any semblance of competition so that they had become, in effect, a negotiated monopoly on a cost-plus-fixed-fee basis. The rapid growth placed PAE in a commanding position in the planning and development of its R. & U. services even though they were of a relatively low priority. The Army, busy with the buildup, apparently gave little surveillance to PAE's operations. The commanding general of the 1st Logistics Command, who administered the PAE contract, told Alderman and Morgan in October 1966 that when the buildup began "PAE had to move fast, so there were few records kept." The general seemed pleased with PAE's performance, and stated to Adlerman and Morgan, "PAE has done a creditable job, in most instances, all over Vietnam."

The two-man team working for the subcommittee found, on a preliminary basis, that PAE in fact kept very few records and that many of those were inaccurate. There was a lack of documentation about whether or not their work performance had been relatively poor, as had frequently been alleged. The accountability control of materials and utilization of labor and equipment was inadequate and an effective cost accounting control system had not been established.

The two-man team found some other aspects of PAE's operations which were subject to question:

(1) PAE rented trucks and equipment which were Government-reimbursed at costs of several million dollars. There is a serious question about the necessity and proper utilization.

(2) PAE also purchased some $10 million of equipment through their own sources which they could have obtained more cheaply through normal Government channels. Many of these items were nonstandard.

(3) PAE installed a country wide radiotelephone communication system which parallels the military system to the same base camp locations. This Government-reimbursable expenditure is questionable.

(4) PAE's authorization to make direct purchases of equipment, materials and supplies because needed items were not immediately available through Government procurement and supply channels is economically questionable.

(5) Many PAE installations appeared to be overstaffed and poorly supervised while others were in exactly the opposite condition. The manning and equipping of PAE installations for R. & U. services obviously were not properly tailored to the real needs of each individual installation.

Although the Army indicated to us that this contractor is now under proper surveillance, and that the Army will attempt to "break out" portions of the overall R. & U. contract for competitive bidding, I believe that a complete audit of the PAE contract should be undertaken to determine whether considerable funds might be returned to the Federal Government.

VI. Narcotics

We were provided the following information by the U.S. provost marshal in Vietnam, who has staff jurisdiction over all of the U.S. military forces in Vietnam, about the number of marihuana and "hard narcotics" cases developed from January 1, 1967, through November 1, 1967. These statistics are:

Marihuana:	
Cases investigated	1,239
Offenders found	1,513
Morphine and heroin:	
Cases investigated	29
Offenders found:	
Military	34
Non-American civilians	10
Total	44

The foregoing information, although it doesn't bear out the allegations of John Steinbeck, Jr., that 75 percent of the troops "are on pot," nevertheless is in marked contrast to what a predecessor MACV provost marshal told us in October 1966 when he said that such usage was practically nonexistent.

There is no doubt that the use of marihuana is hard to control because it grows wild in the plains sector of the country and is of fairly good quality. There also is little or no processing involved in getting it from the fields to the user. The Government of Vietnam has no law prohibiting the growth of marihuana, only its use. One strong recommendation that the provost marshal representatives made to us was that we impress upon the GVN the need to prohibit the growth of hemp, as it is called there.

There is, of course, the classic argument whether marihuana is actually a narcotic, but it seems well established that its use tends to change the personality of the user. Certainly a military man who used it would be unpredictable and unreliable in a combat situation.

We were told that 11 of the more serious cases involved a group of "dippies" who all got "hooked" at the same time. They were all in the U.S. Army of Vietnam (USARV) command. A more serious warning came to us from U.S. Bureau of Narcotics officers, operating out of Bangkok, Thailand. We were told that they have some information that opium comes down from the Yunan Province (Red China), Laos, and Northern Thailand region both by pack animal and by truck and is transferred to light aircraft and flown to Vietnam where it is then air-dropped to waiting traffickers. Chinese merchants seem to be in this business, and there are some Chinese addicts located in the Chulon section of Saigon, but the officers suspect that this may be a part of a larger scheme to attempt to influence U.S. military men by the

use of, and eventual addiction to, these drugs.

The Government of Vietnam has a law prohibiting the illicit growth, use, and possession of opium and its derivatives and has recently posted rewards to limit the illicit supply of these drugs. The reward system pays the informational source some 5,000 piastres per kilo (about $42 per 2.2 pounds), which is a tiny fraction of the value of the narcotics but represents a step in the right direction.

Both the U.S. Bureau of Narcotics and the U.S. provost marshal—who, of course, is responsible for the enforcement of the military laws against the use of marihuana and illicit narcotics by our military personnel—have indicated they would like to have at least one Bureau of Narcotics representative assigned to Vietnam to work on the illicit flow into the country, to develop informants, and to render technical assistance to the military police. I have strongly urged that this be done, and it is hoped that this will be accomplished.

B. THAILAND

VII. Thailand foreign aid program

A summary of all information we received concerning the AID program in Thailand from AID Director Howard Parsons and his staff is reported below. The AID program is justified on the basis of combating counterinsurgency in the northern and northeastern portions of the country. This project, utilizing some $22 million of a total of $50 million for Thailand during fiscal year 1967, has a worthy objective. The rest of the program has merit in varying degrees, although some activities seem to have run their course and should be closed.

Thailand is a country three-fourths the size of Texas. The country has had 3.3 percent annual rate of population growth since 1961, when there were 27 million persons. The population in 1967 was estimated to be 33 million people. The overall gross national product, determined at 1965 prices, has grown from $2,626 million in 1960 to $4,242 million in 1966. A per capita GNP of approximately $107 per year in 1961 grew to $139 per person per annum in 1966. The distribution is not even because the gross national product for inhabitants of the north amounts to about $65 per person (with the actual cash crop amounting to only $25 per person annually), while the GNP in the central sector averages as high as $130 per capita per year. The central sector is predominantly agricultural, with the cash crop amounting to about $75 per person annually.

The key exports of the country include rice, rubber, tin, jute, corn, tapioca products, and teak. The rice exports as reported for 10 years, 1957–66, are:

Year	Metric tons	U.S. dollars
1957	1,570,000	$181,000,000
1961	1,576,000	180,000,000
1962	1,271,000	162,000,000
1963	1,418,000	171,000,000
1964	1,896,000	219,000,000
1965	1,895,000	217,000,000
1966	1,515,000	201,000,000
1967 (January–July)	1,050,000	161,000,000

Imports for the past few years show the United States in a very favorable position. This is particularly true when they are compared with the Government of Vietnam's commercial import program, where the United States only received $17 million out of a total of $306 million for fiscal year 1967. The Thai import figures are:

[In millions of U.S. dollars]

Imports from—	1962	1963	1964	1965	1966 [1]
Japan	168	204	235	257	292
United States	98	109	115	120	129
United Kingdom	51	57	66	74	71
Malaysia	2	3	10	8	9
Hong Kong, British Crown Colony	16	17	20	20	18
Federal Republic of Germany (West Germany)	41	44	55	77	65
Indonesia	40	39	24	18	21
Singapore	2	6	13	7	13

[1] Preliminary.

The following figures should be considered in determining the amount of aid appropriate to Thailand. They pertain to exports, imports, and the balance of payments.

[In millions of dollars]

Balance of payments	1961	1962	1963	1964	1965	1966
Exports	+473	+454	+460	+585	+609	+680
Imports	−492	−540	−603	−674	−760	−1,022
Other transactions	+97	+148	+188	+158	+233	+500
Balance	+78	+62	+45	+69	+82	+158
Yearend reserves	421	483	528	597	679	827

Our AID program to Thailand started in fiscal year 1949, and by fiscal year 1952, we had expended $16.1 million in the from of grants. On a cumulative basis, we have expended, through fiscal year 1967, $386.3 million in grants and $57.2 million in loans, for a total of $443.5 million. There is not a commodity import program for Thailand such as we have for Vietnam. We were told that there was such a program at one time, in which counterpart funds were generated and still remain to our credit, but that it was curtailed some time ago.

We heard estimates ranging from 50 to 93 percent relating to the portion of the AID program that is currently devoted to counterinsurgency. We were also told that 70 percent of the program is in the insurgent areas of the northeast.

We were given an estimate of 1,500 insurgents who are believed to live in the jungles and who are believed to receive training in North Vietnam. Recruitment and maintenance of terrorists derives from their relatives in the villages. Their propaganda theme states that the present Thai Government is so corrupt that the United States is taking it over, and that the future lies with China. They tell the people: "You will get tractors and you will get washing machines *from us*."

The insurgents work in areas most remote from the Central Government, where transportation facilities are limited, where economic circumstances are bad, and where the illiteracy rate is high.

One high-priority AID program is aimed at assisting in the training of additional national police. Some 11,500 police are to be trained in an 18-month period, with a goal of 20-man police forces in clusters of villages throughout the country, to patrol the villages and assist the village forces. These full-time police will have training in counterinsurgency. They will also have radio contact with other villages and the larger cities. This communications equipment, along with arms and ammunition, transportation equipment, et cetera, is being furnished through our AID program.

The second largest program pertains to accelerated rural development under the "field operations" sections of the seven operational offices within our Thailand AID office. This program has a budget between $16 and $18 million and is concentrated in the insurgency areas in the northeastern portion of the country. We were told that our main contribution is supplying road-building equipment and competent operators who serve to train the Thai at the same time. We also furnish sufficient spare parts. The purpose is to open up this portion of the country in an attempt to reduce the predominance of agriculture. Some water development is going on at the same time. We were told that both of these programs on counterinsurgency are to be completed in 5 years. We also are assisting the Thai Government in public relations with the inhabitants of this area. The Thai Government has set up a TV station which will receive technical assistance from us, and we have turned over a 50-kilowatt military radio station to them, located in Northeastern Thailand. We will also be giving technical assistance for the commercial operation of the radio station.

There are seven operational offices with the AID mission:

1. Public safety.
2. Field operations.
3. Agriculture.
4. Education.
5. Health.
6. Institutional development.
7. Capital development.

The major programs that our AID mission carries out in Thailand and the amounts involved for fiscal year 1967 were:

1. Civil police	$17,068,000
2. Accelerated rural development	12,502,000
3. Agricultural development	1,624,000
4. Malaria eradication	2,600,000
5. Technical support	2,211,000
6. Potable water	616,000
7. Aeronautical ground services	216,000
8. ARD training	1,611,000
9. Village radio	781,000
10. Comprehensive rural health	1,150,000
11. Chiengmai medical	458,000
12. Feasibility studies	635,000
13. Mobile development units	783,000
14. All others	7,547,000
Total	49,820,000

The foregoing, including "all others" actually break down to about 30 programs. In fact, Dr. Parsons indicated there were about 35 activities in operation.

The number of persons hired by AID in Thailand, as of December 1, 1967, was:

United States (246, direct hire; 78, from other U.S. agencies)	484
Thais	626
Total	1,110

Of these, 833 persons (337 United States; 496 Thais) are in the Bangkok area. Most of the remainder are "upcountry," although there are some 35 vacancies for persons in the public safety and road construction categories.

There is no doubt that some of these programs are not absolutely necessary. For example, we have had a malaria eradication program in effect in Thailand for 15 years, at an average annual cost of $2.5 million. The Thai technicians have been amply trained and the necessary equipment has been available for some time. Yet the program goes on, although we were told that it will be phased out by 1972. Dr. Parsons was in charge of the termi-

nation of our AID program in Taiwan. He has a good reputation as a tough and able administrator.

One of the criticisms concerning our AID program to Vietnam is also relevant to Thailand. There are too many AID people located in the metropolis of Bangkok and not nearly enough personnel out in the field—in this case, northeastern Thailand—to assist in getting the program through to the people we are trying to reach.

There is no doubt that bringing the citizens of a nation together is a desirable goal. It is worthwhile to educate them and to give them new skills. Our AID program in Thailand needs to be the subject of a continuing, rigorous examination. While the insurgency problem is a real one, and counterinsurgency efforts deserve our support, Thailand is a prosperous nation.

In view of the fact that Thailand now has almost $1 billion in foreign reserves, U.S. efforts should be directed toward the insurgency. General economic development is within the capacity and capability of the Thais.

VIII. Theft of PX supplies, excessive freight charges, etc.

(a) Theft of PX Supplies

In January of 1967, the Army and Air Force Exchange Service activated the Thailand regional exchange (THAIR) for the entire country. Previously there was a piecemeal arrangement in which the Army and Air Force operated upcountry exchanges from Philippine bases, while the Navy had been operating the exchanges in the Bangkok area.

The present operation has grown so that the exchange now operates 41 retail stores, 55 food outlets, one gasoline service station, and 95 concession activities throughout the country. There are 90 U.S. executive and managerial positions authorized to carry out these functions. There are 151 hourly U.S. employees—wives and off-duty servicemen—and the exchanges employ 1,756 Thai nationals. The Thai Government does not allow the employment of third country nationals in the exchanges.

The exchanges total sales of $20.9 million for the year at the end of November 1967 and the merchandise inventory was, at that time, calculated at $10 million. Sales of $40 million are anticipated for 1968.

There are seven branches established within the Thailand exchange region and, in the fall of 1967, each branch established a safety and security section which reports directly to the base, or operating unit's commander. Since the region's inception, 23 incidents of missing exchange assets were investigated, and these investigations resulted in the dismissal of 16 employees.

The post exchange representatives who briefed us did not seem alarmed about the retail accountability variance, which is the difference between the actual and book inventory, or shrinkage. The variance for the year ending January 1967 was 2.5 percent of sales in the amount of $8 million, or $195,000. Thus far in the ensuing year through November 10, 1967, the variance is only $198,000 on sales of $20.9 million, or less than 1 percent of sales. We were advised that losses under 1 percent are considered acceptable, but one-half of 1 percent is their objective. They also submitted marine claims to their shippers in the amount of $736,000 from January through September 1967. These marine claims or maritime losses, are based upon the difference between the merchandise manifested and the merchandise that is off-loaded in the country.

While the post exchange officials should be commended for their efforts, there was one thing omitted in their presentation to us, which we learned subsequently when we had a similar PX briefing in Vietnam; that is, *the post exchange accountability does not commence until the PX merchandise is placed in the exchange depot or warehouse.*

The U.S. Military Assistance Command, Thailand (MACTHAI), provost marshal explained to us that a major problem confronting the MACTHAI Command was the larceny of U.S. Government property, particularly regional post exchange merchandise. From January 1, 1967, through November 30, 1967, the regional exchange had experienced an in-country total loss from larceny amounting to $238,923.88. *Sixty-six percent of this loss, or some $157,128.06, occurred while exchange merchandise was being transported from the port of warehouses* or, in some instances, from warehouses to exchange outlets. *With few exceptions, the exchange merchandise is transported by a contracting agency,* known as the express transportation organization (ETO). We learned elsewhere that the ETO is a Government monopoly type of operation with 51 percent of it being owned by the Thai Government and 49 percent by prominent Thai citizens.

The ETO enters into contractual arrangements with all of the American agencies—governmental and civil—so that ETO has the exclusive right to haul the merchandise from Thai ports. This right is waived only when there are no ETO vehicles available to do the job. ETO has its own drivers, and the contract with the regional exchange provides that reimbursement of losses suffered during transit will be made *at the acquisition costs of the items involved.* This means little, because PX items can generally be sold at several times their acquisition costs.

Supplies are diverted in simple ways. Generally, through collusion between Thai checkers and ETO drivers, trucks carrying PX cargo are overloaded prior to their departures from the port area. If a truck is to haul 30 cases of cigarettes, 35 cases will be loaded, but the shipping documents will record only the 30 cases. During transit, the five extra cases will be disposed of illegally. Although the loss is ultimately detected, investigation and apprehension of the persons responsible is virtually impossible.

We learned from another source that on other occasions entire trucks and their loads have disappeared. Loose or improper control of the customary transportation control movements documents (TCDM's) can lead to unauthorized access either by legitimate drivers or by unauthorized personnel who falsify the TCDM, seize control of a loaded truck, and drive it from the port area. In fact, we were told that nine such loaded vehicles have been lost since the first of the year. We were told that several gangs are operating in and around Bangkok, and that they concentrate on PX supplies. The provost marshal did say that on one occasion the cargo was obviously unloaded after the truck was driven some distance from the port and abandoned, but the driver was apprehended. However, the man has not been prosecuted to date.

Finally, some $81,795.82 in exchange merchandise has been stolen from both warehouses and exchange outlets. The main problem, according to the provost marshal, is that the contracted Thai guards have proved ineffective, if not in collusion with the thieves. They are poorly paid, poorly trained, and lack supervision. Most importantly, the Thai Government does not allow them to be armed, for fear of insurrection. The provost marshal personally believes that the best solution would be to have the areas guarded by armed U.S. military personnel. However, he said that this course is avoided because of the shortage of personnel "and because of political considerations."

(b) Excessive Freight Charges

Robert A. Hines, Jr., chief of Bangkok operations for the shipment of AID cargo and supplies to Laos, told us about the excessive transportation costs charged by the express transportation organization (ETO). He said ETO's current rates are $17 per ton for AID cargo transported from Bangkok to Vientiane, Laos, and that the rate recently was $22 per ton. By comparison, Hines, who has been in the Thailand-Laos region for 12 years working for AID, has been able to do some trucking with the Ear Peng Chaing Co. which charges $13 per ton for the same work.

Hines has been responsible for the following tonnage in shipments to Laos over the past few years:

	Metric tons
Fiscal year 1964	[1] 2,338
Fiscal year 1965	[2] 3,852
Fiscal year 1966	9,010
Fiscal year 1967	16,289
Fiscal year 1968	[3] 10,336

[1] AID items only.
[2] Noncommercial items.
[3] As of Nov. 30, 1967.

While Hines did not give us a monetary figure for any of the other years, he said that the amount for fiscal year 1967 would be about $500,000 plus another $100,000 for technical support. This contract has been going to the ETO because of their monopoly status, but Hines feels that 30 percent could be saved by utilizing independent truckers such as the Ear Peng Chaing Co.

Hines said that both companies have to pay 20 baht (approximately US$1) to Thai customs at each of five checkpoints between Bangkok and the Laotian border to avoid detention of as much as 6 hours by customs. These payments are "built in" to the freight rates so that the customer, in effect, pays for them.

Hines also said that if any cargo is lost, a "recovery fee" of 30 percent of the value must be paid to the police, or 40 percent to Customs if the cargo is found by either of the two groups. Very little is ever found.

It seems imperative to me that it should be made clear to our American Ambassador in Thailand that every effort should be made to rid our military and civil agencies of the contractual net in which they have found themselves enmeshed and these blackmailing tactics should be curtailed by exposure.

(c) Narcotics

For the Military Assistance Command, Thailand (MACTHAI), the Provost Marshal told us that the number of Military narcotics violations had jumped from a total of 24 in 1966 to an 11-month total of 172 in 1967. He said all of the violations involved the possession and/or use of marihuana and that they were primarily attributed to increased troop strength, greater enforcement capability, and/or intensified traffic from sources within Thailand. Most of the offenders were between 18 to 23 years of age who were trying the marihuana "for kicks." As a deterrent, the military is placing command emphasis upon explaining to military personnel the dangers inherent in the use of marihuana. Additionally, MACTHAI has formed a team composed of military police and Medical Corps officers who will visit all Army units to counsel all personnel about the dangers of marihuana and other drugs. If this has not already been done, I believe that the same team should indoctrinate all military personnel serving in Thailand.

IX. Military construction

The U.S. Navy's Civil Engineering Corps is also in charge of military construction throughout Thailand. The program commenced in fiscal year 1965 and, at the end of November 1967, had funded approximately $425 million for the overall in-country construction program. The amount of work in place, on the same date, was approximately $330 million and the total amount obligated for the entire program is approximately $435 million. Construction is to phase out in fiscal year 1969. In that regard, the officer in charge of construction gave us a briefing figure of

"zero" as the construction costs for fiscal year 1969. He subsequently admitted that such an estimate was actually an unrealistic projection. The adequacy of military construction funding estimates for Thailand deserves close attention by the appropriate Senate committees.

The work has involved the construction of airbases and military cantonments at several locations, including Sattahip, Korat, Ubon, Udorn, and Vientiane in Laos. The Navy has had 11 contracts to administer. One of them is a State Department-U.S. overseas mission contract. Nine of the contracts are fixed fee types, with most of the work being done by local contractors. In fact, several other countries (West Germany, Italy, Japan) are represented among the contractors but they are required to associate with Thai citizens to obtain a license to operate in Thailand. There were 10,249 personnel working on all 11 contracts in July 1966 and the employment peak was reached in the spring of 1967 when 17,761 workers were employed on all contracts.

The two cost-plus-award-fee contracts administered by the Navy involved two American joint ventures: Utah-Martin-Day, a west coast combine, and Dillingham-Zachry-Kaiser, a Hawaiian combine. The former handled the construction work at the large Korat Airbase, located 150 miles north of Bangkok. In November 1967, $42 million had been obligated to the contract, $34 million had been committed, and the accrued cost had reached $23 million. Each contract has a fixed fee of 2 percent above costs, with a maximum award of 0.09 percent if the criteria established by the Navy have been met. Both combines had been receiving the 2.9 percent fee, at regular intervals, as various portions of the contracts are completed.

The Dillingham-Zachry-Kaiser combine has done the construction work at the Navy port at Sattahip and at the nearby B–52 bomber base at U-Tapao. The amount of money that was obligated, as of November 30, 1967, was $118 million. The amount committed was $81 million and the accrued cost was $74 million.

Our information indicates that construction work in Thailand is going very well. Figures supplied by the Navy indicate that losses sustained are low and that little unaccounted property has come through the supply *pipeline* from the United States since the inception of the contracts.

We were particularly impressed by the control that was exercised in procurement, warehousing, and inventorying, and distribution of materials, supplies, and equipment. I think that some credit should be given to the subcommittee in this regard. Last year, Messrs. Adlerman and Morgan looked at this Thailand operation, primarily to compare a relatively peaceful construction environment with the wartime atmosphere prevailing in Vietnam. They went to Korat and Sattahip. They had visited the procurement offices in San Bruno, Calif., en route to Vietnam so that ample notice had been given on their arrival in Thailand.

Although they had been told by both companies that there were adequate systems to determine procurement needs, inventories, use, and other factors, they found in one instance that the man in charge had been on station less than a week and was just in the process of setting up a control system. In the other combine a man had just been fired and his replacement had arrived only that day.

I think it can be said that the visit of our two staff members reduced the temptation, under cost reimbursable arrangements, to engage in loose practices such as we found in the RMK/BRJ operation in Vietnam.

C. ISRAEL

X. Israel's program of international cooperation

Because of the subcommittee's concern with the overall effectiveness of U.S. AID programs—and because Israel's foreign assistance efforts had been characterized as quite effective, we visited Israel.

Based on our conversations with Israeli officials, it seems fair to summarize Israel's philosophy with respect to cooperation agreements with other countries "To serve, to train, to leave." They try to start a program, train the recipient country's personnel, and complete their portion of the program, *all within a 5-year span*. Israel does not assist another country unless requested, although it was admitted that the Israeli Ambassador to a particular country sometimes "suggests" Israel's assistance to that country. The recipient nation always pays something of value for its assistance, whether it be actual money or payment in kind.

Israel does not give away buildings and equipment because it cannot afford to. The Israelis do not attempt to compete with the large industrial countries and, in fact, they do not want to. Instead, they concentrate on rendering assistance, both technical and nontechnical, to cooperating countries. Israel concentrates its attention on the developing countries, with 50 percent of the entire program being devoted to Africa.

The activities that Israel engages in overseas through its international cooperation program include the following:

(a) Modernization of Agriculture

In agriculture, Israel operates in well-defined, specialized fields such as poultry husbandry, cattle breeding, and improved seed production. But in its general agricultural programs in other countries, Israel attempts to work within the framework of the existing economic, social, and educational complex of the particular nation to assist in its overall improvement. In Latin America and Africa, in particular, Israel has introduced various agricultural methods which become a part of regional planning and rural settlement projects.

(b) Regional Planning and Rural Settlements

Israel's experts have used their own Lachish development region model as a basis upon which to set up similar plans and settlements in South America, in Eastern Mediterranean countries, and in Asia. The Lachish model involved some 200,000 acres of virgin land in central Israel. The pyramidal structure of the plan had individual farm holdings as the base, rural centers offering intermediate logistical, medical, and religious support in the middle, and regional or "county" towns at the top. The latter provided processing facilities, governmental and financial centers, secondary schools, and entertainment facilities. The whole pyramid operated on a cooperative basis, with the farmer being trained to the requisite skill and with supervised credit being provided to him. Each farm, consisting of 10 acres on the plain or 50 acres in the hills, offered the farmer a living equivalent to that of a skilled urban worker. The Lachish model had 100 farm families comprising each farm village, one rural center serving some 5 to 6 villages, and one "county" town of 18,000 persons, serving the entire model area.

(c) Pioneer Youth Movements

These have been organized in seven African and three Latin-American countries by Israeli experts. They are patterned after the Israeli Nahal movement of 1950 when Israel's young military men combined their military duties with pioneer and agricultural work, much needed at that time. In Africa, however, the concentration is on vocational training for young people so that they may do useful jobs in rural development.

One example is the Ivory Coast's "service civique" pioneer youth movement. In 1961, Israel sent a 16-man team there to open a 4-month training school for instructors/technicians. Courses included civics, general education, carpentry, surveying mechanics and varied agricultural subjects. Thereafter, the instructors/technicians went out to five agricultural villages, each settled by 150 to 200 volunteer pioneer farmers, to spend 2 years working on the improvement of agricultural methods. The pioneer farmers, after their first harvest, returned to their homes and were replaced by others in similar circumstances. This dispersal system brought immediate increased yields and improved agricultural techniques to a wide geographical area. At the same time, 300 16- to 18-year-old native girls were trained for 1 year at the same school in civics, domestic science, and the teaching of literacy. Forty of them became rural community workers. The remainder returned to their villages to demonstrate what they had learned.

(d) Irrigation and Water Resources Development

Israel's hydraulic engineers have shown remarkable skill in solving the Nation's water shortage in order to create arable land from desert. They also have succeeded in converting sea water for fresh water use. Israel's two principal national water supply companies, Tahal and Mekorot, have formed subsidiary companies to answer the many requests of developing countries for water development assistance.

In Africa, Tahal is installing an eight-region rural water supply system in western Nigeria, including all operations from the construction of the dams to the distribution of water in the villages. A similar smaller undertaking is going on in eastern Nigeria. In Ghana, 10 Tahal engineers are setting up a master plan in the Accra-Tama metropolitan area for a water supply system, to be built in stages as finances become available. Tahal and Mekorot are working with Israeli geologists in northern Latin America to find water. Their surveys have brought positive results in Colombia, Ecuador, Peru, Bolivia, and Brazil.

(e) Health

Israeli doctors and other medical personnel, individually and in teams, are serving in 10 African countries today. This started in 1960 when the World Health Organizations put out an urgent request for doctors to go to the new Republic of the Congo when the colonial-system doctors departed.

Israel's ophthalmologists, highly experienced because of the incidence of eye disorders among immigrants from the Middle East, answered a plea from Liberia in 1959 to survey that country's eye needs. A young Israeli doctor went to Monrovia and set up a 30-bed hospital within 6 months. At the same time two Liberian registered nurses came to Israel to receive intensive eye training at Israel's well-known Hebrew University, Hadassah Hospital in Jerusalem. Their training was completed within the same 6 months. A second Israeli eye doctor returned to Liberia with them and the wife of one doctor, herself an optician, set up a workshop to grind prescription glasses and furnish them at cost. This team performed more than 1,000 operations and treated 12,000 patients and gave eye treatments elsewhere in Liberia. In the meantime, a Liberian doctor took a postgraduate course in Jerusalem while his wife studied orthoptics. They have since returned to Liberia and have relieved the doctor-wife team.

Similarly, one Israeli tuberculosis specialist went to the Republic of the Congo, trained four six-man teams of medical orderlies to assist him, and set up an outpatient clinic with the assistance of the World Health Organization. He treated as many victims of tuberculosis as possible through the use of the outpatient clinic, a system widely used in Israel.

(f) Education

In addition to assisting in providing fundamental educations to persons in many developing countries, Israel has released from its own growing programs more than 40 professors, lecturers, and teachers for assign-

ment abroad, particularly to help train teachers.

Since 1960, Israel has sent 24 persons to teach at the Haile Selassie University in Addis Ababa, Ethiopia, teaching the natural sciences and engineering. In Kenya, a joint school of social work was established in 1962 to give a 2-year theoretical and practical course to social and community field workers. At the same time, two Kenyan students have been sent to a special school in social work in Jerusalem in order to speed the gradual takeover of the school by the Kenyan staff. About 15 additional Israeli vocational training teachers of mechanics, electronics, physics, and mathematics are serving in schools in several African countries under the auspices of the Organization for Rehabilitation and Training (ORT).

(g) Miscellaneous

These activities vary from the operation of a cooperative transportation service in Peru to the operation of postal and telegraph services in Ethiopia, and from giving advice on taxation in Ghana and the operation of the police force in Malagasy to the harnessing of solar energy for the pumping of water for agricultural purposes in Mali.

Additionally, Solel Boneh, the Israeli construction company owned by the General Federation of Labor, has applied its experience in roadbuilding with limited finances to several African countries. Generally it forms a joint company with the African government concerned on a 40–60 percent basis, with control gradually passing over completely to the host government. Solel Boneh has completed important construction, on this basis, in western and eastern Nigeria, Sierra Leone, Ghana, and Nepal. Solel Boneh frequently organizes technical training courses for local personnel during these projects.

National lotteries are used in the developing countries as a form of "voluntary revenue system," particularly when the compulsory taxing system is ineffective. Once a preliminary survey determines the feasibility of a lottery system, Israel sends an expert to the country to act as an adviser, particularly as to about the machinery and the local legislation which may be needed. The adviser assists in the early organization, particularly to see that the system is operated honestly. Once it is operating efficiently, the lottery is turned over to local control. This program has been highly successful both in raising needed revenue and providing some recreational outlets.

The foregoing programs and activities are mainly carried out by Israelis in overseas countries. In addition, many countries send their citizens to Israel to receive special training. This is primarily because of the fact that Israel has had a great deal of experience in developing its own country, several languages are spoken in these special training programs, and the needed facilities are available in Israel.

Mr. Eytan Ron, Director of Israel's International Cooperative Division, Office of the Foreign Ministry, told us that 1,000 African women have gone through a special school at Haifa to improve their roles in a progressive community back home. Burma sent 100 military veterans to Israel with their families for 1 year to study agricultural methods.

Mr. Ron said the emphasis is in trying to reach midlevel personnel through these training programs. The theory is that any national plans developed by highly qualified academics would stand little chance of implementation unless the midlevel technicians instructors, and supervisors were trained. Israel's concentration is in four fields: agriculture, cooperation and labor, community development, and youth leadership.

Ron said that Israel offers only two formal degrees in its international development program. These are in agricultural engineering (bachelor of science) and in medicine (doctor of medicine). Otherwise, the language difficulty precludes large-scale participation by foreigners in Israel's regular institutions of higher learning.

It is important to note that Israel has international cooperation programs going in 84 different countries on an annual budget of only $7 million, including grants from the United Nations. Furthermore, Mr. Ron has only 36 employees within his organization. In fact, he told us there were 72 employees when he took over a year and one-half ago and he proceeded to cut the number. There are another 80 persons in the various schools in Israel and between 600 to 800 persons contracted for abroad by the international cooperative division, preferably on a 2-year basis. These persons hired by contract are tied into the foreign ministry system according to grades, but such foreign service salaries are very low. This creates a problem since many of the technicians are highly skilled and normally receive good pay.

A tabulation of personnel in the ICD program for Israel follows:

Located in the ICD, Jerusalem headquarters	36
Located in the various schools in Israel	80 to 100
Contract hire in the various 84 countries where Israel has an international cooperative agreement	600 to 800
Variable total	716 to 936

In constrasting Israel's ICD program with the U.S. AID program, Ron thought that the difference could best be described by what a Burmese official told him. The Burmese said, "Israel does what Burma wants but the United States does what the United States wants."

XI. Conclusion

This detailed report, together with our subcommittee's hearings in this field, gives so many indications of the failure of supervisory and administrative functions by both military and civil officials of American agencies engaged in operations in Southeast Asia that I believe the subcommittee has the duty and responsibility of continuing its investigation in this field with the maximum effort possible, in spite of the exigencies of other work in which we are presently engaged. It is obvious that a thorough investigation in depth would swiftly bring about corrective measures which would save many millions of dollars in Federal funds which are now being squandered because of inefficiency, dishonesty, corruption, and foolishness.

I strongly recommend that the subcommittee undertake expanded inquiries in this field as soon as possible and that our efforts encompass the entire AID program wherever it operates around the globe. The savings and recoveries of funds which would result from a series of inquiries such as I suggest would probably be enormous, and additionally, the tangible results of our worldwide program of assistance to other nations would certainly be greatly enhanced.

THE 18-YEAR-OLD VOTE

Mr. YARBOROUGH. Mr. President, this morning I had the opportunity to testify before the Constitutional Amendments Subcommittee of the Committee on the Judiciary in favor of the proposal to lower the voting age to 18. I ask unanimous consent that my testimony be printed in the RECORD.

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

I am pleased to have this opportunity to testify in support of S.J. Res. 8, a proposal I have co-sponsored with the distinguished Majority and Minority Leaders of the Senate. I have advocated lowering the voting age to 18 since my first campaign for Governor of Texas in 1952, and I have continued to support such a law.

It seems especially fitting to me that we are giving consideration to this proposal in a presidential election year, at a time when we can witness the active participation of thousands of our young people in the political campaigns of the various candidates despite the fact that many of them cannot even vote for the man of their choice. It is time for us to put an end to this anomaly. The current voting age of 21 has its origins in the English common law, which designated 21 as the minimum age for knighthood. This has no relevance whatsoever to the 20th century American youth who is better educated, more widely traveled, and more knowledgeable about public affairs than any of his predecessors.

Ever since the abolition of property qualifications as a prerequisite to voting, the electorate of the United States has continually been expanded to embrace more and more citizen adults, so that every American could have a real voice in the governing of his country. It has not been an easy task, for there have always been those who feared the effects of an enlargement of the electorate. We saw this with the burgeoning immigrant population of the early part of the 20th century, we saw it in the suffragette movement, we saw it in the struggle over passage of the Voting Rights Act just three short years ago. But these fears have not been justified. The infusion of new segments of the population into the electorate has brought with it new ideas and new energies, and in the final analysis the nation, and all of its citizens, have been the richer for it.

The campaign to lower the voting age to 18 began in earnest in 1942, and it has traditionally met with the most support during times of war when scores of young Americans were defending their homeland overseas. The cry, "If we're old enough to fight we're old enough to vote," has a good deal of emotional appeal, and there are many other, and equally sound, reasons why the voting age should be lowered to 18.

In my campaign for the Governorship of Texas in the 1950's, I advocated the enfranchisement of 18-year-olds and over in Texas. For most intents and purposes, the 18-year-old is assumed to be an adult. In most states he may marry without parental consent. He can serve in the Peace Corps or work for the Federal Government, and he is obliged to pay taxes on his earnings. The age of compulsory education does not exceed 18 in any state. The District of Columbia and almost every state requires persons 18 and over to stand trial in criminal court; they are no longer considered juveniles. Life insurance companies recognize anyone 18 years of age or older as an adult. The child labor provisions of the Fair Labor Standards Act do not apply to anyone who is 18 or older.

Many other such examples may be cited. Logically and legally, the age of responsibility in today's society is 18. This in itself is compelling argument for a change in the constitutional voting age.

But perhaps even more significant is the fact that our political system can benefit from the ideals and the hopes of our young people. It is they who have been in the forefront of many of the social movements of our times—from civil rights to action on behalf of the nation's poor. They are not content with the way things are; they are not complacent about the conditions of our society; and they will not accept yesterday's answers to tomorrow's problems. This is the kind of energy that gave life to the nation in the 1770's and this is the kind of spirit that can propel our country forward in the latter part of the 20th century.

As a matter of fact, the average age of Americans is swinging back toward the lower 20's, making it as "young" in its make-up as it was during the American Revolution. By 1970 half of the population will be under

27 and about seven percent will be between 18 and 21.

Increasingly the lives of our young people are being affected by Government programs—from the Selective Service System, to Federal educational assistance, to job-retraining—and it is time we granted them some voice in determining the shape these programs should take. Today's young adult has learned about American history and civics in high school, and a 1963 study indicated that 78 percent of our young people read the newspaper every day. Television has brought the events of the day into his living room, and has given him a better understanding of, and a deeper sense of involvement in, public affairs and governmental decisions than ever before possible. The late and beloved Speaker of the House, Sam Rayburn, once said: "It makes me tired to hear all this talk about the young generation going to hell in a hack. . . . They're a lot smarter than I was at their age." And this is becoming truer every year: Our young today are better educated than their forebears were.

Some persons may object to what amounts to "Federal action" to reduce the voting age, through an amendment to the Constitution. Although four states have succeeded in lowering their voting ages, efforts in other states have been doomed to failure. We came close in my own state of Texas in 1963, but fell just eight votes short in the House. Past attempts to enlarge the electorate indicate that the only effective route is by means of a constitutional amendment.

Public opinion, too, supports a change in the voting age. A Gallup Poll survey taken in April 1967 showed that a larger percentage of the population favored lowering the voting age than ever before. A similar poll conducted in January 1943 indicated that 39 per cent supported such a change; last year the proportion had risen to 64 per cent.

I co-sponsored S.J. Res. 8 because I feel that there is overwhelming justification for lowering the voting age to 18. Our young people are educated, they are politically aware, they are articulate, and they are enthusiastic. It has been said that "the real value of education comes not from its acquisition but from its association with responsibility." We have helped these young people to acquire the best education we can give them; let us now give them a chance to put that education to work by giving them the responsibility of helping to choose the officials who will govern them. There is no reason why they should have to wait for three or four years after they have graduated from high school to exercise the privilege of voting. They understand the workings of their government. Let us also give them the opportunity to have an effective voice in how it is to be run.

Mr. Chairman, I am hopeful that your committee will take favorable action of S.J. Res. 8, which I feel can have only a beneficial effect on the government of this nation.

UNIFORM POLL-CLOSING BILL NEEDED

Mr. JAVITS. Mr. President, as we near the height of the presidential election year, and as the excitement and tension mounts, there is increased concern over the use of electronic projections of voting trends on election night.

My principal concern in this matter is that projections of voting trends in the eastern half of the country, immediately broadcast by the major networks, could have an impact on voters on the west coast. This could be particularly critical in close elections, as the one this year is supposed to be. I realize full well that there is not conclusive evidence that eastern voting affects western voters, but as I asked when I reintroduced the uniform poll-closing bill last July: Who would want to take the chance, in these times of domestic tension, of creating even the suspicion that our national leadership was established on such a basis.

There is also another way at looking at the problem of electronic voter projections. I feel that James A. Wechsler, editor of the New York Post, captured the spirit of this criticism magnificently in a recent column published in his newspaper. In the final analysis, more citizens may come to see the benefits of proposals such as my uniform poll-closing bill by reading Mr. Wechsler's arguments than by any others.

I ask unanimous consent that Mr. Wechsler's column published in the New York Post of May 15, be printed in the RECORD.

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

LOST THRILLS

(By James A. Wechsler)

Once again a voice must be raised in fiery if futile protest against the feverish computer "projections" that spoil the excitement of election nights.

Admittedly the pollsters began the process of undermining the ancient American game of trial by ballot. But their margins of possible error, even if sharply reduced since the year of the Truman-Dewey debacle, are still sufficiently large to sustain the suspense. Moreover there is mounting evidence that voting shifts can and do occur in the final days and even hours before the polls open.

The computers are a different matter. They, too, can claim no total infallibility (and occasionally they commit errors that render them almost human). But by and large they are repulsively accurate, and only in those instances where a contest is an enigmatic dead heat is there any excuse for prolonged animation as the votes are being tabulated.

In a happier, less mechanized age one could look forward to a long evening of expectant listening as the returns came in. One did not resent a few clues—such as the locale and composition of the early voting; they never assumed the decisive, authoritative tones of the computer confidently announcing—possibly 30 minutes after the polls had closed—that "on the basis of 3.2 per cent of the votes cast, the Omniscient Broadcasting System declares John Doe as winner over Richard Roe by a margin of nearly three to one in the crucial battle for County Coroner in Peoria."

At that very moment the board may show that Roe and Doe are running almost even, but the computer, having examined the reports from selected representative territories, dogmatically announces that it's all over. The losers are deprived of any agitated interludes of wild hope; the night is over almost before it began; the thrilling finish belongs to the past.

Among many athletic addictions, I have somehow remained immune to horse racing; one reason, I suspect, is that the events are so brief. Thousands of Americans journey each year to Churchill Downs to watch the Kentucky Derby; their preparations are long and extensive, usually including the excessive consumption of mint juleps or some variation thereof. In the latest renewal of that ceremony; the historic event was decided in exactly two minutes plus two and one-fifth seconds. Was the trip worthwhile?

This year, of course, the race had an implausibly astonishing sequel; the "winning" horse was subsequently disqualified because of the illegal ministration of a drug several days earlier. But by the time that news came, those who had witnessed the event were already back home, many nursing their hangovers and their betting losses. Perhaps in the future the Derby will at least invite the crowd to stay on until the medical tests have been completed. Nevertheless there still remains a certain absurdity in traveling long hours to witness slightly more than two minutes of live drama.

Unhappily that is what has happened to our political games. Weeks and even months of emotion are invested in a candidacy; the computer ruthlessly denies us the long, luxurious counting-time during which dreams and delusions were once permitted to flourish.

Where will it all end?

Grimly one anticipates an era when even football and baseball games will be subjected to similar projection. I can hear it now:

"Ladies and gentlemen, there's a time-out here at Baker Field with exactly six minutes gone in the first quarter of the annual Columbia-Princeton game. It's still a scoreless ball game, and the Lions have shown unexpected strength so far; they have registered three first downs to none for the Princeton Tigers.

"However, I've just been handed a projection—remember, this is a projection, not a prediction—based on an evaluation of the comparative amount of sweat and the number of bruises so far recorded, among the many other factors fed into our computer. And the Omniscient Broadcasting System now declares Princeton the winner by an anticipated score of 27–6."

Or from Shea Stadium:

"This is Lindsy Nelson. Here at the home of the Mets it's the top of the fifth inning, and the Mets are leading the world champion St. Louis Cardinals 4–3. It's a real fun night; here with lots of banners—and lots of Rheingold.

"However, our man at the computer has just handed me this projection based, as you know, on many factors not obvious on the ball field or on your TV camera, such as the condition of the blister on Nolan Ryan's right hand, Ron Swoboda's knee, a predicted temperature change of five degrees within the next 20 minutes and many other factors too numerous to mention. It all adds up to this: The Omniscient Broadcasting System now declares the Cardinals the winner by an expected score of 8 to 5.

"Now let's get back to what's left of this exciting ball game."

SMALL BUSINESS COMMITTEE HEARINGS DEMONSTRATE INADEQUACY OF PRESENT EXPORT PROGRAMS

Mr. SMATHERS. Mr. President, on May 3 and 6 the Select Committee on Small Business, under my chairmanship, completed a round of hearings on export expansion for regional industries, small business, and the balance of payments.

This inquiry was conducted in the form of field hearings so that businessmen in our gateway cities could conveniently give us their views on these vital matters. The initial sessions were held in Portland, Oreg., on May 19 and 20, 1967; followed by Mobile, Ala., on November 10, 1967; Milwaukee, Wis., on the St. Lawrence Seaway on December 1 and 2; and Miami, Fla., for the South Atlantic region on March 15 and 18 of this year. The eighth and ninth days took place in the ports of Newark and New York for the North Atlantic States.

Unfortunately, since our inquiry was announced on February 1, 1967, the trade surplus which was once the balance-of-payments anchor of this country has been in continuous decline. From a peak

of $7 billion in 1964, it fell to $5.3 billion in 1965 and $3.8 billion in 1966. For 1967, the published figure for the merchandise exports surplus was $4.1 billion, but $3.5 billion of this was Government-assisted, leaving a balance on the commercial account of less than $1 billion. In January and February of 1968, this figure declined further, and in March, as we are all aware, the trade surplus disappeared completely.

The Economist magazine of May 4 stated:

> The trade figures for March were shocking: for the first time in over five years imports exceeded exports by $158 million and suddenly the general public is aware, as the experts have been for a long time, that the one steadily plus factor in America's deficit-ridden balance of international payments can be relied on no longer.

These developments have conferred a particular urgency upon the committee's work. The crisis has been reflected in the testimony of our witnesses, particularly those at the New York-New Jersey hearings, among whom were found the most distinguished members of the Nation's trade community.

Mr. President, when we began this investigation 2 years ago, the committee had serious reservations about whether the trade expansion programs for American small businesses and regional industries were responsive to the competitive conditions of the world marketplace. In accordance with its announced intention, and in view of the seriousness of the balance-of-payments situation, the committee has forwarded its major interim recommendations to the administration in advance of a report. To further implement this policy, the committee will now prepare a formal interim report so that its findings can be placed before the administration and the public at the earliest possible moment.

However, one conclusion can be stated now. It has become painfully evident, as the export figures to which the committee has repeatedly drawn attention demonstrate, that the trade policies of the quiet past are not adequate to the stormy present. The dramatic developments which we have seen do not speak well for our current programs, nor do they suggest that the solution is merely more of the same.

As our field hearings conclude, I should like to make special mention of the work of the Senator from New Jersey [Mr. WILLIAMS]. The subject matter with which the committee has been required to deal has been wide ranging and complex—from agriculture and banking through shipbuilding and taxes. In order to accommodate the many interested witnesses in our regional seaport areas, the sessions have been not only concentrated, but lengthy. In most areas, the hearings lasted until well after 6 o'clock in the evening.

The Senator from New Jersey not only was chairman of both of the North Atlantic meetings, but also of similar sessions on the gulf coast and in the South Atlantic region. He has served with unflagging attention and unfailing good humor. He has, in fact, been the mainstay of our committee's effort to gather information across the country, which will be the basis of our deliberations in a field which is of critical importance at this time. I believe that the Members of this body, and the public as well, should recognize the diligence which the Senator from New Jersey has displayed throughout the course of this investigation, and the leadership he has exercised, not only in behalf of his State and region, but in behalf of the Nation as a whole.

I ask unanimous consent to have printed in the RECORD the articles from the Economist and the Journal of Commerce, reporting the highlights of the May 3–6 New Jersey-New York testimony.

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

[From the Economist, May 4, 1968]

YET ANOTHER DEFICIT

The trade figures for March were shocking: for the first time in over five years imports exceeded exports by $158 million and suddenly the general public is aware, as the experts have been for a long time, that the one steadily plus factor in America's deficit-ridden balance of international payments can be relied on no longer. For the first three months of this year the surplus on the trading account was only $731 million at an annual rate, compared with $3.5 billion for 1967; imports were up by 17 per cent over the first quarter of 1967 and exports by only 3 per cent.

April may show whether this disturbing trend is likely to continue through the year. Part of the deterioration is due to definitely temporary factors: a dock strike that held up exports more than imports; a long strike in the copper mines that forced manufacturers to import their supplies; a possible steel strike later this year against which users are buying reserve stocks from abroad. But more steel could be bought at home—only it is more expensive. Rising prices in the United States—they are now going up at an annual rate of nearly 4 per cent—are stimulating imports (and frustrating exports). But imports of motor cars have been climbing this year not only because they are cheap but even more because the small foreign cars are preferred to the domestic models by American buyers.

If Congress increases taxes—and it looks as if the log-jam over this is breaking up at last—then consumer demand would be curtailed and inflation checked, and imports would presumably level off eventually. Meanwhile, however, urgent measures may become necessary in order to safeguard the dollar abroad; the trading account is the most striking, but not the only, sector in the balance of payments which is failing to achieve the goals for improvement set by President Johnson on January 1st. He suggested then that some form of surcharge or broader tax on imports might have to be imposed; but this has been delayed while the members of the European Economic Community and America's other trading partners discuss what they can do to help.

They have now come up with a proposal for accelerating their own tariff reductions agreed under last year's Kennedy round of negotiations and for allowing the United States to postpone its reciprocal reductions. This would be welcome if it were not accompanied by conditions which can hardly be accepted by the United States as they stand—efforts are being made to modify them—because in effect they forbid Congress (or the Administration) to put up any additional trade barriers and direct it to repeal at once the American selling price system of assessing duties on chemicals. The Administration is just as anxious as is the EEC that Congress should behave in these ways. But attempted dictation from abroad may drive the legislators to do just the opposite.

[From the Journal of Commerce, May 6, 1968]

NEED FOR ACTION STRESSED—SHIPPING SEEN IN SOS POSITION

America's cargo carriers are in a better position than anyone else to develop export markets overseas, especially for the small shipper, but the job can be done only if Congress acts to fend off the perils of an obsolescent merchant marine and chokingly inefficient documentary requirements, the U.S. Senate Committee on Small Business is being told in current hearings in the Port of New York.

Sen. Harrison A. Williams of New Jersey conducted a session at Port Newark on Friday, and of Moore-McCormack Lines and the hearing is to be resumed today at the Port of New York Authority Headquarters in Manhattan.

NOTE OF WARNING

Shipping management and labor spokesmen alike warned on Friday that the American-flag merchant marine, despite the excellence of its subsidized liner fleets, is falling dangerously far behind in the number of ships available.

William T. Moore, president of Moore-McCormack Lines and of the Committee of American Steamship Lines, said that although this country's cargoliners are "the best in the world," the American-flag bulk carrier tramp and tanker fleets are in "an SOS situation."

Of the country's present merchant fleet of 969 ships, only 357 will be less than 25 years old by 1972 at the present "limited" rate of replacement—about 10 ships per year for the subsidized lines—he said. He called for adoption of the program pending in Congress, which would provide 35 to 40 new ships a year for five years.

When a national emergency like Vietnam draws off many cargo ships from commercial use, and the country's trade is left to foreign-flag ships, ocean freight rates for American exports immediately go up, Mr. Moore declared.

Thomas W. Gleason, president of the International Longshoremen's Association and the AFL–CIO Maritime Committee's seven-union Port Coordinating Councils, described the federal administration's program of 10 ships a year as "ridiculous."

SOVIET PROGRAM

Soviet Russia is building at least 125 good, fast commercial ships a year, he said—a comparison which drew from Sen. Williams the remark, "I am appalled by that figure."

On behalf of the maritime labor groups he heads, Mr. Gleason called for "high priority" for construction of 25 to 30 tramp vessels a year. In 1966, the mostly antiquated U.S. tramp fleet carried less than 5 per cent of the country's bulk trade, he pointed out.

Similarly "dismal" is the liquid bulk picture, with only 33 American-flag tankers employed in 1966 to carry 8.1 million tons, or only 5.5 per cent of the country's total imports and exports by tanker, Mr. Gleason added. Basically, this cargo is handled by the so-called "flags of convenience," he said. He also called for expansion of the passenger fleet, "with complete flexibility to operate wherever market conditions warrant."

While it is anticipated that U.S. waterborne commerce will increase from 404 million to 685 million tons by 1985, the American-flag vessels share will slip to less than 5 per cent of its total unless "a more realistic government policy" is adopted, he warned.

This decline would mean a shrinkage of about 200 ships in the merchant fleet and a loss of at least 12,000 jobs for seamen, he said.

Joseph G. Barkan, executive vice president of Prudential Lines, also warned that the merchant fleet is approaching a critical stage of obsolescence.

The need for new ships is especially great, he said, because of the tremendous gains in efficiency which can be achieved with new methods and new concepts, such as the lighter-aboard-ship (LASH) vessels that Prudential and Pacific Far East Lines are building.

Peter McChesney, manager of trade development for Farrell Lines, said steamship lines can give the most effective help to the potential small shipper because they have their representatives "on the spot overseas" who can assess immediately the sales possibility of a product.

But what is needed most today, he continued, is a joint trade development effort by all modes of transportation—sea, barge, truck, rail and air.

"Road and railcarriers, for example, can reach far into the grass roots of our economy," he said. "If they, in their normal solicitation for business, could offer a trade development program utilizing the services and know-how of the foreign-going carriers, they could generate new business for all."

Aaron Cohen of the Traffic Executive Assn., Eastern Railroads, said the great need is for legislation to permit different modes of land and sea transporation to work on unified through rates, from inland points in the U.S. to inland points overseas, without fear of anti-trust violations.

Donald Weirda, vice president of United States Lines, emphasized that the steamship lines have valuable help to offer small businessmen about foreign markets, but the great problem is to make the business community more aware of the assistance.

Matthias E. Lukens, deputy executive director of the Port of New York Authority, described the extensive services to exporters which the bi-state agency provides through trade development offices in this country and abroad. The world trade center now under construction will be of special benefit to small business by bringing together conveniently all the services that the potential shipper needs, he said.

[From the Journal of Commerce, May 7, 1968]

AT SENATE PANEL HEARINGS: DRIVE TO SPUR EXPORTS URGED

(By Alan F. Schoedel)

A government effort "with muscle behind it" to stimulate exports was urged by several witnesses yesterday as the two days of hearings by the U.S. Senate Select Committee on Small Business came to a close.

Tax incentives to encourage business firms to seek export markets and stepped-up government help in providing them with overseas economic data were advocated at yesterday's session at the Port of New York Authority Headquarters, 111 Eighth Ave. Sen. Harrison A. Williams of New Jersey and, for part of the day, Sen. Jacob Javits of New York conducted the hearing.

America's foreign trade is "at the crossroads," said Kenneth M. Spang, vice president of First National City Bank, who is chairman of the New York Regional Export Expansion Council and a member of the National Export Expansion Council.

If at this point American industry does not achieve the ability to compete in foreign markets, the time will inevitably come when it will be unable to compete with imports for the domestic market, Mr. Spang warned.

He emphasized the need for combatting inflation as the first means of improving the outlook for U.S. exports. An inflated economy discourages exports and encourages imports, he pointed out. Unless the present situation is changed, he said, the United States faces "the stark prospect" of trade deficits continuing for years to come.

TRADE SURPLUS PREDICTED

For the first quarter of 1968, American exports increased by about $1 billion, or 3 per cent, while imports rose $4.5 billion, or 17 per cent, Mr. Spang said. He predicted a trade surplus for the year of between $800 million and $1.7 billion—including government-financed exports.

But the commerical trade balance alone, leaving out the government-financed exports, probably will show a deficit this year of $1.5 billion to $2.5 billon, compared with a small commercial surplus of $250 million last year, the bank executive said. He described the situation as "the American challenge."

As one means of launching a strong effort to reverse the downslide, he advocated creation of a White House position of coordinator of international economic and business affairs.

Senator Javits endorsed this idea and said he would fight to have it adopted by Congress.

A. Elliott Lawes of the American Express Co., chairman of the Export Promotion Committee of the Regional Export Expansion Council, described the trade situation as "critical." Artificial attempts to achieve a balance by restricting imports would only invite reciprocal action for foreign countries, he said.

Mr. Lawes advocated government-financed surveys of overseas market opportunities, saying it would be "unrealistic" to expect American small business firms to undertake such expensive groundwork at their own expense. He also spoke in favor of tax incentives for the exporter, such as exemption from the proposed surtax.

Both Mr. Spang and Mr. Lawes supported President Johnson's proposal for a $200 million, five-year program to boost export sales and expressed regret that a nationwide poll of business by the U.S. Chamber of Commerce recently showed opposition to this government expenditure.

Mr. Lawes advocated joint export associations as another means of stimulating sales abroad, but said businessmen first would need assurance from the Department of Justice that such activities would not be held counter to antitrust laws.

G. Doane McCarthy, Jr., president of the American Institute of Marine Underwriters, said that "too many exporters, new and old, sell on terms of sale that leave the initiative to the buyer to decide on insurance and the means of carriage by ocean or air."

"This is not aggressive marketing," said Mr. McCarthy. "This is not trading. This is not the hard sell. This does not make the maximum contribution to the plus side of the balance of payments.

"The exporter who does not control his insurance does not fully protect his seller's interest in the goods until they reach the consignee. He exposes himself unnecessarily to commercial perils by not using his own insurance."

He urged the committee to encourage American exporters to rely on an American "team of service industries—the American marine insurance underwriter, the American-flag ocean or air carrier and the American banker."

Donald T. Cameron, president of the New York Foreign Freight Forwarders and Brokers Association, urged adoption of the pending bill which would allow the ocean freight forwarder to issue a single-factor through bill of lading from inland consolidation points. This is essential if the forwarder's expert knowledge is to be made available to small shippers in the container age, he declared.

There is no one who can render the same service to shippers as the forwarder now does, Mr. Cameron said, and if the single-factor legislation does not pass "the accumulated knowledge of the forwarding industry will dry up and eventually disappear, much to the detriment of the shipping public."

[From the Journal of Commerce, May 8, 1968]

GOVERNMENT CARGO ALLOCATION HIT AGAIN

(By Alan F. Schoedel)

Another blast at the government's allocation of cargoes to the subsidized lines, on the grounds that it is driving the rest of the American-flag fleet into oblivion, has been submitted to a Congressional committee.

Existing maritime laws and policies are being applied in a manner that dangerously weakens this country's balance of payments position, Howard M. Pack, president of Seatrain Lines, Inc., declared in a statement to the U.S. Senate Committee on Small Business, which held regional hearings in the Port of New York last Friday and Monday.

GOVERNMENT ACTIONS HIT

Charges that the federal government gives undue preference to the subsidized lines have been made at the current hearings of the House merchant marine subcommittee in Washington by the American Maritime Association and by the unsubsidized States Marine and Isthmian lines.

Pointing out that the share of this country's foreign trade carried in American-flag ships has declined from 65.3 per cent in 1946 to 42.6 per cent in 1950, 10.5 per cent in 1960 and to an all-time low of 6 per cent last year, Mr. Pack said the downtrend will continue unless action is taken.

When Congress enacted the program of maritime construction and operating subsidies in 1936, its obvious intent was to get the most American-flag ships possible in operation for its money, Mr. Pack told the session conducted by Sen. Harrison A. Williams of New Jersey.

"Unfortunately, the laws have been so implemented that the subsidized lines not only receive construction and operating differential subsidies, but also receive the indirect subsidy of cargo preference," Mr. Pack said.

"As a result, additional American unsubsidized ships are not available to help in our balance-of-payments problem because they cannot operate when their basic cargo has been taken away by the competition of the directly subsidized American-flag ships."

The Seatrain president called upon Congress to revise the law so that subsidized liners would be allowed to carry only commercial cargo, leaving government-sponsored cargo to the unsubsidized American-flag ships.

If the unsubsidized vessels received this kind of government help for their outbound sailings, they could then be positioned to carry unsubsidized cargoes, either back to the United States or to another country, Mr. Pack explained.

An American bulk carrier outbound could carry government-financed grain to India and Pakistan, and on the return trip carry oil or ore to Europe or directly to the United States, he said. Bulk ships can make a bigger proportionate contribution to the balance of payments, he noted, because of smaller part of their earnings goes for port costs than in the case of general cargo ships.

MA PRACTICE HIT

Mr. Pack assailed the Maritime Administration's practice of setting higher rates on government cargo for "smaller and less efficient ships and lower rates for the bigger and more efficient vessels, despite the fact that the cost to the government is substantially greater by so doing."

"If the Maritime Administration would provide that all ships would be eligible to obtain the same rates and that the lowest cost to the government per ton of government cargo carried would be the deciding factor, we would encourage the building of more efficient American ships," he continued.

"These vessels would be able to compete for the carriage of import cargoes and in certain circumstances could carry our commercial export cargoes. This result could be obtained with a savings to the government's

budgetary payments as well as savings to our balance-of-payments position."

Mr. Pack also called for amendment of the law to give operators of the unsubsidized dry cargo and tanker fleet the same right the subsidized lines now enjoy, to accumulate ship-replacement funds from earnings on which taxes are deferred. Legislation to this effect has been sponsored by 22 senators.

Long-term chartering of tankers by the Military Sea Transportation service—which at present has about 40 foreign-flag tankers under charter—would encourage owners to finance and build tankers for operation under the American flag, he said.

BOP SAVINGS

Probably the greatest saving in the balance of payments could be achieved by requiring use of American-flag tankers to carry at least 50 per cent of this country's licensed oil imports, he declared.

At present, 97 per cent of the million and a half barrels imported daily is carried in foreign tankers, with a "huge" drain on American exchange as a result, said Mr. Pack.

He opposed building of American ships in foreign yards and advocated "a substantial duty" on all vessels built or rebuilt abroad.

An example of how American industry shipping a bulk product—coal—can develop markets abroad was given at the Senate committee hearing in New York by Robert R. Nathan and Ralph L. Trisko, executives of Robert R. Nathan Associates, Inc., the firm which made an $89,000 survey of the potential foreign coal market for the Department of the Interior in 1963.

The report is credited with an important role in boosting U.S. coal exports from 35 million tons in 1961 to 49.5 million tons in 1967, Mr. Trisko said, and at least one major company used its exhaustive data on foreign transportation costs and energy needs as the basis for a sales drive in Canada, Europe and Japan.

By the end of last year, the company had long-term contracts to supply customers in Canada and Italy with 30 million tons of coal, and two other exporting firms had contracts to supply about 75 million tons to Japan over the next 10 to 15 years.

Paul Hall, president of the Seafarers International Union and of the AFL–CIO Maritime Trades Department, testified that any government program to boost exports will be "self-defeating" if the cargo is channelled into foreign-flag ships.

FARSIGHTED WISDOM SHOWN BY SENATOR SMATHERS

Mr. WILLIAMS of New Jersey. Mr. President, the distinguished Senator from Florida is far too kind in describing my part in the Small Business Committee's export trade expansion hearings and far too modest in discussing his own role.

It was he who developed the possibility of using the Small Business Committee as a vehicle for exploring ways to stimulate not only small firms but regional industries in our export trade. And it was he who provided the direction and the drive which have made these hearings so successful.

This, despite an arduous schedule of hearings and meetings in the Finance Committee, on the Senate floor, and in the Senate-House conference during the consideration of the complex and vitally important tax legislation, and in addition to the other normal duties of a Senator.

One might have expected the distinguished Senator from Florida to slacken the pace of his senatorial efforts somewhat this year, in view of his impending retirement. But such has not been the case. He has set a fast legislative pace in this, his last year.

I would only add that, in view of the continuing decline in our trade surplus, to the point where it became a deficit in March, the importance of these hearings and the recommendations which will result from them is far greater now than when the study was launched. That is a fitting tribute to the farsighted wisdom of the distinguished Senator from Florida in this matter.

Mr. President, on behalf of the Senator from Oregon [Mr. MORSE], who is necessarily absent today, I ask unanimous consent to have printed in the RECORD a statement he has prepared on this subject.

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

STATEMENT BY SENATOR MORSE

SMALL BUSINESS COMMITTEE HAS BEEN HARD AT WORK ON EXPANDING EXPORTS

I wish to associate myself with the remarks of the Chairman of our Committee (Mr. Smathers) and the Senator from New Jersey (Mr. Williams).

It has been gratifying to me that while everyone has been discussing the worsening of the nation's balance of payments, the Small Business Committee has been trying to do something about it.

It was my privilege to propose these hearings on February 1, 1967, and to hold the initial sessions for the Pacific Northwest region in Portland, Oregon, on May 19 and 20 of last year. Throughout this inquiry, we have enjoyed the active support and hard work of our Chairman, and of both the majority and minority members of the Committee, particularly the Senator from New Jersey.

It is obvious that the nation must do something to reverse the downward plunge of its trade surplus of the past three years. Coming on top of an over-all balance of payments deficit in 17 of the last 18 years, and the prospects of back-to-back $20 billion deficits in our domestic accounts at home, the vanishing trade surplus is most serious. It has been a major contributing factor to the "gold rush" of the past six months and the world crisis of confidence in the dollar.

It seems equally plain to me that central to any export policy is a vibrant and growing merchant marine under the American flag, which can service our exports and can assume leadership in other export policy areas. In my judgment, action in behalf of our merchant marine is long overdue.

Our Committee has been fortunate in having the recognized national leaders of many exporting industries, of labor, and from the universities, banks, and transportation companies advising us on what should be done in the five regions of the country where we met.

This wide spectrum of witnesses is symbolic of the fact that when it comes to the financial security of this country, we are all in the same boat. If our trade situation continues as it has been going, we face the prospect this year of the worst trade performance since before World War II and the possibility that our gunwales will be under water.

As I have been from the beginning, I shall be working with the Committee and the business community through our report and recommendations, and the follow-up on these recommendations. We will do whatever we can to unite the efforts of all concerned in order to bring about a better trade policy and a brighter day for every segment of our export trade and maritime commerce.

MURDER IN WASHINGTON

Mr. DODD. Mr. President, yesterday's Washington Post carried another front page story on the murder of still another shopkeeper by a firearm in the District of Columbia.

This is the fourth slaying of a Washington-area merchant in the last 15 days.

The latest victim was a 62-year-old hardware merchant who was found shot to death in his store on Tuesday afternoon. Police report that he was murdered in the course of a holdup.

When are we going to put a stop to these wanton and senseless killings by guns in the hands of the irresponsible elements of our communities?

Today we have an opportunity to put a meaningful curb on these killings.

Will the Senate respond to this urgent need?

I ask unanimous consent to have printed in the RECORD the editorial published in yesterday's Washington Post.

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

[From the Washington Post, May 15, 1968]

MERCHANT SLAIN IN STORE LOOTED DURING APRIL RIOT

(By Alfred E. Lewis)

A 62-year-old hardware merchant was found shot to death in his store at 3213 Georgia ave. nw. yesterday afternoon.

His wife, concerned when he hadn't answered her phone calls, entered the store while police were investigating her husband's slaying.

Police said the merchant, Bert C. Walker, had been shot twice in the head by a holdup man who apparently fled without a dime. The cash register was jammed and had been pounded with a blunt instrument. The dead man's wallet was still in his pocket. It contained a small amount of money.

The windows of the store were smashed when it was looted during last month's rioting, and the plywood that stood in their place blocked a view of much of the interior from the street.

It was the fourth slaying of a Washington area merchant in 15 days.

Capt. Eugene D. Gooding, commander of the Tenth Precinct, said the killing took place between 1:15 and 2 p.m., when the body was found.

Walker, who lived at 6518 8th ave., Hyattsville, and who had been in business at the store for more than 30 years, had called a nearby liquor store at 1:15 p.m., to order beer and cigarettes to take home.

At 2 p.m., John Bethea, 59, an employe of the Georgia Avenue Liquor Store, 3210 Georgia ave. nw., walked into Walker's paint and hardware store with the order. The store appeared to be empty and Bethea called out Walker's name. He searched and found Walker's body at the rear of the store, lying behind a counter.

Dr. Richard Whelton, District coroner, pronounced Walker dead at the scene at about 2:45 p.m. He said cursory examination showed Walker had been shot at least twice through the head. An autopsy will be performed today.

Police, who arrived shortly after 2 p.m., were followed soon after by Mrs. Walker.

Walker's store was looted and the windows were broken during the rioting April 5.

The first of the earlier slayings occurred April 29, with the fatal shooting of Benjamin Brown, 59, in his liquor store at 1100 9th st. nw. Next was Emery Wade, 40, an A&P store manager, killed May 3 in the store at 821 Southern ave., Oxon Hill, Md. The third victim was Charles Sweitzer, 59, a sun-

dries department manager in the Brinsfield Rexall Drug Store, 3939 South Capitol st., on May 7. Arrests have been made in each of the earlier cases.

SENATOR BENNETT CHALLENGES THE CREDIT UNION MOVEMENT

Mr. PERCY. Mr. President, our distinguished colleague, the Senator from Utah, addressed the International Credit Union Association International, Inc. in Madison, Wis., on May 10.

His remarks challenged the members of CUNA International to find new ways to make credit available to the poor. While pointing out that credit unions were first established to help members move out of the shadow of poverty by making credit available when other sources were closed to them, he called upon the credit union movement to meet these problems today as they have in the past.

I ask unanimous consent to insert this excellent speech into the RECORD at this point.

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

THEN, NOW, TOMORROW

(Speech by Senator WALLACE F. BENNETT, Republican, of Utah, before the International Credit Union Association—CUNA International, Inc.—May 10, 1968, in Madison, Wis.)

As I begin I want to express my deep and sincere appreciation for the privilege you have extended to me to participate in the program of your annual meeting. Because my activity in trying to develop what I consider to be a sound and workable consumer credit cost disclosure bill often seemed to bring me in conflict with positions taken by your association, I had never expected to have this privilege. Now that it has come, I appreciate it all the more.

No matter what our disagreement on the terms of this bill may have been, I have never been an opponent of the credit union movement. Actually, I took the initiative in organizing a credit union for the employees of the company I used to manage, and became a member of it myself. In fact, I think I could be called the ideal member. I've made a monthly deposit for years from which others have borrowed. I hope what I shall say tonight will reflect my interest—and my recognition of the service you have rendered and can still render.

Usually, one of the hardest parts of preparing a speech like this is the title—it's hard to find one—then it's harder to stay within its limitations. This time, the title literally set the pattern for the talk.

Let me repeat it again: "Then, now, and tomorrow."

In the beginning was the need.

In the beginning of the Credit Union movement was the need of the poor for credit. As far as I can learn the first and simplest response to that need was the creation of the Raiffeisen societies. These groups, which sprang up in Germany about 1850, were church-related cooperatives which applied their cooperative principles first to the accumulation of thrift capital among their members—and then to the use of that capital to make loans to these same members in order to increase their economic status. The units were small and self-contained.

About the same time another application of the same principles created a different kind of thrift credit cooperative which was developed under the leadership of Herman Schulze-Delitzsch. He opened up the membership of his societies to include everyone who would join—avoided church ties—and created what was essentially a cooperative banking system.

Both philosophical types are represented among today's credit unions. I belong to one that is company oriented and limits its service to its own small membership made up of employees of one firm. The greatest growth has been in the other type with broader potential membership and greater capital accumulation.

But while the same basic cooperative concept still underlies the credit union movement, the economic and technological world in which it operates has changed so much that neither Raiffeisen nor Schulze-Delitzsch would recognize it. In order to justify my title, "Then—Now—and Tomorrow", at the risk of re-telling an old story, let's take a look at some of the things that have happened in order to better focus our attention on what may lie ahead.

The key word, of course, is "change," but its most appropriate synonyms might be *proliferation* and *revolution*.

Let's look first at the thrift side of the coin. At about the same time cooperatives for consumer credit were being established, the development of so-called "building societies" began. These were also cooperatives, but they gathered savings over a longer time to provide down payments and mortgage credit for home building. When the amortized mortgage replaced the old-fashioned single payment one, these societies developed explosively in size and number and many of them became typical, privately owned corporations.

While their deposits are still called "shares" and their interest payments "dividends" they have attracted a great volume of savings from people who never intend to use those savings to buy a home, and they fund mortgages for all-comers, whether shareholders or not.

The traditional banking system has not taken this competitive challenge lying down, and it not only provides thrift deposit service on which it pays competitive interest, but has also developed a variety of term thrift instruments, modern certificates of deposit to attract personal savings.

And if this were not enough, the mutual fund concept has been devised to open the door to the stock market for the man of limited means, thus creating another new class of small investor-savers.

When we turn the coin over and look at the picture on the credit side the changes have been even more dramatic.

In the beginning the key words were cooperative credit. This was the unique contribution of the credit union movement, out of which grew the whole structure of modern consumer credit. In those earlier days the commercial banking system had no interest in the area of general consumer credit. The common basis for extending credit was against capital assets of reasonable liquidity, and most wage earners had very few of these.

My knowledge of credit history isn't deep enough to identify all the forces and factors that operated to change the basis for personal credit from assets to income, but I'm sure the credit unions were a major influence. This was obviously true for those that were company-based, and could therefore work out arrangements for debt payment deductions from wage and salary checks. This arrangement for deductions, in turn, was only practical after the Federal law required that payroll records be set up to accommodate deductions for social security.

I think the next newcomers to this area were probably the finance companies, beginning with those related to the automobile industry—and more recently to the burgeoning home appliance market.

By the time all this had happened, the philosophical concept that consumer credit could be safely based on income had become firmly set and at this point the commercial banks moved into the field, even to the largest and the most conservative.

But this was not to be the final proliferation. The latest and most rapidly growing entry into the field is the retail merchandising industry. Sales on credit had already been a part of their operation for many decades—but their credit program was essentially a convenience service—generally available only to those customers who didn't really need it. Under this concept, no charge was made for its use. Gradually, however, over the recent years, it has been used more and more as a competitive tool to enable the stores to sell (and their regular customers to buy) merchandise that they could not pay for in full in 30 days. Thus the system of revolving accounts, with its charge after 30 free days was a natural extension of the traditional costfree point-of-sale credit. It merely added the modern consumer-credit concept to the already existing convenience credit service—and the fact that this combination is an appealing one is demonstrated by its rapid growth.

These happenings—most of them over less than forty years, have not only created a revolution in competition between consumer credit plans but as true competition is supposed to do in the classic sense, they have greatly multiplied the market. The volume of consumer credit outstanding has increased by an average of about $6 billion per year—over the last five years, and at the end of 1967, it was just under $100 billion. This has, of course, produced not only greater dollar volume for every factor in the market but also greater incentive for each to get a bigger slice of the pie.

This battle for competitive position not only rages in the market place, but it has even moved into the halls of Congress. Here it has taken many forms, but there are two on which I would like to comment specifically.

Under the old pattern, before consumer credit became so impressive and inviting, each different type of credit supplier had its own method of figuring its credit charges and no one seemed too concerned with these differences. Your credit unions, most of whose collections came through weekly or monthly payroll deductions, quoted their rates on a monthly basis. In fact this was written into the law, I assume at your request. I can see great logic in this because most of us operate on monthly budgets and I think this is therefore still the most practical way of stating the rates of charge for consumer credit. Banks and finance companies on the other hand carried over from the pattern of their commercial loans, the practice of quoting their rates as dollars per hundred on the amount loaned. When merchants adopted their open-ended revolving charge systems, they built them around their long-established pattern of monthly statements—and so applied their charges monthly—as the credit unions do. In fact, the only type of consumer credit cost stated on an annual basis was mortgage credit.

When the credit cost disclosure bill was introduced nearly eight years ago, it sought to require a single uniform method of stating credit costs and selected the annual rate. This was natural theoretically, but if finally written into law will have the effect of forcing all major factors in the consumer credit market—credit unions—banks—finance companies and retail merchants—to change their patterns. Parenthetically, I think it would have been easier and more practicable to leave credit unions and merchants on a monthly rate and change the banks over to the same pattern but things haven't worked out that way.

This requirement for an annual rate has always reminded me of the old Greek legend about Procrustes. This mythical character was a highwayman who is said to have fastened every one of his victims to an iron bed

and made their bodies fit. If the person's body was too short, he stretched it out, and if too long, he shortened their legs.

Then when the title, "Truth-in-lending" was adopted, we were presented with an impossible dilemma. Which did we want—conformity—or truth.

On revolving credit the actual annual rate differs for each account and cannot be calculated in advance. So you cannot have complete conformity and still have the truth. The conference committee is still divided on that subject. Some want conformity, some, of which I am one, want the truth. The debate reminds me of a famous Lincoln story about the legs of a dog. Someone said to Lincoln, "If you call a dog's tail a leg, how many legs has a dog?" Lincoln's answer was, "He still has only four. Just calling a tail a leg dosn't make it one."

I have been involved in the debate on this bill since the beginning and over the years it has become very clear to me that some of the testimony and political pressure has been created by a desire for competitive advantage, either to get a law which will allow the concealment of a higher cost—or forbid the revelation of a lower cost.

One fairly obvious effect of any credit cost disclosure bill we may pass is that it will tend to separate the lenders from the merchants and highlight the advantage the latter have had all along. Credit unions, banks, and finance companies have only one source of income for the service they render—their finance charge. And this must be fully disclosed. But merchants have two—their merchandising profit and their finance charge. Money is money—and charges for its use are easily comparable, but the variety of merchandise and brands is almost infinite. Price differences for apparently similar merchandise have always existed and are obviously accepted by the public. Therefore, part of the finance charge can easily disappear into the price ticket. In fact, there are already some reputable merchants who advertise, "No charge for credit". When I think of this I sometimes wonder how smart the pressure from money leaders for this bill really is.

Before I leave this subject I want to express two other doubts that have grown over my eight years of study of this bill. First, I seriously doubt that it will help the people in whose name it has been conceived—the poor and the economically illiterate.

Essentially these are people who have no firmly established credit standing, so they must buy or borrow where credit is available to them, and availability is more important than price. The membership of the early credit unions was made up of people in this class and you have helped move them out. Those who have been thus helped do have credit standing and therefore they can decide where to buy or borrow for reasons other than credit cost, such as loyalty, convenience, friendship and/or merchandise desirability.

The other doubt I have about the value of a bill like this is based on reported experience in those states which have already passed credit disclosure laws. What has happened? Nothing. No shift in credit patterns toward the lender with the lowest cost. No great public reaction to an exposure of higher rates. No rush to the courts. Nothing!

The other legislative pattern I want to mention is also a drive toward conformity. Not too many years ago the credit unions—the S&L's, the finance companies and the banks had different functions and were more or less content to stay in their own fields. But no more. Since the commercial banks are permitted by law to operate in the widest field of all, most legislation of the type I refer to is offered to allow credit unions and others to take on traditional banking functions.

Areas in which there is interest by credit unions which are traditionally within the province of other financial intermediaries include: long term real estate loans, traveler's checks, draft-a-loan service competing with checking accounts, revolving credit, insurance programs, a central facility to permit mobility of credit union funds, etc.

Savings and loan institutions are attempting to broaden into consumer lending, preferential treatment on rates during periods of credit stringency through Federal Reserve purchases of mortgages, a reduction in the proportion of their assets that must be invested in mortgages, broader geographical lending limitations, the right to guarantee saving rates for up to a year and a limitation on commercial banks ability to advertise rates for longer than one year. They are also seeking certificate of deposit instruments comparable to those being used by commercial banks.

Even the commercial banks who have had the widest field of operation are now also seeking new fields, including such things as the right to pool their small trust accounts—to operate mutual funds—to sell revenue bonds, provide computer service—and operate leasing organizations.

One credit union manager stated it this way, "Banks, savings and loans, and credit unions—three distinct breeds of cats—all with the alley cats' itch to get in each other's backyard . . ."

What all this could mean, of course, is that in the end, except perhaps for vestigial differences in name, we may find that we have created one vast system of identical financial intermediaries—with one set of controlling laws—and one pattern of taxation. Maybe this would be good, but I'm not sure. If that happens, maybe the search for a special type of lender to meet a special need will someday start all over again—like it did over a century ago in Germany, and some innovator will come forth with a new credit idea to break the monotony (or monopoly). In fact, as I shall try to point out later, that need may already be with us.

My announced title was, "Then—Now—and Tomorrow." Since I have already begun to speculate about the future, maybe I'd better move directly into that part of my talk.

I have already expressed my doubts about the ultimate value of the so-called truth-in-lending bill. I have much the same feeling about the ultimate effect of these suggestions for laws to wipe out the differences between the various types of lenders, not because I believe this should not be allowed to happen, but because I believe it is bound to happen, with or without laws.

While we are fighting over today's patterns, the outlines of tomorrow's credit system are already becoming visible. They are not being shaped by man-made laws, but by science.

Over the years cooperative credit based on assets has been replaced by consumer credit based on income. Now we are already edging into what may well be the credit equivalent of the atomic age, instant credit based on computers. Yes, not only instant credit, but instant asset transfers for nearly all commercial transactions.

Once, when we wanted to buy something for which we could not pay in full out of our immediate liquid assets, or had accumulated bills beyond our current reach, we borrowed cash, and carried it around to our creditors in our pockets and purses. Then we established bank accounts and wrote checks. Today's most modern convenience is the credit card—but these too will pass. We can already foresee the day when these will simply become servants in the new world of credit by computers. The technology already exists by which all our important financial transactions both income and outgo can be handled for us instantaneously and as part of this capability, we may even earn instant interest on our balances . . . Why not? Checks could disappear, and cash become more and more only a means of handling minor impulse purchases.

When this day comes, paper work will largely disappear, and credit judgment will also be automatic, based on a record of credit experience constantly kept up to the minute. The prospect boggles the imagination of people who grew up in the days of the handwritten journals and ledgers.

When the day comes when computers take over large central units of capital and computerized records must be established and all who grant credit, must be tied to each other electronically through this central system. Those who are left outside will find that their service will be inadequate and therefore unable to compete.

Where do CUNA and its members fit into the picture? Are you planning to develop your own separate computerized system or will your members want to make alliances with local systems so that they can get the same instant service that the majority of Americans will receive from other financial institutions.

This to me is your biggest future problem. Because of the nature of your operations most of you have not yet come into the check age, let alone the credit card era—and before long you may either be swept into the computer system or out of the big picture—which?

Perhaps I should stop here, *but before it ends*, a good speech should always return to the beginning and I have a special reason for doing just that tonight. I began with a reference to Raiffeisen societies arranged among the poor German peasants over a century ago. The seeds Raiffeisen and Herman Schulze-Delitzsch planted have grown and flourished around the world and produced a rich and vigorous crop of credit unions. Your success has been shared with your members, thus helping most of them to move out of the shadow of poverty. And, of course, this is what your services were intended to accomplish.

But for many people still living in poverty, numbering into the millions, in the countries you serve throughout the world, the problem of the availability of credit is just as real and serious as it was in Raffeisen's day. In fact, the present problems are probably even more dramatic because today's poor can see abundant credit all around them but they don't know how to obtain it or use it successfully.

In spite of all our progress in providing the varieties and volume of consumer credit, the very poor face the same problem their 19th century counterparts did—either no credit or credit at very high costs. It's easy to denounce the loan sharks and the purveyors of shoddy merchandise but for the very poor it's often this or nothing.

Recently the FTC made a survey of installment and retail sales practices in the District of Columbia because some of the prices for merchandise seem unconscionably high and the reason that such a condition could exist, difficult to understand.

For instance the report shows that a portable T.V. sold by a general market retailer for $129.95 cost $219.95 if bought in a neighborhood store in a low income area. Why? Can't the buyer read the ads? How can the highpricer stay in business? But somehow he does and everyone rather naturally assumes that these merchants must make a mint of money by exploiting the ignorance of their neighbors.

It's easy to get all wrought up emotionally about this kind of situation and too often we feel that when we have expressed our concern and indignation, our skirts are clear. All we have to do is call on Congress and pass a law. But when you look at the problem cold-bloodedly—as this report did, you discover that it is economic—not moral!

The FTC report says: "Despite their higher prices, net profit on sales for low income retailers was only slightly higher (4.7% as compared with 4.6%) and net profit on net worth was considerably lower when compared to general market retailers (General Department Stores—13.0%, Low Income Re-

tailers—10.1%). Part of the answer is in the figures for debt losses—general retailers—0.3%, low income market retailers—6.7%—22 times as high."

I hold no brief for these people—I mention these figures to show that they, like their customers, are also victims of the same tragic situation credit unions were organized to cure.

This problem is a modern counterpart of the problem Raiffeisen faced. Can his principles of cooperative credit, and yours, be applied to this current manifestation of the age-old problem? If so, who will take the lead? Ours is a much more complicated society, and the problems of today's poor are rooted deeper in the more complex patterns of our modern industrial system, which has moved too fast for these unfortunates. It is axiomatic to say that their greatest single need is for education—knowledge on which to form sound judgment, and build the confidence necessary to move into the economic mainstream. An important part of this needed knowledge involves credit—what it is and how to use it wisely. Who will help them to acquire this knowledge?

"Then-Now-and Tomorrow"—the more the needs change the more they remain the same. The changes in operating patterns are just that, and should not be mistaken for changes in goals or purposes. Every so often, every organization faces the challenge of its own beginnings, particularly when it becomes successful. Success can breed complacency. The challenges of new peaks to climb fade before the comforts of the plateaus we have reached.

In the past—*Then*—your philosophical founders set in motion a great idea for social service. They found a solution for a great need. In the present—*Now*—you enjoy the power that comes from success in creating a great structure—a powerful machine. But, like every other group that has been successful, you also face the temptation of the inevitable change of motivation that comes with success. Too often the incentive for service is weakened by the enjoyment of the satisfactions that come from the mere operation of the machine. Just to do this gives a sense of power and creates a vested interest in maintaining the staus quo.

In the beginning was the need. The same need is present today and will still be there in the future. The need was your challenge then. It faces you now. It still must be met tomorrow!

Will you be there to meet it—or must a new Raiffeisen rise up to replace you because your course is set only for growth and an increasing share of the affluent market for consumer credit?

You have done well in meeting the challenges of the past.

How well do you feel you are doing in meeting the problems of today?

And what about tomorrow?

PLIGHT OF NEGRO SOLDIER IN VIETNAM

Mr. KENNEDY of Massachusetts. Mr. President, as a member for many years of the Senate Subcommittee on Veterans' Affairs—and as its present chairman—I have been concerned about a variety of problems faced by the returning serviceman, both before he returns and after he returns.

For the Negro, Mr. President, the experience of serving in our Armed Forces has been a cause both for hope and for disappointment. And nowhere has this been more evident than in the conflict in Vietnam.

There is hope, because often in the pressure of battle conditions the discrimination which he may have known at home has been overcome in a spirit of fighting for a common cause—fighting which knows no distinction between white skin and black skin. But there is also disappointment. First, the notion that there is no discrimination or racial distinction on the battlefield clearly is not always true. And second, the memory and the anticipation of treatment back home is not always encouraging.

I would like to call the attention of the Senate to an important and informative series of articles recently published in the Washington Star by Paul Hathaway, who spent nearly 2 months in Vietnam talking to Negro soldiers, from privates to commissioned officers, in Saigon and in the field, and to returned Negro veterans in Washington and other cities.

Mr. President, I ask unanimous consent that this series of articles be placed in the RECORD.

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

THE NEGRO AT WAR—SOME DISTURBING QUESTIONS ARE RAISED

(By Paul Hathaway)

In Vietnam, when a white soldier asks the latest arrival from the states "How are things back in the world?" he's just getting the conversational ball rolling.

But when a Negro soldier asks the ques- it's not just conversation. He is asking for specifics: Are things any different back home? When this is over, am I going back to the same world I left?

In a nutshell, this tells the story of the Negro in Vietnam.

It would be pleasant to be able to report that in the crucible of war color differences fade and that in the task of fighting for his country side by side with his white comrades, the black soldier finds a commitment that relieves him of his burden of bitterness and tension.

In fact, when The Star's editors assigned this reporter to go to Vietnam and talk to Negro soldiers about how they felt about their country and the war and their future, it was in the expectation that that picture would emerge.

It didn't.

For most Negro soldiers in Vietnam it is as though they never left the ghetto. Its agony and its hope, its hate and its love, its violence and its security have come with them to that war-shattered land.

The Pentagon says that when 1968 began, there were 56,000 Negroes in the armed forces in Vietnam, 9.8 percent of our total fighting force. These men are doing all the things that white men do in a war. They live. They die. They kill. They cry. They run away. They curse. They pray. Then they go home. And that is what they think about most.

The black soldier may be eulogized in this war as he has been in others—from Crispus Attucks, who led anti-British agitators against the British in 1770 in the Boston Massacre, to posthumous Medal of Honor winner Pfc. Milton Lee Olive III, who threw himself on a Viet Cong grenade to protect his comrades.

But the reality of the Negro soldier in this war as a person will not be recorded so easily. He is a complicated, troubled, sometimes angry man. He is asking himself some disturbing questions: Is he black first and American second or American first and black second; is he fighting in a white man's war; might the so-called enemy really be his ally in war of the races; is he being used as cannon fodder; is he fighting for his freedom or for someone else's; are the patterns of denial and discrimination that he has known in the states still with him here amidst the red dust and sing-song language?

The answers are not easy for today's Negro soldier. Ironically, they are not as easy as they were in World War II, when two segregated American armies, one black, the other white, fought a common enemy.

Now the armed forces are desegregated—have been, in fact, since the Korean war. But now, also, there have been difficult questions raised for the Negro about the war and his role in it.

The late Dr. Martin Luther King Jr. questioned the morality of the war, as well as the black man's involvement in it.

Muhammad Ali, the former black heavyweight boxing champion, refused induction into the Army on the grounds that he was a Black Muslim minister. He called the Vietnam conflict a white man's war, saying he would not fight his brown brothers in Vietnam.

On a street corner on Washington's 14th Street, in the heart of the city's riot-torn ghetto, members of the anti-war black radical Student Nonviolent Coordination Committee taunted Negro soldiers patrolling the area: "Red China's gonna get you, baby."

DISAFFECTION STRONG

In a month of interviewing hundreds of Negro soldiers all over Vietnam, from the Mekong Delta to the demilitarized zone, this reporter found strong disaffection among black soldiers with the war and their role in it.

Eighty to 85 percent of those interviewed expressed negative feelings about the purposes and the objectives of the war or about the military's treatment of Negroes or about both. Usually, it was both.

Some 15 to 20 percent felt there was no difference between themselves and their white counterparts, that it was a war being fought by the "free world" against Communist attempts to take over Southeast Asia; and that if the war were not being fought in Vietnam, it would be fought back in the United States, perhaps even in the ghetto.

Many of these soldiers felt that those whites who were prejudiced toward Negroes would change after the war, that physical integration on the battlefield would lead to greater understanding between people. Some appeared to welcome Vietnam, with the challenges it presented, as a way to achieve manhood in a world that calls them "boy."

A definite pattern emerged early in the interviewing. Usually, the soldier who expressed negative feelings was in his early 20s and had been drafted or had joined the service because he was about to be drafted. He was not serving his country so much as he was serving his time.

In most cases, he had a minimal amount of education. Perhaps he was a high school dropout. He usually had no desire to reenlist, even though he expressed strong doubts about the kind of life offered him as a Negro back home.

"You go back and tell LBJ that if he extends our tour of duty over here, the brothers are gonna riot," said a paratrooper in Pleiku. "I want to go back to the block, bad as it is."

On the other side, the Negro soldier who identified most with the war and the service usually was in his late 20s or early 30s. He either was already a career soldier or planned to make the service his life. He usually was at least a high school graduate and often had a year or more of college.

He was well integrated in the service and had close associations with whites. He seemed to feel he had been treated fairly in terms of assignments and promotions.

As if it were some sort of medal earned by his diligence, he would trundle out in conversation the kind of security the Army life offered him in Vietnam and his family back in the States.

He would talk hopefully about the future, about the big pension he would be getting in addition to whatever he was going to be doing later. He seemed to have no fear or self-doubt about looking around for a new

career or completing college at the age of 39 or 40.

ASSUMES ALL ALIKE

A Negro field grade officer interviewed felt that many Negro enlisted men live with white soldiers of a low socio-economic level who have little education and are more inclined to have feelings of prejudice. Thus, he said, the Negro soldier, who usually has had few past associations with whites, assumes that all whites are the same.

"Most of the people I work with are college-trained, a little more worldly, a little less likely to be jealous or suspicious of Negroes," the officer said.

Most Negro soldiers were interviewed alone, Negro to Negro, for this series of articles. No interview was conducted in the presence of white men or higher-ranking military personnel.

Seldom did a soldier refuse to be interviewed. Most seemed to look at the interview as therapeutic, as though the soldier had been waiting for someone to whom he could unburden himself.

Despite the negative feelings expressed generally about the war and whites by Negro soldiers, most of them have a hawkish attitude toward the fighting. As long as the United States is committed to the war and they are helping to fight it, they believe in going all-out to win. They scoff at bombing pauses and the limited aspects of the war.

Like many of their white counterparts, many Negro soldiers have a callous disregard for the Vietnamese people, a disregard bordering on contempt.

To many black soldiers who see their lives threatened by war, the Vietnamese are not so much people as they are obstructions that must be overcome. They are people who refuse to help themselves, who should be able to lift themselves by their own bootstraps without American help. These soldiers don't appear to recognize the similarity between this attitude and the attitudes they most deeply resent at home.

In Hue, a squat, gold-toothed Negro soldier in an oversized helmet spat angrily into the turbid waters of the Perfume River and stared across the street at a group of South Vietnamese soldiers looting abandoned and damaged stores in the city's business district, oblivious to the mortar blasts and machine gun fire that shook the area.

"Look at them," said the soldier. "They're all the same, soldiers or civilians. They steal from each other. They cheat. They lie. Most of those people aren't worth saving, man."

Suddenly sniper fire hit less than 25 yards away and he and the reporter scrambled on their stomachs to safety behind a tree. Still, he talked about the Vietnamese, about what he would do if he were commander-in-chief.

THEY'RE NO GOOD

"I'd pull every American out of this country and then I'd drop one big atomic bomb, bomb every one of 'em off the map. They're just no good. That's all."

Minutes earlier, this same soldier had expressed the strong belief that "chuck" (white) officers placed Negroes in untenable battle positions so they would be killed off "and there would be one less nigger to worry about back home."

In Nah Trang, an Army corporal lamented the limitations put on the fighting.

"What kind of a war is this?" he snarled, slamming the palm of his hand hard on the mess table before him. "We can't shoot this. We can't shoot that. You can't bomb this. You can't bomb that."

His stubby firefinger drew imaginary lines on the table.

"There's only one way, one way to win this war," he said in a half-whisper, as though he held the final solution to the Vietnamese problem and he were keeping it secret until the right moment. "Treat all Vietnamese the same—the soldiers, the civilians. Let's take over the whole country, I mean really take it over. Treat all the South Vietnamese as the enemy. Don't trust the enemy. Then there'll be no more Viet Cong infiltration. No more enemy. That's how we'll win the war and get out of here."

Someone asked if this would be fair to the Vietnamese people.

"Who cares about them?" he shrugged. "Who cares? I don't. Who can respect anyone who sits around eating fish heads and rice all day."

A POTENTIAL ALLY?

Despite the attitude toward the Vietnamese, many of these same Negro soldiers believe—or would like to believe—that the enemy sees the black man as a potential ally.

Scores of unconfirmed stories circulate among black soldiers in which the enemy treats the Negro either as a friend or as a neutral party.

"Man, I hear the gooks (the Vietnamese) got these seven soldiers and they killed all six whites and they let this one blood (Negro) go," said an excited Negro. "And intelligence has had this guy for days asking him how come they let him go and how come they didn't kill him, too. But this cat ain't telling them nothing."

Belief in these stories is strengthened by Viet Cong and North Vietnamese leaflets aimed at American troops which address the Negro soldier this way:

"Black man, why are you fighting here? We don't want to fight you. Your war is against the white man back home."

One Negro soldier admitted that in the midst of the shooting at him, he is moved by the enemy's appeal.

"And I think to myself, 'Man, you're right.' "

THE NEGRO AT WAR—THE PROBLEM IS BACK HOME

(By Paul Hathaway)

Enemy rocket blasts shook crowded Da Nang Air Terminal. But Marine Pfc. James Barnes did not seem to hear them. He stretched his long legs and closed his eyes, trying to reconstruct the nightmare he had lived through as an infantryman in the war-ravaged northern provinces of South Vietnam.

What he would always remember most about the north, he said, was seeing his friends, Negroes like himself, die as though their lives were light switches that could be turned off.

Barnes, 20, of Newark, N.J., said he thought he would write a book about it some day—about Vietnam and about black soldiers and their problems with the war and with the whites. In his book, there would be no heroes and no villians, just people trying to survive. It had to be written, he said.

He talked with the conviction of a man who has decided to put off writing The Psalms until tomorrow.

"I can't see the war," he said, shaking his head. "I can't see it at all. I can't see killing somebody you might be buying a drink for back home. Maybe I would buy him a drink before I'd buy for one of the chucks (white). I can't tell. I mean, how do I know the guy I'm fighting isn't a guy just like me? Somebody who just doesn't want to be bothered with nothing, somebody who wants to be left alone?

He groaned and folded his arms.

"I'm sick of it," he said. "So sick. . . . They say we're fighting to free the people of South Vietnam. But Newark wasn't free. Was Watts? Was Detroit? I mean, which is more important, home or here?

"I can't see it. . . . I hope my friends died for something. But I don't know. I seen too much war to be 20. Walk past your best friend, dead, and you don't even really recognize him. People killed. For what? For nothing. Let me go home. That's where the problem is."

Barnes was on his way south for duty in Saigon for a few days before returning north.

He continued talking like a man who is being pursued by something he cannot quite see or understand.

"It's lonesome and scary up north for the brothers," he said, biting his lip nervously. "Sure, we fought together with the whites. We fight with 'em and we fight against them."

He expressed a belief often heard among Negro soldiers that they are given the more dangerous assignments in combat areas.

"When you're on patrol and moving into an area, it's always the Negro who's walking point (up front). That means he's the first to get it if a mine explodes," he said. "That's the kind of assignment we get from the whites. Harassment. Nothing but harassment. Look at the guys who go out on sweeps, who protect hills. Brothers, as many brothers as they can find."

Proof that this actually occurs can't be found, and military officials emphatically deny it. They say that all assignments, dangerous and safe, are distributed without regard to race.

But an important fact is that many Negro soldiers are convinced such lethal discrimination does occur and that as a result they suffer an inordinate number of battle casualties.

In Can Tho in the Mekong Delta, a Negro soldier sat in a bar wondering aloud to a Negro friend if someone—some white—was trying to kill off Negro soldiers.

"The other night we were on patrol, all brothers," he said. "The whites were on guard. We got through the night without any trouble. But, afterwards, I got to thinking, what if this was an ambush? We'd be wiped out and the whites would be safe."

"Well," said the other, "the guys on guard duty could have been hit and you would have been the safe ones. You ever think of it that way?"

The first Negro soldier shrugged and didn't reply.

In Dong Ha, a Marine private said he thought the Negro death rate was as high as 60 percent.

"I think we're being killed off," he said. "I think we're being used. That's what."

Defense Department figures show that the percentage of Negroes killed in Vietnam is slightly higher than for whites, a statistic the Pentagon explains is due to the higher percentage of Negroes in elite volunteer combat units and the high percentage of Negro non-commissioned officers.

The official figures show there were 56,000 Negroes in the armed forces in Vietnam on Jan. 1, 1968, 9.8 percent of the total fighting force. In over-all deaths, Negroes in the six years prior to last Jan. 1 had been killed at a rate of 14.1 percent. For 1967, there were 9,378 killed, of which 1,192—12.7 percent—were Negro.

The Army had 37,500 Negroes among its 337,000-man force—11.1 percent. In the six year period, there were 9,599 deaths, of which 1,565—16.3 percent—were Negro. In 1967, 13.5 percent of the soldiers killed were Negroes—733 of 5,443.

8.2 PERCENT IN MARINES

In the Marines, there were 6,500 Negroes, 8.2 percent of a total Marine force of 78,000. Over the six-year period, Negroes accounted for 644 of 5,479 deaths, 12.1 percent. In 1967, 441 Negro Marines were killed, 12.8 percent of the 3,452 Marines killed.

Of 83,000 Air Force men on Jan. 1, 9,000 were Negro—10.5 percent. The six-year death rate for Negroes was 3.3 percent—13 of 434. In 1967, the Negro death rate was 5.2 percent—9 of 172.

There were 3,000 Negroes among the 69,500 Navy personnel—4.7 percent. The six-year Negro death rate was 1.9 percent—10 to 510. For 1967, the Negro death rate was 2.9 percent—9 of 311.

Though the Negro makes up 9.8 percent of

the armed forces in Vietnam, he constitutes about 20 percent of the combat troops and more than 25 percent of such elite Army units as the paratroops.

Some have estimated Negro participation in airborne units at from 45 to 60 percent.

Statistics also show that one of every four of the Army's front-line supervisors in the grades of sergeant first-class and master sergeant is a Negro.

The re-enlistment rate for first-term Army men is also significantly higher among Negroes. In 1965, this rate was 49.3 percent for Negroes and 13.7 percent for whites.

It also has been noted that the Negro is a more likely candidate for the infantry during his first enlistment because of a lack of skills and education. Some Negroes claim that those who make the assignments simply assume that the Negro is unskilled and therefore that he will be useful mainly in a combat unit.

OFFICER GAP HIT

Negro soldiers also complain about the lack of black officers.

The Defense Department said it has no figures on the number of Negro commissioned officers in Vietnam, but that over-all figures for the armed services presumably apply for the combat zone. The latest figures the Pentagon was able to provide are of Dec. 31, 1966. They show the Army with 4,064 Negro officers, 3.6 percent; 264 or 0.3 percent in the Navy; 132 or 0.6 percent in the Marines; and 2,261 or 1.7 percent in the Air Force.

Many Negro soldiers claim their negative attitude toward the war can be blamed on the situation back home and not on the war itself.

In Phu Bai, Marine Pfc. Richard L. Gray Jr. of Fairmont, W.Va., said last summer's riots increased tension between black and white in his area, the northern provinces where the heaviest fighting has been.

Gray said that when the Detroit riots erupted last summer, a group of Negro soldiers from the city started a disturbance one night during a movie in the mess hall. It was quickly put down by military police.

"It seemed like when the rioting broke out back home, they felt that they had something more important to do back in The World (the United States). It seemed like they wanted to be back there kicking somebody, too."

Another Negro soldier confirmed reports that a number of soldiers, particularly in the northern provinces, have turned to smoking marijuana.

"You can't blame them," he said. "You'd have to take something or go out of your mind. . . . But I do think that if you took a count, you'd find that there were more brothers smoking them than whites. Like back in the states, you got more Negroes taking drugs than whites. I think it's because the brothers have more problems here and in The World."

MUHAMMAD ALI DISCUSSED

In Dong Ha, 10 miles from the Demilitarized Zone, Marine Pfc. Richard Strothers, 21, of Roxbury, Mass., sat on his bunk listening to a record by Gladys Knight and the Pips on his battery-operated phonograph and talking about Muhammad Ali, former world heavyweight champion.

Strothers said he could not believe Ali is a coward because he had refused induction into the Army. Ali technically refused induction because he is a Muslim minister. But he also said he considered the Vietnam conflict a white man's war.

"You know there must be something more to the man," said the smooth-faced Strothers. "How could he be a champion of the world and be a coward?"

"Who knows?" said Strothers, echoing sentiments often expressed in Vietnam by other Negro soldiers. "If I had to do it again, I might have done the same thing."

He had joined the Marines because the draft was imminent and because the Marines had a glamorous tradition. But now, 10 miles from the DMZ, where the enemy lobbed in rockets every hour and you slept with your flak jacket and your helmet nearby, glamour had degenerated into fear.

"This is no man's war," he said. "And certainly not a colored man's. When people can't live together back home, I can't see coming over here fighting."

In Vietnam, he said, he had encountered all of the discrimination he hoped he had left behind in the states.

Suddenly, a rocket hit within several hundred yards of the area, kicking clouds of red dust high in the air, and Strothers, picking up his flak jacket and his helmet, bolted out the door of his billet with a reporter and they scrambled into a narrow 8-foot-deep bunker head first.

Strothers turned away from white soldiers standing in the bunker three feet away as he continued his story.

I WANT A NIGGER

In Phu Bai, Strothers and a group of Negro friends were playing cards at a club when a white soldier wandered in, drunk, shouting, "I want a nigger."

Strothers took him on. Later, as punishment, Strothers was given a slap on the wrist, one day of office duty. The white soldier was fined $50.

Strothers felt the white soldier should have been punished more severely for instigating the incident.

"The judge told me I should have turned the other cheek," he said. "That's been the colored people's problem all these years. We been turning the other cheek."

Strothers looked at his watch and sighed. It was 4 p.m. and Israel X had not returned.

Israel X or Pvt. Israel X. McCoy, who Strothers said is a Black Muslim, is the unofficial leader of a group of about 40 Negroes at Dong Ha. Strothers said he had been sent to Khe Sanh on kitchen duty for "bugging the brass."

"They don't like Israel," said Strothers. "He speaks his mind. When the brother isn't treated right, Israel X speaks up. He's the leader."

Israel X's bunk sits in the corner of Strother's billet. The corner is a kind of khaki-colored monument to blackness.

MOTTOES ON LOCKER

Graffiti are scrawled on Israel X's locker: "Up, You Mightly Race," "Africa for the Africans at home and abroad," "The Black Mood," and "There is no law but strength. No justice but power."

The names of the black brothers are meticulously inscribed on Xs locker in thick black letters: McCoy, Strothers, McIntyre, Wallace, Vernell, Caesar.

For months the brothers had been meeting at nights in the hooches in the far end of Dong Ha. Here in this embattled outpost, they had created their own ghetto.

"It's the war that makes us hang out together," said Pvt. George F. Washington, 19, of 1444 Rock Creek Ford Road, Washington. "When you're this close to death, you feel more secure with your own."

In Nha Trang on the coast, the only hint that there is a war on is the barbed wire in front of the compounds. After the Tet offensive, there was only a minimal curfew. On weekends, soldiers hold cookouts and play touch football on glistening white beaches.

Officers and noncommissioned officers live in stucco-type villas that are close to a road where pretty, long-haired Vietnamese girls stroll by in floating ao dais, the traditional Vietnamese dress.

But there is a black anger, too.

Army Spec. 4 William F. Washington from Los Angeles criticized stories he had read in newspapers and magazines about the harmony of black and white soldiers on the battlefield.

As a group of five Negro soldiers sat around a mess table nodding their heads in agreement, Washington snarled: "All this talk about integration in the foxhole. Well, why not? Why not? You cover his hide and he covers yours. Thats how you survive . . .

"But, you see, that doesn't mean that he's going to treat you any different when he gets back in The World. It's just that you need each other more now."

It was that way in Nha Trang, he said. The whites talked with them, worked with them. But when it came to going downtown to the bars and to the women, the whites went their way and the Negroes went theirs.

"And when I get up in the morning in the barracks and I don't speak to no one, the white soldiers will say, 'Washington, what's the matter with you?' I don't answer. But I want to say, 'Man, don't you know? Don't you know by now?' "

[From the Washington Star, May 8, 1968]

THE NEGRO AT WAR—"I'LL STICK WITH MY COUNTRY"

(By Paul Hathaway)

It has never occurred to Marine Cpl. Hosea Dyson that he is anything but a soldier. To him, being black is irrelevant in a war.

He scoffed at any thought that the war in Vietnam is a white man's war.

In war, he said, there are no Negroes, no whites; there are only those who gain glory in fighting for a cause they believe in.

"It's everyone's war," said the husky, soft-voiced Dyson, a 22-year-old graduate of a small community college in Chicago, where he had attended an integrated high school. We were talking aboard a plane on the way to Da Nang from Saigon.

Unlike many other Negro soldiers in Vietnam who are disillusioned with the war and their role in it, Dyson saw purpose and direction in the conflict.

"I'm an American citizen first," he said. "It's the only country, the only life I know. I can't turn my back on it, even though I know its been wrong many times, particularly about colored people. I feel I have a sense of responsibility and I'll stick with my country."

Since he was 6 years old, when he saw a blue-uniformed Marine carrying the colors, Dyson wanted to be a Marine. Two years ago, he enlisted in his home town of Chicago.

"I've never looked at white people as beasts," he said. "They're people. And I am people. They respect me and I respect them. The Negroes who don't feel comfortable around whites are the ones who never took the time to know them. I always caution guys when they start talking about the white man. I usually ask them to ask themselves if they are really being fair with themselves and with whites. Sometimes, they understand."

As a squad leader, Dyson helped defend artillery installations on hills overlooking the Demilitarized Zone. Over a three-month period, he saw mortar fire cut down eight of the 15 men in his squad.

Once a mortar barrage buried him in a bunker for 45 minutes. Another time, a rocket exploded nearby, killing his buddy a foot away and perforating both of Dyson's eardrums.

"Once when a white soldier left my squad, he shook my hand and told me he'd been proud to be in the same foxhole with me," said Dyson. "It made me feel good, so good. I would have felt good if a Negro had said it, but it struck me that someone white should do it."

Dyson feels that war doesn't give a man time to think about color.

"In war, there isn't any color line," said Dyson. "Charlie (the enemy) doesn't care whether you're black or white. So you have

to work together. You depend on each other to survive out there."

But what happens after the war? Will white attitudes change then?

"I think war changes men," he said. "It will make a difference when we get back. Out here, they see us as people. Before, you were just a shadow or something. Now they know you."

He recalled a night near the DMZ when part of the squad was cut off from the other during an ambush and he and his men were crawling through the jungle to retrieve the dead bodies of squad members.

"We didn't care whether they were black or white, then," he said. "We just wanted to get them back so they could have a decent burial. . . . That's the thing about being a Marine. I don't care about dying so much. I've learned to live with the idea my time might come. It's my parents and my girl I would feel sorry for, not for myself. But, at least, I know one thing. I've got friends here, black and white, who would find my body and bring it back."

BADGE OF EQUALITY

To some Negro soldiers, Vietnam has become a kind of symbolic mission to prove their manhood. For them, Vietnam is a badge of equality, proof that they belong, though they are not necessarily certain it will open new doors when they finish their tour of duty.

They come to Vietnam burning with the ambition to prove themselves, with the idea that the world owes them the dignity of at least recognizing that they exist.

In Pleiku, Spec. 4 Lawrence Harkless, of the 173rd Airborne Division, a former policeman in Watts, spoke of the large number of Negroes who join the elite groups such as the Airborne.

"We join because of pride and the $55 extra a month," he said. "It's a challenge. The brother likes the challenge. We're tough and we want everybody to know it."

He thought about returning home.

"When I get home, I don't want anyone to mess with me in the block. 'Cause I'm a man. If they never noticed before, they better notice now."

For some, Vietnam offers more security than the world they knew back in the States.

A ROLE TO PLAY

Marine S/Sgt. Leon Thomas, 30, stationed at Camp Carroll near Khe Sanh, felt soldiering, even in Vietnam, offered more than civilian life. Thomas, a veteran of 11 years and a native of Cincinnati, said, "It's not like World War II, when the Army was segregated and the Negro didn't have any responsibility. Here we have a role to play. We can see our progress."

Civilian life, Thomas said, was different.

"I don't know if I could live as a civilian," he said. "I could work at a job for eight years and no one would give me a promotion and I'd probably have no recourse. But here in the Marines, you can see your progress, you can have the responsibility."

As for facing civilian life again some day, Thomas said, "I don't think I have to beg anyone when I get out. I can say, 'Look here, white man. I proved myself. Give me what's coming to me.' "

Thomas conceded that many of the younger Negro soldiers have assumed a more militant posture toward racial problems.

"Maybe it's because they were in the States more recently and for a longer time than some of us older fellows. But they seem to be a little more caught up in what's happening back home than us."

Marine Cpl. William Bellamy, 22 of Tarboro, N.C., admitted that there is a growing contingent of anti-white, anti-war Negroes in Vietnam which he keeps at arm's length.

"Many," he said "talk continually about how they are being treated unfairly. But I can never get anything specific from them. As far as I am concerned, I am treated like anyone else. I've been with some whites since Camp Lejeune and not one of them has ever treated me with anything but respect."

DEPUTY ADVISER

Lt. Col. Howard Moon, 38, joined the Army right out of Central State in Ohio in 1949. It was a segregated Army then. The few Negro officers usually were assigned to supply or mess.

"I joined the Army because nothing else seemed to be available in my home town back in Columbus, Ohio," he said. "I could be a schoolteacher, maybe. But I didn't really want that. So I joined the Army. I felt it offered me more of an opportunity than anything else."

Today, Moon is deputy senior adviser to the chief of Thua Thien province in Hue.

Vietnam is every American's responsibility, he said.

"We have a commitment here to people," he says. "If we leave, the lives of these people will be dominated by the Viet Cong. Any Negro should be able to understand this. They should know what being dominated means. These people trust us. They know we'll rebuild Hue. But they also know that the Viet Cong would not lift a finger to rebuild it."

Moon feels that the Army offers an opportunity to Negroes that could not be found in civilian life.

"It gives the Negro a chance to be heard," he said. "We have responsibilities in the Army that we might not find in the private sector of life. The Army life offers Negroes the chance to express themselves and make themselves heard."

But, he added, many of the younger Negro officers apparently are not re-enlisting as opportunities for minority groups develop in private industry.

"Those who might have re-enlisted a few years ago are not doing it now because they have a chance to make economic gains in areas that wouldn't have accepted them earlier," said Moon.

THINGS HAVE CHANGED

First Lt. William Pettis, 30, is serving with the 172nd Engineer Detachment. He joined the Army 10 years ago after working for almost two years as a gas station attendant and dishwasher. After serving as a non-commissioned officer for five years, he became an officer two years ago.

"I felt that on the basis of what I found in civilian life that I could only do better by joining the Army," he said. "I was right."

Pettis, who comes from Aberdeen, Md., remembers that when he had basic training at Fort Jackson, S.C., there were separate barber shops for black and white.

"Things have changed since then," he said. "I feel I can get a fairer shake here than in civilian life."

Pettis sees no discrimination in promotions as other Negro soldiers have charged. He is due for promotion to captain later this year.

To the argument that this is a white man's war, Pettis said, "What do those guys want back home? It's our freedom we're fighting for, too. If we don't fight here, the Communists will take over our country, too. And the ghetto will have even less than it does now."

THE NEGRO AT WAR—JUST FINDING A JOB IS WORK

(By Paul Hathaway)

Two years ago, Johnnie Britt joined the Marines because he was only hanging around street corners and he was afraid he'd get into trouble.

Today, Britt, 19, is back in Oakland, Calif., from Vietnam, looking for a job and afraid he'll get into trouble before he finds one.

Since he was discharged last June, his efforts to find a job have been fruitless.

"A few times I've almost given up," he says. "I was ready to go back into the service. But I've always held myself back. After all, it didn't help me before. Why should it help me now?"

Britt, a lean, intense youth with two front teeth missing, lives with his parents, two brothers and a sister. His service unemployment money ran out in December. From 9 a.m. to 5 p.m. each day, he wanders the Bay area looking for a job.

Sometimes he caddies at a local golf course for $10 a day. That is the closest he has come to steady work.

Britt admits that his efforts are blunted by his lack of education. He quit school in the 11th grade to join the Marines because he didn't feel he was learning anything. In the Marines, he was placed in the infantry.

Early last year, he was sent to Vietnam. At Chu Lai, the war wore him down physically and mentally. In April of 1967, he was sent home with a bad case of war nerves and given an honorable discharge.

For the first month he was home, he didn't try to find a job. He felt it would be easy once he started looking. But it wasn't. He said he has looked everywhere—from state, city and federal agencies to private industry. Either he lacks the qualifications or the job is taken.

Each day, Britt keeps looking.

"I keep telling myself that it can't last forever, that I can't stay a loser forever," he said. "But sometimes I wonder. Maybe it will just go on and on."

Britt was referred to the Bay Area Urban League by the local Veterans Administration office. Costel N. Akrie, veterans' affairs coordinator for the league, has been trying to help Britt.

Early this year, the National Urban League established veterans offices in nine cities to assist Negro veterans in adjusting to civilian life. The national program is supervised by Frank R. Steele, a retired Army major. Akrie is one of nine veterans' affairs coordinators working under Steele.

The program was the idea of Whitney Young Jr., executive director of the Urban League. It has received a $100,000 a year grant from the Rockefeller Brothers Fund. Another 50 members of the league's Commerce and Industry Council, which includes Time Inc., Westinghouse, Ford Motor Co. and Eastman Kodak, will give another $77,000.

In his successful proposal to the fund, Young said that his meetings with Negro soldiers in Vietnam indicated that they "could be either America's greatest opportunity for progress in civil rights, if planned for and properly directed; or America's most tragic experience, if they who have given so much and have developed such unusual qualities are ignored, and inadequate plans made for their re-entry into the mainstream of civilian life."

Akrie, 36, served in the Army in the Korean War. He said that the veterans' ability to make an adjustment to civilian life will depend largely upon what kind of training and education they had before entering the service.

"If he does not have an education, a high school diploma or something, then he is damn near unemployable," said Akrie. "Despite his youth, he is the same as the uneducated guy in World War II or the Korean War. He's at a dead end. The kid comes back from Vietnam. He sees black veterans from other wars fighting the same problems and he asks himself, 'Is this going to happen to me?' "

In the Bay Area, said Akrie, many employers have expressed a desire to help the Urban League program but they have been slow on "follow through."

EDUCATION STRESSED

Akrie said he feels that changes must be made in military as well as civilian life. He favors legislation stipulating that all services require that their personnel receive the equivalent of a high school education before they complete a tour of duty.

In this way, he said, there will be better preparation for the transition to civilian life, where good jobs come hard to the uneducated and the undereducated.

Many service responsibilities do not lend themselves to civilian adjustment, says Akrie. An anti-aircraft technician, a demolition expert or a rifleman had little chance to correlate his former job with one in civilian life," he added.

"Unfortunately, many Negroes fall into these categories," said Akrie. "They went into the service without an education or with an incomplete one, and they are put into a job that does not train them for anything useful in civilian life. They come out with the same problem they had before they went in."

Then, he said, there is the problem of the hypocrisy of the power structure.

"They tell us we need college degrees," he said. "But there are few Negroes that have them. The kind of people industry asks for, we are sometimes unable to supply. They will require a bachelor's degree from a Negro for a particular kind of job, but a high school diploma from a white veteran."

He said he knows of three men with from two to four years of college experience who are working at post office jobs because they have been unable to find anything else. Another, with two years of college, had a custodial job.

NOT ENOUGH MONEY

Leaford Williams, Akrie's Washington counterpart, said he felt that the federal government has failed to meet its responsibility to help veterans. Because they are on the lower end of the social strata, he says, Negroes suffer most.

The government, Williams said, has failed to upgrade the Veterans Preference Act of 1944, which eliminates certain educational requirements for veterans for jobs up to GS–5 at $5,867 a year.

"The federal bureaucracy makes it impossible for veterans to receive consideration even for these jobs," said Leaford. "But even if they were to be considered, it is certainly not enough money."

W. Morton Webster, head of the Southern California regional office of the Veterans Administration, the largest VA office in the country, said that 40 percent of the soldiers returning to his region are either Negro or Mexican-American.

"The average veteran finds a job in five weeks from the time he gets home," he said. "But we find that most of the Mexican-Americans and the Negroes are underemployed. It's not the kind of job that will offer them any kind of future." But government statistics indicate the Negro veteran earns $1,000 more a year than the Negro nonveteran.

It has been estimated that about 41,000 Negroes will be returning to civilian life this year. About 5,000 will have served in Vietnam.

Government agencies have put together a composite picture of the Negro veteran. He is about 22 and has an average of 10 years of education, compared with eight and one-half years for Negro men in general.

VETERANS EARN MORE

More Negroes than whites take advantage of various GI education and vocational-training programs. About 53 percent of the black veterans are reportedly ready to return to school, compared with 45 percent of the whites.

Most of the Negroes who have gone into the military service in the last few years are in the upper 40 percent of all Negroes of draft age mentally and physically, according to U.S. officials. Only two out of five Negroes qualify for the armed forces under existing regulations. Most of the rest fail the mental portion of the armed forces' qualification test.

Only a few of the more recent veterans have had adequate civilian job experience. Government labor experts estimate that eight out of 10 could benefit from more education or training before they look for jobs.

Government figures show that today's Negro veterans earn substantially higher incomes than other Negroes. For Negro exservicemen, the median family income is $4,557. For families headed by a Negro who is not a veteran, the median income is $3,610.

In Chicago, Russell Jeter, 23, has the training and the education. He has everything but a job. Jeter, a bachelor and a graduate of Dunbar Vocational High School, was a radio repairman in the Mekong Delta for the 588th Signal Co., where he supervised 14 men on a 240-foot communications tower.

Somehow, his training has not carried over into civilian life. Not long after his discharge, he took a test for a radio repairman at a nationally known electronics firm. A company official told him he had passed the test and asked him to come back in a few days to discuss a job opening. When he returned, another official told him the only job available for him was as a plant guard.

TRYING TO HOLD OUT

"They made it sound real good," said Jeter. "The guy who offered me the job thought he was doing me a real favor. He thought I'd take the job. He called someone up on the telephone while I was in his office and said, 'I've got a man for that security job.' When he hung up, I told him no. He looked hurt—like I wasn't supposed to turn down this wonderful job at $80 a week. I was making more than that fixing radios before I went into the service."

Jeter also has been offered jobs as a stock clerk, truck driver, and general factory worker. But they all offer little money and no future.

"I'm trying to hold out," says Jeter. "I'm trying to hold out before I take something I don't want and wind up with it forever . . . You would think that people would have a little sympathy because you have been to Vietnam and taken chances with your life. But they don't understand."

Like Jeter, Marvin Townsend, a 22-year-old former Marine from Chicago, finds civilian life more difficult, but for different reasons.

Townsend was injured in Vietnam. The vision in one eye is gone and three fingers are missing from his crippled left hand.

"It's hard, it's hard, when you walk in those (business) offices," he says. "I've tried out for at least 20 jobs. They talk to you and give you the impression you have the job, but nothing comes of it."

GETS DISABILITY PAY

Meanwhile, Townsend and his pregnant wife are living with his parents. His training as an administrative clerk at Quantico, Va., has not helped him find a civilian job. He gets $233 a month disability pay.

Edward Woods, the veterans' affairs coordinator for the Chicago Urban League, has been trying to assist both men in finding jobs.

"It's the same old story," says Woods, an aggressive, no-nonsense former Army sergeant. "A guy has been performing a job in the military well enough to receive a promotion. But someone will say he is not qualified when he applies for a civilian job. He can have all the training and the education he can get. But the worst handle is this—he can't change his color."

But many of Woods' efforts to find jobs for Negro servicemen end in success.

As a result of his direct referral, Charles Walker, 24, is now earning $450 a month while in training as a customer engineer for International Business Machines.

Walker, whose girl friend is in training as a ground hostess for Trans World Airlines, said that of the 19 students in his class, 15 are Negro. Most of the Negroes, he said, are former servicemen.

Walker attended the University of Illinois for two years before he was drafted into the Army in 1965. He went to Vietnam later that year.

He proudly displays a certificate for meritorious service for spearheading a counter-attack in Phu Lai.

Early last year, he was sent back to the United States, then transferred to Germany for five months before returning home and completing his tour of duty in September.

DETERMINATION

The self-assured, dapper Walker came home from Germany with seven tailor-made double-breasted suits, $1,200 and a lot of hope.

"I was determined to do something and get something," he said. "I was determined I was not going to accept what was beneath me before my money ran out.

"I was lucky. I had the money and the determination to wait until the right opportunity came along. A lot of guys aren't that lucky. They have the determination. But they don't have the money. And so they have to take the first thing that comes along."

Walker feels that some Negro veterans come out of the service in Vietnam with the wrong attitude.

"Some guys feel that just because they have been to Vietnam that something should be handed to them," he says. "But I don't feel that way. It's like starting a new life when you get out. You have to prove yourself all over again."

THE NEGRO AT WAR—MY COUNTRY RIGHT AND WRONG

(By Paul Hathaway)

For most Negro soldiers in Vietnam, it is not a case of "My Country, Right or Wrong," but "My Country, Right and Wrong."

They see America as a land of cruel paradoxes, conflicting commitments and shifting priorities.

They see the war as theirs and yet not quite theirs, and democracy as something that is in their presence, yet not within their grasp.

In one breath, a Negro soldier can accuse his country of using him for cannon fodder and yet defend its right to be in Vietnam. Another black soldier called this a racist white man's war against non-white people and yet called for the virtual extermination of the Vietnamese people as a useless drag on humanity.

A Negro officer can talk about his country's commitment in Vietnam and yet accuse it of running out on its obligations to the black man.

Another said his promotions have come on the basis of merit, but added that he never would have received them if he had not been "a good Uncle Tom."

VOICES FAMILIAR

All the contradictions that the Negro sees in this country, he takes with him to Vietnam.

The black voices heard by a reporter in Vietnam are familiar. They come from ghetto street corners, slum hallways, Muslim Mosques and welfare centers.

In Cam Ranh Bay, Air Force Sgt. Vincent Thomas of Camden, N.J., spoke passionately of the need for the United States to fulfill its commitment to the South Vietnamese people and criticized protests against the war.

"I think the people who demonstrate against the war don't really understand it," said Thomas. "The people over here have nothing, nothing but themselves—and they're not even sure of that. I feel that as

an American citizen I am just as committed to fighting in this war as any white soldier. Who am I to walk out on my country?"

Then he added, almost parenthetically, that when he completes his tour of duty with the Air Force next year, he will not return to the United States but go to Japan, where he was stationed before coming to Vietnam.

"I can't face it, man," said the jockey-sized Thomas. "The whole thing makes me sick. You ought to be in Japan, live in Asia, hear what people in Asia say about the United States. . . . I've been to Hiroshima. I've seen what the bomb did to those people and that city. I've heard people in Japan talk about the people in Hiroshima as though they were infected or something. Do you think that's because of the bomb? No. Not really. It's because the Americans dropped it—like we, not the bomb, were the people that infected them. Man, you ought to hear the way they talk about Americans. I mean, white Americans."

WHY COME BACK?

He thought about his friends back in Camden who, like many Negro soldiers, have been found ineligible for the service because of mental or physical inadequacies.

"I went home once," he said. "They were hanging around pool rooms and bars, going nowhere, doing nothing. I saw a little of myself in them and it scared me. I know I'll never go back now.

"Why fight it? Why go back? This guy won't give you a job. That guy won't give you a break. Too much. I'd rather stay in Japan. There I'm equal. I would rather live some place else than be discriminated against in the country I was born in. That's what hurts most."

He thought for a minute. "Do you know something? In all the time I have been in Japan (three years), no one ever called me nigger. And I know the Japanese word for it, too."

For others, there is another kind of ambivalence.

In Pleiku, Air Force Sgt. Hiram Springle, 21, a communications specialist from Thomasville, Ga., deplored the protests against the Negro's participation in the war.

Once he saw the poverty in Vietnam, says Springle, it was difficult to criticize the United States decision to remain there.

CAN'T PULL OUT

He'd always had a feeling for poor people, he said. He'd seen a lot of poverty himself back home: he had lived in it.

"We can't pull out," he said. "After all, we told the man (the South Vietnamese) we were going to help him. We have a commitment. But I keep thinking of the shame of it all. I read Stars and Stripes over here every day and I look through the list of names of kids who have been killed in action. It seems a shame.

"Sometimes I run across the name of a kid I knew back home. Sometimes I see the name of someone and I just have a feeling that they're colored. Because of the name or the town or something. I see these names and I just keep thinking of them dying here. I keep thinking they died without ever experiencing freedom really. All they knew was what it was to be black and be ridiculed."

It was unfortunate that the United States gave priorities to conflicts beyond its own boundaries, he said.

"Today we're worrying about what we didn't do in Vietnam before. Next year we'll be worrying about what we didn't do in civil rights this year. That's the crazy kind of world it."

In a bar in the Mekong Delta, a black soldier from Chicago lectured four dubious Negro friends about the morality of the United States involvement in Southeast Asia. There was no doubt, he said, that the U.S. either would have to fight in Vietnam or else be forced to defend the Philippines, Australia or even the United States.

"The Negro has as much stake in this war as anyone else," he argued. "If the Communists ever took over our country, they'd take our freedom, too."

LECTURE FORGOTTEN

The conversation shifted to weaponry and the shipment of several new truckloads of guns to Can Tho that day.

"Man, when I saw those guns, I got kind of scared," he said, forgetting his lecture. "I'll bet this summer when the riots start, I can just see tanks and those guns going right into my block. Down everybody's block where there's a riot. They'll just wait for us to make a move and blow us down."

"Do you know what?" one friend laughed. "You just ruined your whole argument right there."

But the first soldier insisted that he had not. He was talking about two different things, he said.

Army Maj. Louis White, 34, of Norfolk, Va., said in Nha Trang that he feels the Negro soldier, once he returns home, can be a force in the community regardless of his views on the war or on the service.

"He is respected in the community," said White. "He can either be a source of pride or discontent. If he was satisfied that his experience was a worthwhile one, then I see no trouble. If he was not, then look out. There'll be trouble, I'm afraid."

He recalled one night in Cam Ranh Bay when a drunken Negro soldier's voice filled the street.

"He was shouting about the war and about how he had been treated and what he was going to do when he got back, what he was going to do to make whites listen to him. Everybody tried to walk past him as though they weren't listening. But you could see that they were. They were listening. I'm sure of that."

MORE CAMPAIGNERS DUE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD the following items:

A news story in today's Washington Star entitled "1,500 More Poor Due Today as March Problems Rise";

A Washington Star news story today entitled "Bevel Visualizes a Utopian Camp"; and

An article which appeared in the May 3, 1968, edition of the Charleston W. Va., Gazette entitled "School Patrol Capital Trips Are Canceled."

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

[From the Washington Star]

1,500 MORE POOR DUE TODAY AS MARCH PROBLEMS RISE

(By Charles Conconi and Woody West)

Some 1,500 Poor People's Campaigners were to arrive here today to join about 500 who spent a damp night in Resurrection City. The new arrivals will gravely compound problems of housing, finances, and some dissatisfaction among participants, Southern Christian Leadership Conference officials conceded.

The Midwest contingent of 25 buses and about 1,000 persons was to arrive here from Pittsburgh today. SCLC officials said a 500-person caravan left Chicago sometime yesterday, intending to drive straight through to Washington.

SCLC said the arrivals from Pittsburgh would be billeted in churches in Montgomery County for screening before being sent on to the campsite beside the Reflecting Pool.

The 500 from Chicago were to be handled at reception centers in District churches where the first contingent from the South was accommodated before beginning the move to Resurrection City.

DENY ANY WANT TO LEAVE

SCLC officials today denied reports that 50 to 75 of the first 500-man group had indicated they wanted to return home. They admitted there was some dissatisfaction but asserted that it was not serious.

The Rev. James Bevel, who yesterday gave a reporter from The Star the 50 to 75 figures, later said that "it's a lie." Other SCLC sources said that only about 17 have said they want to go home. There has been no announcement of any participants who might have already left for home.

Early this morning, a light drizzle fell at the campsite, and heavy overcast obscured the top half of the Washington Monument. Few of the campers were stirring in the damp as four marshals patrolled the boundaries of Resurrection City.

The Rev. Ralph David Abernathy, who yesterday morning met with about 70 House and Senate members to discuss goals of the campaign, left Washington yesterday for a swing through the West and Southwest to try and drum up financial support for contingents of Mexican-Americans and Indians who are seeking to come to the Nation's Capital.

SEES FEARS ALLAYED

After the meeting in the Rayburn Building, Sen. Edward Brooke, R-Mass., one of the four legislators who arranged the session, said he felt that Abernathy had allayed the fears of many members of Congress that the poor people were here to threaten that body.

Abernathy, successor to the Rev. Dr. Martin Luther King Jr., as SCLC leader, said after the meeting, "We hope it will not be necessary to progress to civil disobedience. . . ."

Abernathy in the closed meeting denied any plans to block bridges leading into the District, Sen. Charles Percy, R-Ill., said afterwards. Question about SCLC plans to disrupt government operations, however, also were put to Abernathy. "I don't think the answers were too satisfying," Percy said.

SCLC has said repeatedly that massive civil disobedience will be practiced if Congress and the administration do not react to demands to end unemployment and underemployment and provide a guaranteed annual wage.

Rep. Clarence Long, D-Md., praised Abernathy's comments as "conciliatory" but said the programs demanded would cost an "impossible" $30 to $50 billion a year. "The fact is that the average congressman is ahead of the American people on these issues."

Brooke and Abernathy after the meeting expressed the opposite feeling—that the people were ahead of Congress.

Rep. Roman Pucinski, D-Ill., said the answers to poverty problems cannot be found on The Mall. He said Congress has passed and funded wide-ranging programs and advised the poor people to ask local officials why there were not working.

SCLC said it is moving to plug the gaps created by homesickness and boredom among those in Resurrection City, and said recreation and entertainment programs were to start today.

At a rally last night in the big blue, double-domed tent being used as a messhall and meeting area, a show of hands of those wishing to return was called for. Only one old man put up his hand, amid shouts of "Uncle Tom."

NOT A BIG PROBLEM

As to the dissatisfaction, one SCLC official said, "It was to be expected that there would be some, but we consider the number very insignificant and not a big problem."

Money, a chronic problem for SCLC, continued to threaten plans of the campaign although officials remained confident that financing would be found.

"If we don't get more money, we'll have to stop construction" of Resurrection City, the Rev. Bernard Lafayette said yesterday. Of 650-odd A-frame, plywood and canvas structures planned, about 115 were completed sub-

stantially late yesterday, with 40 to 50 more under way.

Several area firms supplying material to the Poor People's Campaign, it was learned yesterday, have asked advance payment in the form of certified checks.

Resurrection City, under terms of the federal permit that runs until June 16, can hold only up to 3,000 persons.

The Northest contingent of the campaign—about 750 persons—spent last night in Wilmington, Del.

TWO BALTIMORE PARADES

It was scheduled to move on to Baltimore today, spend the night and push on to Washington tomorrow.

Baltimore officials have issued permits for two parades—today and tomorrow—the Baltimore Sun reported. City officials earlier had offered to house the marchers in Memorial Stadium, but SCLC officials there said there were no plans to use the stadium.

Tomorrow's parade is to begin about 10 a.m., after which the demonstrators will board buses for Washington, the Sun reported.

The Southern section was to leave for Durham today after spending the night in Greensboro, N.C. About 475 persons are in this contingent.

Stops are planned in Norfolk and Richmond tomorrow and Saturday, with the move on to Washington set for Sunday. Richmond SCLC officials said they are expecting about 800 finally to arrive there, revising their figure from a previous 1,200.

ABERNATHY IN OAKLAND

Abernathy, meanwhile, was in Oakland, Calif., to seek funds for groups from the West and Southwest. He declared again that nonviolence still is the keystone of the campaign, but added that if there is no response, demonstrations will be "accelerated," first on a minor scale and progressing to greater militancy.

Bevel was quoted yesterday as saying that demonstrations would begin "probably within five to seven days," but he would not elaborate.

The press and spectators have been barred from the campsite except for several hours in the afternoon. Bevel at an afternoon news conference said the city had provided an "excellent" medical staff and that about 100 persons already have received physicals.

Asked what SCLC would do if the West Potomac Park site were found to be too small to hold all the demonstrations, Bevel said, "Our city will expand in terms of its need . . . if land is not being used, we'll use it."

Mayor Walter E. Washington paid a brief visit to the campsite yesterday, at least his second this week. He said after a quick inspection tour that he was satisfied that all human needs are or will be met and said he was happy that the campaigners have been "monitoring themselves" so far.

ROCKEFELLER'S VIEW

Gov. Nelson A. Rockefeller said yesterday in Pittsburgh that the Poor People's Campaign "Is just a new form of lobbying."

The GOP presidential candidate said that it "Brings into focus" the problems of poverty and presents a "challenge to the country to find out how to bring these people into the economic mainstream so they can share in its benefits."

But a fellow Republican House Minority Leader Gerald Ford said yesterday in New Jersey that Congress "will not be blackmailed into doing something that we would not do without pressure," although he added that the campaigners "have a right" to be in the Capital.

The 15-wagon mule train—the symbol of the Poor People's March—is continuing to plod along in Mississippi, making about 10 to 14 miles a day. Plans reportedly are to load the animals and wagons aboard trucks so they will be here by Monday when the various contingents are expected to have assembled.

[From the Washington Star]

FIRST "TOWN MEETING"—BEVEL VISUALIZES A UTOPIAN CAMP

(By Michael Adams)

Resurrection City will be a utopia of goodness, beauty and intelligence if the Rev. James Bevel has his say.

Bevel is a top aide to the Rev. Ralph D. Abernathy. Last night he was a principal speaker at Resurrection City's first "town meeting."

"We're going to have a great city," he said. "We're going to have a great time. We're all going to go away from here wiser than when we came.

"What we are going to do is get the record straight on this continent so human beings can live here," he said.

"We are the creators and the lovers."

A GIANT PIECE OF DRAMA

Bevel told the more than 800 persons gathered in a large dining tent that the whole Poor People's Campaign and its interaction with official Washington is, in fact, a giant piece of drama, "the most important drama on earth."

"Some of the policemen are going to come over here and feel they have to exercise their authority," he said, "but don't get upset with them. That's part of the play.

"We're not here because we just want to raise hell," he said. "We are here because unless the black people and the white people turn their economy around, the black people are going to be the victims of genocide."

When the town meeting was originally scheduled, it was assumed by many that the session would be used to institute a form of government for the new community near the Reflecting Pool.

Bevel said that community leadership decisions would be made after all those journeying to the city have arrived.

The town meeting started off with the air of an old-time revival meeting or a civil rights gathering in the earlier days of the movement.

A sense of exuberance was evident in the crowd as the Rev. Frederick Douglass Kirkpatrick strummed his guitar and led the predominantly young gathering in singing "Oh Freedom" and other civil rights songs.

The emotional temper reached an even higher level later when the Rev. Albert Sampson of the Southern Christian Leadership Conference staff extolled, preached and exhorted the crowd for more than an hour.

"Just to set the record straight," he said, "we are not here to stay. We're here to do business. We understand how whites work. We've lived with you for 300 years."

GOD'S UNIVERSE

Repeatedly he returned to the theme that "this is God's Universe," and that the white man is breaking God's law by claiming to own most of it.

"You put the Indians on the reservations and called them savages," he said. "You put the Negro on the plantations and called him nigger; you put the Vietnamese in the ocean and called them communists.

"God knew," said Sampson, "that sometime in history, the people would have to go to Washington . . . there is a famine in the land. We say, (President) Johnson, here's malnutrition in Cabin Number 9; here's deprivation in Number 11."

Sampson said: "We ain't going back to Marks, Miss., without a written contract in our hands (that things in America will change).

"We ain't what we ought to be. We ain't what we were yesterday. Thank God, we're going to make white people what they ought to be."

Bevel said that all persons living in the camp would have to work to make his concept of Resurrection City come true. He talked of establishing departments of sanitation, education and other municipal functions.

"But we won't have any violent relationships here," he said. "In our city, we recognize that each individual is sacred and is a student. We must all learn, no matter how old."

[From the Charleston (W. Va.) Gazette]

SCHOOL PATROL CAPITAL TRIPS ARE CANCELED

The two school patrol trips to Washington, D.C., have been canceled by the Southern West Virginia Auto Club because "conditions in the nation's capital are not conducive to large gatherings."

Club President George W. S. Grove Jr. said this is the first cancellation since the club began sponsorship of the patrol trips in 1936.

The first trip was scheduled for May 10–12 and the second for May 17–19. About 2,055 students applied.

Grove said liability insurance issued for children on the trips wouldn't cover injuries received in a civil disturbance.

AMENDMENT OF NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Mr. BYRD of West Virginia. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 11308.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 11308) to amend the National Foundation on the Arts and the Humanities Act of 1965, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD of West Virginia. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PELL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. JAVITS, and Mr. MURPHY conferees on the part of the Senate.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate I move, in accordance with the order previously en-

tered, that the Senate stand in adjournment until 12 o'clock tomorrow.

The motion was agreed to; and (at 4 o'clock and 21 minutes p.m.) the Senate adjourned until tomorrow, Friday, May 17, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate May 16, 1968:

NATIONAL SCIENCE FOUNDATION

The following-named persons to be members of the National Science Board, National Science Foundation, for a term expiring May 10, 1974:

Philip Handler, of North Carolina, reappointment.

Harvey Brooks, of Massachusetts, reappointment.

Norman Hackerman of Texas, vice Rufus E. Clement, deceased.

Frederick E. Smith, of Michigan, vice Henry Eyring, term expired.

R. H. Bing, of Wisconsin, vice Katharine Elizabeth McBride, term expired.

William A. Fowler, of California, vice Edward James McShane, term expired.

Grover Murray, of Texas, vice Edward Lawrie Tatum, term expired.

James G. March, of California, vice Ralph Winfred Tyler, term expired.

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Tharold O. Galloway, Armorel, Ark., in place of G. M. Vinson, retired.

CALIFORNIA

Wanda J. Robertson, Cantua Creek, Calif., in place of V. M. Norton, retired.

Larelda G. Heim, Silverado, Calif., in place of I. M. Odem, retired.

DELAWARE

Joseph L. Marshall, Lewes, Del., in place of A. L. Brittingham, deceased.

IOWA

Robert L. Kerkvliet, Larchwood, Iowa, in place of B. F. Snyder, transferred.

Keith W. Davis, Malcolm, Iowa, in place of P. D. Varnum, transferred.

KANSAS

Geraldine M. Samms, Sylvia, Kans., in place of D. L. Long, resigned.

KENTUCKY

Noah C. Adkins, Jackson, Ky., in place of J. T. Allen, retired.

Elizabeth W. Meredith, Smiths Grove, Ky., in place of W. H. Meredith, deceased.

MAINE

Wilfred A. Weed, Deer Isle, Maine, in place of L. C. Weed, deceased.

MARYLAND

Randolph L. Wallace, Cecilton, Md., in place of M. B. Boulden, retired.

MASSACHUSETTS

Russell A. Pejouhy, Jr., North Pembroke, Mass., in place of E. H. Turner, retired.

MICHIGAN

Homer L. Blamer, Atlanta, Mich., in place of Waldo Whitehead, retired.

Elwood F. Barkkari, Chassell, Mich., in place of J. H. Sauvola, retired.

Thomas S. Dzarnowski, Gaastra, Mich., in place of W. M. Duff, retired.

Thomas A. Greene, Kinde, Mich., in place of M. L. Yaroch, retired.

Sidney D. Reinbold, Pellston, Mich., in place of Paul Grobaski, retired.

Benjamin L. Bement, Webberville, Mich., in place of H. H. Johns, deceased.

MINNESOTA

John F. Hughes, Marble, Minn., in place of C. J. Passard, retired.

NORTH CAROLINA

Mamie B. Hartman, Advance, N.C., in place of G. T. Ratledge, retired.

Frances J. Dennis, Star, N.C., in place of A. E. Maness, retired.

OHIO

Darrel I. Kesselmayer, Holgate, Ohio, in place of C. E. Archambeault, retired.

OREGON

Bessie E. Wells, Merlin, Oreg., in place of R. I. Lendberg, retired.

PENNSYLVANIA

Wilma J. Lacey, Buena Vista, Pa., in place of H. E. Schwirian, resigned.

Henry A. Hebda, Kane, Pa., in place of V. N. Deane, transferred.

Basil A. Freeman, Port Allegany, Pa., in place of E. W. Anderson, retired.

SOUTH DAKOTA

Virgil K. Djonne, Clear Lake, S. Dak., in place of R. L. Chambers, retired.

Warren W. Sinkler, Wood, S. Dak., in place of E. A. Sinkler, retired.

TEXAS

Elizabeth R. Griffis, Italy, Tex., in place of G. F. Sheppard, retired.

Thomas J. Leatherwood, Sr., Tyler, Tex., in place of F. M. Bell, deceased.

David M. Sears, Wolfforth, Tex., in place of C. D. Gamble, resigned.

WEST VIRGINIA

Robert L. Noll, Martinsburg, W. Va., in place of M. S. Eckerd, deceased.

George A. Biggs, Point Pleasant, W. Va., in place of O. K. Burdette, retired.

WISCONSIN

Roland L. Holtz, Algoma, Wis., in place of Q. M. Groessl, retired.

WYOMING

John D. Tennant, Rock Springs, Wyo., in place of S. A. Grobon, deceased.

EXTENSIONS OF REMARKS

SALUTE TO SMALL BUSINESS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. JOHNSON of California. Mr. Speaker, this week we are celebrating National Small Business Week, saluting this Nation's small businessmen. And indeed, we should salute the small business community.

People in public office are prone to take the credit when times are good. But I think that all of us in Congress can appreciate that credit for the matchless prosperity we have enjoyed for the past 86 months belongs as much—if not more—to the private sector than to the public agencies. A lion's share of the credit rightfully belongs to the small businessmen of the United States.

There are good reasons why I feel this is so.

There are more than 5 million small businessmen in this country;

They make up 95 percent of all American businesses;

These small businesses employ four out of 10 of all our wage earners;

And they provide family income for more than 75 million Americans.

Such is the prominent place small business occupies in our economy.

And in a nation whose very beginning sprung from the concept of individual initiative and free enterprise, the dream of being one's own boss is still strong and bright.

In an age where big corporations have developed and mergers are the order of the day, small business faces many critical problems. Congress—knowing the right of the individual to own his own business and pursue his dream must be protected—created the Small Business Administration, charging the agency to preserve and expand free enterprise.

The Small Business Administration is fulfilling the mandate of Congress. The spirit of the agency is one of dedication to its goals; of seeking new ways to combat the ever-changing problems inherent in a rapidly expanding country.

The agency has made $5.3 billion available to more than 117,000 borrowers through its financial assistance programs—regular business loans, economic opportunity loans for businessmen in poverty-stricken areas, local development company loans, displaced business loans for companies forced to move because of federally aided projects, disaster loans. And about 42 percent of the $5.3 billion—$2.2 billion—came from the private sector.

SBA's local development company loan program, which has assisted more than 1,500 projects principally in smaller communities across the country, has produced more than 64,000 jobs since the program began in 1958. It is easily conceivable those jobs are now putting $300 million a year into the economy.

The Small Business Administration programs are not confined, as many might think, to the urban areas alone. In fact, SBA activity in rural communities has increased substantially since 1963.

President Johnson has said:

> Not just sentiment demands that we do more to help our farm and rural communities . . . the welfare of this Nation demands it.

The Small Business Administration has responded to the challenge. And not only through financial assistance.

For communities far away from an SBA regional office, circuit riders make regular trips to advise local businessmen

and bankers of the help SBA offers. Their visits are well publicized, so that as many people as can be assisted during the circuit rider's visit. In my district in the past 11 months, says SBA Regional Director Bob Strauss, circuit riders have made some 20 visits to eight cities—Redding, Chico, Yreka, Red Bluff, Auburn, Placerville, Bishop, Susanville, and Alturas—working with members of the chamber of commerce, local bankers, and small businessmen.

SBA offers, too, management training in the form of workshops and problem clinics. During this past 11 months in my district, there were six problem clinics held in Butte County, two problem clinics in Tahema County; a workshop and a problem clinic in both Lassen and Modoc Counties.

You have heard, I know, of SBA's very successful SCORE program, the corps of retired businessmen who volunteer their time and expertise to help and advise small businessmen.

SCORE volunteers have been working very hard in the Second Congressional District of California. They have been active this past year in 14 cities: Roseville, Chico, Georgetown, Placerville, Redding, Tahoe City, Sonora, Gridley, Etna, Auburn, Grass Valley, Oroville, Red Bluff, and Paradise.

These services, though they do not involve financial assistance, mean a great deal to our small businessmen.

You might think that all I have told you is a pretty big package. But here is the wrapping on the package. The advisory council.

Our Northern California Small Business Advisory Council, like its counterparts all over the United States, has worked diligently to develop strong lines of communication among the private sector, small business and the Small Business Administration.

Men like William Ealy, of Yreka; Colby Smith, of Redding; and Mayor C. L. Weisker, of Oroville, all members of the Northern California Small Business Advisory Council, and Nick Mandich, of Bishop; a member of the Southern California Small Business Advisory Council, devote a great deal of time and effort to the preservation of our small businesses.

We have heard SBA Administrator Robert C. Moot express the conviction that the key to an expanding balanced economy is the small businessman.

I share that conviction. The small businessman has to work for his community as well as for himself. He has to compete—to fight for his standing in the marketplace. As long as he does both, and as long as the marketplace gives him an equal competitive break, he will continue to succeed—and the American way of life will continue to flourish.

In the words of the President, in his 1968 proclamation of American History Month:

The history of the United States is not a record of blind forces sweeping human beings relentlessly along to an unknown destiny. It is the story of countless individuals whose success and sacrifice converted an idea into a free nation.

NEED FOR ONE-STOP EDUCATIONAL SERVICE CENTERS

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, May 16, 1968

Mr. JAVITS. Mr. President, on February 15, 1967, in a Senate address, I urged that the Department of Health, Education, and Welfare establish one-stop service centers for school officials both in Washington and in Office of Education regional offices throughout the Nation. Such centers would be able to furnish information and make appropriate references not only on programs administered by the Office of Education and other divisions of HEW, but also on education programs administered by other agencies; for example, the National Science Foundation, the Office of Economic Opportunity, the Department of Labor, the Bureau of Indian Affairs, the Veterans' Administration, and the Department of Defense, to cite the principal agencies with education programs. Some local education agencies and administrators, for example, pay as much as $500 annually to keep abreast of Federal programs.

The information service which I suggested is now being put into effect by HEW.

Mr. President, I ask unanimous consent that a letter from Secretary Cohen, detailing the agency's efforts in this regard, be printed in the Extensions of Remarks. The Department of Health, Education, and Welfare is to be congratulated for this step forward.

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

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., April 18, 1968.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your letter of March 18 requesting a progress report on our study of the feasibility of establishing "one-stop" departmental information centers.

I am happy to inform you that such a departmental center has been established on the first floor of the HEW North Building and that remodeling will be completed and the center will be fully operational in midsummer. The U.S. Office of Education has established an OE information center as well.

In addition, the Department has been able to improve the information services provided by its regional offices and hopes to further improve them in the future.

In my letter to you of January 25, 1967, I outlined some of the additional steps being taken to provide information and assistance to local school officials. Since then, we have intensified our efforts to simplify and clarify communications between the Federal Government and State and local education agencies.

Several task forces in the Office of Education are working toward the establishment of greater uniformity in regulations, report forms, and other documents. In addition, we are moving toward the concept of "package" legislation which would group programs with common objectives into single measures. A good example is the Education Professions Development Act. We have proposed the same approach with regard to student financial assistance and vocational education programs.

Please let me know if I can be of further assistance.

Sincerely,

WILBUR J. COHEN,
Acting Secretary.

WHERE WE STAND NEAR THE OCEAN

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. DON H. CLAUSEN. Mr. Speaker, I have the distinct privilege of bringing to the attention of my colleagues a recent speech delivered at the town hall meeting in Los Angeles by Mr. T. R. Gillenwaters, the oceanic adviser to Governor Reagan of California.

Colonel Gillenwaters is one of the most able men in America in the field of ocean resources and is eminently qualified to speak on the vast and unlimited potential for development these resources can provide for America and mankind.

In representing a coastal district in northern California, I can testify to the fact that our people are becoming increasingly aware of this potential and have expressed their desire to accelerate our efforts toward exploitation, enhancement, and programing of these ocean resources.

Technological advancements during this past decade have been of such magnitude that equipment for ocean resource development permits literally unlimited opportunities.

This paper by Colonel Gillenwaters, on behalf of Lt. Gov. Bob Finch, is very timely and should be read fully and carefully by Members of Congress and our citizenry desirous of keeping abreast of the latest information in the ocean resource field.

The text of the paper follows:

WHERE WE STAND NEAR THE OCEAN

(By T. R. Gillenwaters, oceanic adviser to the Governor and staff)

California is greater in population, financial and resource availability than 111 of the 140 nations of the world. In this perspective let us think of our state as a nation. Particularly in view of our ocean potential and what the administration plans for it.

Of the major elements of ocean resources, I prefer to emphasize only four: first, our national defense; second, ocean transportation, including harbor and port development; third, living resources, including commercial and sport fishing and aquaculture; and fourth, the non-living resources which include oil, mining, chemicals, pharmaceuticals, recreation and water. For the purpose of discussion let us not consider recreation as part of the social overhead. Let us reason that the cost of recreation should be considered on a cost effectiveness basis and with few exceptions should be planned, developed, and operated as a business.

After many years of inexcusable neglect, our national oceanographic program is now

receiving considerable attention. The Marine Science and Engineering Development Act of 1966 passed by Congress has resulted in the publication of the First and Second reports on Marine Affairs which are now available from U.S. Printing Office. California has made a major contribution to this national effort through the development of the finest corps of scientific and technological manpower to be found anywhere in the world. Our state challenge is to provide programs that will result in the utilization of this unique asset. We must accelerate its conversion to dollar input to the gross national product.

Recently, some politicans have been rightly accused of trying to pull a well known Russian trick on the Spanish explorer Balboa by claiming they "discovered the Pacific Ocean." It is now obvious the Russians long ago discovered the validity of an ancient prediction, "He who controls the seas controls the world." In the January, 1968, issue of Marine Engineering, Vice Admiral McCain, Jr., is quoted: "In 1960 the Soviets were in eleventh place among the fleets of the world; by 1965 they were in sixth place. By 1971, with a projected 10 million tons added to their merchant fleet, Soviet superiority over the U.S. may be 2–1. While the Soviet merchant marine has increased from 4.9 million dwt in 1960 to 9.6 million in 1965, it confidently expects to have the world's largest fleet (20 million dwt) by 1980. Today 80 percent of the Soviet fleet is less than 10 years old, while 70 percent of all U.S. flag cargo ships are more than 20 years old."

There is some comfort in the fact that many of our leading maritime authorities and some of our industrial organizations are determined to overcome this dangerous gap by the better utilization of modern technology. The broadest adaptation of modern technology in the form of harbor facility improvement, containerized cargo handling, systems approach to ship building, utilization of hover-craft, and uniquely designed submarine cargo tankage appear to be our only chance to compete during the coming decades. In order to accomplish these improvements in the shortest possible time, we must devise broader incentive methods for the involvement of private enterprise.

This same principle will apply to the remaining major elements of ocean resources to which I have previously referred, but time does not permit further details at this point.

Early in 1967 Governor Reagan re-activated the Governor's Advisory Commission on Ocean Resources. This commission was composed of Californians of international and national prominence in the field of oceanic, industrial, educational and research activities. Dr. David S. Potter of the General Motors Defense Research Laboratory, Santa Barbara, served as chairman.

In August, 1967, acting upon the recommendation of the Commission the Governor created, by executive order 67–25, the Interagency Council for Ocean Resources and appointed Lt. Governor Robert Finch, Chairman. He also appointed as members, Honorable Houston Flournoy, Chairman of the State Lands Commission, Honorable Norman Livermore, Administrator of the Resources Agency, Honorable Gordon Luce, Administrator of the Transportation Agency, and Honorable Spencer Williams, Administrator of the Health and Welfare Agency. The responsibility of the Council is to maintain the coordination of ocean projects, establish priorities and designate lead agencies within government. In addition, it is to maintain liaison with the National Council on Marine Resources and Engineering Development and other federal agencies.

The legislature with the concurrence of the Reagan Administration enacted the Marine Resource Conservation and Development Act of 1967, the first such state act in the Nation. This act gave the Governor a mandate to prepare and submit to the 1969 legislature a Comprehensive Ocean Resources Plan (CORP). The act states "it is the policy of the State of California to develop, encourage, and maintain a comprehensive, coordinated state plan for the orderly, long-range conservation and development of marine and coastal resources which will ensure their wise multiple use in the total public interest."

Of course, we are expected to accomplish the following at once and without money, (a) preserve all living resources of the ocean for sportsmen, biologists, scuba divers, surfers, commercial fishermen, and wildlife enthusiasts, all this in spite of the fact that the Russians and Japanese operating modern trawlers and floating fish processing plants are now ranging freely up and down our coast just off the 12 mile limit, and, (b) in addition we are to increase our foreign trade without building any modern vessels or modernizing our ports, we must be prepared to desalinate one billion gallons of new water per day without building atomic plants along our coast, they could possibly destroy the natural environment (obviously an impossible feat under present conditions).

Enough for the satire. We must, however, face up to the facts—the environmental diet of our burgeoning population must be accommodated in an orderly manner. This implies multiple use of our limited ocean resources. Unless we develop sound management programs now we cannot hope to meet the demands of 30 million residents in 1980 plus multi-millions of tourists. As an example, one day last month, in a limited ocean area, 5000 salmon were caught by sportsmen and checked in by the Department of Fish and Game.

Fortunately, we have the technology to contend with most ocean resource problems but we have not developed a method of equitable funding of the required projects. We have the proven technology for profitable offshore oil production and soon the same will be true of mining, underwater living and related activities. We have the need, we have the manpower, (scientific, engineering) and the resources. A plan coupled with financing is required. We must recognize that neither the federal, state nor community governments can meet this challenge my way of traditional taxation methods so we must look elsewhere.

Having clearly in mind the urgency for developing our ocean resources, the state administration is taking into consideration the advice of such well known individuals as Dr. Simon Ramo, who on February 2 publicly suggested the creation of a public-private company, also proposed by Dr. Ray Jallo, Vice President and Senior Economist of United California Bank. Dr. Jallo stated on February 18, 1968: "The newly advanced suggestion of the establishment of a public-private company on the order of Comsat for oceanographic research and development should be given serious consideration. . . . The mixed enterprise for a specific purpose has many advantages: (1) public-private companies will provide an excellent opportunity for business, government and labor to work together toward the solution of social and economic problems in areas where such cooperation is necessary and workable."

With the approval of the administration we have been exploring this approach and now recommend it as essential. It appears logical that once we begin to think of the ocean as one massive "public utility" that must be managed for the greatest good of the people of California, the problems of multiple use will come into better focus. In the use of the ocean no one segment of our populace can be favored to the exclusion of all others.

The nearshore resources are now being inventoried. Once we are able to identify those that qualify for investor financing, as opposed to purely sociological overhead development, then the public-private corporation will definitely be justified and hopefully come into being. To develop our ocean resources it is estimated that $500,000,000 of investment capital can be utilized over the next 7 years. This figure does not include the primary costs of harbor dredging, military expenditures nor the multitude of ongoing ocean related projects or those contemplated by the federal government through the Navy, U.S. Bureau of Commercial Fisheries, Bureau of Reclamation and some 23 other agencies or departments. It does not include the present and future commitments by existing corporations.

The proposed California Ocean Resources Corporation (CORC) must follow a secure and conservative course, deriving one half of the invested dollar from the individual investor and one half from the industrial sector. It is planned that the individual and corporate investors will elect an equal number of directors and others will be appointed by the Governor and approved by the Senate. Under no circumstances will this public-private corporation usurp local jurisdiction nor will it be in competition as an operator. In operation it can be compared to the original concept of the Reconstruction Finance Corporation before it became prostituted by an irresponsible bureaucracy. The California Ocean Resources Corporation (CORC) will be subject to legislative scrutiny but must always be controlled by the investors who furnish the money.

On Friday, April 5, Assemblyman Pete Wilson of San Diego introduced Assembly Bill 1470 and Assembly Joint Resolution 31 calling for the establishment of a public-private corporation as described above and hearings will be held soon after May 6.

We must expand our defense, double our harbor tonnage, triple our harvest of living resources and quadruple our returns from the ocean's non-living resources including water by 1980. To do this we must utilize the best of management methods supported by the leverage of invested funds.

California has been the Nation's leading maritime state for many years. Now we must enlarge that leadership and expand our influence not only into the Pacific Rim countries but around the globe. We have the greatest accumulation of technology and science in the world. Incorporating these with the proper planning and funding, our wondrous ocean will become a treasured utility of indefinite duration.

TRIBUTE TO CHARLES A. MORAN, ATLANTA, GA.

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 16, 1968

Mr. TALMADGE. Mr. President, the Georgia House of Representatives in its recent session of the general assembly recognized Hon. Charles A. Moran for the dedicated service that he has rendered the State.

I join the legislature in commending Mr. Moran, and ask unanimous consent that the resolution of the house of representatives be printed in the Extensions of Remarks.

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

H. RES. 814

Resolution commending Hon. Charles A. Moran; and for other purposes

Whereas, Charles A. Moran, native Atlantan, disabled overseas veteran, a retired State employee, last September was invested a Knight of the Equestrian Order of the Holy Sepulchre of Jerusalem, the first and only layman in Georgia to receive this distinction; and

Whereas, the Order of the Holy Sepulchre reportedly dates from St. James the Apostle, the first Bishop of Jerusalem; and

Whereas, during the Georgia Bi-Centennial he planted a dogwood tree on the Capitol grounds adjacent to the General Gordon Monument which attracts many local people and tourists each year; and

Whereas, as a member of patriotic groups he has been active in the area of Americanism, exposing and focusing attention of our fellow Georgians on the Communist menace; he was actively interested in having the words "under God" included in the Pledge to the Flag, reference to it appearing in the Congressional Record at the time; and

Whereas, to spark the flame of continuing patriotism in all and to promote nationwide unity, a love of God, Country and Flag, he became the originator of the Hall of Flags in our Capitol building which daily attracts visitors from many states; and

Whereas, for several years he was actively interested in the Youth of the Community, escorting some of the Pop Warner Junior League Football Teams to be recognized by this body after having been received by the Governor; and

Whereas, he has requested that legislation be effected to refer to our Flag as the "U.S. Flag" and/or the "Flag of the United States".

Now, therefore, be it resolved by the House of Representatives that this body does hereby salute fellow-Georgian Commander Charles A. Moran of Atlanta for his display of citizenship and heartily congratulates him in being invested a Knight of the Equestrian Order of the Holy Sepulchre of Jerusalem.

Be it further resolved that the Clerk of the House of Representatives is hereby authorized and instructed to transmit an appropriate copy of this Resolution to Commander Charles A. Moran.

Read and adopted in House, March 4, 1968.

GLENN W. ELLARD, *Clerk.*

A PARLIAMENTARIAN'S VIEW OF SCIENCE AND TECHNOLOGY

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. KARTH. Mr. Speaker, on May 8, 1968, Representative GEORGE P. MILLER delivered an address to the Consultative Assembly of the Council of Europe in Strasbourg, France. This organization comprises parliamentarians from the countries of Western Europe and is an important forum for international cooperation. Mr. MILLER was especially invited because of the work in national science policy which has been accomplished by his Committee on Science and Astronautics. He was accompanied by Mr. Richard A. Carpenter, senior specialist in the Science Policy Research Division of the Legislative Reference Service.

The Council of Europe is concerned with the role which parliamentarians can play in overcoming some of the disparities between the United States and Europe in scientific and technological fields.

Mr. MILLER'S address, "A Parliamentarian's View of Science and Technology," and the response by the rapporteur for the Consultative Assembly, Mr. Sven Gustafson, and a member of the Parliament of Sweden, constitute a revealing account of the opportunities for useful exchanges of views among the legislators of various nations.

I commend the attention of the House to the texts of the remarks which follow:

A PARLIAMENTARIAN'S VIEW OF SCIENCE AND TECHNOLOGY

(Address by the Honorable GEORGE P. MILLER, chairman, Committee on Science and Astronautics, to the Consultative Assembly, Council of Europe, Strasbourg, France, May 8, 1968)

I am very pleased to represent the United States Congress in this discussion of science policy today. It is an honor to meet with the consultative assembly and a great pleasure to see old friends and to begin new friendships.

Our theme for this meeting is, and I quote, "disparities between the USA and Europe in the scientific and technological fields—ways and means of remedying them." I wish to emphasize remedies and not disparities, for I feel the latter have been so well documented, "demystified," and discussed that we are all ready to proceed to a more positive, constructive debate.

I commend the organization for economic cooperation and development for its thorough study and your colleague, Mr. Gustafson, for his excellent review which you have before you.

We have seen that technology does not flow evenly throughout the world. The fruits of technology do not appear uniformly in every country, State or geographical region. I can assure you that these disparities are just as troublesome among jurisdictions within the United States as they are between continents.

The transfer of technological information is a subject of much concern to us. It is at the heart of the disparity problem. It is also a subject which we should be able to do something about without encountering great political questions. The remedy lies in standardized information handling procedures implemented through electronic data processing techniques. I am pleased to learn of the OECD effort in technology transfer which is getting under way. We have an experimental program in the National Aeronautics and Space Administration which is beginning to indicate the most useful procedures and techniques. I look forward to the closest cooperation among the developed nations to increase technology transfer.

The use of technology (regardless of wherever it may have originated) is the more crucial problem. The use of technology depends on a climate for innovation within a country or State. This climate can be changed and controlled as the leadership and people of a nation grow to understand science and technology. The simple message I bring today is that the parliamentarian has a vital role to play in constructing a climate in which technology will thrive. My experience of 24 years in the Congress, coinciding with the explosive growth of technology, suggests a few observations which I would share with you. The answers are not all in hand, I assure you. But some of our activities appear pertinent to the discussion.

POLICY FOR SCIENCE AND SCIENCE FOR POLICY

Science policy in the United States, as in other countries, comprises two aspects. First, policy for science means the management principles which assure the health of the Nation's scientific activities. This sort of policy involves basic research, science education, experimental facilities and apparatus, and scientific and technical information systems. Science is not a function of government, but research is supported by public funds on the basis of the eventual, if unspecified, benefits to society. An important aspect of these benefits concerns the training and education of highly skilled manpower.

The second aspect is science in support of policy. This means that virtually all goals and functions of a modern government are to some extent affected by science and technology. National policies lead to missions which are carried out by designated agencies. Analysis of the mission requirements frequently indicates that research and development are necessary and can be justified in practical terms of achieving the stated goal.

Since the U.S. Congress participates fully in the *origination* and *formulation* of national goals, the legislative branch has a direct concern with the ways in which science can be applied in their pursuit. The separation and balance of authority under our Constitution through the executive, legislative and judicial branches, through the bicameral system in the Congress, and through the two-party political system, means that science policy is the result of diverse and numerous viewpoints. Further diversity comes about since the majority of government R & D expenditures is to support a variety of missions. Thus, U.S. science policy is a mosaic of individual policies which stem from national goals expressing the general aims of our democracy.

The impacts which the Congress and the government can have on science are dominated by that of Federal funding for research and development. The total R & D performed in the United States in 1968 is estimated at about $25 billion, 80% of which is development. Federal obligations will be $16.7 billion or two-thirds of the total. Of these government funds, about $10 billion will go to private industry. Thus, Federal science policies are a major factor even in non-government laboratories.

Other governmental impacts on science include tax credits for privately funded R & D, patent laws, and anti monopoly policies. The so-called climate for innovation is affected by a variety of legislative actions, often in a subtle manner.

Changing congressional attitudes toward science

The United States learned the benefits of science applied to national goals during World War II. After that period, in 1950, the National Science Foundation was established to provide government patronage for research. Congressional approval was based on an acceptance that market place economics and private funds would not support a level of scientific effort which was necessary in an increasingly technical world. The motivations, at that stage, were chiefly those of *faith* that basic knowledge will find application in due time, and *fear* that insufficient scientific activity will deprive the nation of a base for industrial and military technology.

In this period most of the large expenditures were for security-classified projects in military or atomic energy programs. Public debate was rare and science policy was not a widely discussed issue in the Congress.

In 1957, the space age began an enormous awakening of public interest in science. At about the same time, the biological effects of radioactive debris from atomic weapon testing were vigorously debated. These implications of research led to increased scientific literacy in the electorate. The Congress responded by establishing standing committees, the Science and Astronautics Committee in the House of Representatives and the Aero-

nautical and Space Sciences Committee in the Senate.

More recently, the uses of technology in solving a great variety of problems for society have broadened the congressional interest in science policy. Air and water pollution abatement, education, crime detection and prevention, and transportation are examples of public goods and services which depend on scientific ingenuity and technological development. As these issues are debated, the Congress has required a vastly greater amount of technical information to integrate with social, political, legal and economic factors in arriving at legislative decisions. Mr. Gustafson has noted similar concern in European nations in attacking these complex social problems through more effective use of science and technology. I believe that this is an area where increased cooperation among our member countries can occur at an early date and produce meaningful results.

SCIENCE ADVICE FOR THE CONGRESS

In order to elaborate and control science policy, the Congress has equipped itself with a variety of information sources. Since scientists and engineers often do not agree among themselves on technical issues, a number of inputs are well warranted. The legislative branch is unlikely to contain any significant percentage of members with formal training and experience in science. However, members tend to specialize in certain programs and wthin a short time become quite familiar with the technical issues. In our Congress, committees are entrusted to study these matters in depth and report to the parent body with recommendations for action.

Advice for the Congress does not imply any abdication of responsibility for judgment. In fact, there are few issues which are purely technical. The scientific information is simply added to other factors in policy formation.

The executive branch offices are a major source of scientific and technical information. By means of pubic hearings, congressional committees can elicit comment and explanation on R & D programs in an atmosphere of an adversary proceeding. Questions and background material provided by the committee staffs bring about a probing of issues which penetrates the "salesmanship" of agency proponents to a great extent.

Independent information sources include trade associations, industrial contractors, professional societies, and university representatives. Persons and groups affected by specific legislation will quite naturally submit testimony. Invitations are issued to experts whose opinions are desired and who may be more or less free from vested interest.

In addition to these information sources, the Congress established, in 1964, a science policy research division in the legislative reference service of the Library of Congress. This group of 18 professional scientists and engineers acts as a *bridge* between the Congress and the scientific community. Answers are provided to factual inquiries from individual legislators and committees. But more importantly, major science policy issues are analyzed in a pro-and-con fashion to give the member as complete and objective a background as is possible.

THE LEGISLATIVE PROCESS

The legislative process includes three steps which affect national science policy. First, the *authorizing* function of the legislative branch often brings new programs into existence. Some scientific agencies operate under continuing authorization (e.g., the National Science Foundation, the National Bureau of Standards). The National Aeronautics and Space Administration must receive authorization of its program each year. Changes in emphasis and redirection have resulted from the accompanying hearings. The recent increased attention to environmental quality has come about through congressionally inspired amendments to air and water pollution laws. The Joint Committee on Atomic Energy conducts a detailed annual approval review of the activities of the Atomic Energy Commission. Thus, by authorization, new legislation or amendments, the Congress may propose and originate science policies.

Second, the *appropriations* function is a powerful means of directing the course of research and development. Projects of the executive branch which are endorsed by authorization may yet be delayed, or reduced in scope, or eliminated by an appropriations committee. Alternatively, additional funds over and above what are requested and authorized may be provided.

The results of committee actions in authorizing and funding science may be modified by conferences between the House of Representatives and the Senate, and further changed by floor debate during the passage of the legislation. Currently, science is being challenged at every juncture as a possible place to cut costs during this period of fiscal constraint. The gathering together of R & D budgets to give a coherent picture of Federal obligations has long been an efficient management scheme for the Government. But now this $17 billion total is viewed as one of the few controllable expenses and is subjected to constant scrutiny. Unfortunately, the premise is wrong, for it has been shown that about 90% of this total is in mission support work. To cut R & D funds any appreciable extent would be to limit the capabilities of the agencies involved to accomplish their missions. National goals which the economy minded might support very strongly would not be achieved. For example, of the $17 billion Federal R & D budget for fiscal year 1968, $7.8 billion is for the Department of Defense. Of that figure, $5.6 billion is for development, not research. So the amount of the "science budget" which could be pared without seriously effecting operational projects is much less than is often proposed.

Finally, the legislative process includes an *overview* function—to continually assess the performance of Government agencies, to search for "gaps and overlaps," to foster coordination when projects cross agency lines, and to seek the maximum benefit from tax dollars spent for science.

In recent years the Congress has established the Office of Science and Technology in the Executive Office of the President with an expressed purpose of reporting to the Congress on science policy matters. This office is responsible for coordination of Federal agency R & D activities and its director testifies frequently before committees of both Houses.

A major coordinating effort of the Congress has been the instigation of a national system for scientific and technical information. Beginning in 1961, the Congress has continually fostered improved information exchange as a means of increasing the efficiency of R & D and preventing needless duplication.

The above are two examples of legislative attempts to counteract the fragmentation of science policy among the executive departments and agencies. However, a similar division occurs among the committees of the Congress. The coordination of legislative approaches to science policy is a growing problem. Informal meetings between committee chairmen may be effective. Joint hearings and joint committees are infrequently used devices which can bring concerted action. Sources of advice themselves can provide a coordinating effect on a particular issue as they are sought by various members and committees. The all-pervading nature of science and technology in American civilization means that science policies are as varied and diffused as are the uses of science.

In conclusion may I reiterate: the climate of understanding and appreciation of technological potential can be greatly influenced by the parliamentarian. He called direct the application of science to serve his constituents; and he can lead the public to underwrite the risks of innovation. And these influences can lead to national attitudes which will reduce disparities in the use of technology throughout the world.

INFORMAL EXCHANGE OF VIEWS BETWEEN A U.S. CONGRESSIONAL DELEGATION AND THE MEMBERS OF THE CONSULTATIVE ASSEMBLY, MAY 1968

Mr. GUSTAFSON. It is a privilege for us to have among us today the Chairman of the Committee on Science and Astronautics of the House of Representatives, the honorable George P. Miller. He is the member of Congress who has the most thorough knowledge of scientific policy and I have heard many American experts say that nothing can be done in the field of science and astronautics unless Mr. Miller approves it. We have all read with great interest and may I add with some envy the report of the U.S. Congress and Science Policy presented by Mr. Miller. When Mr. Miller tells us that since 1964 there is a Science Policy Research Division in the Library of Congress with 18 professional scientists and engineers acting as a bridge between the Congress and the scientific community—we understand that we in Europe have much to learn. A European scientist said in one of the very interesting panels organised by Mr. Miller's Committee "Parliaments are in many countries a brake on scientific development while the US Congress has become part of the motor bringing science to bear on the future. Almost everywhere in Europe Servan-Schreiber's book "Le Defi Américain—The American Challenge—is the subject of discussion. More than half a million copies only in France show how burning this question is. Servan-Schreiber's book is of great value as a means of catching the imagination not only of the politicians but also of the public opinion. However, we must not let it create a European inferiority complex towards the USA. There is a great potential in Europe both in the financial and technological fields. What we in Europe must learn is to translate it into action. I am not going to repeat the survey of the studies undertaken in different organisations regarding the so-called technological gap and the US investments in Europe. I would only mention three facts which should not be forgotten:

1. It is true that US investments in Europe are very big and have been increasing. But Christopher Layton has shown in his book Transatlantic investments that the European long-term investments in the USA are of the same size. The big difference however is that while European investors mostly are sleeping partners in US corporation the US investors establish new, US-owned industries in Europe. If instead part of the European money were used to establish Europe-owned subsidiaries or new industries in the U.S.A. the whole picture would change;

2. It is true that U.S.A. spends much more money on R. and D. than does Europe. The newest figures show 110 dollars per capita in USA and about 30 in Europe. It is also true that many more scientists and engineers are engaged in R. and D. in USA than in Europe. However, the OECD report published in March this year gives us the rather sensational news that if you take into consideration all the engineers engaged in industry the European figures are higher than the American. The OECD report draws the conclusion that the European effort in technological education surpasses the United States efforts in both relative and absolute terms.

3. The OECD study has shown that there does not exist one single technological gap. Of eight sectors of industry investigated by

the OECD there is a gap of United States advantage in a few very important research-intensive fields whereas in other sectors no US superiority can be found.

However, we recently received some alarming figures from a US Congressional Committee as regards the so-called "brain drain". At the OECD ministerial meeting in March as well as in other ogranisations the emigration to the USA of about 2000 European scientists and engineers per year has caused grave concern. The new US figures show about 2200 in 1965, 2700 in 1966 and 4200 in 1967. I would appreciate it very much if Mr. Miller would tell us whether he regards the 1967 figure as an exception or as evidence of a new trend. I know that the new immigration laws in the USA will influence the future development and might even put a stop to the European "brain drain" during the next few years and I am sure that we all would be grateful for further information regarding this very important question.

Mr. President, as I see it we are in the beginning of a new industrial revolution. We are going forward at a tremendous speed. Let me give one illustration. In paragraph 15 of my paper I mention that in 1966 27,000 computers were operating in the USA compared with 6,000 in Europe. I have now got the US figure for 1967. It shows 40,000 computers in the USA compared with 27,000 the year before. Certainly we must see to it that we in Europe are not left behind. We cannot solve the industrial problems of tomorrow by using yesterday's technology.

Now what should be done to remedy the disparities. Before turning to the specific proposals in my report I would make a general observation. We in Europe should spend much more money on research and development not in order to try to match the Americans but because of the fact that it is the most profitable investment. Further we must have much more co-operation. Still there are often water-tight compartments between the European countries (also within the EEC) as well as between universities and industry.

But above all we must pay much more attention to the questions of management and of financing industrial expansion. It has often been said that the "technological gap" is to a very large extent a "managerial gap". It is not enough to make an invention. The invention must be transformed to an innovation and developed into a product that can be sold on the market at a competitive price. One of the points that emerge from the OECD studies is the frequency with which inventions and discoveries made in Europe have been left neglected and unexploited for long periods of time, only to be applied in the end by an innovator in the USA. There is nothing wrong with the quality of the European research but it is not properly organized and it is not integrated in the full innovation cycle.

Now we come across a very difficult question indeed. To what extent should Europe have its own research and development and to what extent should it import technology from abroad. Up to the middle of this decade at least US superiority had not had an adverse effect on the overall economic growth in Europe or on its world trade. Most European countries managed to increase their share of world exports. The explanation is, of course, that the European countries have drawn on the US innovations, a fact which is clearly shown by the growing deficit in the European balance-of-payments for patents and licences.

Of course we must try to avoid duplication of work. It has been rightly said that there is no need to invent a mouse trap twice. As I said just now an innovation can be made on the basis of research in other countries.

But if Europe should be as dependent on US fundamental research as is for instance Japan, we would run the risk of always lagging behind and would be able to enter trade in research-intensive industries only from the technology is well established and the innovative element in competition is replaced by more traditional elements of advantage. And this takes some years. We should remember, that it is during the initial period that the big profits arise, profits which are essential to finance further expansion.

There is another important aspect of this question. In order to be able to make efficient use of imported technology the receiving country must be able to assimilate and adjust foreign technology. In order to profit by the innovation of others you must be able to make innovations yourselves. I now come to the suggestions made in my report in paragraphs 30 to 58. I shall not mention all of them but pick a few that I find most important. I have divided them into three sections. The first one deals with possible European efforts, the second with possible U.S. efforts and the third suggests some joint actions.

As regards European actions I shall limit myself to what the Council of Europe could do.

I was very glad to hear yesterday that the Secretary General of the Council of Europe has taken an initiative for co-ordination between the different organizations in Europe. The present difficulties with regard to ELDO and ESRO show the burning need for a concerted scientific policy in Europe, a fact that the Chairman of our scientific and technological committee M. Reverdin underlined yesterday in his questions to the representative of the Committee of Ministers.

The Council of Europe should also further study Mr. Harold Wilson's proposal regarding a European Institute of Technology which should examine case by case, area by area, industry by industry the means of greater European technological co-operation. Particularly now when the Benelux proposals and other efforts to arrive at European co-operation as well as the EEC commissions proposals regarding the medium-term policies are being held in abeyance, the Council of Europe should act in order not to lose valuable time.

With regard to the question what the United States can do to remedy the disparities we are of course waiting for the suggestions from our American friends. I do not know whether the Committee on Technological Disparities set up by President Johnson has come to any conclusions as yet.

We should also like to know to what extent the US balance-of-payments difficulties will affect the relations between USA and Europe.

I mentioned earlier in my statement the "brain drain" and the alarming figures now published. I should very much appreciate it if Mr. Miller would comment on a suggestion made by President Johnson's assistant in scientific matters Dr. Donald F. Hornig. In one of the very interesting panels organized by Mr. Miller's committee Dr. Hornig said that the immigration should be concentrated on young research scientists who have already established themselves in their own country, *who come to America with a purpose related to their activities in their own country and who have some day to return.*

What I would very much like to know is whether the new immigration laws coming into force of July 1st, this year, will in any way be used to serve this purpose. Under all circumstances I think this is a question which could be discussed jointly.

And lastly I come to possible joint actions:

Most of them refer to the work that is already being done in the OECD which is a natural forum for intergovernmental co-operation across the Atlantic in these questions.

I have expressed the wish that OECD should not only be confrontation oriented but also become more action oriented. We owe much to the OECD. Its recent studies and the debate at the Ministerial Meeting in March has cleared away many misunderstandings and preconceived ideas. OECD has also drawn attention to the new fields in which an extensive international collaboration is clearly called for:

Computer utilisation, educational technology, environmental technology, urban development technology, oceanography, and communications.

I would also suggest a new negotiating round on patents, licences and standards as part of an attack on non-tariff barriers to trade.

The question of co-operation with regard to space policy will also have to come up as a result of the present difficulties in the European space organisations.

As Parliamentarians we have much to learn from the US Congress.

To be prepared for this European Members of Parliament should as soon as possible take the following concrete action: (a) the establishment in all European national Parliaments of committees on science and technology; (b) the creation in all national European parliaments of an efficient instrument or service corresponding to the Legislative Reference Service of the Library of Congress; (c) the organisation and holding of regular and frequent seminars on science and technology for MPs, scientists, industrialists and civil servants to which American Congressmen and specialists would be invited, to be held under the auspice of the Council of Europe on the model of the interesting and high-level panels organised by the Committee on Science and Astronautics of the House of Representatives.

PRIVATE SECTOR PARTICIPATION IN THE REBUILDING OF CITIES

HON. CHARLES H. PERCY

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Thursday, May 16, 1968

Mr. PERCY. Mr. President, the Committee on Banking and Currency has been working for more than a year on legislation that will encourage private-sector participation in the rebuilding of our cities as well as make homeownership possible for lower income families. The committee has been deeply encouraged in its efforts by the increasing number of privately financed homeownership projects in cities across the country. An article describing such projects in Boston, Gary, Ind., and Pittsburgh was published in Tuesday's New York Times. I ask unanimous consent that the article be printed in the RECORD.

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

BOSTON TO BEGIN PROJECT FOR POOR—BANKS AND INSURERS LEND $50 MILLION FOR URBAN PLAN

BOSTON, May 13.—Mayor Kevin H. White announced today that a major new urban program would be started to expand home and business ownership among the city's poor.

Mayor White said the plan would be a privately financed $56-million self-development program.

A key feature includes a loan commitment of $50-million from Boston banks and insurance companies to support efforts in housing rehabilitation and new construction for low-income families. It will also make mortgage funds available to greatly expand home ownership in the inner city, the Mayor said.

The program provides for the establishment of the Boston Urban Foundation, a nonprofit organization that will attempt to

solicit $2-million from the business community and the public.

These funds are to be channeled into disadvantaged areas to assist in financing small business ventures to be owned and operated by residents.

An Urban Development Corporation will be formed to supervise the allocation of the funds.

George H. Whitney Jr., chairman, New England Group, Investment Bankers Association, who will direct the fund drive, said that when the $2-million was raised for equity purposes, commercial banks would lend the corporation another $4-million.

Mayor White said that while the shared risk program was geared to aid slum areas, it would also apply to poor families throughout the city. He said he hoped that between 400 and 500 persons in the area would buy their own homes by the end of the year.

He said that besides the loan commitment, the backing concerns will provide the talent of lawyers, accountants, investment specialists and academic people to assist the new entrepreneurs.

UNITED STATES STEEL JOINS GARY PLAN

GARY, IND., May 13.—The United States Steel Corporation announced today here jointly with Mayor Richard G. Hatcher that it hoped to build from 250 to 300 moderate-income housing units.

George A. Jedenoff, general superintendent of the steel works here, declined to say how much the company would invest in the project, but estimates are in excess of $5-million.

Mr. Jedenoff told newsmen in a press conference this morning with Mr. Hatcher that they had been working on the project since shortly after Mr. Hatcher's election last November.

About 56 per cent of this city's 475,000 population are Negroes who live in a slum area known as Midtown. Mayor Hatcher, who is a Negro lives in that area.

Mayor Hatcher said a feasibility study was under way. The site is a 48.4-acre undeveloped tract owned mostly by the Gary School system. It is near the site of a new high school under construction on the fringe of the slum area.

PITTSBURGH, May 13.—Two major corporations have announced separate plans to attack the problems of slum housing, principally in Negro slums.

The Westinghouse Electric Corporation will form a subsidiary, Urban Systems Development Corporation, to carry out all phases of providing better housing for low-income families throughout the United States.

The Equitable Life Assurance Society has allocated $1-million to rehabilitate, purchase and refinance one- to four-family homes in the metropolitan Pittsburgh area, thereby providing mortgage money to low-income families.

Working under Government-supported programs and with headquarters in Washington, the Westinghouse subsidiary will develop low-rise apartment communities in contrast to massive housing projects erected in the past. It plans to train construction crews from among hard-core unemployed men in the slums.

NORTH DAKOTA SECOND DISTRICT VOTERS BACK NIXON, OPPOSE VIETNAM PULLOUT

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. KLEPPE. Mr. Speaker, recently I mailed a questionnaire to the 81,600 postal patrons in North Dakota's Second Congressional District, seeking their views on a number of issues and questions. The results:

Tabulated below are the combined views of the first 5,000 West District residents who responded to my recent questionnaire on current issues. Returns are still coming in—all will be counted. I deeply appreciate your cooperation in taking the time to participate in the poll and in giving me the benefit of your views. The replies showed:

On alternatives in Vietnam, 41.4% approved going "all out now to win, even if this involves massive bombing of North Vietnam, including Hanoi and Haiphong Harbor, a naval blockade, increased U.S. troop commitments and invasion of the North". Continuation of U.S. military operations "pretty much along present lines" was favored by 6.4%. Halting the bombing of North Vietnam "in the hope this will lead to a negotiated peace" was supported by 23%. Withdrawal of U.S. forces was favored by 17%. Undecided 12.3%.

In a similar poll conducted a year ago, 75% favored stepping up the war effort against North Vietnam, with 16% advocating withdrawal.

Since Governor Rockefeller was not a candidate when the questionnaire was circulated, only Richard M. Nixon was paired with the three announced Democratic Presidential candidates. The results:

Nixon 68.7%; Kennedy 16.1%; Wallace 6.2%; Undecided 9%.

McCarthy 23.1%; Nixon 61.9%; Wallace 5.9%; Undecided 9.1%.

Humphrey 17.5%; Nixon 65.6%; Wallace 6.8%; Undecided 10.1%.

For the proposed 10% income tax surcharge, if accompanied by a cut of several billions in government spending, 46.7%. Against 42.1%. Undecided 11.1%.

On the question of Federal income tax credits to private business for training hard core unemployed, 54% were opposed; 35.4% for.

In favor of the strategic grain reserve bill I have introduced, 75%; opposed 9.1%. Among farmers alone, the favorable percentage was even higher, 85%.

For continuing farm price supports and wheat certificate payments, 55.3%; against, 26.5%. Farmers voted 71.5% for; 21.5% against.

Changing the present Draft Board induction process to a lottery system was favored by 31.5%, opposed by 51%. The undecided group was large, 17.6%.

Federal control over sale and use of firearms: against 64.5%; for 29%.

On two other questions, those responding to the poll strongly indicated they do not believe they are getting accurate reports on the war in Vietnam, and also that they favor stricter law enforcement.

If Federal spending is cut, West District residents said they would like to see the cuts made in this order: 1. Foreign aid. 2. Space exploration. 3. Highway beautification. 4. Poverty war. 5. Federal civilian jobs. 6. Aid to cities. 7. Defense. (Very close between 6 & 7). 8. Agriculture.

IDAHO'S TREMENDOUS MINING POTENTIAL

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Thursday, May 16, 1968

Mr. CHURCH. Mr. President, those of us in the Senate have engaged in many a debate in the past few years over the increasingly scarce supply of gold and silver reserves in the United States and the free world. The ramifications of this scarcity have, indeed, been great. We have seen the end of silver coinage with the exception of the half dollar. Earlier this year we abandoned the gold cover on our Treasury reserves.

Clearly, if silver and gold are to continue to play a major role in our fiscal and monetary affairs, we are going to have to find increased sources of supply of these two precious metals.

I am happy to report, Mr. President, encouraging news from my native State of Idaho. Already Idaho produces more than half of the Nation's newly mined silver and its potential production is even greater, for Idaho possesses the greatest known silver reserves in the free world.

Gold, too, is important in Idaho. A recent U.S. Bureau of Mines survey shows that Idaho's gold reserves are larger than any of the other States.

An excellent article which sums up Idaho's unique position in the world of mining recently appeared in the Intermountain Observer, published in Boise. The article was written by William E. Irvin, president of the Idaho First National Bank in Boise. This article will be of much interest not only to the banking and industrial community, but to all who view with alarm the scarcity of gold and silver. I ask unanimous consent, Mr. President, that Mr. Irvin's article be printed in the Extensions of Remarks.

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

METALS PUT A ROSY GLOW IN IDAHO'S FUTURE

(By William E. Irvin)

(EDITOR'S NOTE.—The writer is president of the Idaho First National Bank in Boise. The article is reprinted from the April issue of "American Banker.")

If you hold that silver reserves are to be a factor in industrial and monetary considerations of the next several years—and if you believe that gold will occupy a place of similar importance, and that lead, zinc, and phosphate will continue to have an important bearing on the industrial-agricultural fortunes around the world, and if you recognize that, underlying all of this, man's program today is critically dependent upon an abundant supply of water, then . . .

You have begun to identify the state of Idaho as a tangible force in the financial considerations and industrial advancements of the United States and the free world.

Why should this be so?

The silver reserve of the U.S. Treasury is today running about one-seventh of what it was just 10 years ago. In 1958 it was 2,100 million ounces, while in March of 1968, reliable estimates place the reserves at just over 300 million ounces.

With the redemption of silver certificates and other claims against this accelerating beyond 20-million ounces per month in March, 1968, it appears that not much more than a three- or four-month supply of silver remains, after 165-million ounces are set aside as strategic stockpile.

When we consider that the annual U.S. production of silver is about 31-million ounces and the industrial consumption is 150-million ounces, we begin to see the silver situation in a new and startling perspective. These figures vary slightly, depending upon source, but whatever figures we use do not change the picture materially.

Idaho's mining potential begins to emerge

from all of this when we witness continually rising industrial demands for silver in the light of lessening reserves and rising free-market prices. When the Treasury lifted the ceiling price of $1.29 per ounce, silver prices began rising; and there are respected authorities predicting that this will be more than doubled by the end of 1968. Already it is just over $2 per ounce in March, 1968.

This is where Idaho comes in. The Gem State produces 52% of all U. S. silver, and its deposits are recognized to be the greatest available in the Free World. For industrial needs alone, Idaho silver seems assured of new and healthy markets.

Gold has the world's attention now, and ties into the complex subject of international liquidity. The basis of settlements has been gold and, although programs are under way to add to the amount by other means, gold itself is a precious metal and will continue to have high value. With the upward pressures, we can expect the price to increase further rather than to decrease.

And here steps in Idaho: A very recent survey of the U.S. Bureau of Mines reveals that Idaho has the largest known gold reserves of any of the 50 states, including Alaska.

After literally billions of dollars in precious metals have been taken from Idaho mines, the state still remains the greatest hope of the United States in replenishing silver and gold supplies. But this is not all: Idaho produces 17% of the nation's lead and 10% of its zinc, both in great demand by industry. So Idaho's promise for the future in metals is great.

Conservatively, geologic experts say that Idaho mining is just coming of age. The potential is only now beginning to be realized. Over 30 new mining ventures have been incorporated in the past year and, in the year just past, nearly 2,000 new claims were located within the state.

As early as 1909, mineral experts predicted great things for Idaho's phosphate deposits. They took years to develop. Now, six decades later, we are just hitting the stride that makes this a giant industry.

Phosphate extraction and refining represents an investment of over $100 million with a gross income of about $60 million annually. When we measure this against the desperate need in the emerging nations in order to bring their agriculture to maximum efficiency, the potential is staggering.

Exploding populations must be fed, and they must be encouraged to grow their own food by way of modern fertilizing methods. Giant Idaho phosphate deposits are a good part of the answer—and at this time markets appear virtually without end.

There's another reason for the rosy glow to Idaho's future. It's reflecting off an abundance of water—pure, clean, mountain water. Water seems to be the common denominator to all progress in most parts of the world today. Talk of agriculture, industry, recreation, talk of people, and the need for water seems to be the all-important next question.

Idaho has water and is putting it to good use. It is undoubtedly as valuable a natural resource as any of the previously mentioned ones. Perhaps more so.

A complex of storage dams controls the release of water so that an adequate year-round supply is available to agriculture and industry. The importance of this can hardly be overemphasized in a day when many sections of our country experience water shortages by mid-summer of most years.

Silver, gold, other vital metals, agriculture and lumbering, plus plenty of water. This is Idaho. This is why we say that Idaho is so important to the United States financial-industrial progress and hence a viable force in Free World advancement.

POOR PEOPLE'S MARCH—COLUMBUS, OHIO

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. DEVINE. Mr. Speaker, an excellent job of reporting by the Columbus Citizen-Journal's reporter, John Milton, appeared in the Monday, March 13, 1968, newspaper as it relates to the current Poor People's March on Washington.

The article touches on a number of angles in the march which should be invited to the attention of all Members of Congress.

John Milton's story follows:

BLACK POWER JOINS "POOR" RANKS

(By John Milton)

The stated purpose of the Poor People's Campaign, and the reasons many of the participants are headed for Washington, D.C., appear to be two different things.

What has been reported as—and what may have started as—a massed effort by the nation's impoverished to obtain more federal aid, looks in reality like a black power movement, if those passing through Columbus are at all typical.

First inkling of the attitudes of the guests came when black power chants drifted through open bus windows behind the police escort. One might have expected to hear, instead, slogans of food power or money power.

Any belief that the campaign is a solemn, single-minded mission of undernourished people was dispelled when the first bus began to empty into the parking lot Saturday afternoon at Shiloh Baptist Church, 720 Mt. Vernon ave.

The mood was light despite a gloomy canopy of gray which had been dumping rain on Central Ohio all day. There was laughter and a festive atmosphere as legs cramped by the ride from Dayton were stretched.

At least 95 per cent of the crowd was Negro, most of whom seemed in the 18–28 age bracket and were not married or bread winners of families. Many wore African type garb or sweatshirts emblazoned with "Soul Brother," "Soul Sister," "Milwaukee NAACP Youth Council," and "Black Power."

Columbus had expected the poor and was ready for them 750, at least, though earlier estimates had ranged as high as 2500. Barely 600 arrived.

At St. Paul's Episcopal Church, 787 E. Broad-st, a turkey dinner for 150 had been prepared and places for nearly that many were set.

When only about 25 filtered into the dining area of the church after unloading baggage from the bus, a surprised church worker asked, "Is this all of you?"

It was the same at all the other churches where food outnumbered the guests.

After eating, the marchers were taken to the Ohio Expositions Center's Youth Center to hold a rally and sleep.

Some expressed dissatisfaction at the same old routine—bus ride, dinner, rally, to bed, breakfast, and another bus ride to the next city.

Next stop on the agenda was Toledo, followed by Detroit, Cleveland, Akron, Canton and Pittsburgh and then the Nation's Capital.

This reporter offered three Milwaukee "Commandos," a brief look at the city. They accepted eagerly, thinking at first I was a VISTA (Volunteers in Service to America) worker, or something of the kind. They learned later, only after asking, that their tour guide was a reporter. They were surprised but only mildly concerned.

A "Milwaukee Commando" is a trained security guard from that Wisconsin city whose job is protecting marchers from belligerant crowds and the commandos say, occasionally police.

The commandos are unfailingly loyal to a white man, Father John Groppi, the outspoken, often-jailed Roman Catholic priest from Milwaukee who led marches culminating in open housing legislation in that city.

"That man is a god to them," exclaimed a prominent Columbus Negro.

The three Commandos befriended by this reporter wanted to see "where the action is," because, as one put it, "Too much work and no play makes Jack a very dull individual."

"Where the action is" in Columbus on a Saturday night is in an area where white people aren't—in the vicinity of Mt. Vernon-av and 18th-st.

I told them that the last time I was in the area, Palm Sunday afternoon following Martin Luther King memorial services at the Coliseum, a bottle was thrown, striking the side of the car.

One responded reassuringly, "But you didn't have a brother along, man."

We went into an all-Negro bar, had a beer while "soul music" provoked rhythmic shadows, and I didn't get the first threatening look.

I asked one Commando if he were tired of the long bus journey. He said "I was tired before I left Milwaukee. Now I'm just getting mad. I'm getting madder by the day. By the time I get to Washington I'm going to be real mad."

About 1000 were at the Youth Center later for live music, speeches and dancing which let off incalculable steam and prompted Clifford Tyree, community relations director, to wonder out loud if inner city street dances this summer might be desirable for the same reason.

At the entrance to the Youth Center hand-lettered signs were offered with messages such as "Income, is the American Dream Just a Dream?" and "Apple Pie, Rights," and "How About a Real War on Poverty."

Commandos formed a line in front of, and below, the stage during speeches. Then Father Groppi was introduced and received the loudest reception of the night.

After having been with the caravan through Chicago, Louisville and Indianapolis, Groppi had flown to Atlanta, and his Columbus arrival was unexpected.

Groppi was the angry, indignant clergyman, as always, asking for a united black-white assault on slum landlords, and promising the marchers will stay in Washington after a June 16 government deadline and "all go to jail together" if Congress fails to satisfy demands.

Dancing in the Youth Center went on until 3 a.m. Sunday. By 7 a.m. sleepers were being routed from bunks to eat hasty breakfasts.

While awaiting transportation people sat around, sleepy-eyed. The young were impatient. Children were restrained by mothers. Older people sat quietly, hunched over in their chairs—waiting.

William Stamps, 55, of Cincinnati, said he was making the trip "for our freedom."

Young Gary Miller, of 1040 Summit-st, who "just came out to help the people any way I can," said "it's a good thing—maybe it'll wake the people up."

Percy Robertson, 55, is blind, he was making the trip from Chicago with his wife. "I'm here with the rest of the people—for freedom, for freedom . . ." he said, his voice trailing off.

John Gaddie, 18, of Indianapolis, a sophomore at Indiana University, began the trip as a marcher, is now a staff member—a

marshal. He's going to Washington "because I believe in what they're doing."

Most felt facilities and treatment in Columbus rated as good as, or better than other cities. Though a Chicago man grumbled "sleeping in those bunks is like sleeping in jail."

The Poor People and the "Commandos" indicated there had been no trouble, even from hecklers, since the trek began.

A few complaints were muttered when a line of 16 Columbus Transit Co. buses snaked through the 17th-av gate. The seats weren't comfortable enough for some apparently accustomed to more luxurious travel, and a low top speed bothered those in a hurry.

Father Groppi and his entourage spent the night at Seneca Towers, at the invitation of owner Adolph Sommer, and stayed long enough Sunday morning to see that everyone got away.

With a cup of black coffee in one hand and a cheese sandwich in the other, Groppi said he was pleased with the reception the Poor People's Campaign has gotten so far.

He said enthusiasm is growing and "I think the crowd will gather as we go along."

Predicting violence if the Washington camp-in isn't productive, Groppi said "there had better be results—I think the salvation of the nation depends on it."

"If this takes all summer then that's how long we're going to be around . . . until we get something that is going to alleviate the sufferings of the poor in this country."

The buses had left, and a Commando at Groppi's side said "that's it—he has to go," and their party climbed into a car and drove away.

It was all over. One person had joined the caravan in Columbus, according to Bernard Wohl, director of the South Side Settlement House, and some 70 others were signed up to go directly to Washington and join those already there.

He said about $8000 has been collected locally for the Columbus delegation's trip, but "I still think we're going to need $3000 or $4000 more."

Chairs were folded up and stacked against the walls of the Youth Center, and a trash truck rolled up to haul away tell-tale signs of the weekend. Stacks of blankets were piled outside entrances to dormitory hallways.

An exhausted Cliff Tyree said, "The whole community was tremendous," went home to bed.

DEATH OF JAMES CARSWELL "MOODY" DANIEL, OF GEORGIA

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 16, 1968

Mr. TALMADGE. Mr. President, on May 4 the State of Georgia lost one of its most outstanding and best-loved citizens in the passing of James Carswell "Moody" Daniel.

Moody Daniel was my longtime friend, and I was profoundly saddened by his tragic and untimely death. He was an active citizen dedicated to his State and community, and he will be sorely missed.

I ask unanimous consent that obituaries and editorial comment concerning Moody Daniel's death be printed in the Extensions of Remarks.

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

[From the Waynesboro (Ga.) True Citizen, May 8, 1968]

J. C. DANIEL

Funeral services for James Carswell (Moody) Daniel, 53, husband of Mrs. Lorraine Mallard Daniel, who died Saturday, May 4, in an Augusta hospital, were held Monday, May 6, at Waynesboro First Baptist Church. The Rev. Harold Rowland officiated. Burial was in Magnolia Cemetery, Waynesboro.

The son of the late James Carswell Daniel of Burke County, Ga., he was an honorary member of University of Georgia's Gridiron Society.

Mr. Daniel was a lifelong resident of Burke County. He was active in civic and political activities in Burke County and the state. He was chief aide to the speaker of the House of Representatives, consultant to the commissioner of agriculture in Georgia, and was a member of the Georgia Farm Bureau.

House Speaker George L. Smith, commenting on his death, said: "I think the state—and the House—has lost one of the most able servants. He always was highly conscientious and was widely respected by legislators and department heads."

He also was a member of the Waynesboro Masonic Lodge-Royal Arch Masons, was a past Worthy Patron of the Order of the Eastern Star, and a member of the First Baptist Church, in Waynesboro.

Survivors in addition to his widow include three sons, James Robert Daniel, Augusta, Jack Carswell Daniel, Selma, Ala., and Jerry Mallard Daniel, Macon, Ga.; two sisters, Mrs. Norris C. Tucker, Savannah, Ga., and Mrs. Leroy Kirkendohl, Sylvania, Ga.; brother, Rev. Robert C. Daniel, Augusta; mother, Mrs. Lucile Carter Daniel, Sylvania; four grandchildren.

Pallbearers were Paul Stone, Malcolm Mobley, Gilbert S. Peel, Frank Cates Griffin, James Posey, Tom Cooper, Ralph Elliott and J. C. Palmer Jr.

Honorary pallbearers were J. C. Palmer Sr., Quinton Rogers, M. A. Miller Jr., John W. Walker, Preston B. Lewis Jr., John R. Bates, J. D. Bargeron, Dr. J. M. Byne, O. J. Cliett, Raymond DeLaigle, Freddy McKinney, Jessie McCullough, Robert G. Stephens, Jack Ray, Phil Campbell, Glenn Phillips, Bill Bryan, Obid Davis, George L. Smith, Jack Eland, Bill Lanier, Al Fowler, Arthur Bolton, Ernest S. Vandiver, Julian Cox, Robert Troutman, A. T. Bray, Rountree Youmans, George Busbie, Crawford Pilcher, Dixon Oxford, Jim Gillis and Carl Sanders.

Hopper-DeLoach Funeral Home was in charge of arrangements.

[From the Augusta (Ga.) Chronicle-Herald, May 5, 1968]

J. C. DANIEL DIES AT 53

WAYNESBORO, GA.—James Carswell (Moody) Daniel, 53, died at 6 p.m. Saturday at University Hospital after a brief illness.

Mr. Daniel was a lifelong resident of Burke County. He was active in civic and political activities in Burke County and the state. He was chief aide to the speaker of the House of Representatives, consultant to the commissioner of agriculture in Georgia, and was a member of the Georgia Farm Bureau.

He also was a member of the Waynesboro Masonic Lodge—Royal Arch Masons, was a past Worthy Patron of the Order of the Eastern Star, and a member of the First Baptist Church, in Waynesboro.

Funeral services will be held at 4 p.m. Monday at Waynesboro First Baptist Church, with the Rev. Harold Rowland officiating.

Survivors include his widow, Mrs. Lorraine Mallard Daniel, Waynesboro; three sons, James Robert Daniel, Augusta, Jack Carswell Daniel, Selma, Ala., and Jerry Mallard Daniel, Macon, Ga.; two sisters, Mrs. Norris C. Tucker, Savannah, Ga., and Mrs. Leroy Kirkendohl, Sylvania, Ga.; brother, Rev. Robert C. Daniel, Augusta; mother, Mrs. Lucille Carter Daniel, Sylvania; four grandchildren.

Friends may call at Hopper-DeLoach Funeral Home until the time of services.

[From the Augusta (Ga.) Chronicle, May 6, 1968]

LAST RITES TODAY FOR J. C. DANIEL

WAYNESBORO, GA.—Funeral services for James Carswell (Moody) Daniel, 53, husband of Mrs. Lorraine Mallard Daniel, who died Saturday in an Augusta hospital, will be held at 4 p.m. today at Waynesboro First Baptist Church. The Rev. Harold Rowland will officiate. Burial will be in Magnolia Cemetery, Waynesboro.

The son of the late James Carswell Daniel of Burke County, Ga., he was an honorary member of University of Georgia's Gridiron Society.

Friends may call at the home, 436 Pine St., Waynesboro.

Pallbearers will be Paul Stone, Malcolm Mobley, Gilbert S. Peel, Frank Cates Griffin, James Posey, Tom Cooper, Ralph Elliott and J. C. Palmer, Jr.

Honorary pallbearers will be J. C. Palmer, Sr., Quinton Rogers, M. A. Miller, Jr., John W. Walker, Preston B. Lewis, Jr., John R. Bates, J. D. Bargeron, Dr. J. M. Byne, O. J. Cliett, Raymond De Laigle, Freddy McKinney, Jessie McCullough, Robert G. Stephens, Jack Ray, Phil Campbell, Glenn Phillips, Bill Bryan, Ovid Davis, George L. Smith, Jack Eland, Bill Lanier, Al Fowler, Arthur Bolton, Ernest S. Vandiver, Julian Cox, Robert Troutman, A. T. Bray, Rountree Youmans, George Busbee, Crawford Pilcher, Dixon Oxford, Jim Gillis and Carl Sanders.

[From the Augusta (Ga.) Chronicle, May 9, 1968]

JAMES CARSWELL DANIEL

When death claimed James Carswell (Moody) Daniel of Waynesboro Saturday, it was a distinct loss not only for his family and for Burke County neighbors, but also for the state of Georgia.

Mr. Daniels had carried out responsibilities and exerted a beneficent influence in many spheres, as a member of Masonic bodies, of the Georgia Farm Bureau and of the Baptist Church. It was in the political realm, however, that he possibly was best known and most widely effective in advancing democratic processes.

As chief aide to the speaker of the House of Representatives, he was well and favorably known. The homespun manner and cordial approach which were a genuine and deeply felt part of his nature won him many friends. And, as consultant to the Georgia commissioner of agriculture, he had a voice in farm policies of his native state.

His genial and sincere role in public affairs was one which few can fill.

[From the Augusta (Ga.) Chronicle, May 9, 1968]

STATE OFFICIALS PAY TRIBUTE TO MOODY DANIEL

A large delegation of state government officials headed by Gov. Lester Maddox attended funeral services in Waynesboro Monday for J. C. (Moody) Daniel.

In attendance with the governor, Lt. Gov. George T. Smith and House Speaker George L. Smith were numerous state officials and a majority of the members of the Georgia General Assembly.

The largest crowd in the memory of most Waynesboro citizens gathered to pay tribute to Mr. Daniel's memory.

EDITORIAL COMMENT: COMMUNITY AND STATE LOSE "MOODY" DANIEL

(By Roy F. Chalker)

The untimely passing of James Carswell "Moody" Daniel leaves Burke County with a distinct sense of loss.

Indeed, his loss to the state government will be felt in many places.

He was serving as Chief Aide to the Speaker of the House of Representatives as he had for several years, and as Consultant to the Commissioner of Agriculture. In these positions he had built up a wide circle of friends among the politically great and near-great. His kindly manner and helpful attitude to everyone earned him a place of indispensability in the legislative and administrative branches of state government.

Moody had been a close personal friend of the last four or five governors. All of them depended upon him in their relations with the legislature.

He was helpful to his home people. It was generally understood that he was one of the best people to secure attention and favors from state officials and departments.

Moody pursued his political battles with diligence, but he seemed never to carry a grudge. He was ready to do a favor for anyone, regardless of his previous political affiliation.

He could always be depended upon to do the hard and necessary work in any project that he felt was to the best interest of his community or Church. For instance, several years ago he personally conducted a campaign that resulted in air conditioning the First Baptist Church.

His place of leadership and friendship state-wide and in his home community will not soon be duplicated.

THE UNTOLD STORY OF MARTIN LUTHER KING, JR.

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. RARICK. Mr. Speaker, Mr. John S. Perilloux, of Ewa Beach, Hawaii, offers a documented story of Martin Luther King, Jr., with which he feels the American people should reacquaint themselves before the past is forgotten—and history written from halftruths.

I include Mr. Perilloux' "Untold Story" in the RECORD:

THE UNTOLD STORY OF MARTIN LUTHER KING

(By John S. Perilloux)

Few men have had so many words spoken and written about them as has had the late Martin Luther King, Jr. The Reverend King was the center of a storm of controversy and violence from the time he achieved prominence in 1955, when he led a successful boycott against the bus system of Montgomery, Alabama, until the day of his death in Memphis, Tennessee, on April 4, 1968. Indeed, the controversy continues even after his death.

Because of his success in the bus boycott King gained the respect and admiration of many Americans. Overlooked by some, and unknown to most, were the character and backgrounds of the men and women chosen by King to assist him in his assault upon such formidable obstacles as segregation and racial prejudice. Had he enlisted the support of worthier people as his immediate aides, King could have been a potent force in strengthening America and uplifting his people. However, such was not the case, and from the pinnacle of success in 1955 he descended to an all-time low in April of 1967 when he called the United States "the greatest purveyor of violence in the world today".

Who was this man who has been commended as a man of peace and damned as an apostle of violence? To those liberal and bleeding hearts who have not intelligently discerned what King had been saying and doing during his twelve years of prominence this may come as a shock and a tragedy. To those of us who have followed his activities closely and have been aware of his questionable activity it comes as no surprise at all. In 1967 the real Martin Luther King stood up, and yet, where is the criticism he deserved and should have gotten?

On January 15, 1929, Michael Luther King, Jr., was born in a 13-room house in Atlanta, Georgia. When he was six his father changed both their names to Martin. He entered Morehouse College in Atlanta at the age of 15 and from Morehouse went to Crozer Theological Seminary in Chester, Pennsylvania.

In 1955 King became pastor of the Dexter Avenue Baptist Church in Montgomery, Alabama. On December 1st of that year a Montgomery bus driver ordered Negroes to stand so Whites could sit. One woman, Mrs. Rosa Parks, refused and was arrested. Within hours Negroes began a boycott against the bus system which was to last for more than a year. King's gift of articulateness, his willingness to defy city officials, and his apparent lack of personal motives made him the natural leader of the boycott. When the boycott ended Martin Luther King had become world-famous.

But who had assisted King in toppling segregation on Montgomery buses? Surely, no one man, no matter how articulate or how brave, could succeed in such an undertaking alone. And who is Mrs. Rosa Parks?

Dr. King led the boycott as the head of the Montgomery Improvement Association which had been formed by the Reverend Fred Shuttlesworth, former convict who has also been President of the Southern Conference Educational Fund, Inc. (1) The SCEF had been formed from the Southern Conference for Human Welfare. Identified communist James A. Dombrowski was administrator of the SCHW. Paul Crouch, one of its founders, and an admitted communist from 1925 to 1942, testified that the SCHW "was intended to lead to class hatred and race hatred, dividing class against class and race against race". (2) The Senate Internal Security Subcommittee exposed the SCHW, stating that it was "conceived, financed, and set up by the Communist Party in 1938 to promote communism in the Southern states". After the SCHW was exposed the Party replaced this organization with the Southern Conference Education Fund. (3)

This new communist front continued to use the same address as the SCHW, the same publication, the same telephone number, and almost identical officers. Dombrowski continued to serve as administrator, identified communist Aubrey Williams remained on the board, and identified communists Carl and Anne Braden were made field secretaries. After conducting an investigation the Senate Internal Security Subcommittee described the SCEF as a communist transmission belt for the South. (4)

It is extremely interesting that the President of the SCEF was at one time the Reverend Fred Shuttlesworth, founder of the Montgomery Improvement Association and Vice President of Martin Luther King's Southern Christian Leadership Conference.

Also in the Montgomery Improvement Association with King and Shuttlesworth was Bayard Rustin. FBI reports state that Rustin joined the Young Communist League in 1936 while at the College of the City of New York and was active in this organization on the campus and elsewhere. During World War Two he was arrested several times for advocating resistance to the war and served 26 months in Federal prisons for draft dodging. (6)

Rustin has worked closely with the War Resisters League, the World Peace Brigade, Liberation, the Medical Aid to Cuba Committee, the Committee for Non-Violent Action, the Greenwich Village Peace Center, and similar organizations, often as an officeholder. (7) He has also been active in the American Forum for Socialist Education, a communist-dominated organization. (8)

In 1953, in Pasadena, California, Rustin was arrested on a charge of sex perversion and went to jail after pleading guilty. (9)

There are those who might argue that Rustin had mended his ways by 1955 when Martin Luther King hired him as his secretary and adviser. Let's follow Rustin's activities since 1955.

In 1957 the Communits Party invited him to its 16th national convention as an "observer". (10) He has been socially entertained at the Soviet embassy and in 1958 went to Russia under the sponsorship of the Nonviolent Action Committee Against Nuclear Weapons. (11)

The January 1963 issue of Fellowship reveals Rustin to be a "friend" of Kwane Nkrumah, former Communist dictator of Ghana. The same issue of Fellowship credits Rustin with having worked to establish a "center for nonviolence" at Dar es Salaam, Tanganyika, which has proven to be a training center for communist guerrillas. Terrorists, trained at this center, have conducted raids on Rhodesia and South West Africa.

In September 1963, at Richmond, Virginia, Rustin said that "more bloody Negro suffering should be encouraged so that squeamish Northern Negroes would be horrified into line". (12) It is possible that some would be horrified. However, it is *certain* that this is part of the strategy of the communists for propagating racial warfare in the United States.

On August 28, 1963, Rustin led a "march on Washington".

On August 29, 1963, he urged that the only hope for Negroes was to "go left.". (13)

On February 3, 1964, Rustin was a leader of the New York City school boycott.

On February 4 he was photographed leaving a cocktail party at the Soviet mission to the United Nations. (14)

This, then, was the leadership of the Montgomery Improvement Association; Martin Luther King and two ex-convicts who were also communist-fronters.

And what of Mrs. Rosa Parks, the woman who precipitated the bus boycott?

Shortly before the incident on the bus, Mrs. Parks had attended the Highlander Folk School in Monteagle, Tennessee. (15) To fully understand the nature and purpose of this school we must go back to the early 1930's, a time when the Communist Party had great dreams and expectations for using the Negro in the Party's plans for overthrowing the government of the United Sttaes.

It was in the 1930's that the party organized the People's Institute of Allied Religion. As part of its program this organization set up the Commonwealth College at Mena, Arkansas. It was organized around 1932 by identified communist James A. Dombrowski and fellow-traveler Myles Horton. It was cited by the U.S. Attorney General as a communist front (16) and fined $2500 for violating the sedition statute of the state of Arkansas. (17) The faculty then moved to Monteagle, Tennessee, and organized the Highlander Folk School. In addition to Dombrowski and Horton those assisting in the school's operation included Don West, district director of the Communist Party in North Carolina (18), and identified communist Aubrey Williams. (19)

In 1945 the U.S. Senate rejected the appointment of Aubrey Williams as adminis-

trator of the Rural Electrification Administration because of his communist affiliations. (20)

Aubrey Williams was President of the Southern Conference Education Fund until 1963, at which time he became national chairman of the Committee to Abolish the House Committee on Un-American Activities. (21) This organization has been cited as a communist front.

Can there be any doubt as to what was taught at the Commonwealth College where the hammer and sickle was prominently displayed? Or at the Highlander Folk School where Rosa Parks was trained?

In March 1967 the Southern Christian Leadership Conference was organized in Atlanta. Martin Luther King was installed as President, Fred Shuttlesworth as Vice President, and the Reverend Andrew Young as program director.

The Atlanta Constitution of July 24, 1963, had this to say about Andrew Young:

The Reverend Young has been headquartered rent-free in Savannah in the offices of the International Union of Mine, Mill, and Smelter Workers. The Subversive Activities Control Board, an agency of the Federal government, has found the union to be communist infiltrated. Another coincidence.

In 1957 King was photographed at the Highlander Folk School during the Labor Day weekend. Also in attendance and photographed were Rosa Parks, Aubrey Williams, Myles Horton, and Abner W. Berry of the Central Committee of the Communist Party. (22)

Now it would seem that the Reverend King would have gotten some inkling of the backgrounds of his associates at this school and the nature and purpose of the school itself. Nevertheless, on a form letter from school director Horton, dated May 15, 1963, the Reverend Dr. King is listed as a sponsor of Highlander. (21)

In December 1959 King called upon Southern Negroes to practice "civil disobedience" and to break openly any state or local law "not in harmony with Federal law". (32)

In 1960 Hunter Pitts O'Dell replaced Bayard Rustin as secretary and adviser to King. Let's delve a little into O'Dell's background.

In 1956 he refused to testify before the Senate Internal Security Subcommittee, taking the 5th amendment when questioned about his communist activities. He repeated this performance in 1958. (23) In 1962 the House Committee on Un-American Activities published a report entitled "Structure and Organization of the Communist Party in the United States". On page 576 there is a list of those elected to the National Committee of the Communist Party, USA, as known to the House Committee in November of 1961. Among the names is that of Hunter Pitts O'Dell.

The facts are that O'Dell was district organizer for the Communist Party in New Orleans, Louisiana, in 1956 (23), was a member of the Communist Party when Martin Luther King hired him, and was elected to the National Committee of the Communist Party while on King's payroll.

On October 26, 1962, the St. Louis Globe Democrat printed an article stating that King had a communist on his payroll, so King claims to have fired O'Dell at this time. However, O'Dell then went to work as administrator in the New York office of the Southern Christian Leadership Conference. The SCLC, you will recall, is an organization of which Martin Luther King was President. Pressure from the press again caused King to "fire" O'Dell, this time on June 26, 1963. In July 1963 a reporter for United Press International phoned the New York office of the SCLC and was told that O'Dell was still administrator of that office. (24)

In 1960 there was the restaurant "sit in" in Atlanta, led by King. (25)

In 1961 demonstrations in Albany, Georgia, led to his arrest. He declared dramatically when arrested that he would remain in jail until the city desegregated public facilities. Two days later he was out on bail. (25)

In St. Augustine, Florida, after getting Negroes fired up for demonstrations King went to jail amid great fanfare. But two days later he was bailed out again so he could receive an honorary law degree at Yale University. (25) In the meantime, the aged mother of Massachusetts' Governor Peabody remained in the St. Augustine jail after having been arrested in the demonstrations. White segregationists "Hoss" Menuci and Connie Lynch were in St. Augustine whipping up mobs into a murderous fury. King was safely at Yale.

King's American Committee for Africa sponsored and financed the American tour of communist terrorist Holden Roberto, leader of the "war of national liberation" which began in Angola on the morning of March 15, 1961. A thousand whites were murdered and dismembered and also about 8,000 Africans. (34)

In October 1962 King met with communist Ahmed Ben Bella of Algeria in a hotel in Harlem. (26) From the United States Ben Bella traveled to Cuba for conferences with Fidel Castro.

In 1963 there were the demonstrations in Birmingham, Alabama. A bomb in a church, which resulted in the deaths of four Negro girls, was described as the work of white segregationists and the Ku Klux Klan. Possible. Equally possible is that it could have been the handiwork of agents provocateurs. Remember Carl Braden? He was indicted, tried, and convicted of conspiring with Negroes to bomb the house of a Negro and then place the blame on white segregationists. (40)

On October 5, 1963, state and local police raided the office of the Southern Conference Educational Fund at 822 Perdido Street in New Orleans. Quantities of communist literature were seized. Also seized were a check from James A. Dombrowski made out to and endorsed by Martin Luther King. There were letters from King to Dombrowski and the Bradens and a photograph of King, Dombrowski, and the Bradens. The photograph had been taken at the 5th annual meeting of King's Southern Christian Leadership Conference. (27)

King was directly responsible for a Supreme Court ruling in 1964 in the case of "New York Times vs Sullivan". The case dealt with a full-page ad placed in the Times by King and other civil rights leaders. Many statements in the ad, charging that Negroes in Montgomery were being abused, were proven false. Sullivan, a Montgomery city official was subsequently awarded a $500,000 libel judgment. The Supreme Court reversed the judgment, ruling that criticism of official conduct cannot be termed libelous without showing actual malice, which is knowledge that the statement was false or reckless disregard for whether or not it was false. (28)

In 1964 there was the march from Selma to Montgomery. Who were the participants? An entry by U.S. Representative William L. Dickinson in the Congresional Record for March 30, 1965, will help to enlighten us.

Mister Dicskinson says there were four distinct groups participating in the march. "One group was the Alabama Negro who participated to secure rights and privileges which he felt had been withdrawn from him illegally". A second group were the do-gooders from out-of-state, motivated by compassion for their fellow human beings. He describes the third group as "human flotsam: adventurers, beatniks, prostitutes, and similar rabble".

And what of the fourth group, the ones who welded the others together and gave them cohesiveness? Who were they? In the words of Congressman Dickinson, "the Communist Party."

Look at the speakers on the platform in front of the State Capitol in Montgomery or participating prominently in the march or demonstrations:

Carl Braden, a well-known communist who was convicted of conspiring to bomb a Negro's house.

Abner Berry, one of the directors of the Communist Party. He was in and out of the Selma-Montgomery area.

James Peck, who has a federal criminal record and who once tried to prevent the launching of our first nuclear submarine.

Bayard Rustin, who by his own admission in the Saturday Evening Post was a communist party organizer for 12 years.

Martin Luther King, who has amassed the staggering total of over 60 communist front affiliations since 1955 (41).

In the Congressional Record, volume 111, part 5, page 6334, there is an affidavit, sworn to under oath, by Karl Prussion, a former counterspy for the FBI. Part of the wording of that affidavit is as follows:

"I hereby also state that Martin Luther King has either been a member of, or wittingly has accepted support from, over 60 communists fronts, individuals, and/or organizations which give aid to or espouse communist causes".

In the New York World-Telegram for July 23, 1964, there is an article on page 2 in which King says he is sick and tired of people saying the civil rights movement has been infiltrated by communists and communist sympathizers. He said there were as many communists in the movement as there are Eskimos in Florida.

In November 1964 J. Edgar Hoover, Director of the Federal Bureau of Investigation, said King was the most notorious liar in the United States. (29)

In 1965 King began to make critical speeches about U.S. foreign policy. The communist press gave extensive coverage to his speeches, often featuring them on the Communist Party's official newspaper, the Worker. In September of 1965 he called upon Arthur Goldberg at the United Nations and urged the United States to press for a UN seat for Communist China. He also asked for a halt in U.S. air strikes against North Vietnam and recommended negotiations with the Vietcong. (25) Has anyone ever heard of the Reverend King calling on North Vietnam to halt its subversion, murder, and terrorism in the South?

In 1965 an organization known as the Citizens Crusade Against Poverty was founded. Respected author and writer George Schuyler had this to say about that organization:

Its officers include the Soviet-trained Reuther, Martin Luther King, black power promoter James Farmer, radical socialist Michael Harrington, ADL sneak Dore Schary, the Vietnik Doctor Benjamin Spock, and a team of other such revolutionaries crimson enough to dye the Pacific Ocean a brilliant red. (30)

Gus Hall, General Secretary of the Communist Party, USA, commented, "We are at a new stage in the struggle, because this is the crossroads where the civil rights struggle meets the class struggle". (31)

In an interview on "Meet the Press" on March 28, 1965, King said, "I do think that there are two types of laws. One is a just law, and one is an unjust law. I think we all have moral obligations to disobey unjust laws". (32) And who is to decide which laws are just and which are unjust? King was advocating chaos and anarchy.

The connections between the civil rights movement and the Communist Party became stronger in April of 1966 when all three South-wide civil rights organizations lined up in opposition to U.S. policy in Vietnam. These organizations were the Southern Conference Educational Fund, the Student Nonviolent Coordinating Committee, and King's

Southern Christian Leadership Conference. They termed their merger a "meshing of the civil rights and peace struggles." (43)

The riots which began in Chicago on July 12, 1966, broke out just two days after King held a mass civil rights rally in Soldiers Field. The Chicago Tribune reported that prior to the riots King had shown films detailing the violence of Watts. Asked by the Tribune about this King replied that the films showing the Watts riots were to demonstrate the negative effect of riots. (Negative effects such as rioters carrying off color TV sets?) During the Chicago rioting King reportedly sped from one trouble spot to another, but reporters noted that he seldom got out of his car. (32)

The Allen-Scott Report of July 1966 states that King and company were contacting and enlisting Chicago street gangs and "bringing them into the civil rights movement to fight the 'power structure'."

In a speech in Los Angeles on February 25, 1967, King called for a "merger" of the peace and civil rights movements. He called the Vietnam war the result of "paranoid anti-communism." (44)

In a speech at the Coliseum in Chicago King again called for the merging of the peace and civil rights movements, saying, "We must combine the fervor of the civil rights movement with the peace movement. We must demonstrate, teach and preach, and organize until the very foundations of our nation are shaken". (45)

In a statement delivered April 4, 1967, King called upon Negroes and Whites to register their opposition to the Vietnam war by becoming conscientious objectors to military service. (28)

On April 4, 1967, the Reverend Martin Luther King rose to the speaker's platform in New York City's Riverside Church and delivered what was later described by a Presidential aide as "a speech on Vietnam that goes right down the commie line". In his speech King called the United States "the greatest purveyor of violence in the world today". He charged the nation with "cruel manipulation of the poor" and said that U.S. troops "may have killed a million South Vietnamese civilians—mostly children". He added, "We test our latest weapons on them, just as the Germans tested out new medicines and new tortures in the concentration camps of Europe". (32)

On April 13, 1967, Michael Laski, Chairman of the Communist Party, USA, (Marxist-Leninist), told a press conference in New York: King knows what's going on. He is allowing himself to be utilized by the Communist Party. . . . King willingly enters into an alliance with the Communist Party. . . . Mr. King receives financial support from organizations and individuals that are tied to the Communist Party. He knows what is happening, and so does James Bevel. (33)

James Bevel just happens to be one of the top men in King's Southern Christian Leadership Conference. Bevel helped to organize the Spring Mobilization Committee and in July 1967 met with North Vietnamese and Vietcong officials in Stockholm, Sweden. Bevel's wife, Diane, visited Hanoi in December 1966 and conferred with women in Ho Chi Minh's government. (35)

One of the strongest statements from a fellow-clergyman came in April 1967 from the Reverend Henry Mitchell. As reported by the Chicago Tribune: The leader of a group of West Side Negro ministers declared yesterday that the Reverend Martin Luther King should "get the hell out of here". His civil rights marching last summer "brought hate".

The Chicago chapter of the NAACP, long critical of the civil rights tactics of King, formally split with King's group. (46)

From August 29, 1967, to September 4, the National Conference for New Politics held its convention in Chicago. Every subversive organization in the United States was represented. A par-list of organizations which participated include:

Clergy and Laymen Concerned About Vietnam.
Draft Resistance Union.
Southern Christian Leadership Conference.
Student Nonviolent Coordinating Committee.
W.E.B. DuBois Clubs.
Revolutionary Action Movement.
Socialist Workers Party.
Progressive Labor Party.
Communist Party, USA.

The keynote speaker for the convention was Martin Luther King. Part of his speech follows:

These are revolutionary times. All over the globe men are revolting against old systems of exploitation and oppression. Out of the wombs of a frail world new systems of justice and equality are being born. We in the West must support these revolutions. . . . A morbid fear of communism has made Americans the arch anti-revolutionaries. This has driven many to feel that only Marxism has the revolutionary spirit. Communism is a judgment of our failure.

We have deluded ourselves into believing the myth that capitalism grew and prospered out of the Protestant ethic of hard work and sacrifices. The fact is that capitalism was built on the exploitation of black slaves and continues to thrive on the exploitation of the poor—both black and white.

The way to end poverty is to end the exploitation of the poor and ensure them a fair share of the government's services and the nation's natural resources. We must recognize that the problems of neither racial nor economic injustice can be solved without a radical redistribution of political and economic power. (36)

Lenin couldn't improve on that speech.

On September 21, 1967, King was made an honorary lifetime member of ILWU local 10 in San Francisco. (37) The ILWU, you will remember, is the labor union which was expelled from the CIO when it was found that the ILWU was communist-dominated. The leader of the ILWU, Harry Bridges, is a communist and was ordered deported from the United States. The deportation order was overruled by Roosevelt's Supreme Court at the urging of Eleanor Roosevelt. (38)

In November 1967 King was guest speaker at the National Labor Leadership Assembly for Peace in Chicago. In his speech King denounced the Johnson administration. (39) If communist press reports were accurate the "left wing" of labor dominated the convention. The Worker of November 19, 1967, says, "This was the most significant anti-war gathering of labor leaders ever held in this country. The conference radiated awareness that here was the force capable of mobilizing the decisive factor of the people, the working class, against the Vietnam war." Communist Harry Bridges got a standing ovation when he addressed the closing session.

On March 5, 1968, the Honolulu Star Bulletin carried an article in which King stated that flame throwers in Vietnam are fanning the flames in the cities of the United States.

In 1967 King began planning for massive demonstrations in Washington, D.C. The demonstrations were scheduled to take place beginning on April 22, 1968. In addition to recruiting thousands of the poor, he planned to organize and train black militants involved in last summer's riots for major roles in his campaign of massive civil disobedience.

King revealed this in private conferences with Stokely Carmichael, the pro/Vietcong, pro/Castro revolutionary, and other black militants.

At one point in their meeting Carmichael said that the time had come to begin disrupting American cities *"to help our Vietcong comrades-in-arms"*. King, while stressing that he was vigorously opposed to the Vietnam war, argued that if such an objective were announced for his campaign it would backfire. King's plans included:

(a) Selection of five cities in which to train 100 neighborhood leaders. The suggested cities were Chicago, Cleveland, St. Louis, Houston, and Atlanta.

(b) Contacts would be made with the residents of the poor community. Young men who were actively involved in last summer's riots were to be sought out and trained as leaders.

King also told Carmichael, "To dislocate the functioning of a city without destroying it can be longer lasting, more costly to the society. It is more difficult for the government to quell it by force. The disruption of the cities you want will come much easier.

King also reported that ousted Congressman Adam Clayton Powell would play a major role in the Washington demonstrations. Powell himself has said, "My return to Washington in April will help rock the entire country". (42)

Take a close look at this again, ladies and gentlemen. Stokely Carmichael recently returned to the United States after conferring with Fidel Castro, North Vietnamese officials, and communist revolutionaries in many countries in Africa, Asia, and Europe.

James Bevel, who is on the staff of the SCLC which is drawing up the battle plans for the disruptions, conferred with North Vietnamese and Vietcong officials in Stockholm last July.

Adam Clayton Powell was in California recently where he attempted to organize students, white as well as black.

This is the groundwork for a revolution, and the only people who can possibly benefit from such a coalition are the enemies of the United States.

In late March of 1968 King's attention was drawn to Memphis, Tennessee, where a garbage collectors strike was in progress. He went to Memphis and organized a demonstration which culminated in a riot. During the burning and looting which followed, a 16-year-old was killed. A judge issued an injunction prohibiting any more demonstrations because of the explosiveness of the situation in Memphis, but King promptly announced he had no intention of obeying. He had again decided to disobey an "unjust law".

On April 4, 1968, Martin Luther King was killed by a sniper's bullet fired by someone who has not as yet been apprehended, despite a massive investigation instigated by Ramsey Clark. The odd circumstances surrounding the murder are again suggestive of an agent provocateur.

On April 11, 1968, U.S. Representative John R. Rarick of Louisiana inserted in the Congressional Record a news item concerning King. On page 9816 there is the following:

[From the Yakima (Wash.) Eagle, Nov. 30, 1967]

The first disclosure that an FBI report existed which tied Martin Luther King in communism was published in Washington Observer Newsletter No. 13 in the February 15, 1966 issue.

At that time Attorney General Nicholas Katzenbach refused to turn over this file to the House Committee on Un-American Activities. In fact Katzenbach, in the presence of Lyndon Johnson, lied and denied to Congressman John Bell Williams that the file even existed.

WO is now happy to report that the FBI report is not only in the hands of the HCUA, but copies are also in the hands of Congressman John J. Rooney of New York.

The lawmakers were so shocked at what they read in the FBI report that they plan to summon King before their committees and delve deeply into his involvement with communist conspirators. When the FBI agents had King under surveillance they observed him meet a well-identified Soviet espionage agent at Kennedy Airport in New

York. They also secured evidence that King was receiving large sums of money from a well-known American communist agent who gives King instructions which he implicitly obeys. The Federal agents also adduced evidence of his unsavory personal conduct in Washington hotels and elsewhere and the fact that he had violated the Mann Act (white slavery). This is a violation of the U.S. criminal code, but neither Attorney General Katzenbach nor his successor, Ramsey Clark, would allow the FBI to present the evidence to a Federal grand jury.

The record of Martin Luther King strongly indicates he had been grossly irresponsible in learning the backgrounds of his associates and associations or that he chose to use them for his own ends. The only other conclusion that a reasonable person can come to is that Martin Luther King covertly and consciously attempted to promote the cause of the Communist Party.

DOCUMENTATION

(1) Louisiana Legislative Report on the Southern Conference Education Fund, part 1, pp 13–14.
(2) Communism and Race in America, p 36.
(3) Senate Internal Security Subcommittee Report, Southern Conference Educational Fund, Inc., p v.
(4) The Communist Attack on U.S. Police, p 26.
(5) Louisiana Legislative Report on the Southern Conference Educational Fund, part 1, p 13.
(6) Allen-Scott Report, August 16, 1963.
(7) National Review, August 20, 1963.
(8) Annual Report—1957, Senate Internal Security Subcommittee, pp 36–40.
(9) This information is recorded in the files of the Pasadena Police Department under Rustin's official arrest number 33194.
(10) Daily Worker, February 25, 1957, p 1.
(11) Boston Globe, February 5, 1964.
(12) Ibid.
(13) Richmond News-Leader, September 27, 1963, editorial.
(14) Boston Globe, February 5, 1964.
(15) Testimony of J. B. Matthews given before the Florida Legislation Committee, volume 1, p 24.
(16) New York Times, April 28, 1949, p 6.
(17) Report of the Louisiana Legislative Committee on Un-American Activities, entitled "Activities of the Southern Conference Educational Fund", part 1, p 25.
(18) Testimony of Paul Crouch, leading Communist Party official in the South at the time. See House Committee on Un-American Activities, May 16, 1949, pp 191–193.
(19) "Southern Conference Educational Fund, Inc." Report of the Senate Internal Security Subcommittee, p 45.
(20) J. B. Matthews, testimony before the Florida Legislation Investigation Committee, volume 1, p 21.
(21) It's Very Simple, by Alan Stang.
(22) Photographs may be obtained from The Councilor, 1827 Texas Avenue, Shreveport, Louisiana, price $1.
(23) St. Louis Globe-Democrat, October 26, 1962.
(24) UPI story in the Jackson, Mississippi, Clarion-Ledger, July 26, 1963.
(25) Reader's Digest, September 1967.
(26) New York Times, October 14, 1962.
(27) Activities of the Southern Conference Educational Fund, Inc., in Louisiana, part 2, p 81.
(28) Reader's Digest Almanac, 1968.
(29) North American Newspaper Alliance, November 19, 1964.
(30) George S. Schuyler in American Opinion, January 1968.
(31) The Worker, February 13, 1966.
(32) U.S. Representative John Ashbrook in Congressional Record.
(33) Gary Allen in American Opinion, July–August 1967.
(34) New York Times, March 20, 1961, p 3.
(35) Esquire, November 1967.
(36) Gary Allen in American Opinion, November 1967.
(37) Imua Fact Finder, 568 Alexander Young Bldg., Honolulu, Hawaii.
(38) Gary Allen in American Opinion, March 1967.
(39) Imua Fact Finder #3, December 1967
(40) New York Times, December 14, 1954, p 26, and October 2, 1964, p 6.
(41) "Congressional Record, volume 111, part 5, pages 6333–6335."
(42) Human Events, March 2, 1968.
(43) The Worker, April 26, 1966.
(44) The Worker, March 12, 1967.
(45) The Worker, April 2, 1967.

WORLD REFUGEE REPORT, 1968

HON. EDWARD M. KENNEDY

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1968

Mr. KENNEDY of Massachusetts. Mr. President, each year the U.S. Committee for Refugees—USCR—a New York-based private agency, publishes a worldwide refugee census and special reports on current refugee situations. The 1968 survey records some 4,500,000 more refugees than last year and underscores the need for the United States and other countries to continue their humanitarian concern and activities for the homeless throughout the world. The 1968 survey also includes reports on the refugee problems in Africa, Vietnam, and the Middle East.

I commend the USCR and its executive vice president, Dr. R. Norris Wilson, for preparing the annual survey, which I, as chairman of the Judiciary Subcommittee on Refugees, always find extremely helpful. Because I know the current survey will be of interest to many Senators, and to others as well, I ask unanimous consent that it be printed in the RECORD.

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

WORLD REFUGEE REPORT: 1968 ANNUAL SURVEY ISSUE

(By the U.S. Committee for Refugees, Inc.)

(NOTE.—The U.S. Committee for Refugees, a private Citizens Committee, now in its 10th year, brings the story of the world's refugees to the American people and their leadership in the Congress. It encourages support for more than 60 American voluntary agencies working for refugees all over the world and makes funds available to their projects for refugee assistance overseas.

(These outstanding Americans are behind the work of the U.S. Committee for Refugees:

(Officers: Maxwell M. Rabb, President; Luther H. Evans, Chairman of the Board; George Meany, Vice President; Samuel W. Meek, Vice President; Roderic L. O'Connor, Vice President; Reginald H. Helfferich, Treasurer; Victor Jacobs, General Counsel; Frances Humphrey Howard, Chairman of the Executive Committee; R. Norris Wilson, Executive Vice President.

(Members of the board: Marian Anderson, Donald E. Anderson, Louis Beck, Joseph A. Beirne, Colin W. Bell, Edgar F. Berman, William S. Bernard, Walter H. Bieringer, Jacob Blaustein, Dorothea Blum, William L. Breese, Madeleine Carroll, Daniel G. Cary, Abram Claude, Jr., Marcus Daly, Mrs. Edison Dick, Joseph W. Donner, Angier Biddle Duke, Charles W. Englehard, John B. Ford, III, Buell G. Gallagher, J. Peter Grace, Mrs. Erwin N. Griswold, John W. Hanes, Jr., Huntington Hartford, Christian A. Herter, Jr., Celeste Holm, J. Donald Kingsley, William T. Kirk, I. Robert Kriendler, Mrs. Albert D. Lasker, Peter I. B. Lavan, Ralph Lazarus, Henry A. Loeb, Mrs. Oswald B. Lord, Clare Boothe Luce, James MacCracken, Juvenal Marchisio, George M. Mardikian, Edward B. Marks, Robert S. McCollum, Robert D. Murphy, Ruth Z. Murphy, Christopher H. Phillips, Henry V. Poor, Jacob S. Potofsky, Marsha Hunt Presnell, Richard W. Reuter, Mary G. Roebling, Karl F. Rolvaag, George N. Shuster, Mrs. Harper Sibley, Spyros P. Skouras, Lowell Thomas, Ilia A. Tolstoy, Robert F. Wagner, Richard H. West, James W. Wine.)

THE REFUGE STORY IN 1968

Ten years ago when the United States Committee for Refuges was organized the world's refugee population was estimated to be 16,500,000 including 6,500,000 in Europe. At January 1, 1968 the European refugee problem has been reduced to 716,000 persons but the world's refugee population exceeds 15,-500,000.

Over the decade, many hundreds of thousands became refugees and were resettled in Korea, India, Pakistan, Kashmir and Algeria—as well as in Europe. Nevertheless, in recent years the number of refugees of record has steadily and tragically increased—in 1964—7,910,309; in 1965—9,790,699; in 1966—11,226,920; in 1967—15,594,090. The most dramatic increases during the recent period are shown for the Middle East, South Vietnam and Africa.

Africa, out of her turbulent new life, has created many refugee problems. There are 57 states on the continent; 35 of them are faced with a refugee problem. In the early months of 1967, the Ford Foundation requested the United States Committee for Refugees to make an on-the-scene study of major refugee problems in Africa. Material for this article by R. Norris Wilson, the executive Vice President of the Committee, was gathered in the course of a 3-month 28,000 mile visit to 17 African countries.

In Vietnam the refugee population has more than doubled in the last 12 months. There are 26 American voluntary agencies at work there in addition to the assistance and pacification programs of the United States Government. The work of the private agencies, in spite of many hazards and discouragements, is probably the most hopeful fact about this tragic country.

In spite of the saddening ambiguities and confusion which burdens the hearts and minds of many Americans, these agencies are a "presence," representing to the Vietnamese people the spirit of compassion and helpfulness of the American people.

The story "Behind the Statistics in Vietnam," by Richard J. Peters, Associate Program Officer of the International Voluntary Services, Inc., is a revealing account of the characteristic work of voluntary agencies.

The Middle East saw the eruption of new fighting in the continuing Arab-Israeli conflict. The war of June 5, 1967 has created fresh tragedy but also opened new possibilities for long-range settlement efforts. This tragic problem, now 20 years old, is carefully analyzed by Dr. Laurence V. Michelmore, Commissioner General of the United Nations Relief and Works Agency (UNRWA).

American readers of this Report will not marvel at the increasing size of our Directory of Agencies engaged in refugee service. These agencies are the creations of the American's traditional desire to be helpful and his effort to extend his help in the most direct, practical and economical way. Intergovernmental, governmental and private agencies all have their distinctive role to play and all are equally vital to the total effort. But it is the private voluntary agency that "sets the pace" and gives the most

"agile," flexible and imaginative expression to the humanitarian spirit. This is because the agencies are closer to the people—closer to the people in need and closer to the people *here* who give so generously to meet the needs of refugees. Agency workers on the field, in every corner of the world, labor in circumstances of appalling difficulty and heartbreak. We, comfortably at home, in our churches and temples, in our service clubs or offices, or simply as thoughtful individuals who give our money to support these workers, should be deeply proud of them, and take satisfaction in the fact that we share, in some small way, in their labors.

The shocking number of refugees on every continent is the most tragic evidence of man's inability to manage himself, his religion, his politics and his hungers with due concern for his fellow man. On the other hand, our continuing efforts to help the refugee, wherever he is—in his need, whatever its cause—is heartening evidence that the healing impulses of sympathy and neighborliness are at work among us, nourishing man's hopes for peace and freedom.

WHO IS A REFUGEE?

This Survey is at most a fragment of the story of over 15,594,090 refugees. They are on every continent and in more than 80 countries. We need to remember that they become refugees one by one. Statistics are a useful, if sometimes misleading convenience—and we must not let our statistics blind us. A refugee is a homeless, hopeless and hungry person.

Whether man, woman or child, the refugee is the tragic result of the violent pace and ferment that characterizes our time. Wherever the refugee is—whether Africa, Europe, Asia, Latin America, or in our own country—he, by his rootlessness and need personifies modern man's inability to cope with his personal life, his religion, his ambitions and his hungers, with due concern for his fellow man.

Each refugee group, while it bears some similarities to other groups, is unique. The reasons for their flight differ in each case; the circumstances of their asylum differ in each case; the opportunity for and/or rate of resettlement and integration differ in each case. Moreover, while the human situation for the refugee is always grievous, the political significance of the refugees' predicament varies in importance according to a host of circumstances.

Taking into account the many varied legal, political, economic and religious considerations which bear upon his status as a refugee, we say that a person is a refugee if his forced movement (whether within his own country or to asylum elsewhere) means that he is deprived of a minimally decent life.

If he (1) is still in a camp, though he may have a job; (2) has adequate housing, but no place to work; (3) is well cared for, though still separated from his family and uncertain whether they can rejoin him; (4) by his loss of citizenship or forced migration, is deprived of the fundamental elements of a minimally decent life—he is a refugee.

1967 WORLD REFUGEE POPULATION

15,594,090 HOMELESS—VICTIMS OF WAR, INTOLERANCE, AND SOCIAL UNREST

[Definition of abbreviations: AKF—American Korean Foundation; AFSC—American Friends Service Committee; CPRA—Congo Protestant Relief Agency; CRS-USCC—Catholic Relief Services-United States Catholic Conference; CWS—Church World Service; DHEW—Department of Health, Education, and Welfare, U.S. Government; EPEAA—Ecumenical Programme for Emergency Action in Africa (All Africa Conference of Churches); ICMC—International Catholic Migration Commission; IRC—International Rescue Committee; JDC—Joint Distribution Committee; LWF—Lutheran World Federation; ORM—Office of Refugee and Migration Affairs, Department of State, U.S. Government; PAIRC—Polish-American Immigration and Relief Committee; SRA—Spanish Refugee Aid; UNHCR—United Nations High Commissioner for Refugees; UNRWA—United Nations Relief and Works Agency for Palestine Refugees; WCC—World Council of Churches; U.S. Senate—Subcommittee on Refugees and Escapees]

Country of asylum	From—	1966	1967	Source
East Asia:				
China	Russia	1,000	1,000	ORM.
Hong Kong	China	2,000,000	2,000,000	ORM; AFSC.
Macau	China	80,000	86,000	ORM.
South Korea [1]	North Korea	1,000,000	1,000,000	AKF.
Southeast Asia:				
Bhutan	Tibet	3,000	3,000	Office of Tibet, USA.
Cambodia	South Vietnam		20,000	UNHCR.[2]
India (Calcutta)	Pakistan (East)	2,000,000	2,000,000	CWS-Stroup report; others.
India	Pakistan (East & West)	283,177	1,000,000	ORM.
Do	Tibet	41,800	50,000	Office of Tibet, USA; ORM. Times of London.
Do	Burma	55,249	55,249	Indian Information Service.
Laos	(National) [3]	250,000	300,000	ORM.
Nepal	Tibet	10,000	9,000	Office of Tibet, USA; CWS.
Pakistan (East & West)	India	500,000	500,000	ORM; WCC.
Sikkim	Tibet	6,000	5,000	Office of Tibet, USA.
South Vietnam	(National) [3]	1,003,000	2,091,000	U.S. mission, Saigon; ORM.
Thailand	Vietnam	40,000	40,000	ORM.
Do	Burma	30,000	30,000	New York Times.
Do	China	7,300	7,300	ORM.
Various countries in Asia	Europe		2,000	UNHCR[2]
Total, Asia		7,310,526	9,199,549	
Middle East:				
Dubai	Zanzibar		200	UNHCR.[2]
Gaza Strip	Palestine	307,000	316,716	UNRWA.
Israel		52,000	52,000	JDC.
Jordan (East Bank)	Palestine	259,924	509,924	UNRWA.
Jordan (West Bank)	do	458,000	480,000	UNRWA.
Lebanon	do	164,000	160,723	UNRWA.
Syria	do	140,000	240,009	UNRWA (includes 100,000 Syrian national refugees).
Turkey	Bulgaria, Rumania, U.S.S.R., Yugoslavia, Albania	2,200	2,000	Turkish Embassy, Washington, D.C.
Total, Middle East		1,383,124	1,761,572	
North Africa:				
Morocco		2,700	1,000	UNHCR.[2]
United Arab Republic	South Africa, South-West Africa, Rhodesia, Mozambique.		500	USCR.[4]
Do	Sinai, Gaza Strip		39,000	UNRWA.
Do	Europe		500	USCR.
Northeastern Africa:				
Ethiopia	Mozambique		11	USCR.[4]
Do	Sudan	10,000	20,000	ORM, CWS, CRS.
Do	South Africa, South-West Africa, Rhodesia	18	30	USCR.[4]
Do	Somali Republic	70,000	70,000	Ethiopian Government.
Somali Republic	French Somaliland		12,000	Conference document, Addis Ababa, Oct. 12, 1967 (unconfirmed).
	Ethiopia		189,000	
	Kenya		218,000	
Sudan	Congo		9,000	UNHCR [2]
Do	Ethiopia		25,500	UNHCR [2] (refugees from Eritrea).
Central and East Africa:				
Angola	Zambia		3,500	UNHCR.[2]
Burundi	Rwanda	50,000	54,000	UNHCR, EPEAA.
Do	Congo	20,000	25,000	UNHCR, EPEAA.
Central African Republic	Sudan	18,000	27,000	UNHCR, EPEAA.
Do	Congo	3,000	16,000	UNHCR,[2] EPEAA, CWS.
Congo, Democratic Republic of the	Angola	400,000	500,000	CWS, CPRA.
Do	Rwanda	60,000	24,000	UNHCR.[2]
Do	Sudan	18,000	33,000	UNHCR.[2]
Do	Haiti [5]		1,500	USCR.
Kenya	Southern Africa		450	USCR.[4]
Do	Sudan	100	200	USCR.[4]
Do	Rwanda		50	USCR.
Malawi	Mozambique		20,000	USCR, ORM.
Do	South Africa		30	USCR.[4]

See footnotes at end of table.

1967 WORLD REFUGEE POPULATION—Continued

15,594,090 HOMELESS—VICTIMS OF WAR, INTOLERANCE, AND SOCIAL UNREST—Continued

Country of asylum	From—	1966	1967	Source
Central and East Africa—Continued				
Rwanda	Burundi		12,600	CRS.
Tanzania	Democratic Republic of the Congo	2,000	6,000	ORM.
Do	Rwanda	25,000	13,500	UNHCR.[2]
Do	Mozambique	10,000	19,000	UNHCR,[2] ORM.
Do	Rhodesia	20	20	USCR.[4]
Do	Malawi		600	CRS.
Do	Kenya	2,500	2,500	LWF.
Do	Various African countries		500	UNHCR.[2]
Do	Sudan		600	CRS.
Uganda	Rwanda	50,000	68,000	UNHCR,[2] CRS, ORM.
Do	Sudan	40,000	55,000	UNHCR.[2]
Do	Democratic Republic of the Congo	38,000	33,000	UNHCR.[2]
Zambia	Angola	6,000	3,800	UNHCR.[2]
Do	Mozambique	5,000	1,800	UNHCR.[2]
Do	Malawi, Sudan		120	USCR.
Do	Others		565	UNHCR.[2]
Southern Africa:				
Botswana	South-West Africa, South Africa, Rhodesia		200	EPEAA.
Lesotho	South Africa		200	USCR,[4] WCC.
Swaziland	South Africa, Mozambique		90	USCR.[4]
West Africa:				
Dahomey	Ivory Coast, Senegal, Mali	12,000	12,000	EPEAA, ICMC.
Senegal	Portuguese Guinea	55,000	61,000	UNHCR.[2]
Various African countries	South Africa	800	6,000	Tanzanian Christian Council.
Total, Africa		898,138	1,586,368	
Europe and United Kingdom:				
Australia			37,000	UNHCR,[2] WCC.
Austria		858	24,000	UNHCR.[2]
Belgium			47,000	UNHCR,[2] WCC.
France	Eastern Europe, North Africa	62,500	192,000	UNHCR,[2] JDC, IRC, ORT.
Do	Spain	70,588	100,000	SRA.
Germany	Eastern Europe	17,564	180,000	UNHCR,[2] PAIRC, WCC, IRC.
Greece		4,775	12,000	UNHCR.[2]
Italy	Eastern Europe	1,030	13,000	UNHCR.[2]
Do	North Africa		2,500	ORM.
Netherlands	Eastern Europe		9,000	UNHCR.[2]
New Zealand	do		500	UNHCR.[2]
Spain	Cuba	15,000	17,000	UNHCR.[2]
Sweden	Eastern Europe		20,000	UNHCR.[2]
Switzerland	Tibet	399	495	Office of Tibet, USA.
Do	Various		20,500	UNHCR.[2]
U.S.S.R	China	70,000	70,000	U.S. Senate hearing report.
United Kingdom	Various		167,000	UNHCR.[2]
Yugoslavia	Albania		26,000	UNHCR.[2]
Europe, various	Tibet	600	600	Office of Tibet, USA.
Total, Europe and United Kingdom		243,314	938,595	
Western Hemisphere:				
Argentina[6]	Chile, Bolivia, Paraguay	1,000,000	1,000,000	New York Times.
Bahamas	Haiti	132	12,000	Do.
Dominican Republic	do	5,000	5,000	IRC.
Puerto Rico	Cuba	6,000	14,938	DHEW.
Do	Haiti	5,000	5,000	IRC.
United States	Cuba	91,148	350,000	ORM.
Do	Tibet	48	70	Office of Tibet, USA; New York Times.
Do	Haiti	6,000	6,000	IRC.
Do	Various		550,000	UNHCR.[2]
Various Latin American countries	Cuba	35,000	50,000	ORM.
Venezuela, Peru, Chile, Argentina, Colombia	Europe	130,000	115,000	UNHCR.[2]
Total, Western Hemisphere		1,278,328	2,108,008	

SUMMARY—TOTAL WORLD REFUGEE POPULATION

Area	1966	1967
Asia	7,310,526	9,199,549
Middle East	1,383,124	1,761,572
Africa	898,138	1,586,366
Europe and United Kingdom	243,314	938,595
Western Hemisphere	1,278,328	2,108,008
Total	11,113,430	[7] 15,594,090

[1] There remain approximately 1,000,000 of the 4,000,000 persons who moved from North to South Korea during the Korean war. It is assumed that most of the refugees have been "integrated." Yet only 1 country in the world (India) is receiving the assistance of more registered American voluntary agencies than Korea.

[2] These figures, as of Jan. 1, 1967, represent the estimated number of refugees in each country (whether resettled or not) subject to the protection and/or assistance of the Office of the United Nations High Commissioner for Refugees. In nearly all cases, other agencies confirm these figures.

[3] Refugees in their homelands who, because they have not crossed an international border, retain citizenship.

[4] These figures represent a small but significant number of refugees from southern African states seeking employment or educational opportunities.

[5] In April 1967, there were reported to be 1,500 Haitian refugee teachers working in the Democratic Republic of the Congo.

[6] We know of the presence of 1,000,000 persons who have moved from Chile, Bolivia, and Paraguay to the outskirts of the city of Buenos Aires in Argentina. They are refugees in the sense that they have no proper travel documents and also because they are, for the most part, jobless and homeless—in other words, in need of most of the services normally thought appropriate and necessary for refugees. They are undoubtedly many hundreds of thousands more of these so-called economic migrants, especially in Africa.

[7] There are many thousands of refugees in transit whose movement from their homes to new home in asylum countries is now accomplished quickly enough to prevent their settlement in camps. For example, 4,000 persons per month are moved from Cuba into Miami and out to new homes in a matter of days. Similarly, refugees from behind the Iron Curtain are being processed so rapidly and so efficiently that their numbers of approximately 34,000 per year do not enter our calculations. Only refugees that are visible can be accounted for.

OUT OF SIGHT—OUT OF MIND

The principal objective of this survey of the world's refugee problems is to give visibility to 15,594,090 persons—men, women and children—who are today's refugees and suffer the effects of being "Out of sight—out of mind."

The international apparatus for resettling European refugees has been radically improved. Now most of the camps are gone. Refugees from Eastern Europe who make their escape just as they did in the late 1940's and 1950's are moved to new homes in asylum countries in a matter of days. It is tragic irony that a European refugee, receiving as he does the much improved service from the international community, has become "invisible" and is, therefore, no longer seen or felt as a burden on the heart and conscience of the free world.

Moreover, the scene has changed. The most

serious refugee problems are no longer in Europe—they are in Africa, Asia and the Middle East. These refugees, in vast numbers and in serious need, are "invisible" too.

The refugees in Africa and Asia are "invisible" partly because of their distance from us, partly because of the confused, almost frantic pace of the world's life, partly because, as distinct from the European refugees, the refugees in Africa and Asia have no large and influential body of American citizens related by blood or national origin to plead their cause. Moreover, few, if any, of the millions of refugees in Asia and Africa will be resettled in the U.S.A. This is another reason why their tragedy does not "come home" to us. And so, tragically, the refugees of Africa remain "invisible" to the eye and conscience of Americans.

Even in South Vietnam where there are more than 2,000,000 refugees in various stages of resettlement, we do not really SEE the problem. The plight of those who have had to flee their homes because of the constant to and fro of the fighting has been obscured by the confusion in the United States over the ends and means to our national effort in Vietnam.

The American citizen has always responded with sympathy and generosity to any humanitarian need. But when he gave his heart and his money for the relief of the distressed, it was because he had been given a believable vision of the need which had to be met. There is a deep-seated connection between "seeing," and "believing." This is why we believe that giving "visibility" to the problem of the refugee is a task of fundamental urgency. We need to see!

A Refugee is a *person*—his needs are personal—we need to "see" him—that is, to *imagine* him and accept him personally with all his distress—in our minds and hearts.

REFUGEES IN AFRICA

(By R. Norris Wilson, executive vice president)

There are 57 states on the continent of Africa; 35 are faced with the problem of refugees. Of these, 11 (all in Sub-Sahara) have given asylum to refugees from more than one country. For example, Uganda has refugees from Sudan, Congo and Rwanda. Of these, 11, 7 are both receiving and exiling countries. For example, Congo-Kinshasa has given asylum to 560,000 refugees. At the same time, 63,000 Congolese have sought and found refuge in neighboring countries. The total number of refugees who have moved and are moving en masse is 1,586,366.

In addition, and quite distinct from the mass flight of refugees into adjacent asylum countries, there is the small but quite serious problem of refugees from Southern Africa, Rhodesia and South West Africa. At any one time there are 1,500 to 2,000 (mostly young men) moving from, say, Francistown in Botswana to and through the major cities in East Africa as far north as Cairo. They are seeking education, jobs, or, in some cases, are engaged in "rebel" activities against the governments of their homelands.

For many generations, African people have moved freely within their often ill-defined tribal areas in search of game, more fertile soil or forage for their herds. National boundaries did not limit this more or less casual and sometimes seasonal movement. But with independence, these boundaries—once merely arbitrary lines on the map often crossing through traditional tribal grounds—have increasingly become barriers to movement. These boundaries are carefully watched and often defended. The people who cross them now, in far too many cases, are refugees seeking asylum and peace for themselves and their families. This study takes no account of this traditional movement. We are concerned only with the desperately real, continuing and growing problems of persons who are in flight from oppression and escapees from the revolutionary and counter-revolutionary fighting in their homelands.

The situation in most African countries is so volatile and precarious that additional and new flights of refugees are a continuing possibility. The power struggle in many states is the result of an interplay of internal and external forces, tribal animosities old and new, hunger, hope, colonialism and great power tensions. The ferment of these forces will not subside quickly. It is likely, therefore, that while present refugee problems can and will be solved, others perhaps far more serious, will arise.

Repatriation: An unlikely answer

Repatriation seems a natural solution to refugee problems. Whether in Europe, Asia, or Africa, it has always been one of the possibilities for solving the problem of mass flight from an emergency situation, whether from political or natural causes. Officials of nearly all asylum countries refer to the ultimate return of the refugees to their "homelands." It is, on the face of it, the simplest and most ideal solution. In Africa, repatriation is a basic presupposition of refugee policy in most asylum countries. In some places, there is currently some small, and I think significant, evidence to support this presupposition.

On the whole, however, *repatriation is not a promising solution for any considerable number of refugees in Africa at the present time.* Moreover, the continued talk of repatriation on the part of the asylum governments and their apparent belief in its possibility is a deterrent to the proper resettlement of refugees. As long as the refugees are told that they are going to be repatriated or that there is a possibility of repatriation, they are *not* going to make significant progress in their resettlement. For example, the problem of the Sudanese refugees has been aggravated by Khartoum's diplomatic effort to persuade the surrounding asylum countries that the refugees *are* going to return.

In general, repatriation is not a promising solution for any refugee problem in Africa mainly because the causes which brought about the flight of refugees in the first instance are still present and unsolved. This is true in the Sudan; it is true in the Portuguese territories; it is true in the Congo; it is true in Rwanda. The refugees have found asylum, they are safe and they are setting up new homes. They do not want to return to the countries from which they are exiled as long as the circumstances in those countries remain hostile, as they are at the present time.

Repatriation—ideal solution though it may be—must always be a voluntary and never forced solution. It must be based on the refugee's real choice. He must be given the choice as to whether he wants to stay where he is or to return to what was his former residence. In the resettlement areas which I have seen, it would seem unlikely that, refugee resettlement having progressed as well as it has, any significant number of refugees would opt for a return to their countries. They are in almost every respect better off where they are. They have schools and medical facilities; they have planted gardens, trees, orchards and tea; their economic status is probably superior to what was. The promise of the future is certainly encouraging—so much so, as to seriously affect their willingness to be uprooted again and return to what might be called their homes.

Another aspect of this problem is what I think to be the difference in the concept of "home" or "homeland" as between, say, Europe and Africa. An African, at the present time, may be living 100 or 200 miles from his former residence but he is, at the same time, among his neighbors who fled with him and probably within the area occupied by his fellow tribesmen. He regards himself, in these respects, as being "at home." In Europe, on the other hand, the refugee who wants to return from, say, Austria to Hungary has in his mind, as he thinks of home, a particular house on a particular street in a particular city. This is not the case in Africa where men and women have wandered within vast areas but kept tribal connections and ways. They never felt as they moved from place to place that they were not at home.

I think we must accept the refugee resettlements, by and large, as permanent and base our actions and future plans on the presupposition that repatriation is, for the most part, a possibility *only* in exceptional circumstances. The asylum countries are going to recognize that, as the refugee applies his mind, heart and spirit to the development of his new home, he becomes a resource of inestimable value to them. I think as time goes on, there will be less and less talk of his possible repatriation. By the same token, of course, the countries which have exiled the refugees have suffered an absolute loss. I have no idea what recompense, if any, can or need be made to them.

Every refugee problem in Africa is different from every other. Each has its peculiar history—tribal, political, religious and linguistic.

Nevertheless, there are common needs and a general order of priority in meeting them. Refugees fleeing to safety in an asylum country must have basic relief services first. There are medical needs. Some have been injured by gunfire or accident along the way. There is disease, exhaustion and malnutrition. Food and clothing are primary needs. Often, as in flight from Angola or the Sudan, refugees have lived "in the bush" for some days or even months before they have sought asylum. They are hungry and their children are sick and undernourished, their clothing in rags.

Land and temporary housing must be found. Refugees often cross the border to safety and find asylum in their own tribal areas. In these circumstances they find an initial welcome among people who know them. In the lower Congo, the Angolan refugees have been permanently resettled in just this way. They need only the immediate emergency services on their arrival and food and clothing rations for a year. They soon find a home plot, plant their crops and build their homes. Normally, within a year, they have made permanent settlement.

It is not always so simple. Refugees may settle first on land near the border where they receive emergency service and later (often sadly, *too* much later), they are moved further from the border to insure their protection and prevent continuing border strife. This has happened in Uganda and is happening now in the Central African Republic.

Refugees in mass flight while suffering the physical disabilities of their journey also suffer the spiritual and psychological wounds of separation, rootlessness and frustration more grievously. They have been defeated. Some want to continue the fighting, and do. These wounds heal slowly, especially if the flow of refugees continues and the settlers are frequently aroused by new refugees fresh from the fighting. These problems are the most enduring and create the most serious and persisting difficulties for the host government, the High Commissioner and the private voluntary agencies, all of whom are seeking to help the refugees.

Contribution to development

The resettlement activity of the United Nations High Commissioner, as it is seen in most places, is obviously a positive contribution to the development of the country. The land on which the refugees have been resettled is almost always land which has

never been under cultivation before. The very fact of its having been brought under cultivation is a contribution to the resources of the host country.

One marvels, for example, as one sees Bibwe in the Kivu Province of the Congo—the resettlement involving 1,250 families from Rwanda. They have cleared 15,000 acres of forest, planted crops, established schools and formed cooperatives. They have now reached the point where they have a common tea plantation (a cooperative) which markets 10,000 pounds of tea per month. The refugees also manufacture furniture which they sell to the cooperatives as well as their agricultural produce (beans, ground nuts, etc.). This settlement, now five years old, has reached the point where it is making a positive, obvious contribution to the general economy of the country.

I think, also, of the settlement at Mugera in Burundi where some 23,000 Rwandese were moved all at one time into an area which was almost entirely swampland. The High Commissioner, with the cooperation of the ILO and other UN Bodies as well as the AIDR (a Belgian organization representing both the Belgian Government and the private sector), has resettled these people with magnificent speed and success. Certain large investments had to be made at the outset. The swamps had to be drained and pipelines laid for an adequate supply of water. Once this was done, the refugees were assigned their homes and garden plots and began their development. It would appear to the observer that they, working together with a great deal of determination and courage, have added to the economy of Burundi a very large and a very impressive capital asset for the long future.

The role of the voluntary agencies

I have made many references to the active cooperation with the High Commissioner of voluntary agencies from many countries. Some of them are familiar to us in the United States—Catholic Relief Services, Church World Service, the American Friends Service Committee, etc. The High Commissioner has invited voluntary agencies into partnership in resettlement activities wherever he is working. They have brought food, clothing, money and personnel to the task in amounts so significant as to be absolutely invaluable and indispensable to the High Commissioner's program.

This pattern of cooperation is not always easy and uncomplicated. Many of the organizations involved with refugees in Africa have a religious motivation and are not used to dealing with the extremely complicated political factors which involve the High Commissioner's activities in Africa. I do not want to be misunderstood. The High Commissioner is engaged in purely humanitarian service but the arrangements under which this service can be rendered to the refugees are based on arrangements that must be made with the Officers of the host government. In many cases, the negotiations surrounding these arrangements are touched with the political considerations that prevail in the host country. It is, I think, a tribute to the skill and patience of the High Commissioner that he has been able to effect these arrangements in the face, sometimes, of very difficult problems which must be talked through and accommodated into his planning.

It is not to be wondered, therefore, that the representatives of the voluntary agencies are not always entirely aware of the negotiations which underlie the High Commissioner's work and feel that he is engaging with the host government on political grounds in arrangements with which they either cannot agree or do not support.

This being true, it is marvelous to see the extent and generosity of the cooperation between the two groups. I believe that the High Commissioner's representatives make every effort to be understood and give in an open-handed and open-hearted way the credit to the voluntary agencies which they so rightly deserve. The voluntary agencies, for their part, are more than ready to contribute where and as they can in the execution of plans that have been worked out by the High Commissioner.

There are many countries in Africa which have refugee problems where the High Commissioner has *not* been invited by the host government to participate. In these places, I have found the voluntary agencies working on their own and, in all cases, making their plans with as much care and executing them with as much fidelity of purpose and clarity of objective as the High Commissioner. Malawi is a good example of this kind of undertaking.

The voluntary agencies but especially the Church and mission-related agencies have unique and crucially valuable strengths for service to refugees in Africa as elsewhere in the world.

They have been there a long time. Mission stations, with hospitals, schools and churches, were planted many decades ago. The teachers, doctors, nurses and other trained personnel close to the people and their needs have a deep understanding and sympathy, born of long friendship. Much of the good work of governmental and intergovernmental agencies is dependent upon this special and rare understanding.

Representatives of these agencies, because they are present as trusted friends and are not working within the limits of governmental agreements are able to protect the rights and welfare of refugees more quickly, generously and flexibly than even the most sympathetic government offices. Governmental and intergovernmental representatives are quick to express their gratitude to the private agencies. They are especially grateful for the material assistance of the private agencies—food, medicines, clothing, tools and the like. While there is never enough, it is commonly true that the only resources of this kind, and always the *first* to be offered, are the gifts of the American people through these agencies.

Nothing is simple or easy. Religion is a part of the tumultuous ferment in Africa. In many places it is a source of deep enmity and strife. Refugees from the Sudan, for example, are refugees partly because of an old and deep-rooted antipathy between Moslems and Christians. Moreover, Christian missionary, educational and medical service is often linked with "colonialism," and present day workers for these agencies are often regarded with suspicion and treated with hostility.

In spite of these difficulties and others more obvious—inadequate transportation, slow communication and the limitations of developing countries—one feels a warm admiration for the gallantry and devotion of these servants of God and men.

I have referred before to the close relationship between representatives of the United Nations High Commissioner for Refugees and the private agencies. The importance of this cooperation, indeed interdependence, cannot be overstated. Each has his role to play and they are complementary.

In most of the countries where I visited, I found Church World Service or Catholic Relief Services engaged in projects related to the problems of refugees. They were using, for example, in Senegal, Public Law 480, foods for work projects. They were, in some cases, supplying rations for the refugees along with clothing and medicines. Personnel, agricultural advisors, nurses and other persons who had become members of the team were working either in the resettlement projects sponsored by the High Commissioner or in projects of their own.

A most important contribution of the private agencies is their work with the refugees from southern African states who are moving slowly through the "underground railway" up through East Africa as far north as Cairo. In each of the "way stations," there is a small committee, sometimes quite anonymously known or, if not anonymous, quite ambiguously titled, which is dealing on a case-by-case, person-by-person basis with these young men and women and the terrible problems that they are facing as they seek opportunities for employment or for their education. Mr. Chidzero, the resident representative of the United Nations Development Programme in Nairobi, told me that the contributions of the private voluntary agencies to the High Commissioner and to other refugee services were absolutely indispensable. He spoke in glowing terms of the generosity and persistence, not only of the American agencies, church-related or not, but the efforts of private citizens from many countries.

I have seen the work of these agencies in every country I visited and I believe that the contribution of the private citizen through his church or other association, all over the world, is a crucial factor in the solution of refugee problems in Africa.

The brighter side of the coin

It may appear from reading this account that the refugee is both *the product and the producer of disorder*. His physical and spiritual problems—sickness and malnutrition, rootlessness and despair—are upthrust out of the ferment of the "new" Africa. In asylum countries where he has been allowed to settle, his hosts often call him a "rebel," a "threat to security" or a "subversive."

But we must read the other side of the coin too! He became a refugee, a "rebel," because he rebelled at what he thinks was an attack on his human rights. His rights to the elemental freedoms of education, vocation, religion, privacy and association were violated. His flight was an act of courage. It was an extremely costly protest which he judged was worth making in order not only to save himself (that is, to "get out of harm's way"), but to say something for the sake of his conscience about human dignity and aspiration. The work of the Government and of the intergovernmental and private agencies is a story of almost miraculous success. Indeed, taking into account the wide range of "hard" problems that have been met, and are being met and faced—it *is* a miracle!

However, what makes this story a miracle is not only the wisdom, patience and generosity of those who work with the problem—it is also the evident courage and the refugee's will to live and make live. He has a kind of dauntlessness—or he wouldn't have become a refugee in the first place.

How many times before we have seen what we now begin to see among the Sudanese in Uganda, the Rwandese in Burundi, or the Mozambiquans in Tanzania. Whether from Germany or Spain or Russia or Italy or China or Palestine—or wherever—in the long past or now—the refugees brought with them, as they emigrated, precisely those strengths of mind and spirit which their homelands could least afford to lose.

It is not foolish to say that among the refugees in Africa, there are nation builders. On the other hand, it is foolish not to see that, for example, in the rather forlorn clusters of migrant refugee students in East Africa, there are leaders of industry, science, politics and human welfare.

Most of us haven't seen this hopeful side of the refugee problem. We see much that is primitive and cruel—like the ruthless reach

and clutch of power. Africa's "image," in the Western World at least, gives little hint of what her tumultuous life is providing these highly generative groups of people. Through the experience of becoming refugees (terrible as it is in so many ways), many of these people will become "leaven" in the nations that have given them asylum.

So if the UNHAR, Church World Service, Catholic Relief Services and the host of others who work with refugees count their work as gain, it is because they are working with some of the most highly endowed people of Africa. It is because the agencies have had the patience and imagination to *begin where the people are* and to provide for the refugees the very fundamental nournishment for these powers of mind and spirit that are the basic ingredients of peace development.

The assistance the refugee receives—modest and limited as it appears to be—may be the most helpful and provident investment in all Africa today.

AIRLINE STEWARDESSES' UNIQUE PROGRAM AIDS REFUGEE CHILDREN: "DOOLEY DOLLIES" SCORE SMASH HIT

(By Wilma Dobie)

In Southeast Asia, a strikingly pretty and talented group of young ladies, affectionately known as the "Dooley Dollies," are chalking up a success story that rivals Broadway's "Hello, Dolly!" for rave reviews. Both "Dollies are attracting Standing Room Only audiences but the fans dramatically differ.

The SRO crowd waiting to see the "Dooley Dollies" are solemn-faced refugee children. Some have miraculously crossed the highest mountains in the world to escape the bloody occupation of their homes in Tibet by the Red Chinese. Others are heart-breakingly innocent victims of war-torn Vietnam.

The "Dooley Dollies" are actually airline stewardesses from 15 major airlines in the United States and from abroad. They are under the direction of Dr. Verne Chaney, President of the Thomas A. Dooley Foundation, Inc. and their only payment is the thanks of the Foundation and the satisfaction that comes from knowing their humane services are helping to better the lives of tomorrow's citizens.

Two Pan American stewardesses, Marleane Thompson and Margie Burgy, are credited as the first "Dooley Dollies." Inspired by the work of the late Thomas A. Dooley and with an enthusiastic desire to be of practical help to his ideals, the young women flew to Southeast Asia to explore the possibilities near the end of 1961. Their ideas and observations materialized into the Stewardess Program of the Dooley Foundation.

"For four months we worked six days a week from morning 'til night, teaching nursing, playing, singing and mothering," Miss Thompson recalls. "These children became the most important things in our lives and still are. Thus the Stewardess Program began."

The trial run of the "Dooley Dollies" was an immediate success and in a very short time stewardesses from the various other airlines joined the Pan American girls to volunteer their services. Today over 120 are participating in the Stewardess Program. "Hostesses are probably the most natural individuals for this type of work," Miss Thompson believes. "Our airlines expose us to civilizations, culture, and religious customs which are not our own. They teach us to recognize people's needs, to respond in a gracious manner and they train us thoroughly in first aid. Consequently, the stewardess is a very effective as well as dedicated individual representing the Dooley Foundation."

The stewardesses volunteer for a three-month period and their services cover a wide variety of projects. In Katmandu, Nepal, supplementary teaching assistance is given to a Nepalese Orphanage housing over 150 children and a Nursery Care Center has been established at a Tibetan Refugee Camp. Teaching assistance is also given in Laos and Khong Island.

American Airlines' Kay Billings, a music therapy graduate of Michigan State University, is enthusiastic about the educational program the stewardesses have developed. She spent her time in Katmandu working with the Nepalese youngsters. "If I could feel we have taught them to think for themselves, my stay will have indeed been worthwhile," Miss Billings said on her recent return.

Stewardesses also administer to minor medical needs, work in hospitals and clinics, issue vitamins and regulate the milk supply.

A Pan American stewardess recently initiated a public health program aboard a new Thomas A. Dooley medical houseboat and uses puppets as a teaching aid. This floating clinic treats villages along the Mekong River in Laos.

Joan Hvezda, an Eastern Airlines stewardess, kept a diary which reflects some of the experiences the "Dooley Dollies" have encountered. "June 28—Muon Khong, Laos," she wrote. "A distraught mother stood on my doorstep in the middle of the night with a screaming baby in her arms. They had traveled all day. The child's ear was badly swollen and some horrible-looking gook (black magic potion) was smeared over his head. All night, by flashlight, Dr. Davis and I forced medicine into the little body. By sunrise the baby's fever finally broke."

Looking back on her experiences, Miss Hvezda said thoughtfully, "I have a patience and understanding I didn't have before. I feel so much more aware of myself in terms of the world at large. Yes, of course, I want to go back."

The Stewardess Program has proven to be a reciprocal education for the volunteers and children. For many "Dooley Dollies," it is their first introduction to a different culture, a new way of thinking and living. TWA's Pat O'Hara, working on Khong Island, commented, "It (Khong) is an absolutely beautiful place with wonderful people. Being a city girl I never really knew what was so 'nice' about the people from the country. I guess what I like best about these people is their complete lack of suspicion toward strangers."

Despite hard work and inconveniences, the stewardesses still find time for fun and relaxation. The warmth and friendliness of the people have frequently brought them more social invitations than they can fulfill. Sometimes they are invited to a Laotian wedding and take part in all the pomp and ceremony, including the fascinating custom of each guest tying a string on the wrist of fellow guests as a token of good luck. Often they have the rare opportunity of celebrating two distinctly different New Years—their familiar Western one and the colorful pageantry of the Chinese New Year. They are given seats of honor on special feast occasions and have learned with delight the many native dances and songs.

Dr. Chaney is optimistic about the future of the Stewardess Program. He says, "It is very impressive to the local people that these young stewardesses care enough about them, even in these trying times, to come there and help. It gives them hope because there are no angles, no strings attached. That is the beauty of this type of program."

BEHIND THE STATISTICS IN VIETNAM

(By Richard J. Peters, associate program officer, International Voluntary Services, Inc.)

Refugees have long been a problem in Vietnam, but with the escalation of the war the problem is rising in geometric proportions. The official figures for refugees stand at nearly 2,000,000 (or more than 10 per cent of the population) but the true number is unknown. The official count in Saigon, for instance, is zero but perhaps half of the people in Saigon are refugees of some sort.

Refugees are not new to the world but the aspects of the problem in Vietnam are. Seldom before have refugees been purposely created and transported from a few to sometimes hundreds of miles from their homes in order to clear the area for an operation or a free-bomb zone. To be thus displaced in Vietnam carries special meaning, not only with relation to the attachment to one's native land, but also because one's ancestors are more than likely buried in that land. Ancestor worship is a major Buddhist religious belief and is present to some extent even in Vietnamese Catholicism.

In the process of "creating" refugees, they are usually transported and grouped around province capitals where there is safety but no land to farm, no work under already-crowded urban conditions, and the suspicions of the native city dwellers with which to contend. To be suddenly moved to an area where it is impossible to work, cut off from one's livelihood, and placed in a hostile atmosphere (in many cases by foreign soldiers) is the plight of most refugees in Vietnam. Not all, certainly, are purposely generated. They group themselves around safe areas and province capitals for a variety of reasons, most of them having to do with personal security. Escaping from military operations, Vietcong terror and intimidation or American bombing and napalm are all much the same to them; they are uprooted, lost human beings.

Where possible, the volunteers have found it most beneficial to confine their activities to one village or grouping of refugees because of the personal attention which they need and the number of emergencies which continue to arise in the camps. The refugee camps, although full of people who see little but their miserable condition and uncertain future, offer a good opportunity for true Community Development efforts in the direction not only of projects and material advancement but the building of a "community" and, in many cases, even institutions. Tom Fox's efforts in the refugee village of Ninh Tinh near the city of Tuy Hoa demonstrate this:

"I have made a deal with USAID, asking them to supply cement at the rate of two bags per family to refugee families who would go out and gather rocks with which they could build cement floors to make life a bit more comfortable than the sand on which they were living. USAID agreed and so, too, did the refugee families.

"Within three days the word had spread and within five, every single one of the 91 new families in the new section of the camp had a pile of rocks which they had gathered from a mountain area about three kilometers away. Jon, Nonoy and I demonstrated a cement-laying technique in one of the compartments. A good number of refugees said they were uncertain as to how one goes about leveling, etc. With a rock base and a sand-cement mixture for the surface, we presented the demonstration. Then I agreed to deliver 50 bags to 25 families.

"When they had finished the 25 floors, 50 bags more were agreed to be delivered and so on, until all 91 huts had been made more livable. The communal psychology worked rather well for there was a great deal of discernible pressure brought to bear on the families with cement. It took two weeks until all 91 floors had been laid. There was also a bit of competition detected among the families. Some laid entrances to their little huts; others made little kitchens out in back, etc. The cementing serves the dual purpose of uplifting spirits within the camp by allowing the families to add a personal note to their

own meager living quarters and, at the same time, raise health standards by making the huts a lot easier to keep clean."

The refugee problem continues to keep ahead of even the best efforts of the Vietnamese and American governments. The increasing numbers often do not stay in one place for long unless they receive good leadership or are forcibly restricted. If they get the chance, they may even return to their homes in the middle of a communist-controlled area or a free-bomb zone. The day-to-day process of looking after the best interests of these people and attempting to raise community spirits, tapping the resources that are inevitably there, and attempting to give the community a sense of its own existence are the concerns of the IVS refugee worker.

Since 1960 in Khammouane Province of Laos, 17,000 refugees have sought the protection of the Royal Lao Government because of military activities in eastern sections of the Province. The insecurity has driven them southwest and west towards RLG Route 13. This has resulted in 21 groups of refugees in various stages of resettlement.

The basic activities in the Khammouane Province Refugee Program include: 1) emergency relief to area refugees and planning for requirements for new refugees, and 2) assisting as many refugees as possible to become self-sufficient by providing groups in new areas of good agricultural development potential where it would be possible for them to re-establish a normal life.

Initial steps toward resettlement have been taken in 11 sites. Assistance with producing field rice and, for the first time, paddy rice is going on in a program of improved seed distribution and buffalo loans. Self-help programs in schools, dispensaries, and wells are going on as well as agricultural programs in vegetable and fruit tree distribution.

Of major importance are the home industries and handicraft programs. Wood shingles are now being used for self-help projects and permanent refugee housing. The refugees are being encouraged to produce various handicraft items for sale. A craft center will soon be built to train villagers in improved techniques. A sewing and weaving program for women and girls is also under way.

THE COMMITTEE'S JOURNAL

The World Refugee Report provides a way for the Committee and its staff to record for its wide circle of friends some of the highlights of our work in the last year.

The United States Committee for Refugees—

Assists the United Nations refugee agencies by providing them public information and program assistance in the United States;

Brings to the members of the Congress and to appropriate Government agencies information and recommendations on refugee and immigration legislation, and provides testimony for Congressional Committees considering pending legislation:

Operates an information clearing house on the work of the more than 50 recognized refugee relief agencies in the United States;

Serves the communication media as a source of information and material on all aspects of the refugee problem;

Provides, through its World Refugee Report, current comprehensive and authoritative data on refugee situations throughout the world;

Maintains a referral service (to relief agencies) for refugees, former refugees, relatives of refugees, and citizens interested or involved in individual refugee situations;

Furnishes individual students, colleges, universities, and secondary schools with educational materials on the world refugee problem as a part of the social science curriculum;

Makes financial grants to operating agencies according to the availability of its funds for special emergency projects proposed by the agencies. Presently, 8 private and intergovernmental agencies are receiving grants from the Committee.

African Journey, February 17-May 30, 1967

The Committee's "on-the-scene" study of refugee problems in Africa was its most important undertaking in 1967. The study, made at the instance of a Foundation, covering the resettlement efforts of the United Nations High Commissioner for Refugees, the needs of refugee student migrants, as well as the service to refugees by private voluntary agencies. The extensive work of preparations, briefings, and the drafting and editing of the 220-page report involved the staff of the Committee fully for several weeks before and several weeks after the journey.

Throughout the long 27,000 mile trip, we had the fullest cooperation of the United States Embassy and Mission personnel, the United Nations agencies, local Government offices, representatives of voluntary agencies, and the refugees themselves. The Committee expresses its thanks to all participants, but especially to the sponsoring Foundation.

Item: The Middle East Crisis, June 5, 1967

The Committee was asked to organize and provide staff service for a two-day consultation of distinguished American scholars, social scientists, Government and Foundation officers on the refugee problem in the Middle East. The purpose of the discussion, informal and off the record, was to try to find a sense of direction toward new and imaginative solutions to this 20-year old problem. The consultation was held at the Plaza Hotel in New York City on July 17–18.

It is our impression that the sustained, quiet and dispassionate discussion of this most difficult and unyielding problem by these distinguished participants has proved germinal to new undertakings for emergency and long-range solutions to the refugee problem.

Committee's members and friends finance world refugee report

The United States Committee for Refugees, Inc. is a service organization (see above) and one of its major responsibilities is "Telling the Refugee Story." In the late summer, because of the extraordinary strains on our budget, we seriously doubted that we could finance the publication of the World Refugee Report. We shared this problem with our 50,000 members and friends across the country in a special mail appeal which brought us a total of $26,000. This issue of our World Refugee Report is, therefore, really the result of the generosity of our members and friends. We are deeply grateful to them for their help in this crisis.

We sometimes think our services, essential, useful and quiet as they are, do not excite popular attention and support. If this is true, it means that the giving of our many friends is all the more meritorious.

"Tree of Life" gift wrap sales, October and November

We are pleased to say that during the pre-Christmas season, 16,000 of our friends bought 23,000 packets of our "Tree of Life" Gift Wrap. Our buyers gave $33,000 in contributions over and above the purchase price of $2.00 per package. From these funds and the receipts from our special appeal, we have made further and final payments on our special emergency grants to Catholic Relief Services, The Thomas A. Dooley Foundation, International Social Service, American ORT Foundation, and United Church Board for World Ministries.

USCR board meeting, December 9, 1967

The Board of Directors, at its regular meeting, heard reports of Prince Sadruddin Aga Khan, the United Nations High Commissioner for Refugees, and Dr. Laurence V. Michelmore, the Commissioner General of the United Nations Relief and Works Agency. The December meeting is usually timed to hear the results of the United Nations debates, actions and decisions taken in response to the reports of these two refugee leaders.

The meeting also elected a new Treasurer, Dr. Reginald H. Helfferich, General Secretary, Division of World Service of the United Church Board for World Ministries, Dr. Helfferich succeeds Abram Claude, Jr. of the Morgan Guaranty Trust Company, for whose devoted service across the years the Board expressed its appreciation.

Dr. Helfferich is an officer of many organizations giving service to refugees and has been a member of the USCR Board for six years.

UNRWA AND THE NEW REFUGEE CRISIS IN THE MIDDLE EAST

(By Laurence V. Michelmore, United Nations Relief and Works Agency for Palestine Refugees)

The renewal of hostilities in the Middle East in June 1967 caused tens of thousands of Arab families to flee from their homes and seek refuge beyond the Cease-Fire lines. The plight of these 350,000 displaced persons, many of them refugees for the second time in their lives, brought a ready and generous response from every continent.

In the United States, voluntary organizations which had long been providing aid for the Palestine refugees stepped up their appeals and began shipping emergency supplies. The Government, too, was prompt in appropriating funds for the emergency and in organizing an airlift of 10,000 tents for the homeless in Jordan. A number of prominent citizens in the United States—among them industrialists, educators, publishers—felt that this new human tragedy in the Middle East demanded an exceptional effort from the American people. They set about creating an *ad hoc* committee which would raise substantial sums of money in a relatively short period of time from the private sector. General Dwight D. Eisenhower agreed to act as Honorary Chairman, with James A. Linen (President of Time, Inc.) as President and Chairman of the Board. Under this distinguished direction, NEED (Near East Emergency Donations) was established in early August to raise money for the relief of Arab refugees, the major part of the funds were to be channelled through UNRWA.

Before the hostilities

UNRWA (United Nations Relief and Works Agency for Palestine Refugees) was established by the United Nations General Assembly in December, 1949 and it began operations in May 1950. Its task has been to relieve distress and promote rehabilitation among the Arab refugees who lost their homes and means of livelihood as a result of the conflict in Palestine in 1948. Over the years, while continuing to provide basic relief—food, clothing and shelter—it has also developed a considerable range of technical services for the health, welfare, education and training of the refugees.

Since it was established, UNRWA has fed and kept in tolarably good health a refugee population which now numbers about 1,300,000 persons. It has established camps providing shelter for more than 500,000 people, served 120,000,000 meals to children and distributed 10,000 tons of clothing. A simple but effective community health service has been

built up with technical guidance from WHO; there has never been a major epidemic among the refugees in UNRWA's care. A whole new education system has been developed with technical advice and guidance from UNESCO. There are today more than 250,000 children receiving full-time education, either in 440 schools constructed or rented by UNRWA or in government or private schools subsidized by UNRWA. In addition UNRWA has established 10 well-equipped, residential centres for training young refugee men and women as teachers or in a variety of industrial and semi-professional skills, with the result that UNRWA has become one of the most important channels for this type of technical assistance in the Middle East.

The economy of UNRWA's operations is demonstrated by the simple fact that assistance to the refugees averages 10¢ (U.S.) per person a day. Of this sum, about 5¢ is spent on relief, 1¢ on health and 4¢ on education.

With the passage of time, the emphasis in UNRWA's work has shifted more and more towards the provision of education for the children and youth of the refugee community. The high proportion of UNRWA's funds that are now devoted to education and training (42 per cent in 1966) goes a long way towards explaining the solid, constructive progress that had been made in dealing with the economic and social aspects of the refugee problem, despite the continuing deadlock on the political plane. *The widespread assumption that the refugees have been stagnating in idleness in the refugee camps throughout the years since 1948 is false. The truth is that, up to the time of the recent hostilities, a slow but steady process of rehabilitation had been at work and, in recent years, had begun to make an evident impact on improving the refugees' economic and social condition.*

As long ago as 1959, the then Secretary-General of the United Nations, Dag Hammarskjold, had urged the international community to regard the Palestine refugees "not as a liability but more justly, as an asset for the future . . . a reservoir of manpower which in the desirable general economic development will assist in the creation of higher standards for the whole population of the area." Ten years ago this seemed a visionary concept. But with each year that has passed since then, the vision has assumed more solid substance and reality.

Commenting recently on the gradual but evident process of rehabilitation which has been at work among the Palestine refugees, the present United Nations Secretary-General, U Thant, said:

This progress has been primarily due to three factors: first and foremost, the rapid economic development of the Arab host countries and of the Arab world generally, in recent years; second, the energy, intelligence and adaptability of the refugees themselves, who have fortunately shown themselves to be eager for work and very capable of profiting by any opportunity given to them; and third, the education and training which the host Governments, various voluntary agencies and UNRWA have been able to give the young refugees to enable them to take advantage of any opportunities of employment that might come their way. A subsidiary but not unimportant adjunct to these principal factors in the rehabilitation of the refugees has been the economic aid supplied by UNRWA in the form of rations, shelter and other relief services. The regular provision of this relief assistance over an extended period, even though on a meager scale, has certainly helped the refugees not merely to survive but to recover their capacity to support themselves."

Consequences of the hostilities

Renewed conflict and upheaval in the Middle East have brought in their wake a greater need than ever for the established services—relief, health and education—which UNRWA has been providing in the past. About 130,000 of the refugees from the 1948 conflict have been uprooted for the second time, and the flow of refugees seeking new asylum still continues at a rate of some thousands a month. The whole refugee community has suffered twice in a lifetime the impact of armed conflict and the ensuing disruption of their lives.

In the Gaza Strip, the poorest of the poor among the refugees have been engulfed in the tide of war for a third time in the space of twenty years. Even in those areas which were not directly touched by the fighting, the economic consequences of the conflict have been severe and it is the refugees who have suffered most, since their foothold in the economic life of the host countries was bound to be more precarious than that of the ordinary, settled population. Thus, many of the refugees from the 1948 conflict have now again lost the capacity, which they were rapidly recovering, to support themselves. For the time being at least, the gradual hopeful trend towards individual rehabilitation has been halted and set back. All must hope that this process of economic recovery through individual rehabilitation will soon be re-started. Meanwhile, the dependence of the refugees on UNRWA for food and clothing, shelter, medical care and education has much increased.

A new massive human problem

While thus severely aggravating the still unresolved problem of the refugees from 1948, the recent conflict has also created a new massive human problem. Some 350,000 persons were newly displaced as a result of the hostilities in June 1967 and have found refuge in East Jordan (200,000), Syria (116,000), and the United Arab Republic (38,000). Of these newly displaced persons, about 130,000 were already refugees from the 1948 conflict; they are divided between East Jordan (110,000), Syria (16,000) and the United Arab Republic (3,000). The number of displaced persons in East Jordan is still increasing as more come across each day from the West Bank and Gaza.

New and old refugees

In assessing the needs of the people affected by the recent conflict, it is hardly practicable or humane to try to distinguish between the new and the old refugees or between the newly displaced and those who, though not physically displaced, have had their lives disrupted by the impact of the hostilities and their aftermath.

In the tented camps on the East Bank of the Jordan, displaced refugees from the West Bank and Gaza are living side by side with newly displaced persons from the West Bank who face the miseries of refugee existence for the first time. All the inhabitants of those tented camps are receiving food, shelter, clothing, medical care and education services from the Government of Jordan and UNRWA working together in a combined operation, without distinction being made between the two categories of displaced persons.

Again, in the hutted camps established by UNRWA elsewhere in Jordan, in earlier years many thousands of the newly displaced persons have found shelter with friends and relatives and are sharing their dwellings and their food. UNRWA is distributing rations to all these displaced persons, either on its own account if they were already registered with the Agency, or on behalf of the Government, if they are new refugees.

Similarly the UNRWA feeding centers which provide cooked meals for children have been opened to "old" and "new" refugee children alike. Throughout the country the newly displaced persons are given medical care and their children attend school in either UNRWA clinics and schools or in those belonging to the Government, whichever happen to be nearer and more convenient. And, as already explained, many of the "old" refugees already established in East Jordan have been hard hit by the economic consequences of the conflict and the ensuing upheaval and need help almost as much as the newly displaced themselves. In practical terms the problems of the refugees, both old and new, in East Jordan are indistinguishable.

Elsewhere—in Syria and the United Arab Republic—the displaced Palestinian refugees have been somewhat more clearly segregated from the newly displaced citizens of those two countries. But again there is some overlapping, with new and old refugees accommodated together in the same camps and villages, and again the Government authorities and UNRWA have cooperated in meeting together the needs of the displaced persons by whatever means seemed most convenient and effective.

In Syria, and in Lebanon also, many of the "old" refugees who were not physically displaced as a result of the conflict have nevertheless been affected by its economic consequences and now face new difficulties and need more help. Again, it is the Palestine refugees on whom the economic impact of the conflict bears most heavily since the place they painfuly gained in the economy of these countries is still unsure.

No one can yet say what the future may hold for the refugees remaining in Gaza and on the West Bank. But for the immediate present it is certain that the recent conflict's impact on them has been severe and that they are now in special need of help, particularly help designed to increase their chances of productive employment in the longer term.

Present and future tasks

For UNRWA a primary task in present circumstances must clearly be to insure the continued operation of its established services for the refugees from the 1948 conflict. Even before the recent hostilities these services not merely helped to meet the crying present needs of a people who had suffered more than their share of human misery. They also gave them hope for the future through the education and training of their children to enable them to lead lives of usefulness and self-respect.

Indirectly, the steady, unobtrusive operation of these services afforded a rare element of stability in a dangerously unstable region of the world. Although a precarious peace was broken and conflict prevailed, this outcome only reinforces the case for maintaining and extending whatever stabilizing elements may exist in a situation of continuing, explosive danger.

In fact, almost without interruption, UNRWA has succeeded in maintaining its services throughout the period of the emergency. And in spite of the accumulating financial difficulties which have threatened to disrupt its operations in recent years, the Agency believes that, from one source or another, sufficient funds will be forthcoming to keep its services going on their existing basis for as far ahead as can be foreseen at the present time.

News burdens

Over and above this continuing primary obligation to maintain its established services, recent events have thrust upon UNRWA two new and heavy burdens:

First, in the shorter term, it has the task, in cooperation with the governments concerned, of helping to secure the survival and to relieve the distress of persons displaced as a result of the recent hostilities, particularly those who now face a grim winter in tented camps.

Second, in the longer term, it has a much enlarged task in helping to reactivate and expand the process of progressive rehabilitation among the refugees, in order to offset as far as possible the adverse economic impact of recent events.

1. The Short Term

The short-term task involves emergency action to provide shelter, food, blankets, clothing, cooking utensils and medical supplies and care. It also involves rendering the tents as weatherproof as possible before the onset of severe winter weather and, in general, improving the living conditions in the emergency camps by the provision of more solid shelter, surfaced roads and pathways, adequate water supplies and adequate latrines and sanitation services. The basic needs of shelter and food have not been met but much remains to be done in improving the camps and the associated medical services.

2. The Longer Term

The second, longer-term task—the contribution which UNRWA can make towards promoting rehabilitation among the refugees—is important, indeed essential, but limited in scope. It is not within UNRWA's financial capacity to engage directly in the promotion of economic development which is designed to create employment opportunities on a large scale.

In a special report published in 1959, the then Secretary-General, Dag Hammarskjold, approached the problem of the Palestine refugees from the viewpoint of regarding them as a part of a general problem of unemployment and underemployed population in the whole Middle East region. He worked out the magnitude of investment that would be required in order to create jobs and absorb into productive employment the whole of this unemployed and underemployed population, including the refugees, over a ten-year period beginning in 1960.

The total investment required was of the order of $14 billion. While it could be expected that a considerable part of this capital would be derived from within the region itself (assuming that the oil-producing countries would be prepared to invest in the capital-deficit countries of the region) funds for development would also be required from foreign sources.

For the refugees, an important implication of these calculations was that they would be unlikely to be given priority over the jobless and underemployed citizens of the countries concerned; hence, their turn to benefit from the creation of jobs through such massive new investment might not come until towards the end of the whole process.

In fact, no such planned, regional approach to the general problem of unemployment and underemployment in the Middle East was ever attempted. But a high rate of economic growth in certain countries of the region, particularly Jordan, has had a marked effect on local unemployment, and the refugees have benefited in common with the local residents from such general economic development.

The magnitude of the investment envisaged by Mr. Hammarskjold makes it clear that UNRWA, with its limited resources, could not have contributed significantly to the direct creation of employment opportunities even if such an approach had been adopted by the governments concerned. The funds available to UNRWA have never reached $40,000,000 a year and have always been preempted for maintaining the Agency's established essential services.

UNRWA's role

The most useful role which UNRWA has seen for itself in these circumstances has been to equip the young refugees by education and training to take advantage of any opportunities of employment that might come their way. Fortunately they are intelligent and adaptable, eager to learn and eager to seize any chances that life may offer them to make good. They are growing up in an age of social change and technological development in the Arab world, an environment in which education is the key to opportunity and progress. They start their lives with many disadvantages and handicaps but education can go far to offset and compensate for this.

A policy of hope

UNRWA is now faced with an even greater and more urgent need than ever to promote the processes of rehabilitation among the refugees. UNRWA believes that, after meeting immediate needs to ensure survival and relieve distress, it should devote as much as possible of any special contributions it may receive in connection with present emergency to improving and expanding its education plant and apparatus. Much of this had to be hastily improvised in the years immediately following the first exodus of refugees in 1948 and should now be scrapped and replaced.

In so doing, the Agency will be committing itself to an act of faith, a policy of hope. This means investment in a future which is still uncertain. It presumes that, in spite of present set-backs, the Arab countries of the Middle East will again achieve a rapid rate of economic development; opportunities of productive employment will again be created and will demand an increasing supply of educated and trained men and women.

It presumes also that, in the future, funds will be forthcoming to meet increased operating costs arising from the investment in new, improved and enlarged schools, laboratories, libraries and training centres. But this will not be the first time that UNRWA has proceeded in faith. So far its trust in the resilience of Arab society, in the energy and ability of the refugees themselves and in the generosity and humane concern of governments and peoples elsewhere in the world has not been misplaced. Indeed, there is no alternative if the refugees are not to be left to stagnate and fall further back in their struggle to recover their economic independence.

AGENCIES WORKING WITH REFUGEES

Agencies working with refugees all have distinctive forms of service. The Voluntary Agencies are at work in 119 countries and on every continent, often in active partnership with Governmental and Intergovernmental bodies. The descriptions of their work in this Directory are necessarily brief. All agencies invite the reader's further inquiry.

I. Intergovernmental agencies

Office of the United Nations High Commissioner for Refugees, United Nations Plaza, New York, N.Y. 10017: The work of the Office of the United Nations High Commissioner for Refugees is of a social and humanitarian nature. It provides international protection to refugees and seeks permanent solutions to their problems, either through voluntary repatriation or, if this is not possible, through assimilation within new national communities. The scope of the High Commissioner's mandate is global. Only those refugees who are the direct concern of other UN offices (such as the Palestine refugees who are the concern of UNRWA) and those who have the nationality of the country granting them asylum or equivalent status (for example, refugees in Vietnam) are not the High Commissioner's responsibility. The UNHCR's role is to promote, organize, coordinate and supervise international action on behalf of those refugees who are its concern. It acts upon the request of governments and works in close cooperation with UN Specialized Agencies and other UN programs, regional organizations such as the Council of Europe, the Organization of African Unity, and the Organization of American States, as well as many Voluntary Agencies and non-governmental organizations.

At the beginning of 1967, an estimated 2,350,000 refugees were subject to UNHCR protection and/or assistance activities, in some 50 countries throughout the world. The concentration of refugee situations of concern to UNHCR has moved from Europe to Africa and Asia where vast new refugee problems have arisen during the last few years.

UNHCR programs: All UNHCR material assistance programs are financed through voluntary contributions, primarily from governments. In spite of modest yearly target figures intended to meet the minimum requirements agreed upon by the UNHCR Executive Committee, adequate financing of these programs has been one of the High Commissioner's constant preoccupations. The target figure agreed for the 1967 program, for example, was just under $4,850,000 but, by May 1967, was still $1,500,000 short. More than half of the 1967 program ($2,600,000) consisted of assistance projects for refugees in Africa.

United Nations Relief and Works Agency for Palestine Refugees, United Nations Plaza, New York, N.Y. 10017: War in the Middle East in June 1967 brought tragedy and suffering to many innocent persons. Many of those most affected are Palestine refugees and UNRWA at once put into effect emergency measures to provide food and medical care for the desperately needy. A provisional agreement concluded with the Government of Israel has made it possible for UNRWA to continue its essential relief, medical and educational services for approximately 700,000 Palestine refugees who remain in the Gaza Strip and the West Bank of the River Jordan areas. This cooperation with the Government of Israel implies no commitment of position by UNRWA with regard to the status of any of the areas in question or of any instrument relating to them, but is concerned solely with the continuation of its humanitarian task.

UNRWA is a subsidiary organ of the United Nations established by the General Assembly to aid the Palestine refugees. In cooperation with the "host" Governments, it carries out its task of providing relief (basic food rations, shelter, supplementary feeding and welfare to refugees in special need) and health and education services for more than 1,000,000 refugees.

The Palestine refugees are the Arabs who, as a result of the Arab-Israeli conflict in Palestine during 1948, left their homes in the territory which is now Israel and took refuge in the neighboring areas.

At the beginning of 1967, there were 1,330,077 refugees registered with UNRWA, of whom 859,966 were eligible for all UNRWA services, including food rations.

UNRWA headquarters are in Beirut, Lebanon, and the Agency operates in Lebanon, Syrian Arab Republic, Jordan and in the Gaza Strip and West Bank areas occupied by the military forces of Israel, with liaison offices at the Palais des Nations, Geneva, Switzerland and at the United Nations, New York.

Intergovernmental Committee for European Migration, 370 Lexington Avenue, New York, N.Y. 10017: The movement of European refugees to countries offering them opportunity and security is a major function of ICEM. To ensure the efficient resettlement of 35,000 to 40,000 uprooted people each year, ICEM works closely with the United Nations High Commissioner for Refugees, the United States Government through the U.S. Escapee Program, as well as with other governments, international organizations and voluntary agencies.

From 1952, when the agency began operations, to December 31, 1967, ICEM moved a total of 1,527,340 persons of whom 704,866 were refugees.

For the period January 1 to December 31, 1967, 34,936 refugees were resettled by ICEM. The main countries of resettlement were: Israel (10,002)—USA (9,201)—Australia (8,772)—Canada (3,035)—Europe (2,920)—South Africa (580), etc.

The ICEM 1968 Refugee Program approved by the Council in November 1967 foresees the emigration of 32,800 refugees at an estimated cost of $6,395,700.

II. U.S. Government

Department of Health, Education, and Welfare

Welfare Administration, Washington, D.C. 20201: Total registrations at the Cuban Refugee Program's Miami, Florida Center reached 269,095 persons as of December 15, 1967. The U.S. chartered flights operate twice daily, five days a week between Varadero, Cuba and Miami, Florida. The relative-to-relative airlift from its start December 1, 1965, through December 8, 1967, brought 90,413 Cuban refugees. Total arrivals in that period were 97,327; resettlements 75,063, or 77% of arrivals. Almost 4,000 refugees a month arrive in the United States via this means.

Established by Presidential directive early in 1961, the Program's mission has been to relieve the burden imposed on Miami-Dade County, Florida by the sudden exodus of thousands of destitute Cubans fleeing oppression in their island home. While resettlement is the main objective of the Federal operation, emergency financial assistance is available to eligible refugees in Miami as well as surplus food distribution, medical care, and—for certain airlift arrivals—housing.

Federal funds underwrite health and educational activities in Miami-Dade County to meet problems created by the large refugee population.

As of December 15, 1967, over 63% of total registration (or 169,971 refugees) had been resettled to homes and job opportunities in more than 2,200 communities and in every state of the nation. This vast and continuing resettlement effort is carried out by four national voluntary resettlement agencies with offices at the Cuban Refugee Center in Miami.

Department of State

Agency for International Development, Voluntary Foreign Aid Service, Washington, D.C. 20523: AID cooperates very closely with the private voluntary agencies engaging in a wide variety of overseas programs. These programs, while not always exclusively limited to refugees, do in fact reach a large portion of the world.

AID's Voluntary Foreign Aid Service serves as the point of contact between the voluntary agencies and AID.

In addition to its contractual arrangements, AID encourages, through the Voluntary Foreign Aid Service, informal non-contractual relationships in technical cooperation overseas between voluntary agencies and the AID missions.

Office of Refugee and Migration Affairs, Washington, D.C. 20520: The United States has a deep humanitarian concern for refugees throughout the world and since the end of World War II has provided massive amounts of assistance to refugees. Most of United States Government assistance to refugees overseas is administered by or in coordination with the Department of State. Well over two billion dollars of U.S. Government assistance have been provided for refugee programs and current expenditures are at the rate of over $130,000,000 a year. Some programs are operated directly by the Department of State working through contracts in cooperation with American and international voluntary agencies. In addition, the United States supports and contributes to the programs of the United Nations and other international organizations which assist refugees.

Several programs are administered directly by the State Department through its Office of Refugee and Migration Affairs. The United States Refugee Program (USRP) operates in Europe and the Near East where, through contracts with voluntary agencies, it assists directly in the integration and resettlement of refugees from European Communist countries. USRP assisted over 10,000 refugees in 1967.

Through the Far East Refugee Program (FERP), ORM provides assistance to refugees from Communist China in Hong Kong and Macau. FERP projects include educational facilities, medical services, vocational training, resettlement assistance and other projects which help the refugees to become self-sustaining.

Through the Department of State, the United States supports the Office of the United Nations High Commissioner for Refugees (UNHCR) in its vital role of resolving refugee problems throughout the world. The United States is a member of the Executive Committee of the UNHCR and is the principal contributor both in cash and food commodities.

The Department of State also provides United States support to the Intergovernmental Committee for European Migration (ICEM) of which the U.S. has been a member since its inception in 1951. Through its contributions to ICEM over the years, the United States has assisted in the transportation and resettlement of hundreds of thousands of refugees. Approximately 35,000 refugees were moved by ICEM in 1967; the United States contribution for that year was $3,350,000.

Many African refugees, primarily young people, have left Southern Africa in search of educational opportunities denied them in their homelands. Since 1961, the U.S. Government has maintained a scholarship program to provide higher education for these refugees. More than 400 students from a number of southern African countries are currently studying in the U.S. under this program, for which the U.S. Government allocated approximately $2,300,000 in 1967.

The total United States contribution for the support of the above programs in 1968 will be over $7,100,000.

Over the years, the United States has been the principal contributor to the United Nations Relief and Works Agency for Palestine Refugees (UNRWA). Since the establishment of UNRWA in 1950, the United States has contributed nearly 70% of the funds received by UNRWA from governments to meet its overall costs in behalf of the Palestine refugees. The U.S. contribution to UNRWA's regular program for 1967 was $22,200,000 in cash and food. In addition, a special U.S. contribution of $2,000,000 was made to UNRWA in 1967 to help fund UNRWA's emergency relief program following the Middle East hostilities.

The Agency for International Development (AID), of the Department of State has arranged for other major contributions to refugee programs in Asia and Africa. For example, during 1967, AID provided about $20,000,000 in Public Law 480 foods to refugees under the Food for Freedom Program and about $22,000,000 to refugees in Vietnam and Laos through regular AID programs. Other general AID programs provide substantial peripheral benefits to refugees.

III. Voluntary agencies

American Council for Emigres in the Professions, Inc., 345 East 46th Street, New York, N.Y. 10017: The American Council for Emigres in the Professions, Inc. specializes in counseling and placement services to refugee professionals. It also retrains persons whose foreign academic background is not immediately adaptable to the requirements of employment on a professional level in the United States.

In addition to the approximately 2,000 academically-trained emigres currently in its active files, ACEP registered 1,086 new refugee professionals during the fiscal year ending May 1, 1967. The number of registrations shows an increasing trend in the current fiscal year. New registrants were trained originally in some professional field including architecture, engineering, medicine, social, political and natural sciences, education as well as in the arts.

During the past fiscal year, the Council made a total of 313 professional and 81 interim placements, and have 71 students enrolled in educational institutions. In order to eliminate the hurdles inadequate English presents to the newcomer, ACEP maintains an English Tutoring Program in which 70 volunteer teachers give intensive English courses to more than 1,000 students each year.

In recognition of the fact that there is urgent need for trained personnel in several professional fields, ACEP carried out special retraining projects geared to meet the requirements for these employment opportunities. For example, the Lawyer-Librarian Retraining Project was initiated 9 years ago. 104 applicants received their Master's Degrees in Library Service and found immediate employment. A Social Work Training Program, with two sessions per year, is sponsored by ACEP at the School of Social Work of Columbia University, 105 registrants were retrained as social-worker assistants by June 1967.

The American Council for Judaism Philanthropic Fund, 201 East 57th Street, New York, N.Y. 10022: Believing that Jews can be at home in every truly free society and that refugees of Jewish faith should be allowed the widest possible choice of countries of resettlement, last year the Philanthropic Fund assisted in the resettlement of 2,176 refugees of Jewish faith through offices in Paris, Rome, Vienna, Stockholm and New York. During 1966, the Fund's two primary concerns were: (1) North Africans of Jewish faith seeking to achieve final resettlement in France; (2) Iron Curtain refugees aided both in their initial asylum in Western Europe and in resettlement in the United States. Within the year, the Fund brought its 500th refugee immigrant to this country. The Fund also continued its support of institutions in Israel including the Shaare Zedek Hospital.

American Council for Nationalities Service, 20 West 40th Street, New York, N.Y. 10018: ACNS and its member agencies are primarily concerned with services to immigrants and refugees after they arrive in American communities.

ACNS also helps in the resettlement of refugees and is particularly involved today with refugees from Cuba and Hong Kong. ACNS cooperates actively with the several resettlement agencies, aiding in finding jobs and housing for Cubans. ACNS, through its San Francisco International Institute, has sent a staff member to Hong Kong to provide pre-immigration planning for the Chinese.

Member agencies of ACNS, which number 36 in 18 different states, also seek to stimulate and maintain a spirit of "welcome" and acceptance for the foreign-born. To this end, member agencies have organized nondenominational resettlement committees composed of representative elements in the community.

American Council for Voluntary Agencies for Foreign Service, Inc., 200 Park Avenue South, New York, N.Y. 10003: The American Council of Voluntary Agencies for Foreign Service was established in 1943 to provide a means for consultation, coordination and planning and to assure the maximum effective use of contributions by the American community for the assistance of people overseas. Through the Council, 44 member American voluntary agencies engaged in programs of active service overseas now coordinate their plans and activities both at home and abroad, not only among themselves but also with non-member agencies and governmental, inter-governmental and international organizations. Since 1955 the Council has operated the Technical Assist-

ance Information Clearing House under contract with the United States Agency for International Development.

American Friends Service Committee, Inc., 160 North Fifteenth Street, Philadelphia, Pa., 19102: The AFSC's major programs to aid refugees are in the following areas:

ALGERIA—AFSC has established a series of community development programs in rural villages composed of former refugees and displaced Algerians which includes training in manual skills, health education, agricultural extension work and assistance in the organization of community projects. 250,000 returning refugees have merged with the rural population and benefit from this program.

Hong Kong—A program has been established within the largest resettlement housing project, offering such services as a cooperative nursery school, a mothers' and fathers' club, counseling and recreational groups for youth and vocational training. Community development projects have been established in fishing villages inhabited by refugees near Hong Kong. 10,000 refugees were directly involved in AFSC programs while some 55,000 were reached indirectly.

Austria—Some 100 refugees are involved in the final stages of phasing out a resettlement program for Hungarian refugees.

Central Africa—Material aids are supplied to approximately 50,000 Angolan, Congolese, and Sudanese refugees in the Congo and Uganda.

Vietnam—Relief work in Quang Ngai, South Vietnam, consists of a child day-care center, physical and occupational therapy, and prosthetics services for amputees.

American Foundation for Overseas Blind, 22 West 17th Street, New York, N.Y. 10011: As the world's only specialized agency dealing exclusively with the problems of all blind people regardless of nationality, race, color or creed, AFOB provides service to thousands of refugees who are among the world's 14 million blind people. Programs in agricultural training, industrial training, rehabilitation and education reach a large refugee population, especially in the Middle East and Southeast Asia. AFOB cooperates with agencies of the United States Government and the United Nations in providing these services.

American Fund for Czechoslovak Refugees, Inc., 1775 Broadway, Room 430, New York, N.Y. 10019: There has been substantial increase in the number of refugees escaping Czechoslovakia from Communism into Germany, Austria and Italy and other West European countries during the last several years. The AFCR caseload now totals more than 4,500 refugees, including approximately 1,300 new refugees. The AFCR program is one of continuing assistance in resettlement, counseling, local integration, material and medical help, education, recreation and rehabilitation of refugee children. Newer refugees are resettled as soon as possible in the United States or other free-world countries.

American Immigration and Citizenship Conference, 509 Madison Avenue, New York, N.Y. 10022: The AICC, as an association of voluntary agencies, does not conduct programs of direct relief but its work is of importance to refugees in that it bears upon their admission to this country and integration once they are here. The AICC is a coordinating agency for over 90 non-profit and non-political agencies interested in promoting a non-discriminatory immigration policy. Standing committees initiate and carry out studies on immigration legislation, immigrant integration, citizenship preparation, international migration affairs and immigration research. AICC acts as a clearing house for information, stimulates conferences on immigration and refugees and provides the means for joint action by its member agencies.

The American-Korean Foundation, 345 East 46th Street, New York, N.Y. 10017: Thousands of Korea's 4,000,000 refugees from North Korean Communism are still living in makeshift hovels and without the skills to earn an adequate livelihood. There is a shortage of over a million houses, with an estimated 230,000 squatter shacks throughout the country. To help overcome this situation, the AKF is providing earth block "do-it-yourself" houses, vocational training opportunities, scholarships and school buildings; it is conducting a bench-terracing program to reclaim thousands of acres of unused land for food production.

AMA Volunteer Physicians for Vietnam, American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610: This program was initiated in 1965 and is financed by contract with the United States Agency for International Development (USAID).

Personnel: 32 volunteer physicians. In 1967, approximately 200 volunteer doctors served in overlapping two-month tours. Thus far 236 physicians have participated.

American Middle East Rehabilitation, Inc., 777 United Nations Plaza, Suite 7E, New York, N.Y. 10017: AMER's aims and objectives are three-fold: (1) to help provide vocational training for Palestine Arab refugee youths; (2) to provide emergency relief when needed in the Middle East, and (3) to promote and help support projects designed to help raise the standards of living in the Middle East.

AMER solicits cash donations and "gifts-in-kind" (chiefly medical supplies) the proceeds of which are used to provide scholarships chiefly in UNRWA's vocational training schools and, also, at the Jordan River Project of the Arab Development Society. As of November, 1967 AMER had provided 432 of these scholarships to worthy Palestine Arab youth.

American ORT Federation, 222 Park Avenue South, New York, N.Y. 10003: ORT (Organization for Rehabilitation through Training) services to refugees are directed toward the problem of their economic integration and the education of high-school-age members of refugee families. The program includes vocational and technical training for adults, vocational training for youth, apprentice placement for on-the-job training and aid in finding employment. The programs are primarily for Jewish refugees.

Asia: Newly arrived refugees in Israel received training and schooling at various levels at 33 localities. The Teheran ORT Center trained Tibetan youngsters to become trade school teachers for Tibetan refugees in India.

Europe: Many special courses were organized at the ORT centers in Paris, Lyon, Strasbourg, Toulouse and Marseilles. About 4,000 Jewish refugees from North Africa received assistance in these programs. ORT centers in Rome and Genoa continued the dual operation of language training and trade instruction to refugees enroute to English-speaking areas of ultimate settlement.

North America: The ORT vocational school in New York, which is entirely devoted to refugee aid, enrolled about 720 persons last year.

American National Red Cross, 17th and D Streets, N.W., Washington, D.C. 20006: The American National Red Cross provides assistance in certain refugee situations in cooperation with other National Red Cross Societies, the International Committee of the Red Cross and the League of Red Cross Societies. The latter two international organizations work closely with the Office of the United Nations High Commissioner for Refugees and often serve as the operations service for that organization.

The American Red Cross meets refugee needs by providing funds, supplies and assistance of qualified specialized staff. Other services including reuniting refugees with their relatives in this country and maintaining an international foreign location inquiry service to help refugees locate missing family members.

Brethren Service Commission, 1451 Dundee Avenue, Elgin, Ill. 60120: BSC, cooperating with Church World Service (CWS) and the Mennonite Central Committee, serves refugees in South Vietnam through the Vietnam Christian Service program. BSC also operates service centers across the United States where material aid, clothing, blankets and medicines are processed for Church World Service, Inter-Church Medical Assistance and Lutheran World Relief. BSC works with CWS in resettling refugees in the United States including those from Cuba.

Catholic Relief Services—United States Catholic Conference, 350 Fifth Avenue, New York, N.Y 10001: Catholic Relief Services USCC maintains relief, social and economic development projects and various health, education and welfare programs in more than 80 countries throughout Asia, Africa and Latin America. These programs include food, clothing and medicine distributions to the needy—regardless of race, religion or color— as well as vocational training, rural education, urban renewal projects, the provision of emergency supplies and other services.

During the 1966 fiscal year, CRS sent relief supplies overseas (including U.S. government-donated foodstuffs) valued at the highest total in the agency's history—$135,867,910.

South Vietnam: CRS continues to place its major emphasis on assistance to war victims in Vietnam. CRS supplied food, medicines and clothing to 200,000 refugees awaiting resettlement. Where the need existed for refugee shelters or camps, CRS constructed temporary shelters for 100,000 refugees.

India: CRS is providing food and clothing to 21,000 Tibetan refugees as part of its continuing program in India.

United Arab Republic: CRS is providing food and clothing to 7,532 Palestinian refugees through units of the Ministry of Social Affairs.

Christian Children's Fund, Richmond, Va. 23204: The Christian Children's Fund provides a wide range of aid—financial medical, educational, food, clothing, care, adoptions—for both refugees and non-refugee children all over the world. Its principal refugee relief projects last year included:

Israel: Educational and emergency aid to children of Arab refugees near Bethany.

Hong Kong: Assistance to several rooftop schools for refugee children, providing books, clothing, emergency medical aid, and one meal a day.

India: Maintains refugee children from Tibet in orphanages close to the border areas.

Korea: Financial aid to orphanages caring for children of North Korean refugees, either abandoned or separated from their families, as well as assistance to many displaced and deprived widowed families through Family Helper Projects.

Vietnam: Orphanages for children of parents killed in the war receive financial aid. Family Helper Projects for children of refugee families are established and maintained.

Church World Service, 475 Riverside Drive, New York, N.Y. 10027: Church World Service, a program of the National Council of Churches, is the coordinating and administrative facility for major Protestant refugee and relief agencies in the United States.

Church World Service works in close fraternal relationship with the Division of Inter-Church Aid, Refugees and World Service of the World Council of Churches whose headquarters are in Geneva, Switzerland.

Refugee relief and rehabilitation have been included in CWS programs of assistance in some 50 countries during the last 20 years. In 1966 this program was supported by cash disbursements of $11,355,810 and material aid distributions valued at $36,865,455.

Notable refugee assistance programs of CWS include:

Congo: Food, clothing, blankets, emergency medical treatment and self-help through the plowing of fields and distribution of tools and seeds, all through the Congo Protestant Relief Agency. Refugees are from the Sudan and Angola and are a result of continuing internal political strife.

Burundi: Food, blankets, clothing, soap, medicine, and vitamins provided for refugees from Congo during their brief asylum.

Tanzania: Material aid supplied through Lutheran World Federation; support for self-help projects using indigenous staff. Refugees are from Rwanda, Mozambique and other countries.

Hong Kong: Hot lunches provided through the Children's Meals Society; family planning, TB and dental clinics within the Hong Kong Christian Welfare and Relief Council.

India-Pakistan: Resettlement and temporary material aid to refugees created by border disputes.

Middle East: A wide variety of long-range self-help and rehabilitation projects for Arab refugees are conducted under the auspices of the Near East Council of Churches Committee for Refugee Work.

Church Agencies Cooperating through CWS: World Relief Committee, American Baptist Convention; Brethren Service Commission, Church of the Brethren; Christian Churches (Disciples of Christ); Cumberland Presbyterian Church; Division of World Mission, Evangelical United Brethren Church; Lutheran World Relief; Methodist Committee for Overseas Relief (MCOR); Department of Overseas Relief and Inter-Church Aid, Presbyterian Church in the U.S.; Division of World Relief and Inter-Church Aid—The Protestant Episcopal Church; Reformed Church World Service; Board for World Ministries, United Church of Christ; Committee on Relief and Rehabilitation, the United Presbyterian Church in the U.S.A.

Vietnam Christian Service: Vietnam Christian Service is a cooperative relief and service program of Church World Service, Lutheran World Relief and the Mennonite Central Committee; administration by the MCC.

VCS staff includes 55 Americans, 1 Swiss, and 8 Canadians; agriculturalists, home economists, social workers providing medical and administrative personnel, and a sizable number of Vietnamese who were on the staff at mid-1967. Additional U.S. staff were in training or en route. Twelve Protestant groups are represented. Most are in Vietnam for two to three years with the first two months for intensive language study.

The program is service-centered but uses some food and other material aid in certain projects. Multi-service community development teams form the core of the program, working in 8 locations. Supplementary medical and other services are provided in 3 other places.

Cooperative for American Relief Everywhere, Inc., 660 First Avenue, New York, N.Y. 10016: In its daily operations, CARE does not serve refugees as a special group but directs its aid to them as part of its assistance to all groups of needy.

In consistent efforts to provide refugees with the means of re-establishing themselves economically, CARE has given and continues to give substantial support to resettlement and job-training projects in South Korea, Israel, Hong Kong, Jordan, the Gaza Strip and other regions.

Community Development Foundation, Boston Road, Norwalk, Conn. 06852: Community Development Foundation, having worked in the past with refugees in Greece, Korea and France, is currently laying the groundwork for a future program with Arab refugees in the Middle East and actively involved with program services for refugees in Vietnam.

Vietnam: The nature of CDF refugee service is a training program preparing Vietnamese personnel to initiate and implement self-help activities in order to improve living conditions in temporary camps and to prepare for economic and social needs of resettlement.

Through a contract with the U.S. Agency for International Development and an agreement with the Government of South Vietnam, CDF is responsible for developing and operating a refugee welfare training program that will help the refugees to help themselves.

Direct Relief Foundation, 27 East Canon Perdido Street, Santa Barbara, Calif. 93101: Direct Relief Foundation, in its Self-Help to Health International Medical Program, donates pharmaceuticals and medical supplies to needy hospitals where they are used for treatment of destitute patients and refugees regardless of race, creed or nationality. Shipments are assembled according to needs outlined by a physician who is responsible for receipt and use of these drugs and medical supplies. In 1966, the total value of shipments exceeded $9,000,000.

The Thomas A. Dooley Foundation, 442 Post Street, San Francisco, Calif. 94102: The Dooley Foundation provides technical and material assistance to the developing nations of Asia in the fields of medicine, health education and community development. Assistance programs are presently carried out in India, Nepal, Vietnam and Laos.

In Northern India, a mobile health unit program is provided for Tibetan refugees.

In Nepal, a national health survey undertaken as a joint effort with the Government of Nepal and the School of Public Health of the University of Hawaii is nearing completion. With the assistance of volunteer airline stewardesses, help is also provided to a Tibetan refugee nursery and a Nepalese Leprosarium. Full-time nursing and medical technician training is provided to the Bir General Hospital in Katmandu.

In Vietnam, assistance is provided to the orphanage of An Lac in Saigon which cares for 350 war orphans.

Foster Parents' Plan, Inc., 352 Park Avenue South, New York, N.Y. 10010: Foster Parents' Plans, Inc. a non-sectarian agency, has a twofold purpose—the relief and rehabilitation of destitute children in war-ravaged and underdeveloped countries and the preservation and rehabilitation of the family through help to one of its members. This is done by means of financial "adoptions." A United States or Canadian individual or group "adopts" an overseas child. The Foster Parent pays $15 a month for a minimum of one year. Benefits to the child and his family include monthly cash grant, new clothing, household equipment and medical care, plus counseling and guidance by local social workers. Emphasis is on the education of the children.

Of the 47,300 children currently enrolled, 20,000 live in Vietnam, Korea and Hong Kong. Many are refugees. Foster Parents' Plan has a long-range program for all children in its care. A Foster Child remains with Plan until he becomes 18 so long as the family continues to need assistance and the child remains in a suitable form of education.

Plan develops person-to-person relationships between Foster Children and their Foster Parents by encouraging a monthly exchange of letters (original and translation are transmitted).

During the last fiscal year, Foster Parents' Plan, Inc., spent $7,881,024 in direct aid to Foster Children and their families.

Hadassah, 65 East 52nd Street, New York, N.Y. 10022: Although the Women's Zionist Organization of America does not deal directly with refugees, its work does affect refugees who are being resettled into Israel. Hadassah's health, social welfare and education facilities benefit refugees as well as native Israelis. Last year the Hadassah-Hebrew University Medical Center handled 200,000 patient visits at its outpatient clinic, gave inpatient service to 17,000 people, provided 6,000 patients with surgery and treated 16,223 emergency cases. Hadassah's Oncology Department treated approximately 1,700 patients, which constitutes almost 50% of all cancer patients in Israel. It is impossible to determine the number of resettled refugees who availed themselves of these medical services and other Hadassah facilities.

Heifer Project, Inc., 45 Ashby Road, P.O. Box 278, Upper Darby, Pa., 19084: Refugee self-help and resettlement programs are the beneficiaries of Heifer Project and which takes the form of donations of livestock, poultry, tools and technical services.

HPI made grants and shipments in 1966 as follows:

Europe and the Middle East:

Greece: $3,000 (Congregational Christian Service Committee) to purchase heifers for the flood and earthquakes areas.

Jordan: $1,881 (Near East Council of Churches for Refugee Work) to purchase goats for refugees.

Africa: 9,300 baby chicks (Congo Protestant Relief Agency).

Far East: $500 to Hong Kong Church World Service (revolving loan fund to help farmers).

HPI helped 30 different agencies in Korea in several shipments of 59 heifers, 5 bulls, 31 pigs, 95 goats as well as $738 sent to buy chicks. Heifer Project has two committees in Korea but uses Korean Church World Service as consignee.

South America: HPI completed two planeload shipments of 13 heifers, 28 bulls and 20 pigs to the Heifer Project Santa Cruz, Bolivia committee.

International Rescue Committee, 386 Park Avenue South, New York, N.Y. 10016—

Asia: Operations in Hong Kong and Vietnam.

Europe: Programs in Sweden, Germany, Austria, Switzerland, France, Italy and Spain. Refugees from behind the Iron Curtain; refugees from Cuba, primarily in Spain; Jewish refugees from North Africa and Egypt.

Caseload: 12,000.

Nature of program: Resettlement services, local integration, emergency assistance, specialized services (legal protection, indemnification, etc.).

U.S. programs include Cuban refugees, resettlement of refugees admitted from Europe and Hong Kong, and a special project for Haitian refugees.

European and Chinese resettlement caseload in 1966: 2,000 plus.

Cuban caseload: Registrations in Miami as of May 26, 1967: 50,570. Resettled from Miami: 29,633.

The IRC office in Montreal handled only European refugees admitted to Canada. 1966 caseload: 300.

Latin America: Operation in Mexico City, Relief activities for Haitian refugees in the Dominican Republic and the Bahamas through the good offices of Catholic Relief Services.

Caseload in Mexico: About 1,000 Cuban refugees.

Nature of program: Material aid and resettlement services.

International Social Service, American Branch, Inc., 345 East 46th Street, New York, N.Y. 10017: International Social Service American Branch is part of a worldwide network of individualized services to families and children whose problems require help in more than one country or involve nationals of more than one country. It aids thousands of refugees with problems of divided families, lost or missing parents, international marriage, lost or abandoned children.

Established in 1921, ISS world headquarters are in Geneva, Switzerland.

Hong Kong: Large numbers of refugee Chinese are now able to enter the U.S. because of changes in the immigration laws (10,000 were expected in 1967 alone).

Vietnam: ISS American Branch is a major source of support for the Saigon office which is administered through the Geneva headquarters of ISS.

All ISS services in Vietnam involve refugees and especially orphaned and abandoned children.

ISS believes that the children of Vietnam should not be confined in orphanages or hurried off into other countries without safeguards for themselves and their families. ISS is working with agencies of the South Vietnam Government to help develop better protection for children who may be adopted and taken out of their homeland.

ISS American Branch and International Social Service also have programs in Argentina, Venezuela, Greece, France and Switzerland.

International Voluntary Services, 1555 Connecticut Avenue, N.W., Washington, D.C. 20036: International Voluntary Services, Inc. is a private, non-profit corporation chartered under the laws of the District of Columbia. It was incorporated in July 1953, is nonsectarian, non-political and is governed by a 21-member Board of Directors representing a cross-section of American academic and professional life. It was organized for the purpose of providing technical assistance to people of developing countries with an objective of developing the human resources through direct involvement of people of the host country in planning and implementation of programs. IVS participates in a supporting role.

Since its inception, IVS has fielded teams of young men and women to 14 countries. Current programs operate in Vietnam and Laos. In Vietnam, 159 volunteers from 10 countries work in agriculture, education and community development. In Laos, 106 volunteers from 5 countries work in education and rural development.

Joint Distribution Committee, Inc., 60 East 42nd Street, New York, N.Y. 10017: In 1966 the Joint Distribution Committee assisted 36,000 refugees, repatriates, etc. Of these, 9,200 were citizens in a country of asylum; 26,800 did not have the protection of citizenship and were scattered over a number of countries. In addition, there are thousands of former refugees living among the "settled" populations of their new homelands who still do not have citizenship status. The JDC helped these refugees with food, clothing, shelter, medical assistance, vocational training, low cost loans and school and guidance counseling. JDC also maintained a community assistance program which provided funds and technical assistance to synagogues, schools and community centers.

In 1966 JDC focused particular attention on the following refugee areas:

France experienced an influx of 29,100 refugees during 1966 mostly from Tunisia, Algeria, Morocco, Egypt and Eastern Europe. Smaller groups of refugees also made their way to Italy, Austria and Belgium.

JDC is till assisting some 5,000 residual refugees and displaced persons from World War II. Most of them (3,100) are in Australia. There are also 350 in Sweden and a lesser number in Belgium, Portugal and Spain. JDC aid is also going to approximately 1,000 refugees from the Hitler era in such widely scattered areas as Tangier, Haiti, the Philippines, Portugal and Spain.

In 1966 the health, welfare, rehabilitation and cultural programs on behalf of some 400,000 refugees and other needy Jews in all parts of the world were sustained by a budget of $22,594,800, provided chiefly by the campaigns of the United Jewish Appeal, a contribution by the United States of 14,710,000 pounds of Food for Peace supplies, valued at close to $900,000 and other material aid.

Lutheran World Federation, U.S.A. National Committee, 315 Park Avenue South, New York, N.Y. 10010: During 1967, the American Lutheran Church and the Lutheran Church in America contributed through Lutheran World Action about 22% of the cost of the refugee services of the LWF Department of World Service, budgeted annually at over $2,750,000. This does not include the $10,000,000 worth of clothing, food and medicine shipped annually by Lutheran World Relief.

Australia: Resettlement of immigrants from Europe through travel loans; housing, trade, craft and farming loans (under agreement with ICEM); counseling, welfare relief, assistance to the immigration chaplaincy and referral service.

Hong Kong: In addition to distribution of material aid from Lutheran World Relief and other relief source, the LWF–WS administers a large program of self-help and rehabilitation; education, youth work and vocational training (800 students); and medical and health services, primarily for Chinese refugees.

India: Resettlement aid to several thousand refugees from East Pakistan and Tibet including housing, farming, production cooperatives and food-for-work projects such as building schools and digging wells and reservoirs.

Jordan: Distribution of food and clothing to refugees and needy persons both East and West of the Jordan River. LWF-WS operates work projects, a vocational training center (120 students), a handicraft center for 36 blind boys, a nurses' school (60 students), a hospital (subsidized by UNRWA) and 13 medical clinics (5 mobile).

Syria: LWF-WS operates five medical clinics in the Damascus area and contributes to the nursing school of the Palestine Arab Refugee Institute.

Tanzania: At least 33,000 refugees in Tanzania have received help from LWF-WS. This includes 18,000 Mozambiquans, 12,300 Rwandese (most Watutsi), 2,500 Kikuyus and 300 Congolese. A tripartite agreement between the United Nations High Commissioner for Refugees, the Tanzania Government and the LWF made possible the creation of an agricultural community in the Mwesi Highlands of Tanzania for 3,000 refugees from Rwanda.

Zambia: LWF provides resettlement aid in Zambia as in Tanzania. In cooperation with UNHCR and the Zambian Government, the LWF established the "Zambia Christian Refuge Service" early in 1967 to express the ecumenical concern of Protestant Christian groups. Three comprehensive rural settlements are now under development with 4,000 Mozambiquan and 1,500 Angolan refugees who fled civil upheaval in their homeland.

Vietnam: LWF provides services in Vietnam through Vietnam Christian Service (See Church World Service).

Meals for Millions Foundation, 1800 Olympic Boulevard, P.O. Box 1666, Santa Monica, Calif. 90406: There's a David and Goliath story unfolding these days in Santa Monica, California, that may eventually become as universally familiar as the famous Biblical version. The modern-day concept concerns a relatively small organization known as Meals for Millions which is engaged in fighting mankind's biggest killer, world famine.

The Meals for Millions Foundation attacks the problem of world hunger in two ways. One is a protein-packed food enriched with vitamins and minerals—Multi-Purpose Food (MPF). It's made of unusual items like soybeans and sunflower seeds, peanuts and fish protein concentrate—a lot of them foods that would ordinarily be thrown away. Then the MPF is mixed with the native diet: rice in Asia, beans and torillas in Mexico and Brazil, noodles in Ecuador and bread-like chapatis in India. However it's made and mixed, the results are always the same: it fortifies deficient native diets and fights off frightening hunger pains.

The Foundation's second strike against hunger—and a more permanent one—is a self-help program that helps to set up high-protein food supplement plants in developing areas, then gets them going on a self-sustaining basis.

The Foundation has helped set up five high-protein foodstuff plants in India and one each in Mexico, Japan and Brazil. More are in the making in Ecuador and Chile.

Relief shipments continue to the critical hunger areas of the world. Since its inception in 1946, Meals for Millions has sent over 15 million pounds of high-protein food supplements to 129 countries and territories.

During 1967 relief shipments were allotted for 20 countries, many of them distributed among refugee groups.

An agency working with the Tibetan refugees in Nepal received 8,250 pounds. Some 2,688 pounds were sent to relief agencies in Hong Kong. In India, Angola and Israel more shipments were received, many designated for refugee groups. Vietnam received 2,112 pounds of high-protein food, much of this earmarked for displaced Vietnamese.

Medical Mission Sisters, 8400 Pine Road, Philadelphia, Pa. 19111: The Medical Mission Sisters, in their 33 hospital and medical centers in the newly emerging nations, are in constant contact with the refugees and migrants of those areas, serving their sick and diseased.

South Vietnam: In Qui-Nhon, the Holy Family Hospital gives medical care to many of the refugees there.

Uganda: Medical Mission Sisters visit groups of Watusi, displaced in tribal uprisings, and treat hundreds of them.

India: In hospitals operated by Medical Mission Sisters in New Delhi, young Tibetan girls who fled their country when the Communists invaded, are being trained as nurses' aides.

Over 1,000,000 patients were cared for by the Medical Mission Sisters in India, Pakistan, Ghana, Uganda, Vietnam, Venezuela, Jordan, Indonesia, The Philippines, Kenya, Malawi, Ethiopia, Orange Free State of South Africa in 1967.

Mennonite Central Committee, 21 South 12th Street, Akron, Pa. 17501: The Mennonite Central Committee, the official agency of the North American Mennonites, conducted refugee relief operations in Asia and Africa. Last year, the Committee assisted refugees in India, Hong Kong, Jordan, Vietnam, Burundi and the Congo. The relief program in these areas consisted of:

India: A health program, self-help project and educational program in a government-assigned refugee colony for East Pakistanis in Calcutta.

Hong Kong: Educational and family-child assistance to 450 children and general distribution of clothing.

Vietnam: Assistance to refugees from North Vietnam with donations of food, clothing and medicines. Medical treatment at Nha Trang was expanded. A doctor and nurse were sent to Pleiku to initiate another medical project.

Vietnam Christian Service: A new joint program sponsored by Church World Service, Lutheran World Relief and the Mennonite Central Committee. Administered by the Mennonite Central Committee (See Church World Service).

Congo: Shipments of food and clothing distributed through the Congo Protestant Relief Agency for refugees from Angola.

Burundi: Food, clothing and medical supplies for refugees from Rwanda and the Congo. This work was conducted in cooperation with Church World Service and the World Relief Commission.

Jordan: 76,000 pounds of blankets and clothing were distributed to refugees on the East Bank. On the West Bank 10 tons of flour, 3½ tons of meat, 3 tons of bedding and clothing and 6 tons of soap were distributed.

Polish-American Immigration and Relief Committee, 156 Fifth Avenue, New York, N.Y. 10010: PAIRC conducts a continuing program for Polish post-war refugees in Western Europe as well as newly arrived escapees. The scope of the Committee's work covers immigration and integration help for new refugees, registration and documentation for "old" refugees under special immi-

gration schemes, provision of sponsorships for regular immigation cases, financial assistance to needy refugees and cooperation in UNHCR integration programs.

Project Concern, Inc., 1262 Kettner Boulevard, P.O. Box 2468, San Diego, Calif. 92112: Project Concern is an independent non-profit relief organization; has established four outpatient medical clinics in Hong Kong and treats over 500 patients a day; has a feeding program for more than 1,500 children at the Hong Kong clinics; has a 42-bed hospital in DaMpao, South Vietnam, also provides outpatient services at the hospital and has a mobile clinic unit regularly visiting two dozen villages and strategic hamlets; has developed a six-month training program in basic, preventive medicine. Trainees are local Vietnamese, Montagnard, and Thai refugees who "graduate" as Village Medical Assistants and return to put their training to use in their own villages; has an international staff of more than 100 doctors, nurses, pharmacists, laboratory technicians, teachers, and volunteers in many capacities.

The Salvation Army, 120–130 West 14th Street, New York, N.Y. 10011: The Salvation Army is serving refugees in several countries as part of its overall social service programs in those areas. Elsewhere, refugees are aided from time to time on an individual basis.

In Hong Kong, The Salvation Army operates nurseries, kindergartens and primary schools which offer education to 5,400 children. Free libraries are attended by 700 to 1,000 children daily. At Salvation Army vocational training centers, more than 300 persons annually learn a trade that will enable them to support themselves. It also operates a shelter for street sleepers, a children's convalescent home, medical clinics, and gives direct relief to the needy, especially the aged and ill.

In Calcutta, The Salvation Army Social Service Center, with the financial backing of OXFAM (Oxford Famine Relief), carries on a daily "Meals on Wheels" service, which provides meals and dried foodstuffs for approximately 1,000 poor people, of whom it is estimated about 125 are displaced persons. Of the 125, there are about 25 lepers. They and their dependents receive food each day.

In Bombay, there is a similar program. Every day (Sundays included) since July, 1964, an average of 800 needy people have been fed. The only qualification is need.

The Salvation Army is also aiding Cuban refugees in Florida. In Key West, it is the agency responsible for distributing government commodities to refugees and also assists with emergency relief. In Miami, Cuban refugees make up the largest part of the Salvation Army's emergency family relief program which involves food, assistance with rent, utilities, clothing, etc.

Save the Children Federation, Inc., Boston Post Road, Norwalk, Conn., 06852: Save the Children Federation has worked in the past with refugees in Greece, Korea, and France and is currently active in a program for refugee children and their families in South Vietnam.

In 1966, Save the Children Federation established field headquarters in Bin Dinh Province in South Vietnam and began a Sponsorship program to help refugee children and their families. American families, schools, business firms or clubs enrolled as Sponsors exchange correspondence with Vietnamese families. They support a program which provides funds and counseling to help families add to their resources for better child care, increase their ability to be self-sustaining, and join with others in self-help projects to establish services and facilities desired by the community.

Spanish Refugee Aid, Inc., 80 East 11th Street, New York, N.Y., 10003: Spanish Refugee Aid, organized in 1953 to aid the Spanish Republican refugees who had fled to France after the Civil War, faces the dual problem of sharply rising costs in France and the need of an increase in aid as the refugees grow older. Of the 100,000 still in France, 10,000 need help currently, 1,549 persons over the age of 60, 1,300 invalids, 282 persons with tuberculosis and 42 blind men and women are on SRA lists. SRA gives general financial help to the neediest. It sponsors an adoption program (278 refugees have been adopted), a scholarship program (69 students are being helped through school) and a special fund-raising campaign for the hospitalized refugees.

At the Foyer Pablo Casals, a center for old people in Montauban, France that was organized by SRA, 259 refugees receive monthly food packages and clothing as against 243 last year. SRA maintains 3 offices in France which are used as distribution centers, and staff workers make regular visits to homes. The problem of the aging refugee, living on small pensions ranging from $30 to $40 a month, is SRA's greatest concern.

Tolstoy Foundation, Inc., 250 West 57th Street, New York, N.Y. 10019: The Tolstoy Foundation is in continuous contact with some 20,000 refugees and escapees registered with its offices overseas and with some 2,000 cases in the U.S.A.

While the majority of refugees assisted by the Tolstoy Foundation are Russian, the Foundation also assists Yugoslavs, Bulgarians, Romanians, who sought asylum abroad and a group of Tibetan students from among the refugees in India.

The Foundation continues to give counseling assistance in emigration in Belgium and Latin America. It also assists in local integration through the establishment of small business enterprises, workshops, etc. in conjunction with programs sponsored by the United Nations High Commissioner for Refugees (UNHCR).

Cultural activities, an important part of the Foundation's program, are centered in the L. C. Stevens Library in Munich and at the Tolstoy Foundation Center in Valley Cottage, New York.

The Tolstoy Foundation and its branches assumes the direct responsibility for supervision of homes for aged refugees in Latin America, Western Europe and in Rockland County, New York with some 1,000 residents.

A Tolstoy Foundation Nursing Home at Tolstoy Center in Valley Cottage, N.Y. is projected for opening in 1969 with a capacity of 80 beds.

Assistance to children is centered mainly in West Germany, with valuable cooperation of British Voluntary Agencies and Swiss Foreign Aid, and continued summer camp programs for children supported by the Tolstoy Foundation in the United States and in Belgium.

United Church Board for World Ministries, 475 Riverside Drive, New York, N.Y. 10027: The Division of World Service of the Board for World Ministeries of the United Chuch of Christ last year administered programs and allocations for relief and rehabilitation in some 50 countries to the extent of about $1,500,000 with half that much again in gifts-in-kind. Much of this was in assistance to "current" refugees and for the alleviation of grave social problems resulting from past migrations.

Particular emphasis in 1967 was laid on the plight of refugees in Vietnam and the Middle East, with personnel and funds contributed through the Vietnam Christian Service and the Near East Council of Churches Committee on Refugee Work. Another major effort of the year was in continued support of India Famine Relief and in behalf of victims of other natural disasters. Projects including refugee service were supported in several Central Africa states, in Algeria, in India (e.g. for Tibetans) and Pakistan, in 8 Latin America countries, in the Far East, in Italy and Central Europe. Special programs were also maintained in Greece and Lebanon, continuing the interest of the Congregational Christian Service Committee.

With major emphasis on self-help projects, especially in agriculture and community development, the Board did most of its work cooperatively through other agencies. These included Church World Service, National Council of the Churches of Christ in the U.S.A.; Division of Interchurch Aid, Refugee and World Service, World Council of Churches; Heifer Project, Inc.; Meals for Millions Foundation; Agricultural missions, Inc.; Interchurch Medical Assistance, Inc.; Shelter for the World, Inc.; World Alliance of YMCAs (refugee program).

Unitarian Universalist Service Committee, Inc., 78 Beacon Street, Boston, Mass. 02108: The Unitarian Universalist Service Committee has been giving assistance to Spanish Republican refugees since 1939. The headquarters of this program are at 93 rue Riquet, Toulouse, serving refugees in Toulouse and in rural areas in the South of France. The program is administered by Miss Persis Miller with her Associate Director, Mme. Dolores Bellido.

Aid is limited to those refugees who arrived in France at the end of the civil war in Spain in the great exodus of 1939. There are roughly 150,000 Spanish Republican refugees in Southwest France.

Services fall into four categories—food parcels, clothing, emergency cash and scholarships.

In emergencies or at regular intervals food parcels are distributed to old people and to families where the father or widowed mother is a chronic invalid with tuberculosis, heart disease or ulcers of the stomach. In 1966, 2,586 food parcels (45,513 lbs.) were distributed to 861 households.

In 1966, 725 households received 18,381 lbs. of clothing for 2,165 persons.

Special grants are given for medical purposes in an increasing number of emergency cases. In 1966, 438 such grants were given to 561 persons.

183 scholarships were awarded since January 1951 for periods of one to six years.

United Lithuanian Relief Fund of America, Inc., 105 Grand Street, Brooklyn, N.Y. 11211: Close to 10,000 Lithuanian refugees still remain in free Europe and receive aid which includes clothing, books and medicines from the Fund. The Fund also supports two secondary schools for Lithuanian refugee children. Some Lithuanian refugees in Poland and deportees to Siberia were helped.

United Hias Service, 200 Park Avenue South, New York, N.Y. 10003: United Hias Service provided rescue, resettlement and related services last year to approximately 53,000 Jewish men, women and children. More than 8,800 of these people were assisted to resettle in the United States and other Western countries.

During the past year, the active caseload of persons registered to emigrate reached 23,608; pre-migration services in the United States and Latin America were rendered to 16,319 relatives and sponsors of prospective migrants; 3,030 were aided in the United States with such post-migration services as naturalization, adjustment of status, and prevention of deportation and jeopardy; 1,549 persons were located throughout the world; and in Latin America, 158 migrants who arrived in prior years received agency assistance.

The cost of the agency's worldwide operations for the year 1966 amounted to $2,250,334 and resulted in a net cumulative deficit of $131,267.

United Ukrainian American Relief Committee, Inc., 5020 Old York Road, Philadelphia, Pa. 19141: Through its headquarters in Munich, Germany, UUARC helped about 20,000 refugees and escapees to resettle in new homes and to find employment. The agency continues its immigration program and, for the past year, has been engaged in a program for Ukrainian students in Poland. In cooper-

ation with other Ukrainian agencies, UUARC is planning to organize a nursing home for the aged in the United States.

Volunteers for International Technical Assistance, Inc., College Campus, Schenectady, N.Y. 12308: VITA provides a person-to-person technical information service to agencies working with refugees and to others working in developing areas.

VITA's method complements the methods of other organizations in international development. VITA's Inquiry Service receives technical problems by mail and sends them to skilled scientists, engineers, businessmen and educators. The more than 2,500 volunteers on the VITA roster come from every state in the United States and from 50 other countries. They are associated with 410 corporations and 150 universities, agencies and institutes. Working relationships with the Institute of Food Technologists, the American Institute of Nutrition and the American Society of Agricultural Engineers give access through VITA to their entire memberships.

VITA volunteers respond to 1,370 requests for technical information in 1966. A number of these requests came from relief agencies, including requests for information for a Community Development Foundation training program for work with refugees in Vietnam and information on a design for ovens for the American Friends Service Committee Refugee Program in South Vietnam.

World Rehabilitation Fund, Inc., 400 East 34th Street, New York, N.Y. 10016: The World Rehabilitation Fund, Inc. is involved directly in services to refugees in two projects in Hong Kong and one in Vietnam.

In Hong Kong under a grant from the U.S. Department of State, the World Rehabilitation Fund, Inc., has completed and equipped the John F. Kennedy Memorial Centre for Spastic Children. The building was dedicated in March 1967. This center has facilities for 60 inpatients and 120 outpatients. It is being managed by the Hong Kong Red Cross with financial assistance for a two-year period from the World Rehabilitation Fund.

The World Rehabilitation Fund Day Centre is currently under construction and will be completed in the spring of 1968. This center will provide vocational rehabilitation training and sheltered employment for 450 persons daily. Personnel for the center has been trained by the World Rehabilitation Fund. The equipment and assistance in the operational expenses for a two-year period will be contributed by the Fund.

In Vietnam, under a contract with the U.S. Agency for International Development, the World Rehabilitation Fund is helping to expand the National Rehabilitation Institute in Saigon, equip staff and provide supplies for four smaller satellite centers. Two of these centers were opened in the spring of 1967, a third will be opened in the summer and the fourth in the fall or spring of 1968.

NAE World Relief Commission, Inc., 33–10 36th Avenue, Lond Island City, N.Y. 11106: The major refugee programs of this agency are in Korea, Burundi and South Vietnam. Services include distribution of food, clothing and medicines to needy refugees in those areas, along with projects for the handicapped.

World University Service, 20 West 40th Street, New York, N.Y. 10018: Needy students from all over the world benefit from WUS aid. Last year WUS continued five major programs aimed at refugee students. They were as follows:

Algeria: Financial assistance was given to 150 Algerians studying in Europe, and food, drugs, clothing, etc., were provided to refugee students in Tunisia and Morocco. WUS is helping the Algerian university community get back on its feet, which requires $30,000 in assistance.

Angola: Financial aid ($70,000 since 1961) has been provided on a continuing basis to refugee students from Angola and other African territories ruled by Portugal.

China: More than $600,000 have been provided over the past six years to foster higher education in Hong Kong. This program continued last year, in addition to which sixteen Chinese professors were brought to the U.S. to study and five students sent to Canada.

Hungary: Since 1956, WUS has been aiding Hungarian refugee students, a six million dollar program. They have been able to continue their studies in new countries of residence.

South Africa: Grants to colleges in neighboring countries enable non-white refugee student from South Africa to continue their education.

World Vision, Inc., 919 West Huntington Drive, Monrovia, Calif. 91016: In 19 countries of the world—in South and Central America, in Southeast Asia, India, Africa, and Hong Kong—World Vision, Inc. maintains orphanages ministering to the medical, social, spiritual and vocational needs of orphans, many of them refugees.

Through its Emergency Mission of the Month program, sponsored by friends of the organization who contribute $10 monthly, funds are sent to alleviate the plight of refugees around the world. Refugees also benefit from relief goods shipped with the assistance of AID to many undeveloped countries.

World Vision, Inc. is an interdenominational service agency, approved by the Advisory Committee on Voluntary Foreign Aid under the AID program.

Young Men's Christian Association of the United States, 291 Broadway, New York, N.Y. 10007: The YMCA acts as a complementary service to the large global programs of the United Nations, governments and churches; it is concerned with the morale of refugees. It is not a relief or migration agency. It tries to establish community centers in the camps and through them help in the organization of educational, recreational, religious programs, etc. The agency also offers language training, orientation courses for prospective migrants, camping for the children, together with handicrafts and vocational training.

Young Women's Christian Association, 600 Lexington Avenue, New York, N.Y. 10022: The World YWCA, in cooperation with the National YWCAs is providing services to refugee women and girls in Egypt, Greece, Hong Kong, Jordan, Lebanon and Pakistan. In Austria a refugee program is carried out jointly with the World Alliance of YMCAs. In Vietnam the World YWCA serves women and girls in cooperation with the Asian Christian Service. The YWCA, in its refugee services, puts great emphasis on the provision of basic education, vocational training and cottage industries in order to help the women and girls to become self-supporting.

U.S. Nonprofit Organizations With Programs in South Vietnam

American Friends Service Committee.
AMA Physicians for Vietnam.
American National Red Cross.
Asia Foundation.
CARE.
Catholic Relief Services—U.S. Catholic Conference.
Christian and Missionary Alliance.
Christian Children's Fund.
Church World Service.
Community Development Foundation.
Eastern Mennonite Board of Missions and Charities.
Foster Parents' Plan.
International Rescue Committee.
International Voluntary Services.
Lutheran World Relief.
Medical Mission Sisters.
Mennonite Central Committee.
N.A.E.—World Relief Commission.
National Rural Electric Cooperative Association.
People-to-People Health Foundation.
Project Concern.
Project HOPE.
Save the Children Federation.
Seventh-Day Adventist Welfare Service.
Summer Institute of Linguistics.
Vietnam Christian Service.
World Rehabilitation Fund.
World Vision Relief Organization.
Worldwide Evangelization Crusade.

HUMAN RIGHTS AND THE PROTECTION OF REFUGEES

51 member nations have signed the United Nations' "Convention Relating to the Status of Refugees." The United States have not acceded to the Convention even though its people have always and generously provided asylum and assistance for refugees.

There are now more than 15,000,000 refugees in the world—more than there were in 1958 which was observed as the United Nations' World Refugee Year. Europe's massive post-war refugee problem is largely solved, but new refugee problems have arisen in Asia and in Africa as a result of the almost universal social and political ferment of our era.

The need for an international instrument which guarantees protection and assistance to these millions of helpless and often stateless persons has never been so great as now.

By Proclamation of President Johnson, the United States is observing with other members of the United Nations the International Year for Human Rights. 1968 marks the 20th Anniversary of the Universal Declaration of Human Rights. Surely, a most forthright and universally beneficial action of our country in celebration of this Anniversary would be the signing of the Refugee Convention by the United States Senate.

Ironically, it is our traditional welcome to the refugee, and the protection given him by *our* laws, which is commonly cited as the reason for our past refusal to become a party to the Convention. Apparently ignored is the fact that if the United States were to accept the Convention, it would greatly strengthen the refugee's Human Right to protection and assistance in other countries. As matters stand, *we* may know that our laws provide all of the Human Rights guaranteed by the Convention—but no one else does. It is crucially important that we strengthen the Convention by signing it *now*.

Our action will help to ensure that the increasing number of refugees fleeing into asylum may have the protection of the international community when they need it.

COMMITTEE FINANCE

At June 30, 1967, the end of our fiscal year, according to the Committee's audited accounts, we had received from individuals, foundations, organizations and corporations 121,361.32 including income from the sale of Gift Wrap in the amount of $30,532.68. We had expended $115,950.27 including the cost of our Gift Wrap program.

The Committee's operational budget for the year ended June 30, 1968 is $146,250, including the Gift Wrap project budget.

The Committee's auditors are Peat, Marwick, Mitchell & Co.

THE OFFICERS AND BOARD OF DIRECTORS

We are introducing our readers, to our Officers and Board of Directors in this issue. Some of them have helped to guide the Committee since its founding 10 years ago, others have come to membership along the way. All, in varying degrees, have lent their names, given financial support and leadership to the Committee's work with uncommon unanimity of spirit and generosity. They are, as it was expected they would be at the beginning, a group of representative distinguished Americans who believe that the problem of the world's refugees should be a matter of serious public concern. Some have given testimony before committees of the Congress, some have made field studies of refugee problems overseas, some have served as consultants to our government officers dealing with refugee affairs, others have played a leading role in refugee resettlement in their own cities.

Each year when the World Refugee Report has gone to press, along with our sigh of relief, we feel a burden of gratitude to William K. Wilson, our Editorial Consultant, whose artistry and industry are evident in the form and appearance of this book.

WASHINGTON, D.C.

MAXWELL RABB,
President and the Board of Directors, U.S. Committee for Refugees, New York, N.Y.:

Re your recent inquiry, I will gladly offer the 1968 World Refugee Report for inclusion in the Congressional Record. As chairman of the Senate Judiciary Subcommittee on Refugees, I want you to know how very much we appreciate your many dedicated efforts to bring the important humanitarian cause of refugees before the American people. Your work, and that of your sister voluntary agencies, is making an extremely important contribution to our Nation's concern for the world's homeless from Cuba to the Hamlets of Vietnam. The USCR deserves high tribute from all men of good will. Best wishes as you continue your efforts.

EDWARD M. KENNEDY,
U.S. Senate.

"HOME AT 62" FOR THE WORKING WOMEN OF AMERICA

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. HORTON. Mr. Speaker, in a day and age when the magnitude of national and international problems seem so complex and unending, it is often easy to neglect those who have contributed so much toward the growth and prosperity of this Nation.

Today I am introducing legislation, along with many of my esteemed colleagues, which will justly acknowledge the contribution millions of working women have made to America since those shadowed, lean years of the depression. I fondly refer to this legislation as my "home at 62" bill, because it would enable working women who have contributed to the social security retirement fund for a period of 30 years or 120 quarters, to retire with full benefits, whereas present law limits them to 80 percent of full retirement payments.

It is sometimes hard to realize that working women represent over 35 percent of the labor force. Their effect upon the national economy and their buying power cannot be minimized. Nor can we forget that the role of the female in today's labor market is increasing and helping to stimulate a gross national product which is rapidly approaching the trillion dollar mark.

The reason for supporting this legislation is clearly evident when you compare the existing minimum social security requirements for retirement at age 65—18 quarters—with the 30 years or 120 quarters enumerated in my bill for women to retire at age 62. It is time for us to show just recognition for the contribution of productive hard work that has materially helped forge economic greatness from the economic despair of the 1930's.

I earnestly hope you will join with me in helping the working woman of America to retire to the leisure of their homes on full social security retirement benefits at 62 after they have spent the best part of their lives helping to build a better America.

I. W. ABEL, PRESIDENT, UNITED STEELWORKERS OF AMERICA, SPEAKS BEFORE CONGRESSIONAL DELEGATION

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. MADDEN. Mr. Speaker, the Illinois, Indiana, and Kentucky congressional delegation on Tuesday evening at a banquet gathering, received a volume of startling information on the avalanche of steel imports from foreign steel manufactures. The great increase of steel imports, if not curbed, will vastly cripple the steel industry in the United States. Presiding at the gathering was Charles M. Beeghly, chairman, Jones & Laughlin Steel Corp., and the speakers were I. W. Abel, president, United Steelworkers of America; Philip D. Block, Jr., chairman, Inland Steel Co.; and Robert E. Williams, president, the Youngstown Sheet & Tube Co.

It is rather unusual to see management of this great steel industry and leaders of the Steelworkers Union join hands and alert the public to the impending threat to America's economy, steel production and also to the threat of unemployment for tens of thousands of our citizens.

I have filed a bill, along with Congressman VANIK, of Ohio, and several other Members of Congress, to curb the outrageous increase of annual steel imports during the last 10 years from foreign countries.

I hereby submit the remarks made by I. W. Abel, president, United Steelworkers of America, on this occasion. These facts pertaining to the threat to our major industry should be read by all Members of Congress.

The remarks of Mr. Abel follow:

STATEMENT OF I. W. ABEL, PRESIDENT, UNITED STEELWORKERS OF AMERICA, ON STEEL AND IRON ORE QUOTA BILL, BEFORE THE INDIANA, ILLINOIS, AND KENTUCKY CONGRESSIONAL DELEGATION, WASHINGTON, D.C., MAY 14, 1968

The urgency of the problem of foreign steel imports and its adverse impact upon the industry and its workers has necessitated this extraordinary procedure of conveying our concern to you.

As we indicated in our testimony before the Senate Finance Committee, our concern is generated by two developments.

I. SHORT RANGE

During this period of negotiations and the subsequent anticipation of strike action, there is a rush by steel consumers to build up their steel inventory. Some figures indicate that steel imports this year may be as high as 15 per cent. The Department of Commerce has noted that during the first three months of 1968 imports of 3.4 million tons are already up one million tons over the similar period in 1967. It represents a 42 per cent increase over the first quarter level of last year.

When the Great Lakes shipping figures come in from last month, we anticipate an even greater increase. These figures, projected on an annual basis, indicate import levels of about 15 to 17 million tons—more than 4 to 6 million tons over last year's 11.5 million tons.

The adverse impact of this upon our members is twofold. After the immediate period of negotiations and/or strike is over, there are layoffs in the steel mills as these inventories are worked off. Furthermore, long-range commitments are made by domestic concerns to foreign producers which result in a long-term loss to domestic steel production.

These commitments are being made because the foreign producer is seizing the advantage of a good opportunity and is demanding a contract for shipping steel for a period of two to five years.

We very definitely do not think that our foreign trade policy should be taken advantage of to the detriment of the domestic workers who are exercising their prerogatives under the expressed public-policy procedure in labor-management relations—namely, to bargain collectively.

The right to bargain is a cherished one, but it is being eroded by the unfair intrusion of foreign trade. The February 8 issue of the *Japan Metal Bulletin* mentions that the Japanese government, concerned about its own balance of payment deficits, has "asked steel companies for increased exports and decreased imports." (And, here, I especially call your attention to the comment) *"With the threatened steel strike in America resulting in increased enquiries, the original export target of 10 million tons is likely to be attained."*

Gentlemen, we should be allowed to bargain a domestic agreement within the framework of a domestic situation.

Another point I wish to make here is that we are pricing ourselves out of the foreign markets because of the high cost of labor. Actually, we have never been a major steel exporting nation. Although we did maintain a trade surplus prior to 1959, our major market was a domestic one. We are convinced that no matter what our wage costs are, foreign producers will maintain control of their own markets. Furthermore, an aggressive export policy by our own industry would probably wreak havoc in foreign markets.

As I will shortly indicate, our support of the steel quota bill does not rest upon any competitive disadvantage which we may have with regard to wages. Foreign steel producers will always be able to lower the price of steel in our market. It would not only be *unrealistic* but more than that it would be *useless* for us to negotiate within the context of being more competitive. No, the problem facing steel trade comes from another source and as a nation we will eventually have to cope with it.

II. LONG RANGE

Actually, our major concern arises from a long-range view of the world steel industry which is plagued with overcapacity. The scourge of foreign overcapacity, causing a compulsion to export, is coexistent with an acceleration of investments in new technology by our own industry. The coincidence of the two can result in job loss to steelworkers.

A report by the Senate Finance Committee indicates that, from 1965 to 1970, world capacity will increase at a rate of 33 million net tons per year. The present excess capacity is calculated at 50 million tons.

What will be the amount of *surplus* capacity when this *projected* capacity is finally constructed?

According to the report: "The unused capacity exerts pressure to export. Because of heavy fixed overhead costs, typical of the steel industry, especially abroad, foreign producers have a tradition of cutting export prices below total costs rather than to restrict operations. Prewar cartels have a long history of this type of managerial policies."

Again, the *Japan Metal Bulletin* declares that "The iron and steel industry is planning to provide an obligatory export quota to steel, the tonnage allocated to be 10 per cent over the actual export in the current fiscal year, with export target in the next fiscal year raised to over 12 million tons. Those companies that fail to export the allocated tonnage will get less coking coal than they want delivered or will be penalized by $28 per ton, covering the balance unexported."

Well, there you are. The pressure of overcapacity upon the foreign industry and a positive action by a government within a situation where the industry is considered an "instrument of government" unduly stimulates exports of steel into our market.

It is no wonder, then, that the Senate report recommends a world conference of governments of major steel producing countries to discuss common interest in adjusting the pace of steel capacity expansion to the pace of world steel demand. However, we are under no illusion that such a conference can be easily convened. As a matter of fact, we are convinced that such progress, to date, has been a direct result of the unilaterally mandated quotas contemplated in the steel and iron ore quota bill which has elicited this response.

I know that economic interests are at stake and that foreign trade competition is supposed to stabilize the dollar. Lately, however, even that argument is being challenged since we became a deficit trade nation last month. Yet I submit that we must strike a balance between banking interests and our domestic employment policy. What really is at stake is whether we are more concerned about the rate of employment increase in the job market or the rate of interest increase in the money market. Surely we can be precise enough to work out a balanced relationship.

Our position as a Union lies, therefore, within the framework of an expansionary trade policy—but one which is balanced. Our concern is not over a *freer* trade relationship. We are committed to that. Nor is it one of being unduly aroused over *fairer* trade. Certainly, we seek equitable antidumping laws and the reciprocal elimination of non-tariff barriers. But for an industry that is primarily domestic, our attention is directed at a more orderly and balanced penetration of our market. Even GATT regulations recognizes the chaotic conditions arising from "market disruption."

We are advocating, therefore, that these quota restrictions be enacted and enforced until such time as world over-capacity is moderated. Once there is a more proper relationship between world demand and world capacity, then, injurious competition will be abated. We are not opposed to steel trade—even at competitive prices—but we are convinced that the competition should arise from lower cost factors and not from the compulsion of excess facilities. Hence, we view that fact of overcapacity as the crucial malady in the world steel trade picture and not necessarily other competitive factors, like wage costs.

I might mention also that trade adjustment assistance to a limited number of workers displaced by foreign trade is most necessary, but highly unsatisfactory as a solution to massive displacement. I am aware that there are a number of proposals before Congress that liberalizes that section of the Trade Expansion Act which deals with assistance to workers adversely affected by foreign trade. I would hope that the Congress would react favorably to these proposals. It is my understanding that as of now not one single case has been acted upon favorably by the Federal Tariff Commission. We do, however, need the enactment of this provision. However, it is one thing to provide assistance for a small group of workers who will be adversely affected in the interest of a broader trade policy which provides greater economic growth for the economy and more job opportunities for American workers. However, such a relief program cannot be a substitute for a more basic solution to the problems facing the steel industry.

Within the framework of an expansionary trade policy, we must now grapple with the question of a *balanced* trade development. It is that task which Congress must face, and it is one which this Union is completely convinced must be done now—this year.

I wish to thank those members here tonight who cosponsored or introduced the steel quota bill. I am sure that your efforts were instrumental in the fact that the chairman of the Ways and Means Committee has indicated that he will hold hearings on our trade problems next month. I would urge those of you who have not had time to review our problems to study them and I hope to introduce a bill similar to that which has been introduced by Congressman Vanik of Ohio.

A CLEAR POSITION BY RICHARD NIXON ON CRIME

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. CUNNINGHAM. Mr. Speaker, I have recently returned from a visit to the Second Congressional District of Nebraska which I have the honor to represent in this body. The people of Nebraska and the Nation are gravely concerned with the growing crime rate in the United States, and demand and expect that political candidates speak out in a straightforward way on the problem.

Former Vice President Richard Nixon has given his views on this issue and was commended for his clear thoughts in an editorial in the Washington Evening Star on May 14. Because of the interest of my colleagues in the House of Representatives and the people of America in finding solutions to this problem, I am pleased to place this editorial in the RECORD, as follows:

NIXON ON CRIME

Richard Nixon's recent statement of his position on crime in this country has been criticized by some as having a political coloration. There is some basis for this. But how could it be otherwise in a presidential election year?

The Nixon statement also sets forth facts pertaining to the dismaying upsurge in crime and is specific in spelling out some of the things he would do to combat crime. These are the sections on which serious attention should be focused.

In the last seven years, Nixon said, crime in this country has increased by a staggering 88 percent although the rise in population has been only 10 percent. Projecting his estimates, the Republican presidential hopeful said that if the present crime rate continues the number of major crimes will double by the end of 1972—less than five years in the future. Certainly the former vice president was not exaggerating when he said that this is a prospect which America cannot accept, and which, if it should be accepted, will convert the metaphorical "city jungle" into a "barbaric reality."

What does Nixon think should be done at a time when crime is increasing almost nine times as rapidly as the population? He does not take the view that there is any one simple answer. But he does come down squarely and firmly in support of the crime bill now being debated in the Senate, and he specifically included in his statement of support two of the bill's most controversial sections. These would authorize the use of wiretaps and electronic devices under appropriate court safeguards in certain serious crimes, and, second, would modify the Supreme Court's Miranda decision relating to the use of confessions.

Those who equate the use of wiretaps and electronic bugs with a police state in full flower argue that, in any event, these devices would be of no help in curbing the ordinary crimes of violence—robberies, murders, burglaries and the like. Perhaps these things would be helpful in dealing with organized crime, they say, but it is not organized crime which makes people afraid to walk the streets at night.

Nixon's answer to that is this: "Organized crime is also directly and deeply involved in street crime. One estimate is that some 50 percent of the street crime in some of our major cities is the work of addicts trying to support their habit—and traffic in illegal narcotics is a major enterprise of organized crime." In the face of this it is almost incredible that the President and Attorney General Clark, who favor use of wiretaps and bugs without any court supervision in "national security cases," would outlaw them in all other kinds of investigations.

The proposed modification of the Miranda decision, if anything, is more offensive than the possible use of wiretaps to the critics of the Senate bill. To listen to them, one would think that the sponsors of this provision are wicked men, bent not only upon subverting the Supreme Court but also upon turning back the clock of justice to the star chamber days. This is so childishly absurd that it does not merit serious debate.

There are two points worth noting, however. One is this comment by Supreme Court Justice White, speaking for himself and Justices Harlan and Stewart: "I continue to believe that the decision in Miranda was an extravagant and unwise interpretation of the Fifth Amendment, and I would prefer that Miranda be abandoned. . . ." Are these justices to be condemned as subverters of the court?

The other point is that it may not be possible for Congress to alter the impact of Miranda through enactment of a statute, which the court could declare unconstitutional. Nixon, though supporting the provision, recognizes this. If it should be impossible to pass legislation which would satisfy the court, he says, then consideration should be given to amending the Constitution.

This Nixon statement strikes us as a forthright, clear and courageous description of the nature of the crime problem as he sees it, and of the measures needed to deal with it. We hope, political year or not, that Messrs. Kennedy, McCarthy, Humphrey and Rockefeller will be no less specific as they continue to stake out their own political claims.

THE ADMINISTRATION SHOULD TELL THE TRUTH ABOUT THE U.S.S. "PUEBLO" AND LET AMERICAN PEOPLE KNOW ITS MEN DID THEIR DUTY AS ORDERED

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BRAY. Mr. Speaker, it has now been almost 4 months since the North Koreans hijacked the U.S.S. *Pueblo* and

took her crew of over 80 men into captivity. I repeat what I urged shortly after this happened: The American people should be told the truth about the matter, and the best way is for the administration to release the full texts of the messages between the *Pueblo* and higher U.S. authority. A very small part of *Pueblo*'s transmissions have been made public, but there has been no word of any kind as to what the ship was told to do, or not to do, or if it was told to do anything at all, but left to fend for itself. Release of the messages would tell the Communists nothing they do not know already.

Capture of the ship and its men was the greatest single loss of top-secret intelligence equipment and highly trained personnel ever suffered by any nation in the entire history of intelligence operations. Secretary McNamara was still head of the Department of Defense at that time; he said there had been no protection for the ship because protection would have been a "provocative act."

I find his solicitude for the feelings of the North Koreans to be something less than logical or desirable. Just a few days before the *Pueblo* was seized, North Korea had sent a trained band of terrorists into Seoul to kill top South Korean officials. During all of 1967, North Korean attacks on American-South Korean border outposts had been growing in number and intensity. North Korea, it seems, can be "provocative," but we cannot.

What instructions were given to the ship? To fight? To destroy all equipment and scuttle the ship to prevent its capture? Or was nothing done at all, and are these men to be allowed to suffer the fate of the Light Brigade at Balaclava:

Theirs not to reason why, theirs but to do and die . . . because . . . some had blundered.

We know these men, now in North Korean captivity, will be held until the last possible bit of intelligence information and propaganda advantage has been extracted from them by North Korea. The least we can do for them now, and for their families and friends agonizing over their fate, is to let the American people and the whole world, know that they did not break faith with their country, that they followed orders and conducted themselves like men.

Or would this mean revealing that someone farther up the chain of command conducted himself, or themselves, like cowards?

HON. JOSEPH W. MARTIN

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. MORTON. Mr. Speaker, it was my privilege to serve in the 88th and 89th Congresses with Joe Martin. We knew him as a man dedicated to his country and to the House of Representatives, in which he served for so many years. His devotion to duty has always been an inspiration to Republicans and Democrats alike.

Mr. Speaker, may I add to the words of my colleagues in tribute to Mr. Martin's long life and distinguished service to his country and to his colleagues in this great legislative body.

PROPOSAL FOR OUR TIME

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

THE READER'S DIGEST,
Pleasantville, N.Y., May 14, 1968.

Hon. JAMES G. FULTON,
U.S. Congressman,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE FULTON: Just before his recent illness, General Eisenhower finished work on the latest of a series of articles he's been writing for Reader's Digest. This piece, "A Proposal for Our Time," advances anew the project conceived by the former President (with Admiral Lewis L. Strauss) for setting up three nuclear desalting plants in the Middle East.

While the proposal received approval last fall in a Senate resolution, there has been no parallel House action to date.

We thought you might like to see a copy of the article before it is released to the public late this month.

With best wishes, I am
Sincerely,

C. R. DEVINE,
Vice President.

A PROPOSAL FOR OUR TIME

(By Dwight D. Eisenhower)

(NOTE.—With force and logic, former President Eisenhower suggests that nuclear technology—applied on a massive scale to the desalination of sea water—could turn the arid, hostile nations of the Middle East toward a future of peace and prosperity.)

In my Atoms-for-Peace address before the United Nations in December 1953, I dwelt on the handsome rewards which the miracle of atomic energy could bring to mankind. During the intervening years, some of these rewards have been realized. For example, when I became President in January 1953, not one nuclear reactor for the production of commercial electricity was in existence or even planned, and scientists were extremely pessimistic about the practical application of this method. As chairman of the Atomic Energy Commission, however, Adm. Lewis L. Strauss was determined that studies and experimentation should continue. The record today: 16 nuclear-power plants in operation, 21 being built, 52 planned. The atomic production of electric power is fully competitive with conventional methods.

Now it looks as if we are on the threshold of a new breakthrough—the atomic desalting of sea water in vast quantities for making the desert lands of this earth bloom for human need. Extensive studies of desalting have been carried on at the Oak Ridge, Tenn., National Laboratory and elsewhere, and technology has made enormous strides, just as it has in the atomic production of electricity. I am convinced that the time has arrived to put this remarkable new tool into major use.

Of course, much has been accomplished over the years by irrigation with natural water supplies. The fabulous agricultural valleys of California and Arizona are remarkable present-day examples. But there are many regions throughout the world where water supplies for agricultural purposes are wholly inadequate or simply do not exist. Consequently, desert peoples through the centuries have looked longingly at the limitless seas which lap their shores, and yearned for some alchemy whereby they could transform salt water into sweet cheaply and in enormous quantities. Until recently, however, this was only an unattainable dream.

In the Atoms-for-Peace speech—for which much information was supplied by Chairman Strauss—I listed agriculture as one human endeavor in which the atom could serve. A few months later, in June 1954, I sent a note to Strauss urging the intensive study of methods of desalting sea water by atomic energy, and I added, "I can think of no scientific success that would equal this in its boon to mankind."

During the spring of 1967, Lewis Strauss and I—both of us now private citizens and still good friends—talked again about the atomic desalting of water and its possible application to the Middle East. Just last June he placed before me a detailed plan, which he had formulated with the help of some of the best engineering and financial brains in the country. We called it "A Proposal for Our Time."

The purpose of the plan is not only to bring large arid regions into production and supply useful work for hundreds of thousands of people, but also, hopefully, to promote peace in a deeply troubled area of the world through a new cooperative venture among nations. I am optimistic enough to believe that the proposal, when implemented—as it is sure to be someday—may very well succeed in bringing stability to a region where endless political negotiations have failed.

Tragic Enmity. The roots of hostility in the Midle East extend back through centuries of time and grow out of the soil of implacable hatred between the Arab and Jewish peoples. It is a bitter soil indeed, as I learned firsthand in World War II. During the North African invasion, we not only were involved in the conquest of Hitler's armies but also had to act as an occupying agency for a time—to prevent complete chaos.

As commander of our forces, I became aware of the unbelievably repressive laws against Jewish minorities in some of these Arab-speaking areas. I ordered these laws modified, and we may have done a little good in this respect. But one day a distinguished Jewish religious leader came to me and begged me not to move too swiftly in changing such practices; he feared it might bring about a bloody pogrom against the Jewish community. From then on we deemed it wise to proceed more cautiously.

Throughout most of the past 20 years, since the Republic of Israel came into being, the Middle East has existed in a state of armed truce. Twice the hostility between Arabs and Jews has flared into open warfare: once during the Suez crisis of 1956; again in the late spring of 1967, when Israel won complete victory in an astonishing six-day war against Egypt and other Arab states.

During my years in the White House, our country tried hard, as an objective and unprejudiced friend of all the Middle East states, to help settle some of the abrasive problems which keep them on the edge of war. In 1955–56, for example, I sent the late Eric Johnston as my personal representative to try to help settle a tumultuous controversy that had arisen between Israel on one side, and Jordan and Syria on the other, over the division of the irrigation waters of the Jordan Valley. A plan that seemed fair and satisfactory was worked out, approved by the engineers and technical advisers of both sides. But the animosity of the Arab political leaders was such that they contemptuously kicked the proposal aside without even letting their people know it existed.

Yet most of those who have studied the water proposal which Admiral Strauss and I have made believe that its advantages to the region involved are so great that the

hostile states of the Middle East simply cannot afford to withhold their cooperation. Nobody supposes that prejudice and hatred would vanish overnight, but the collaboration of Arab and Jew in a practical and profitable enterprise of this magnitude might well be the first, long step toward a permanent peace.

PRACTICAL TECHNIQUE

There is nothing new about the desalting of sea water for human use. For years, ocean-going ships have been equipped with distillation plants for converting salt water into fresh. There are also several such installations on land, producing water for household use in ports where natural supplies are lacking Key West, a city of some 56,000 at the tip end of the Florida keys, last year put a nonnuclear conversion plant into operation. It can produce 2,700,000 gallons per day, and the water quality is excellent.

The problem is that water produced by distillation plants fired with conventional fuels (usually gas or oil) is much too costly for agricultural purposes. The Key West figure, probably the lowest among existing plants, is around 85 cents per 1000 gallons—far too expensive for irrigation. So we must turn to atomic energy.

Although no nuclear desalting plant exists today, construction of a large one on a man-made island off the Coast of southern California is planned. When completed, this Bolsa Island plant would produce 1800 megawatts of electricity and pour 150 million gallons of fresh water per day into the area's water system. The cost of the conversion would be far less than that of any present system. The desalting method used would be much the same as in existing plants fired by conventional fuels—a distillation process in which sea water is put through a long series of evaporation chambers. But the necessary heat in this case would come from atomic reactors.

Even this large Bolsa Island plant would be small in comparison to the installations envisioned for the Middle East. Our proposal suggests three plants—two on the Mediterranean coast and one on the Gulf of Aqaba—with a combined production of more than a billion gallons of fresh water per day. This is more than twice the average daily flow of the three main tributaries of the Jordan River. Since we now know that the cost of desalting water drops sharply and progressively as the size of the installation increases, it is probable that sweet water produced by these huge plants would cost not more than 15 cents per 1000 gallons—and possibly considerably less as we gained technological experience. This is well within practical range for many types of crops. At least 1750 square miles of barren land could be made arable—a long step indeed toward the fulfillment of the ancient dream of desert dwellers.

A POWER FOR PEACE

The Middle East plants, like the Bolsa Island installation, would be dual-purpose; in addition to water, they would produce an enormous amount of electric power. Some of this would be used in pumping water to areas as distant as Syria and Jordan, and perhaps under the Suez Canal to parts of Egypt. The rest would be utilized for the manufacture of needed fertilizer and other industrial purposes; a plentiful supply of electrical energy would bring to the Middle East vast new complexes of industry, just as it has to many other parts of the world.

The proposed plan would thus help solve the problem of the more than a million Arab refugees. When the Republic of Israel was established in 1948, hundreds of thousands of Arabs living there left their homes and moved into refugee settlements in neighboring Arab states. There, in camps, most of which are a disgrace to the civilized world, many of these people exist in idleness and poverty, with little hope, supported largely by a U.N. dole. Large numbers of them could be employed in building the new installations and water conduits and in preparing the land for irrigated crops. Later, a great many could doubtless be settled on the new farming areas in the Arab countries.

The cost of the project would be at least a billion dollars, and we emphatically do not suggest that it be paid for by the United States. There is every reason to suppose that it could be a successful, self-sustaining business enterprise, whose revenue would derive from the sale of its products—water and electricity—to the users. Our government would make an initial investment in some of the corporation's stock, and the rest would be sold to private investors in the security markets of the world. Additional money would be raised through the international marketing of convertible debentures. We are assured by international bankers that the financial world, under normal conditions, would welcome such an investment opportunity.

Fortunately, an agency already exists to supervise the operation of these great plants, allocate the uranium and make sure that none of it is ever used for military purposes. It is the International Atomic Enery Agency, first proposed in my 1953 Atoms-for-Peace speech and established in 1957 as an arm of the United Nations with headquarters in Vienna. Its primary function is to encourage the peaceful uses of atomic energy on a worldwide basis. All of the Middle East nations involved in our present proposal are IAEA members. During my administration, the United States allocated to IAEA, for peaceful uses abroad, a considerable quantity of uranium. More than enough for the Middle East plants is still available.

When our proposal was publicly announced in 1967, it received wide mention and almost universal approval in the press. Our hope was that the Administration would help push it to fruition, but thus far it has merely been referred to the State and Interior departments and the Atomic Energy Commission for study. Most of the professional diplomats seem to think that we must have peace and stability in the Middle East before the plan can be implemented. I contend that the reverse is true: *the proposal itself is a way to peace.*

In the autumn of 1967, however, Sen. Howard H. Baker, Jr., (R., Tenn.) introduced in the U.S. Senate a resolution endorsing the plan. After extensive hearings the Foreign Relations Committee approved it unanimously, and it was then adopted without dissent by the Senate. (As yet, the House has not taken similar action.) Although the resolution is merely an expression of approval and does not actually implement the plan, this fine bipartisan support was more encouraging.

Unhappily, the proposal has thus far received only modest attention in the Middle East. Official and energetic action by our Administration is needed to get the ball rolling there. I am convinced that, once these nations understand the plan and what it can mean to their peoples, they will be eager, despite age-old prejudices, to join hands in the venture. And I believe that there is no better place to give our new technology a full-scale tryout. For there we would have two great humanitarian purposes—prosperity and, above all, peace!

THE HONORABLE JOSEPH W. MARTIN, JR.

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. NATCHER. Mr. Speaker, on last March 6 the House of Representatives and this country as a whole, lost one of the great personalities and statesmen of our times in the passing in Florida of our former colleague and Speaker, the Honorable Joseph W. Martin, Jr.

This outstanding legislator, whose humility and dignity lent charm to any occasion, will long be remembered for his great contributions to the era in which he lived and served with rare distinction. Joe Martin was recognized throughout this country as a leader of men, dedicated to the principles of sound government.

I respected Joe Martin for his outstanding abilities as a lawmaker and admired him for his dedication as the chosen representative of his people. His devotion to his duties as Speaker of the House will forever be remembered as will be his numerous fine accomplishments in the Congress.

CROSSVILLE STUDENT IS TOP SPELLER

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BEVILL. Mr. Speaker, a young man from my congressional district, Joey Hyde, of Crossville, Ala., won first place in this year's annual Alabama spelling bee. Joey, 14, is an eighth grader at Crossville High School. The son of Mr. and Mrs. John J. Hyde, Joey is an all "A" student and active in school affairs. We are all proud of Joey and looking forward to his participation in the national spelling competition, to be held in Washington, D.C., in June.

Runnerup in the bee was another constituent of mine, Miss Judy Gardiner, 14, of Gadsden, who was representing Etowah County. Miss Gardiner is to be congratulated for her fine showing.

At this point, Mr. Speaker, I insert in the Extensions of Remarks of the CONGRESSIONAL RECORD an article from the Birmingham Post-Herald which tells of Joey Hyde's victory:

CROSSVILLE BOY TOP SPELLER

(By Carl Guy)

If anyone is convinced of the effectiveness of lucky charms, it's Joey Hyde, 14-year-old eighth grader from Crossville High School in DeKalb County, who won first place in the 41st annual state finals of The Post-Herald Spelling Bee Saturday.

"I kept twiddling in my pocket a lucky silver dollar my uncle gave me," Joey said.

But it was more than luck that gave him the title of state champion speller.

Joey is an all "A," ideal student at Crossville High School, his English teacher, Mrs. Ruth Cole, said. He is interested in science.

He is not only a smart, good-natured student, but has lately became interested in patriotism and is conscientious, Mrs. Cole said.

Joey has started an "Anti-Communist Party" in his school where he and a group of 10 other students pass out pamphlets to teachers, students and anybody who cares to listen.

"We are trying to awaken and inform people of Communism and its dangers," he said.

Joey is the son of Mr. and Mrs. John J. Hyde, and has a sister, Kathy, 12.

His prizes for winning first place in the contest are a Zenith portable television, made possible through the local distributor, Hart-Greer; a 24-volume set of Encyclopedia Britannica, and a Paper Mate inscribed pen and pencil set.

But the biggest prize for Joey will be the trip to Washington, June 3–8, where he will represent Alabama in the national finals on Thursday and Friday of that week.

The all-expenses paid trip includes transportation by jet to Washington, hotel accommodations at beautiful and historic Mayflower Hotel, meals, tips, sightseeing and other entertainment.

Runner-up in the Bee, giving Joey a tough struggle for the top position was Judy Gardiner, 14, Gadsden, representing Etowah County.

The daughter of Mrs. A. P. Gardiner, Judy is an eighth grader at Disque Junior High School.

The other 58 finalists also did a splendid job of spelling—struggling, concentrating, squirming and sometimes guessing at some of the harder words.

Coming up in the other five top places were:

Third place—Margaret Mathees, 12, daughter of Mr. and Mrs. Walter Mathees, a seventh-grader at Westlawn Junior High School, Huntsville, representing Madison County;

Fourth—Susan Campbell, 13, daughter of Mr. and Mrs. E. H. Campbell, an eighth-grader at Georgiana Public School, Butler County;

Fifth—Wendy Wecht, 14, daughter of Mr. and Mrs. David Wecht, an eighth-grader at Cullman Junior High School, Cullman County;

Sixth—Brenda Nixon, 13, daughter of Mr. and Mrs. Edgar L. Nixon, eighth grade, Carlisle Park School, Guntersville, Marshall County; and

Seventh—Pam Hansen, 14, daughter of Mr. and Mrs. George K. Hansen, an eighth-grader at Monroe County High School, Monroeville, Monroe County.

They received as prizes the Lincoln Library of Essential Information, Britannica's World Atlas and Book of the Year and a hard cover World Almanac.

Joey's school will get the Britannica film service free for one academic year, one film each month.

Officials of the contest, with a difficult task at times during the bee, did a fine job of pronouncing and judging.

They were Stuart Mims, pronouncer, former director Birmingham-Southern College; judges, Mrs. Elibabeth McNair, Latin teacher at Huffman High School; Robert D. Dortch, director of admissions at Southern, and William J. Dempsey, professor of English at Jefferson State Junior College.

In the contest were five returnees from last year's bee who were eliminated late in the event: James Smith, Dale County; Thelma Jean Heflin, Clay County; Barry Vaughn, Blount County; Jan Cardwell, Coosa County; and Shelia Bishop, Cherokee County.

Joey was also a returnee from 1966 where he was eliminated on the word "bursar."

The Spelling Bee is sponsored annually on a national level by the Scripps-Howard Newspapers and in Alabama by The Birmingham Post-Herald.

HON. JOSEPH W. MARTIN

HON. W. R. HULL, JR.

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. HULL. Mr. Speaker, it is fitting and proper that we should pause, consider and pay homage to the deeds and the memory of our late colleague, the Honorable Joseph W. Martin, who served in this body for more than four decades.

Only as this body and this Nation remember the deeds of the great men who have served here do we find for ourselves the inspiration to achieve great things for our country and the future.

Joe Martin loved, lived and, to some extent, made the history of America. It was this love and this desire to make America great that led to his many achievements in the Congress and to his splendid service as Speaker of the House.

He was beloved by all Members of the House of Representatives for his many contributions to good government and for his unfailing kindness and courtesy. His guidance, his vision and his fierce dedication to the Congress and its traditions have become monuments to responsibility in public office.

Few men in the history of our Nation served so ably or so long. We shall miss Joe Martin on both sides of the aisle in the House of Representatives.

COLORADO SECOND CONGRESSIONAL DISTRICT 1968 OPINION POLL

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BROTZMAN. Mr. Speaker, one of the most useful tools available to me in keeping up to date on the feelings of my constituents on domestic and international issues is my annual opinion poll.

Last year this poll, which I initiated in 1964, resulted in a floodtide of responses from the men and women of my district. By computer count, 49,391 constituents registered their opinions, which certainly ranks my district as one of the most responsive—if not the most responsive—in the Nation to polls of this type.

In a few days my 1968 opinion poll will be in the mail. When the results are in, I will make them available to all of my colleagues in the form of a CONGRESSIONAL RECORD insert.

So that all of the Members may have an opportunity to examine the format of my poll at this time, I am submitting a copy of the text of the poll ballot for reproduction in the RECORD, as follows:

COLORADO SECOND CONGRESSIONAL DISTRICT
1968 OPINION POLL

DEAR FRIENDS: Once again I need your opinions on some of the major problems facing our nation. Your views will be of great value to me in the months to come as I debate and cast your vote in Congress.

With the assistance of the Library of Congress, I drafted eight questions which would give me insight into your thinking on both domestic and international issues.

I am again utilizing punch-out cards as ballots. It is the best method available for tabulation of all opinions quickly and accurately, inasmuch as automatic business machines do the counting.

Please take a few minutes to read the questions, and then push out appropriate answer-squares with a sharp pencil. Then place the card, unfolded, in an envelope and mail it to me at my Colorado office within a week of receipt. The address is: Building 40–Room 202, Denver Federal Center, Denver, Colorado 80225.

Sincerely,

DONALD G. BROTZMAN,
Member of Congress.

Colorado Second Congressional District 1968 opinion poll

(IF MARRIED, BOTH HUSBAND AND WIFE MAY PARTICIPATE)

	Men's opinions			Women's opinions		
	Yes	No	Undecided	Yes	No	Undecided
1. Do you favor current administration efforts to achieve a negotiated settlement in Vietnam?	☐	☐	☐	☐	☐	☐
2. The National Advisory Committee on Civil Disorders recommends that the Federal Government substantially increase expenditures for antipoverty and other social programs. Do you approve?	☐	☐	☐	☐	☐	☐
3. Do you support the administration's proposed income tax increase?	☐	☐	☐	☐	☐	☐
4. Should Federal tax credits be granted to business and industry for training of "hard-core" unemployed who otherwise would not be considered for hiring?	☐	☐	☐	☐	☐	☐
5. Should the Federal Government return a fixed percentage of income tax revenues to schools, local and State governments for use as they see fit?	☐	☐	☐	☐	☐	☐
6. Do you think the administration should do more to combat inflation?	☐	☐	☐	☐	☐	☐
7. Should Communist China be admitted to the United Nations?	☐	☐	☐	☐	☐	☐
8. Do you think more of our Federal, State, and local resources should be channeled into law enforcement?	☐	☐	☐	☐	☐	☐
	A	B	C	A	B	C
Your age group: A. 20–35 B. 36–49 C. 50-over	☐	☐	☐	☐	☐	☐
	A	B	C	A	B	C
Political affiliation: A. Republican. B. Democrat. C. Independent	☐	☐	☐	☐	☐	☐

Occupation head of household: A. Business or professional. B. Industrial worker. C. Government. D. Farmer. E. Educator. F. Retired	☐	☐	☐	☐	☐	☐
	A	B	C	D	E	F

FREEDOM'S CHALLENGE

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BIESTER. Mr. Speaker, one of my constituents, Miss Margaret Gladfelter, who is a student in the 10th grade of Bristol High School, Bristol, Pa., won the Voice of Democracy contest recently held by the Chester W. Terchon VFW Post in my congressional district. During a time when some of our young people seem to misunderstand the nature of the challenge facing freedom, it is encouraging to read these thoughtful words of her winning essay. I commend them to my colleagues, as follows:

FREEDOM'S CHALLENGE

(By Margaret Gladfelter)

Freedom, to us, as Americans, is as important as life itself, for where would we be without it? Think of how dreadful our daily lives would be if we did not possess the freedoms of worshipping as we please, speaking what we want heard, and writing what we want read. Think of our privacy, the owning of property, the right to a free trial by jury, and the provisions for an education so necessary for a good future.

Freedom, a privilege which is valuable beyond recognition, is ours to enjoy and value, but along with this freedom come challenges which we must meet if freedom is to survive.

As a student in a school in the United States of America, I must keep these challenges uppermost in my mind, and do my best as an individual to meet them, so that in this way, I can set an example for others to follow.

Maintaining respect for police and the law is a great challenge in our land today. Are we, as free American Citizens about to become a police state, or are we going to learn to handle freedom, in the right way, so that it is an advantage, not a disadvantage to us? Today, so many people are trying to oppose the law of the land. Little do we realize that police forces are trying to secure and enforce the laws which keep us a free nation . . . Can we meet this challenge? Can we show them the respect which they deserve, and let them help us, or do we have to rebell, and make matters worse?

Take for example the brave men who enter the armed forces so we can keep our freedom. Look at the way we are all so much against letting our beloved men go off to fight, even though it is for the good of the country. We'd rather have them home, by our side, than have them away from us, fighting for freedom.

In our Constitution are several rights which are ours to obey (or disobey). This is our choice. This is our challenge. We have freedom of speech. We can use this wisely, or we can use it in a way that would be harmful, or slanderous. As long as we abuse the freedom of speech and as long as we lie and are dishonest in exercising this privilege, we are demeaning ourselves, and our integrity suffers. Individual integrity, if developed, will give us integrity as a nation, and only as integrity develops among us, will freedom, unabused, develop. Yes, it's all up to the individual. We have these rights, but along with them, hand in hand, go duties or challenges.

An example of this is that we are supposed to have equal rights, equal respect, equal privileges—and yet look at the poor people. There are people in this country today with no clothing, people who are homeless, or live in homes with no modern facilities, people who are starving, or dying because of lack of medical help. These people have little prospect of bettering these conditions. It is our challenge to help these people who need us so desperately.

It is our challenge to look at the Negro as our equal, not as if he is below us. All men are created equal, and the Negro is a human being, just as we are, with feelings, fears, hopes, and joys, and yet some of us do not regard him as equal to us. He is black, so therefore he hasn't the right to live in a nice home, eat to his heart's desire, or get a good job. Is this fair? No! This is a challenge, where indeed we have failed. If we do encourage and inspire the Negro to meet his challenge, too by helping him to accept the opportunities for education, and job training the inequities could be eliminated.

Complete freedom for all men is an ideal which is very difficult to obtain, and only as the mind and spirit of men matures, will freedom grow in our land. If we accept the challenges with which we are faced daily, and strive to meet them, we will then make progress in our quest for complete freedom!

HAVEN: HELP ADDICTS VOLUNTARILY END NARCOTICS

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. KUPFERMAN. Mr. Speaker, on Saturday night, May 11, at the New York Hilton Hotel in my district, HAVEN, Inc.—Help Addicts Voluntarily End Narcotics—a free clinic for treatment of drug addiction and abuse, held its fifth annual function which was attended by many celebrities, and specialists on narcotics problems.

A partial list of those involved who, with Dr. Robert W. Baird, director of HAVEN, made the evening a success, were: George Aspland, district attorney, Suffolk County; Abe S. Berliner, commissioner, Drug Control, New Jersey; Abraham Bernstein, New York State senator; Edward Burkhardt, M.D., president, New York County Medical Society; Rev. Oberia Dempsey; Barry Farber, WOR; Henry Fineberg, executive vice president, New York State Medical Society; Norman Frank, PBA; Joe Franklin, WOR–TV; Dorothy Gordon, NBC, Youth Forum; Aaron Koota, district attorney, Kings County; TED KUPFERMAN, Congressman, New York; Jim Jensen, CBS commentator; Tom Mackel, district attorney, Queens; May Okon, New York Daily News; JOSEPH RESNICK, Congressman, New York; Rt. Rev. Msgr. Peter Rofrano; Alan Schwartz, president-elect, County Medical Society; William Storke, vice president, NBC–TV Network Program Department; David A. Werblin, president, New York Jets; and William Wheeler, executive secretary, New York County Medical Society.

Because of the importance of the occasion and the value of the work done, I am pleased to bring to the attention of my colleagues the statement distributed to those in attendance regarding HAVEN and its mission, as follows:

HAVEN, INC.—HELP ADDICTS VOLUNTARILY END NARCOTICS

DEAR FRIEND: We want to thank you this evening for attending HAVEN's Fifth Annual Dinner-Dance. To some of you HAVEN is no stranger, but others may be unfamiliar with our work. HAVEN is the only free ambulatory narcotic and drug withdrawal clinic in this country which does not use synthetic narcotics for withdrawal. HAVEN offers its free services to drug addicts from any area in the United States nightly from 10:00 P.M. to 4:00 A.M. They need not be residents of the State of New York.

HAVEN is located in the heart of the addiction world, in fact, the capital of drug operations in the United States—Harlem. We treat all individuals even those who are guilty of felonies, including manslaughter. When drug addicts need help, they should not be placed in the position where they have to say, "I do not know if I qualify because I have committed a felony." We at HAVEN feel that the addict is in need of help, and HAVEN's doors are always open, at no cost to the taxpayer. We receive no contributions from Federal, State or City funds. HAVEN is supported solely by Dr. Robert W. Baird and through private donations.

Under the direction of Dr. Baird, who has lived in Harlem for twenty-one years and treated drug addicts for sixteen years. HAVEN has developed practical approaches to the control of drug abuse. HAVEN has been the leader throughout the nation in prompting new legislative approaches to the problem.

As you sit here, watching the entertainment and waiting to dine, just think how fortunate you are not to have the problem of drug addiction in your home. However, do not become complacent . . . don't say to yourself, "It can't happen to me." At HAVEN we have seen the young son of a Commissioner of Mental Health on drugs, a judge's son nearly hopelessly addicted, a doctor, a nurse and even a seminarian cursed with the scourge of addiction.

It is a rather sad commentary on today's living that the marks of success which once were held lofty—such as owning a home, getting a college education, achieving independence and having respect for law and order—have now been thrown aside. New dicta have been set forth by many people, such as reward the lazy and indolent and penalize the successful. How did this come about? Because so many people in public life are well intentioned but have lost sight of their convictions of the worth of diligent efforts.

In the realm of drug addiction treatment, we do not have a credibility gap in New York but a tremendous "professional gap of inexperienced leadership," where the knowledgeable are the exception rather than the rule. Some examples:

1) Governor Rockefeller has appointed as the president of his Narcotic Control Commission a doctor who wants to decrease the penalty for the possession of marijuana and calls present laws ridiculous. This man should work in Harlem with addicts and learn the dangers of marijuana. His reasoning was compounded even more critically when on a television program he made the incredible statement that if he were to take LSD he would take it under the supervision of Dr. Leary, the high priest of the LSD world. Do you wonder why our youngsters are confused?

2) The lawyer who represents legal counsel for the New York State Narcotic Control Commission, which controls the whole program for the State, has come out for decreasing the penalty for the possession of marijuana.

We wish these men would work in private life and observe the dangers of marijuana on a street level rather than on an administrative basis. Others, after being graduated from law school, immediately become assistant district attorneys without any practical experience or knowledge of how to communicate with people. One must develop insight into the frailties of people by dealing daily with them. Many of these so-called authorities will terminate a discussion by sheer weight of their office.

As you know, in the past seven years, the architecture of the whole State program on addiction was developed as Dr. Baird diagramed it, printed it and saw it reprinted in the New York papers; it was a service to the public and didn't cost the State one penny! We at HAVEN have asked the Governor to discuss the problem with Dr. Baird. But the Governor has been too busy to come to any of our dinners. Is he not concerned that each year 800 youngsters die from an overdose of drugs in New York City?

We can't ask him to fly down in a chartered plane to comfort the mother of a 17-year-old youngster who died from an overdose, but couldn't the Governor just once in six years come to our dinner or to our clinic, which has been the leader in the field of legislation and treatment on an ambulatory basis? Millions of dollars have been saved because many drug addicts treated at HAVEN are now clean four and five years, working and contributing taxes—and not stealing!

We at HAVEN have asked repeatedly why the Governor does not have one single private practicing physician on either of his boards or commissions on drug control. All are institutional men. Liaison with private doctors is a necessity if we are to progress in the fight against addiction.

The Governor's program, which started out with wonderful intentions, has been bogged down by poor implementation. Its own commissioner has made Dr. Baird "persona non grata." Commissioner Pierce says, "Don't criticize our program, doctor," but these very people can criticize the President of the United States at will. We recommend that the Commissioners and their personnel be trained at these centers for a period of at least six months with people who know the problem. We are dismayed that lay people, former addicts, clergy and lawyers who have never been trained, give lectures about drug addiction.

Looking at the dais, one notices the Governor, Mayor and the United States Senators from New York, singularly missing. It is disappointing, since HAVEN is a free clinic that has been operating in Harlem for many years. These men should give us some vote of confidence so other private doctors and lay people may be encouraged to donate their time and facilities free to the public to take care of addicts, rather than having to add more and more salaried personnel to the staggering three quarter billion dollar budget just for drug addiction.

We may seem cynical, but really we are not—just frustrated. We wish that some of the people who are not here tonight or haven't visited our clinic would read the lyrics of the song, "To Dream the Impossible Dream," from the Broadway show, "Man of La Mancha." It reflects our aims.

This Monday the Governor will be the keynote speaker at a drug addiction symposium concerning the State program. We wish him well. HAVEN has conducted symposiums on drug addiction in high schools and colleges for the past six years. The last two were all-day symposiums, held at the New York Hilton Hotel for high school and college students as well as members of the faculties, with free registration. HAVEN has been a leader in this area.

We have no doubt that finally many of HAVEN's suggestions will be adopted, particularly the educational approach, with special emphasis on getting industry to give jobs to former drug addicts, a plan Dr. Baird has offered since 1962. It is only fitting that we congratulate the Governor for recognizing again the importance of recommendations set forth by Dr. Baird, although we would like the Governor to acknowledge HAVEN's efforts.

At HAVEN, we believe the following should be implemented in addition to what you see in the HAVEN HOPE newspaper:

(1) A 50 year prison term for pushing of drugs by the non-addict pusher

(2) Federal follow-up clinic in New York

(3) Expansion of The Federal Bureau of Narcotics

(4) Periodic check-up of elementary, high school and college students for drug addiction

(5) Mandatory courses each semester for students as well as seminars for teachers, principals, superintendents and deans.

Have a wonderful time—and please make it a must for next year.

THE HAVEN COMMITTEE.

IN TRIBUTE TO THE LATE JOSEPH W. MARTIN, JR.

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. CLEVELAND. Mr. Speaker, on Wednesday, March 6, this Nation was saddened by the news of the death of Joseph W. Martin, Jr. With his passing, the House of Representatives lost one of its most beloved sons and the United States one of its most loyal citizens.

Joe Martin devoted most of his long career in the service of his country. After a short tour of duty in the Massachusetts House and Senate, and then after a brief retirement from public life, he returned to go on to Washington as his district's Representative in Congress. There he was to remain for 42 long and productive years. In a true sense, the House became his home.

Joe was a strong proponent of America's two-party system. During the lean years of the Roosevelt administration, he became the guiding light of the Republican Party. It was in great part through his efforts that the party recovered from a disastrous election in 1936 when only 88 Republicans were elected to the House. In 1939, the Republican ranks swelled to 169, and in 1947, the Republican Party took over the majority in the House.

For this contribution, Joe Martin became the Republican leader, a position which he held for 20 years. During two Congresses, the 80th and the 83d, he was Speaker of the House. All over the country, Joe Martin was known by that well-deserved title of "Mr. Republican."

I have fond memories of Joe Martin. Back in 1963, when Joe was in the waning years of his career, and I was a freshman Congressman in search of guidance, he helped me get over some of the first bumps which every new Congressman must face. He used to meet with a group of us every week, and over lunch we would discuss the issues at hand. I often found his advice and help in those years to be invaluable.

A great man was lost last March 6. It has been men like Joe Martin which have made the House of Representatives a great legislative body. To the members of his family, I send my deepest sympathy and for his memory may we all be grateful.

THE ARNHEITER CASE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. RARICK. Mr. Speaker, the Navy has tried unsuccessfully to sweep the affair involving Lt. Comdr. Marcus Aurelius Arnheiter, U.S. Navy, under the rug. This matter no longer is merely Navy—it has become a command matter affecting the services.

The American people continue to seek more information—answers which are lacking. Not one-sided information from an ad hoc hearing nor leaked from the Pentagon but a full-scale inquiry by adversary proceedings.

It is no longer a question that full disclosure may affect the nonexistent image of an infallible Navy—the Arnheiter case reaches the very integrity of the command of the U.S. Navy and its defensive capabilities.

No American wants to be placed in the position of attacking our Armed Forces command, but every American who loves his country believes in fairness and justice.

Lieutenant Commander Arnheiter's case now weighs heavily on the mind of the master of every naval vessel—does he or the junior officers, perhaps the crew—decide command. Discipline, if not supported, could destroy the Navy like the dissidents at Columbia University.

There is no way out for the command.

A court of inquiry must be had. Arnheiter must be lawfully charged by specifications—a hearing held and then Arnheiter either removed for cause or acquitted and restored to command.

There is no reason for the Navy to fear the truth. And these rumors and stories must once and for all be put to rest.

I include James Kilpatrick's article from the March 26 National Review and the Evening Star for May 14, 1968, and a public affairs release by Maj. Gen. Thomas A. Lane, retired, as follow:

[From National Review, Mar. 26, 1968]

THE ARNHEITER CASE—FIGHTING CAPTAIN OR SLAVEDRIVER?

(By James Jackson Kilpatrick)

"HE MIGHT HAVE BEEN ANOTHER HALSEY"

Marcus Aurelius Arnheiter, lieutenant commander, USN, assumed command of U.S.S. *Vance* at Pearl Harbor on December 22, 1965. His ship was an aging destroyer, commissioned at Houston in 1943, mothballed after World War II, then recommissioned in 1956 for radar picket patrol in the

Aleutians; she was named for a young American lieutenant who died at his battle station aboard the Australian *Canberra*, sunk at Coral Sea. Now, just before Christmas, 1965, she had returned from one patrol off Vietnam and was about to go out on another. Her new skipper was forty. This was his first command.

It was also Arnheiter's last command. On March 31, 1966, when *Vance* was at Subic Bay to take on stores, Arnheiter was summarily relieved. He was restricted overnight to his cabin, under guard. Then he was beached. He had served in command for precisely 99 days.

All this was two years ago. Those 99 days, and the ordeal that followed thereafter, make up "The Arnheiter Case." The affair has provoked blazing controversy within the Navy; it has divided admirals against admirals; it has destroyed not only Arnheiter's career but also the career of Captain Richard G. Alexander, a brilliant officer, destined for flag rank, who had been assigned to the battleship *New Jersey*. In certain of its aspects, the Arnheiter case offers an absorbing parallel to Herman Wouk's *The Caine Mutiny*. It has overtones of Kafka's *The Trial*. Boiled down, it is the story of one man, utterly devoted to the Navy, who was stripped of command as a consequence of his own hard-driving temperament and the covert actions of other men.

For Marc Arnheiter and Richard Alexander, the story has ended. No conceivable action, whether by congressional investigation or by a belated Court of Inquiry, could restore their broken careers. Yet the story bears telling if only as a reminder of the importance that ought to be attached to the fate of the occasional one man, non-conforming, whose sin is to try too hard. And there is always the thought that one day another such case will come along; if the Navy profits from its blunders in the Arnheiter case, next time the Navy may do better. Perhaps the next Arnheiter will profit, too.

DREAMS OF GLORY

The file on Marc Arnheiter now amounts to hundreds of pages of findings, petitions, reviews and correspondence. From these, the character of the man emerges with the poignant clarity. Born in New Jersey in 1925, he learned to sail and shoot as a boy at his family's summer home in Maine. He was military all the way. His one ambition was to find a career in arms. As a plebe at the Naval Academy in 1948, young Arnheiter found his greatest inspiration in Elbert Hubbard's *A Message to Garcia*. It became his favorite work; for the next fifteen years, he would draw incessantly, almost obsessively, upon the example of the young lieutenant who let no obstacle deter him from the path of duty. Arnheiter had other heroes, too—Nelson, Farragut, John Paul Jones, Douglas MacArthur. He used to lie on his bunk at Annapolis, dreaming a boy's dreams of danger, combat, glory. He was impatient with classmates who failed to measure up to the purity of his own ideal.

Perhaps he dreamed too much. Arnheiter was graduated from the Academy in 1952 in the top third of his class, but with no remarkable honors. As an earnest young ensign, handsome, serious, he went off to duty aboard the battleship *Iowa*, engaged in shore bombardment in the Korean War. Tours of duty followed in the North Atlantic and the Mediterranean. He served as gunnery officer on the destroyers *Fiske* and *Coolbaugh*, then as operations officer on the destroyer *Abbott*. In 1960 he came to Washington for three years of shore duty in the office of the Chief of Naval Operations. Then back to sea on the guided missile frigate *Worden*, and from there to the destroyer *Ingersoll*. And so, three days before Christmas of 1965, to *Vance*.

These years of preparation had their ups and downs. Arnheiter has an essentially Prussian sense of discipline. Even as an ensign, he established a reputation as a spit-and-polish officer who demanded smartness of his men. There were times, it is said, when he seemed to be obsessed with the angle of a sailor's cap. He demanded perfection, which made it all the more embarrassing when he delivered something less than that himself. He once lost his way in the Charleston harbor, took a wrong channel, and came within a mile of running a destroyer into Sumter. He took a royal ribbing for it.

An Arnheiter legend began to develop. He fell into serious personality conflict with a senior commander at the time he was serving on *Fiske*, and wound up with such an unsatisfactory fitness report that he was passed over for promotion to lieutenant. During his period of Pentagon duty, he exasperated some of the carrier admirals with his strong opinions on their shortcomings in anti-submarine warfare. He got in trouble with articles he wrote for defense publications. He even put his hand to a novel, published by Doubleday under the nom de plume of Alexander Zhdanov, in which he made his criticisms sharper.

If he accumulated some liabilities in these years, he built up some assets too. He took a master's degree in personnel administration from George Washington University. While in the South China Sea, he wrote a tenth edition of the *Watch Officer's Guide*, an authoritative manual published under the prestigious auspices of the U.S. Naval Institute. He made staunch friends among senior officers who shared his view on the role of surface combat ships. He won promotion to lieutenant, then to lieutenant-commander. And as executive officer of *Ingersoll*, he achieved a superlative record.

THE NEW BROOM

Arnheiter's eighteen months on *Ingersoll* merit special mention, for it was here, in the period immediately preceding his abortive command of *Vance*, that he conceived certain programs that were to bring his downfall later. He saw the ship's sailors as a sloppy lot and viewed his junior officers as something less than fledgling Farraguts. As the ship's exec, he set out to shape them up, by relentless inspections, patriotic exhortations, demanding drills. He formed a rifle team. He cracked down hard on infractions in dress and demeanor. After a period of resentment, the officers and crew came around; they came to understand and to respect Arnheiter's passionate pride in the naval service. Their glowing testimonials to Arnheiter, volunteered many months later, are among the most persuasive exhibits in the Arnheiter file. Demonstrably, he could lead men, and inspire them to better service. It was his top-flight performance on *Ingersoll* that won him command of *Vance*.

You can hear two accounts, diametrically opposed, of the ship that he inherited that Christmas at Pearl Harbor. On the record, there is evidence that *Vance* was in good condition; she had won an "E" for excellence in engineering; her crew had led the squadron in September gunnery trials; she had been nominated by the commander of Destroyer Squadron Five for unit commendation by the Secretary of the Navy.

A wholly different impression emerges from other sources. Second Class Petty Officer B. D. Mathews, for example, says that the ship "was infested with roaches, and the crew wore sloppy, torn and dirty uniforms." Signalman First Class Wilbert Boson concurs: "The ship was full of cockroaches before Lt. Cdr. Arnheiter took over. During the nine months before he assumed command, the ship was not the kind of ship you normally think of when you think of a destroyer. In other words, it was lax." A former photographer's mate says that in the pre-Arnheiter period, "there was no discipline on board. Seamen would tell their superior officers to get lost if they didn't like an order. They used foul language to do it, too." Other enlisted men have testified to brutal fights below decks.

Arnheiter's own recollection is vivid: "The ship was literally crawling. Cockroaches were everywhere, in the food, in the bunks, in the wardroom. The ship was coffee-stained and generally filthy. Berthing, messing and working spaces were untidy. Damage control procedures were deficient. I was told the crew had been put through general quarters battle readiness drills only six to eight times in the preceding nine months. Hooliganism was rampant among the men. Petty officers could not maintain authority. The junior officers were lax and easy-going. There was an air of boredom and indifference."

Two days after assuming command, Arnheiter talked with Rear Admiral Henry S. Persons, commandant of the Pearl Harbor Naval District. Persons warned him of the crew's poor reputation. The warning was so much fuel for Arnheiters' boilers. At the first opportunity, he summoned his startled sailors to the fantail and let them know a new day had arrived. In her most recent cruise, *Vance* had stayed well out to sea; he proposed to take her where the action was. He promised danger, fun, excitement. Chief petty officers would have his support, but he would expect top performance from them. Inspections would be frequent and tough. The Plan of the Day would be strictly adhered to. Military courtesy and custom would be observed throughout the ship. He wanted a taut ship, and he wanted it fast.

On 28 December, the *Vance* left Pearl Harbor, bound first for Guam and then for Vietnam.

Several incidents occurred in these few days that were to bulk large later on. On Christmas Eve, *Vance* was quietly moored to her pier. Stuck aboard on duty was Lieutenant William Thomas Generous, whose pregnant wife was with him. Arnheiter was struck by the thought that he and his wife Janice ought to go aboard to commiserate with them. She brought along a milk bottle filled with eggnog. The four of them each had a cup.

A day or so after Christmas, Marc and Janice Arnheiter were on the beach at Waikiki. Ensign Luis Anthony Belmonte, *Vance's* gunnery officer was with them. The Arnheiters clambered aboard one of the outrigger canoes that ply the surf. Arnheiter had a camera with him. He asked Belmonte to take their picture. Belmonte, kicking off his loafers, waded into ankle-deep water, took the camera, and made the picture.

Prior to the change of command ceremony on 22 December, in accordance with Navy custom, announcements were mailed to prospective guests. Lieutenant (j.g.) K. D. Hamaker, as postal officer, asked Arnheiter to pay the $11.50 postage on them. In some irritation, Arnheiter said he never had heard of a new C. O. paying such a bill; he told Hamaker to find an alternative way. The matter languished.

At one of his first wardroom luncheons before leaving Pearl Harbor, Arnheiter proposed that the ship's welfare and recreation fund be tapped for $950 to buy a speedboat equipped for water skiing. Ten of the thirteen officers were present. No one objected. The boat was purchased and put aboard.

MOVING TOO FAST?

Meanwhile, Arnheiter threw his furious energies into getting *Vance* cleaned up and cockroach-free. His principal agent in this work was his executive officer, Lieutenant Ray Stirling Hardy. He had long talks with Hardy, in which he sought to inspire him to new concepts of executive authority. Hardy was to jack up the junior officers, keep them smart, see that inspections took on new meaning. Hardy was to make certain the junior officers were properly dressed and shaven. Naval regulations require officers to have dress swords, would he see that the regulation was enforced. The ship's new

motto would be "Seek Out, Engage, Destroy." And spread the word that the captain meant it.

Hardy reacted with some unease to these new-broom instructions. When *Vance* had been cruising under her former C.O., Lt. Cdr. Ross Wallace Wright, no such discipline had been enforced. (There was a coffee cup aboard, in fact, decorated on the bottom with a photograph of Wright, bearing the caption of "McHale.") The record indicates that Hardy thought there would be trouble and resentment in the wardroom, and the presumption is strong that he warned Arnheiter against trying to accomplish too much too fast. Arnheiter responded to these negative attitudes by telling Hardy the story of Lieutenant Rowan and the Message to Garcia.

Several events would figure in the case. Using his initiative at Pearl Harbor, Arnheiter had acquired fifteen extra Garand rifles for the *Vance*. With the enthusiastic cooperation of his weapons officer, he set up a special fire team. At Guam he scrounged some empty oil drums for targets. Later it would be alleged that he had violated procurement regulations; and several of the junior officers would complain that the target practice "made too much noise."

Arnheiter saw possibilities in the little speedboat. He had it mounted with a .30-calibre machine gun and painted the boat's prow with red eyes and shark's teeth. The charge would be that he should not have used a recreation boat for prosecuting the war.

Arnheiter yearned for a proper wardroom, composed of officers who were not only officers but gentlemen also. He wanted spotless uniforms, good manners, fine food. His efforts to achieve these amenities led Belmonte to remark, in disgust, that it was like living on an eighteenth-century ship of the line. There was probably much truth in this, for Arnheiter is filled with the tradition from which Horatio Hornblower was contrived. Alas, he looked about his wardroom on *Vance* and saw Belmonte unshaven, and young Michael McWhirter rumpled, and someone else with ketchup on his shirt. Some of the juniors crammed whole slices of bread in their mouths. It was more than Arnheiter's disciplined nature could endure.

As one corrective measure, he decreed a formal Navy Mess Night. "It was my intention," he has said, "to get the wardroom officers to realize that under my command they were no longer in 'McHale's Navy,' but were beginning a tour where the best in naval tradition would be observed." The party was set up for the night of 12 January at the Officers' Club in Guam. There was some grumbling that the affair would add to the officers' mess bill, but this could be adjusted against an unusually low bill for December. In the end, the dinner came off superbly.

Too superbly. Early in the evening, Arnheiter inquired of the club manager if any silver candelabra and demi-tasses might be available for purchase; he wanted to buy them for the wardroom. The manager regretted that he had none to spare. About midnight, after many toasts had been drunk, a couple of the junior officers were seized with the happy thought of making off with some of the club's candelabra. Amidst great hilarity, they staggered into the night. The following morning, an embarrassed Arnheiter brought the candelabra back. The headwaiter cheerfully told him to think nothing of it, but the incident would not be forgotten.

The Mess Night had another unfortunate aspect. When *Vance* arrived at Guam on 6 January, it became apparent that drastic repairs would have to be made to her starboard engine. The ship accordingly was put in "cold iron" condition. A six-by-twenty foot hole was cut in her side for removal of the ailing shaft. Generators were shut down. Under these circumstances, Arnheiter saw nothing wrong in leaving only a single officer in charge on the night of the party. The officer was trained in damage control; one-third of the crew was aboard. It seemed a reasonable arrangement; but it would become a "dereliction."

AS THE TWIG IS BENT

In these first few days of command, Arnheiter's primary concern was to inspire the crew with some of his own zeal for the naval service. Half of his sailors were youngsters, "fresh-caught and impressionable lads away from home who were on their way to a combat zone." Arnheiter's thought was to indoctrinate them not only with "a sense of patriotic purpose," but also with "an awareness of that part of our national heritage which has caused Congress to mint coins with the inscription, 'In God We Trust.'"

Toward this end, he instituted a series of "all hands" assemblies on the fantail. The first was on Sunday, 2 January; the second two weeks later, on the 16th; the third on Sunday the 23rd. Subsequent programs were held on Mondays through February and March. They followed the same pattern throughout—opening and closing prayers from the Naval Institute's manual; the singing of "America the Beautiful," "God of Our Fathers," "My Country 'Tis of Thee," the "Battle Hymn of the Republic," the Navy Hymn, and the National Anthem; a fifteen-minute talk on God and country, or patriots of the past, or the customs of Vietnam. The topics varied. Arnheiter insists the themes were "rigidly nonsectarian." Senior Navy chaplains who have reviewed the programs have found nothing objectionable in them.

But Lieutenant Generous did. He is a key figure in the Arnheiter case. In the limited parallel that is drawn with *The Caine Mutiny*, he would be cast in the role of the literate Lieutenant Keefer. He is tall, thin-faced, bespectacled. In 1964, prior to his tour on *Vance*, he had suffered an emotional breakdown brought on by his first destroyer service. He emerges from the record as a dominant personality, argumentative, sophisticated. Arnheiter has described him as "personally sociable, chronically dissenting, voluble, and extremely articulate." The two clashed at once. Before *Vance* left Pearl Harbor, Arnheiter recalls, Generous wanted "to see how far he could oppose me and get away with it."

Generous had made no secret of his strong objection to the "all hands" evolutions. Early on the morning of the 16th, prior to the second program, he composed a stiff message for Arnheiter:

"Subject: Meetings on Sunday, compulsory attendance at.

"Ref: (a) Constitution of the United States, Article I in amendment thereof.

"1. Your attention is respectfully directed to reference (a), which as interpreted by several recent significant court opinions, prohibits enforced attendance at religious services, however euphemistically disguised they may be.

"2. Please accept this letter as a statement of my desire and intent to preserve this constitutional right.

"W. T. GENEROUS, Jr."

At the bottom of this message, Generous had thoughtfully typed a few lines for Arnheiter's signature: "Returned, receipt acknowledged. You are hereby ordered to present yourself on the fantail this morning at 1025 to hear an address by executive officer, in accordance with the Plan of the Day."

The message never reached Arnheiter. Pursuant to channels, Generous gave it first to Hardy, as executive officer, for forwarding. The unhappy Hardy held it up. He gave Generous confidential advice instead. A week later, after the program of 23 January, Generous went below. Unknown to Arnheiter, he was writing a letter to a friend—a Catholic chaplain at Pearl Harbor, Lieutenant Richard L. Osterman:

"DEAR FATHER OSTERMAN: Alas, we're back in Market Time. I wish I could spend some time in passing generalities . . ., but my rage forces me to use my limited time particularly.

"The enclosed mimeos should speak for themselves. Three times now the crew has been ordered aft . . . for these euphemistic church calls. The first one I missed by virtue of having the Deck, and the second, thanks to the good taste of the Executive Officer, was innocuous. But today's gem was no more nor less than a Protestant service. LTJG Ward's address was secular . . . but the rest was flat religion, led and directed by the commanding officer.

"I have complained previously, both to the CO orally, and in a letter to the CO which was held up by the XO, who advised me 'not to jeopardize myself, but to seek outside help anonymously.' I do have the courage of my convictions, and I would refuse the order to lay aft on the basis of its unconstitutionality were it not for my responsibility to my wife and child-to-be.

"The Nuremberg trials settled for all time the loyalty a military man must show his superior. I cannot be openly disloyal to him, but I cannot accept illegality and infringement of my constitutional rights. I ask relief from this burden, but I do so anonymously, once again for the sake of my family. Is there something that you could do?

"Very respectfully,

TOM."

The events of 16 and 23 January, seen in retrospect, served to trigger the Arnheiter case. By failing to forward Generous's formal protest of the 16th, Lieutenant Hardy made alliance with him; he put himself from that moment in the untenable position of an exec who acts behind his captain's back. By seeking help "anonymously," through Father Osterman, Generous set in motion the forces that two months later would bring Arnheiter's ruin. It was at this same time that Ensign Belmonte contributed his bit to the anti-Arnheiter conspiracy by starting "Marcus's Mad Log" as a record of the skipper's bizarre behavior. The ship was now in a war zone. On 20 January, *Vance* had relieved the destroyer *Finch* on station in Market Time Area No. 3. Arnheiter had been in command for barely one month.

Arnheiter arrived off Vietnam just at the time of the Tet truce. He saw it as an opportunity for a close look at the shoreline. He wanted to see "where the enemy positions were, where the bunkers were, where the coastal contraband runners were believed to be based." On Saturday the 22nd, accompanied by a U.S. adviser on junk operations, he took the *Vance* within 1,500 yards of the beach and a thousand yards of shoal waters. The weather was excellent, the sea calm; and though no hostile action was expected, Arnheiter ordered the guns manned. Nothing happened, except that Lieutenant Generous, who earlier had scoffed at the ship's new motto as "too flowery," now complained that Arnheiter was getting "too involved in the war." In time, the incident would reappear as an allegation that Arnheiter had needlessly exposed his ship to danger.

For the next several weeks, Arnheiter was in his own seventh heaven, and those who loved action were in that heaven with him. The *Vance* prowled her sector searching for contraband and Vietcong. He put the ship's whaleboat into operation. He sent the smaller speedboat into shallows where the whaleboat couldn't go. He worked on suspicious Vietnamese with a psychological questionnaire. On the 27th, he engaged in an exceptionally bold foray. The incident brought the *Vance* a message from Rear Admiral N. C. Ward, operational commander.

"Your alert and aggressive action in detecting and investigating suspected infiltration attempt 27 Jan. is a refreshing example of individual initiative, well done."

On 28 January, while patrolling the northern sector, Arnheiter saw a chance to assist the destroyer *Mason* in a direct fire mission. He sent a message, begging for a target assignment. His opportunity came the next day, in support of the First Cavalry, when guns of the *Vance* landed seventeen "highly accurate" rounds from 1,200 yards. On the 30th, while chasing junks south of Qui Nhon in the company of the destroyer *Bache*, Arnheiter and others on the bridge observed hostile fire directed at *Vance* from a hillside. He returned fire from a thousand-yard range. A third firing occasion arose on 1 February, off Kim Bong, when an airborne spotter asked *Vance* for direct fire support of the cavalry. She provided it with gusto.

Most of the patrol was devoted to stopping and searching sampans. The activity went on round the clock. Arnheiter is a crack marksman. He kept a loaded rifle secured on the bridge. When a junk failed to stop on command, he often fired a shot over its bow. Sometimes Arnheiter would have two junks tied up fore and two aft, while the small boats were working still others. A sailor has recalled that the *Vance* checked more junks on a single day under Arnheiter than it had checked in the entire preceding cruise. "Something was always going on. The captain was a man who believed in getting things done."

On the night of 4 February, the *Vance* went in hot pursuit of three enemy junks that scuttled for shore. Ensign McWhirter, a first-class fighting man, roared after them. Unhappily, a South Vietnamese liaison officer, assigned to an accompanying armed junk, panicked and refused to join the risky operation. Arnheiter pledged with him to do his duty. A watching signalman later would testify that "everyone on the bridge realized that the liaison officer was yellow." Arnheiter's importunities failed; the Vietnamese officer fled ashore to complain of this demanding American captain. Arnheiter furiously messaged his squadron commander, reporting the officers' cowardice. Two months later, the incident would be used as evidence of Arnheiter's failure to manifest "the finest sense of discretion and tact in contact with the Vietnamese." All that happened at the time was that the operations officer from the Task Force came aboard at Qui Nhon, grinned at the speedboat, and put a friendly elbow in Arnheiter's ribs. "You have too much adrenalin," he said.

They were busy days and nights. Once the *Vance* sought to interrogate a Russian ship; Arnheiter cheerfully kept his peace when the Soviets signaled "Go to hell." Again, the *Vance* stopped three junks filled with refugees, mostly ragged women and hungry children. Arnheiter has five children of his own. He gazed at the pitiful bellies and ordered his supply officer to break out some candy. Told that Navy regulations did not permit such disposal of government property, Arnheiter snapped instructions to "survey some candy," i.e., to declare it unfit, and tossed cholocate bars down to the children. This too would be used against him.

BUSY DAYS

Several other incidents have a place in the record. On one blazing morning, Arnheiter sent a sailor to the ship's store to buy a pair of dark sunglasses for him. "Tell them I'll pay for them later," Arnheiter said. He paid up that same afternoon.

On a couple of occasions, Arnheiter towed the whaleboat and speedboat, fully manned, in order to have them more immediately available for action. On the night of 2 February, at the request of the South Vietnamese Junk Division 23, Arnheiter anchored *Vance* in the outer harbor of a shallow bay where a night attack by Vietcong was feared. Then he sent the whaleboat, bearing his special rifle team, on an armed reconnaissance. The sea was calm; the men were helmeted and life-jacketed; they had sub-machine guns and automatic rifles in addition to their carbines. About midnight, three heavily loaded junks attempted to slip past the ship. Arnheiter radioed the whaleboat that he intended to give chase. "The word from the boat was that they were fine. The Junk Base adviser said all was quiet." Arnheiter upanchored, went in pursuit, captured the junks, put them in tow, and returned to pick up the whaleboat two hours later.

During this same period of intensive patrol, the Coastal Surveillance Center (CSC) at Qui Nhon kept demanding position reports every two hours from *Vance* and other U.S. ships in the area. Such reports were no part of Arnheiter's orders. His orders were to report his position to Commander Task Force 115. The CSC was insistent. Arnheiter was exasperated. "I did just what *Finch* had done," he has said, "I directed that localized rather than pinpoint reports be sent to the CSC on the two occasions when the ship was involved in heavy operations. This kept me from becoming unduly immersed in arbitrary, time-consuming and unnecessary position reports, improperly imposed on the ship as an additional and burdensome requirement not specified by my operational commander, or by any commander in the Seventh Fleet."

There were dull days when *Vance* did little but provide underway replenishment for smaller craft. On an exceptionally dull day late in March, when the crew had been a month at sea, he cracked out the speedboat and authorized off-duty sailors to go waterskiing about the ship as it replenished a Coast Guard cutter. Mostly the days were spent in patrolling the coast. On 20 February, the *Vance* put in to Bangkok for four days of liberty. Then she relieved *Conquest* off An Thoi and worked a new sector. The Vietnamese provided a less sensitive liaison officer; Arnheiter got along fine with him.

Midway in the cruise, on an active morning, Arnheiter was stopped by his engineering officer, Lieutenant Edward G. Fuehrer, on his way to the bridge. Fuehrer was waving a message. "Captain," he said, "they're after our connecting rods." It was an order to supply an inventory of spare Diesel parts. "Tell them what we can spare," Arnheiter said; and initialed the message.

Meanwhile, things were going little better in the wardroom. As part of his campaign to build esprit among the officers, Arnheiter instituted a plan of brief, impromptu after-dinner talks on topics that were written out on slips of paper beneath an officer's plate. Lieutenant Generous made one such talk, seizing a chance to contrast the colorful Halsey with the prudent Spruance: his point was that Halseys have small place in modern naval warfare. The point was wholly lost on Arnheiter, who holds Halsey in a special niche.

Arnheiter also instituted a "boners box." Officers who came sloppily dressed to mess, or left a knife in the peanut butter jar, were fined for each offense. Even Lieutenant Generous agrees that the system was instituted "in a very light-hearted frame of mind." Proceeds of the box went to buy cigars for the wardroom mess. At first, Belmonte and McWhirter paid most of the fines. Then they responded to the teasing goad, and revenues fell off to nothing.

In the course of the 99 days, Arnheiter came to admire the two ensigns. One of his last acts, late in March, was to recommend Bronze Stars for both of them—to McWhirter "because he bravely attempted to carry out my orders at the time of the hot pursuit incident," and to Belmonte for "extraordinary personal bravery and audacity" on other occasions.

He could do nothing with Generous. In mid-January, against his own better judgment, he had accepted Hardy's recommendation that Generous be promoted to lieutenant, because the operations billet provided for an officer of that rank. The two remained at loggerheads. Toward the end of February, an incident arose that made matters worse. After the ship left Bangkok, Arnheiter decided to call on Generous for a daily operations plan, to be sent to the C.O. by 5 o'clock on the afternoon before. One afternoon Arnheiter waited, and waited, but no plan appeared. At 9 o'clock he summoned Hardy to ask the reason why. Hardy was miserable. Generous didn't intend to work up the plan. And why not? "Captain, Sir," said the sad exec, "he just doesn't like you." Arnheiter's explosive answer was to summon Generous for a lecture that must have scorched the woodwork. One more offense, he said, and he would seek Generous' immediate transfer.

THE "DANDO REPORT"

The 28th of February, which was the day of the blessing-out, also marked the arrival aboard *Vance* of a circuit-riding Navy chaplain, Lieutenant George W. Dando. After all these months, he remains a curiously obscure and faceless figure. He had been in the Navy for only five months. Apparently, he spent much of his time aboard *Vance* in listening to complaints from Generous, Belmonte, and others, though he communicated none of this to the captain. Dando did not complain of Arnheiter's Monday guidance services, but he refused to agree to the singing of the Navy Hymn at one of them. Dando remained aboard until 12 March, when he departed with a farewell word to Arnheiter that morale was "extremely low." Ten days later he filed a six-page report with his superiors of what had been told him.

Arnheiter was not to see this "Dando Report" for another five months. It was carefully excluded from the record of his subsequent hearing, yet it floated about in a Navy limbo of "attachments" and "references." If there was a single key document in Arnheiter's destruction, it was this chaplain's report. When Arnheiter at last caught up with a text, it is not to be wondered that Arnheiter exploded. This was Dando's report—backed by his prestige as a Man of God—on Arnheiter's efforts to improve his officers:

"One way was to fine each officer $25 each time he failed to live up to his standard. No one seems to know what he did with the money, except that the executive officer has it in a box."

The boner-box fine was not 25 dollars. It was 25 *cents*. Everyone knew that the proceeds—which amounted to less than $30 in the entire cruise—went to buy wardroom cigars. The Rev. Mr. Dando's margin of error, or of reckless falsehood, was precisely one hundred times. Was the lie ever put straight? Arnheiter never could know. Did Dando ever attempt to rectify the ruinous damage his report had achieved? Arnheiter cannot say.

Arnheiter was stunned by Dando's comment on low morale. He himself had believed that, at least among the crew, morale was improving steadily. He thought he had turned the corner from hostility to acceptance. Considerable evidence from enlisted men—obtained too late to figure in Arnheiter's dismissal from command—tends to confirm that view. There had been no cancellations of liberty in Guam, Bangkok, or Manila. There had been no courts martial and only two mast periods for minor punishments. The ship records reflected good results in rate-advancement. Arnheiter could not make it out. In any event, *Vance's* cruise was coming to an end. On 23 March, she was relieved by the destroyer *Brister*. A Lieutenant (j.g.) Uldis Kortrons, from the staff of the escort squadron, came aboard to hitch a ride to Mainla. On the 26th, *Vance* arrived at Subic Bay for two weeks of restocking and upkeep.

The sequences of events in the next few days remains obscure. Arnheiter charges that, unknown to him, Lieutenant Kortons delivered to Commander D. F. Milligan at Subic a report of complaints written by Hardy in collaboration with Generous. Waive the point. Plainly, Milligan had received the ear-

lier report of Lieutenant Dando, with its melange of truths, half-truths, distortions, and plain lies. This stew of allegations and hearsay statements found its way to Rear Admiral T. S. King Jr., whose flotilla was soon to relieve that of Rear Admiral D. G. Irvine. Various communications followed between King and Irvine and the Navy's Bureau of Personnel. To this day, it remains incomprehensible that officers of the experience of King and Irvine should have acted as they did without once communicating with Arnheiter. He was only fifteen minutes away. They never summoned him. He knew nothing of what was going on.

The thunderbolt fell on 31 March. Arnheiter, busy at his tasks aboard *Vance*, received message orders from the Chief of Naval Personnel, detaching him immediately from command. That same evening, Commander Milligan came aboard and summarily relieved him. On the following day, Arnheiter gathered his crew on the fantail to bid them farewell. Bewildered, he reported to the destroyer tender *Dixie*. Meanwhile, Milligan informed all hands that he was prepared to hear "any personnel who were desirous of shedding any light on the irregularities which were occurring on *Vance*."

That was on 2 April. On 4 April, Captain Ward W. Witter, who had been assigned by King to the case as a one-man investigating board, showed Arnheiter a stack of allegations but declined to say which of them he regarded as important. The "trial" of Marcus Arnheiter—*all the trial he has ever had*—commenced on the following day. It concluded on 11 April. The so-called Witter finding followed a few weeks later.

A word on naval procedures is in order. It may be true, as the Navy insists, that in "emergency" situations the letter of the Navy's law authorizes the summary procedures used in the Arnheiter case. (Seven months later, a reviewing officer would remark with cold incisiveness that no "emergency" of any sort existed; but waive the point.) It is manifest that the spirit of naval law was trampled underfoot. In cases such as this, senior officers are to assure themselves that a difficulty is not "reasonably susceptible to correction." No such assurance was sought in the Arnheiter case. Regulations require that factual allegations of misconduct must be adequately verified by formal or informal investigation before action is taken. No such verification was obtained before Arnheiter was removed. Still another regulation requires that before drastic action is approved, "it is of the *utmost importance* that strong command guidance and counseling be given the officer concerned, and that there is no reasonable alternative to the action requested." No such guidance and counseling were given to Arnheiter. The regulation that was of "the utmost importance" was simply ignored.

These are among the inexplicable aspects of the Arnheiter case. The Navy says that the procedures invoked by Captain Witter "are closely comparable to but not as formal as those prescribed in the manual for a Court of Inquiry." This is a sophistry unworthy of the officers who have advanced it. The difference is night and day. It is the difference between a probable cause hearing before a U.S. commissioner and a full-fledged trial after grand jury indictment. No person possessed of even the most rudimentary acquaintance with the law will buy the Navy's statement that Arnheiter has had his "day in court." He has not.

ADVERSARY PROCEEDING

Surely he never received his "day in court" before Captain Witter. The purported "fact-finding investigation" turned instantly into an adversary proceeding, in which Arnheiter was the sole defendant party. As such, he should have been entitled to a presumption of innocence, but no such presumption appears from the record. He was entitled to a reasonable period in which to prepare his defense; he was given 24 hours. He was entitled to counsel, and did in fact obtain counsel, but his counsel had served only four months in the Navy and never had served on shipboard. He was entitled to written, specific charges; no charges were ever drawn. He was entitled to the summoning of witnesses in his own behalf; but at least four witnesses were denied him. At a Court of Inquiry, Arnheiter might have developed the whole story—the condition of *Vance*, the conduct of the junior officers—but this was denied him also.

The 418 pages of transcript in the Witter hearing produced 41 "findings." It is from these, with various leaks, distortions, and innuendoes, that Arnheiter's asserted "derelictions" have been fashioned. Thus, in a version quoted by the Trenton *Times*, the Christmas eggnog has turned into a nightly pitcher of martinis. Arnheiter's request to Belmonte on the beach at Waikiki has become a direct order that caused the ensign "undue humiliation." The announcement postage bill, which Arnheiter paid in March, has become a tinkering with postal accounts. It is said that the rifles were obtained illegally. (They were not.) He violated regulations in acquiring the empty oil drums at Guam. (He did not.) You hear the rumor that Arnheiter "conspired in the theft of certain candelabra." He is accused of falsifying supply records as to $17.28 in candy. It is said that he violated the rule that credit shall not be extended by a ship's store. (This was the sunglasses bit.) He is accused of frivolously permitting members of the crew to water-ski in a war zone. And so on, and so on, and so on.

The outside observer is struck with the pattern of malice that runs like a dark thread through the record. Wherever an impression of misconduct could be conveyed, such as impression was conveyed. The business of the inventory of spare Diesel parts is entirely typical. Arnheiter did what one assumes every prudent ship commander would have done: he reported as surplus only those parts he reasonably felt could be spared. So, too, with the matter of leaving his ship "inadequately manned" at Guam. The book-requirement is that at least one-third of a ship's company be aboard at all times, in case an emergency requires the ship to put to sea. But the *Vance*, at the time in question, could not possibly have put to sea. The most widely repeated charge against Arnheiter is that he filed false position reports in order to take his ship on dangerous and vainglorious direct fire missions. This is simply untrue. Arnheiter's required posits were meticulously accurate; his ship engaged in three fire missions only, lasting a total of one hour and sixteen minutes. Yes, he worked *Vance* close to shore. Was this a crime?

"I was confident of my own ship-handling and navigational expertise," Arnheiter says, "and also the navigational proficiency of the executive officer. As for enemy shell fire or mortar fire? When all ships of the U.S. Navy hedge in operations because of possible danger from enemy action, then we may as well toss in the sponge and forget the inspiration of men like John Paul Jones and David Glasgow Farragut!"

Captain Witter's findings, and his adverse recommendation, were committed to writing in late April 1966. A copy went to the Pentagon. Another copy went to Rear Admiral (now Vice Admiral) Walter H. Baumberger, commander of cruisers and destroyers in the Pacific. Bombo, as he is known, went over the record with a sense of mounting incredulity. On August 30, he recommended that the whole regrettable business be wiped out, *and that Arnheiter be restored to a command.*

JUDICIAL PROPRIETIES DISDAINED

Manifestly, this was not the recommendation the Pentagon expected or wanted from Bombo. Unknown to the Admiral (and to Arnheiter), a final decision already had been reached, in the form of a finding that Arnheiter's dismissal was "for cause." On September 9, Vice Admiral B. J. Semmes, chief of naval personnel, signed a memorandum to that effect; this memorandum went directly into Arnheiter's selection board jacket, which went directly to the Line Selection Board for Commander which was then in session. Not surprisingly, Arnheiter was passed over for promotion.

In the light of Semmes' death-sentence action, what followed is baffling to the layman. The top brass sent a message back to Baumberger, asking him to provide a second review and recommendation, this time in greater detail. Bombo got the word but failed to understand it. He summoned his top legal officer, Captain Larry H. Benrubi. They went over the whole record, line by line. On 1 November, Baumberger filed his second and more definitive report. He began with the conduct of Captain Witter:

"It is evident that from the inception of this investigation, the investigating officer changed the purpose for which the investigation was convened—that of determining the factual validity of allegations made against the commanding officer which had occasioned his summary relief—to one of whether he is the type of officer who deserves command at sea."

This was none of Witter's business. Even more reprehensible, in Baumberger's view, was Witter's ignorance or disdain of judicial proprieties. Witter had engaged in long off-the-record "discussions" with Arnheiter. He injected himself personally into the role of psychologist "rather than impersonal finder of fact." Witter had accused Arnheiter of engaging in "vicious exchanges" and speaking in "incredulous tones." Such remarks on Witter's part, said Baumberger, "were completely improper and indicate a lack of objectivety." Still further, "the record is replete with instances in which the investigating officer either neglected or refused to pursue available evidence concerning specific allegations of misconduct. His findings of fact are for the most part based upon unsubstantiated opinions of witnesses inimical to Lieutenant Commander Arnheiter."

Point by point, Baumberger demolished the flimsy structure. Evidence as to dangerous towing of the whaleboat was insufficient. Arnheiter's leaving the whaleboat for two hours was "not improper." A charge that the speedboat once was used to draw enemy fire "is completely without credible foundation." As for the "false position reports," Baumberger found that Qui Nhon "was at all times aware of the general area in which *Vance* operated." There was a charge that Arnheiter had arranged the Mess Night merely to gain a windfall of $1.85 on his mess bill: "It does not appear that the commanding officer was so motivated." One especially scurrilous charge was that Arnheiter had attempted to coerce Hardy into recommending him for a Silver Star. Baumberger found "no credible evidence" to support the accusation.

In the end, Baumberger boiled the 41 findings down to three. The Christmas Eve eggnog was a violation of regulations and not to be condoned. Arnheiter's failure to keep one-third of his officers aboard at Guam also was a violation of regulations and not to be condoned, but "the nature of *Vance's* employment on that occasion and the otherwise normal manning of in-port watches tend to mitigate the violation." The misleading report on spare parts "was censurable conduct. However, since the extent of the misrepresentation is unknown, the degree of dereliction cannot be determined."

Baumberger did not hold Arnheiter otherwise blameless. He had exhibited "a lack of tact and good judgment in his attempt to achieve commendable goals." Even so, there was not sufficient proof of misconduct to justify relief for cause. Baumberger recommended, *for the second time*, that Arnheiter

be "reassigned to command a destroyer escort in this force to provide an opportunity for reassessment of his abilities."

Baumberger's exhaustive review was an exercise in futility. On 20 January 1967, his superior, Admiral Roy L. Johnson, commander of the entire Pacific Fleet, officially closed the file. In a final order, Johnson first defended Captain Witter's conduct; then he upheld Baumberger's critical review of Witter's findings; then he reversed Baumberger's recommendation for a new command. For all practical purposes, that was the end of the Arnheiter case. Arnheiter was transferred to San Francisco. There he began searching for help in his plea for still further review, vindication, and redress.

One suspects that Johnson was uncomfortable. Just one week before his order of the 20th, Johnson sent a puzzling letter to his fleet commanders. The subject was: complaints against commanding officers. Though he did not say so, the Arnheiter case plainly was weighing on his mind. The implication is clear that he believed the case "had not been handled in a wholly satisfactory manner." He reminded his top officers that "it is essential," in such complaints, "that careful inquiry" be made and that pertinent facts be established. Appropriate regulations should be "scrupulously followed." Johnson wanted each of his fleet commanders personally to ensure "that there is a full understanding of this and careful compliance with required procedures."

What is one to make of Johnson's letter? The only reasonable inference is that he felt the Arnheiter case had not been handled carefully, that the facts had not been proven, that procedures had not been scrupulously followed, and that Arnheiter in fact had been treated unfairly. If this was Johnson's meaning (and the letter speaks revealingly for itself), why did he not sustain Baumberger's recommendation or at least provide for a *de novo* Court of Inquiry?

The answer that is given by Arnheiter's supporters—among them retired Admirals Thomas Settle, Lorenzo Sabin, and Dan Gallery—is that it then was too late. The vindication of Arnheiter, at this point, would have created gross embarrassment all down the line. Admirals King and Irvine had erred. Captain Witter had conducted a wretched investigation. Commander Milligan had acted precipitately. Others at Subic were involved. And back in Washington, Vice Admiral Semmes long ago had decreed Arnheiter's "detachment for cause."

Admiral Gallery states his opinion bluntly: "It's the old story of big-shot professionals covering up each other's mistakes." Admiral Sabin has denounced the "smoke screen." Admiral Settle, after reviewing the whole record, has raised a rhetorical question: "Is the Navy no longer big enough, does it no longer have enough guts, to admit a mistake and redress it?"

The answer to Admiral Settle's question is no. In the Navy's view, there has been no mistake. The official position is that Arnheiter "committed many derelictions, knowingly and deliberately." Arnheiter revealed "a gross lack of judgment and an inability to command and lead people." The record further reveals "that the conduct and performance of the officers, other than the commanding officer, of *Vance* were entirely satisfactory." Attention is directed to Captain Witter's finding that Hardy, Belmonte and Generous "served the commanding officer to the best of their ability under the circumstances, and that no person on *Vance*, other than Lieutenant Commander Arnheiter, is deserving of any adverse action based on the facts disclosed as a result of the investigation."

This is the whitewash treatment. It has continued for the past year, despite Arnheiter's discovery in the spring of 1967 of some evidence wholly unknown to him at the time of the Witter hearing. This evidence, known as the "bogus familygram," is a purported letter from Arnheiter to the families of enlisted men. Mimeographed on ship's stationery, it is dated 15 March 1966, Somewhere in the War Zone.

"Dear Mom and Dad or Wife (as the case may be):

"My name is Marcus Aurelius Arnheiter, and I am the commanding officer of the USS VANCE (DER–387). I am the senior officer on board, and I have the sole authority for everything about the ship. It is my ship and I am THE BOSS.

Let me tell you something about myself and VANCE. I am the son of my parents who in turn were the children of theirs. My grandfather was Baron Louis von Arnheiter, an early pioneer in manned flight (with somebody else in the plane). He married my grandmother who was Baroness Bungus von Buttbrusher, and I have their marriage license to prove it. As you can see that I come from such an outstanding line of really fine and famous people, you will really appreciate that I am the CAPTAIN OF THE VANCE. I am the Boss, and what I say on this ship is the law. ARNHEITER!"

The forged letter continues with a statement that "we think of our loved ones back home, you, the ones we love and pray for in massed forced worship."

"We will be heroes, those of us who live through this carnage, and those of your loved ones who fell here and rot in this foreign place will be remembered by the bemedaled ones who, by the merest chance, should survive. But if anyone gets through, I will, and you can bet your ass I'll remember *Vance*.

"I am a great man, and I will try to impart some of that greatness to your doltish loved ones. As you think of *Vance*, think of me, for I am the most important man aboard. If you would like an autographed picture of the ship with my face superimposed, just send $1 apiece to cover the cost of handling . . ."

Who could have written such a letter? To whom was it distributed? Arnheiter's copy came to him anonymously from Pearl Harbor. If this contemptuous ridicule was the work of one of the dissenting officers, the fact would go far toward establishing Arnheiter's basic defense, that he was the victim of a mutinous conspiracy in the wardroom. A full-dress Court of Inquiry could explore the matter.

NOTABLE ALLIES

What of Belmonte's "mad log"? He has described it as "just a few scribbles." He has denied showing it to others. But the few scribbles turned into 38 pages of testimony before Captain Witter. Lieutenant Fuehrer knew of the "mad log." So did McWhirter. So did an enlisted man named Steven Joy. Did Belmonte once say that he hoped to see Arnheiter hanged? A sailor named Farnum said so, under oath. A Court of Inquiry could explore these matters, too. This is all that Arnheiter has asked; he has even brought suit in a U.S. District Court in California, seeking a court order to compel the Secretary of the Navy to set such a procedure in motion.

In his fight for vindication, Arnheiter has enlisted some notable allies. Admirals Settle, Sabin and Gallery have rallied to his side. Rear Admiral A. S. Goodfellow finds Arnheiter's record, on the whole, "exemplary." Vice Admiral Lot Ensey has said that Arnheiter "deserves commendation." Vice Admiral Ruthven Libby sums up the story in a sentence: "A couple of beatnik junior officers succeeded in cutting the throat of their commanding officer from behind his back and got away with it."

None of the support for Arnheiter has commanded the national attention that was drawn by Captain Richard Alexander's self-sacrificing action of 7 November 1967. Alexander had not always been in Arnheiter's corner. In March of 1967, before the evidence of the bogus familygram turned up, Alexander had concluded that Arnheiter's "zeal was excessive and [his] judgment faulty." He urged Arnheiter to face the fact "that you were, in the majority opinion, including my own, brought down by your own actions and not by faulty procedures or disloyal subordinates."

But Alexander changed his mind altogether. It was not the familygram alone. It was rather, he has said, a total reconsideration of the 99 days of Arnheiter's command. The longer he studied the case, and the more he examined his own conscience, the more he was driven to the conviction that while his March withdrawal from Arnheiter was prudent, "to turn against him was pusillanimous." He conveyed his altered view to Secretary of the Navy Paul Ignatius, and because of Alexander's prestigious position as prospective commander of *New Jersey*, Ignatius on 7 November sent a plane to bring Alexander to his office.

They conferred for an hour. Then Alexander departed, leaving behind him a 26-page statement that assuredly will find its place in naval history. His review of the Arnheiter case is brilliant, incisive, overwhelming.

"Where did strength and where did weakness lie in that ship? Who stood for duty, honor, country, and who was disloyal? Whose standards would you commend to a young officer today? Those of Hardy, Generous, and Belmonte? Whose efforts were deserving of command support and who should have been censured?"

Alexander vividly recalled the events of 31 March, when Arnheiter received message orders announcing his summary relief:

"Within twelve hours he was under guard in his cabin, having been relieved by another Escort Squadron Commander who gave no explanation. After a night under guard he was kicked off his ship. Four days later he was confronted in an investigation with an amazing chain of damning, ruinous allegations that were bewildering in scope and viciousness. Mr. Secretary, what all of your officers will demand to know is just how in hell this could happen in the United States Navy!"

It seems unlikely, but it is possible, that Alexander's passionate protest might have moved the Secretary if his statement had stopped there. Unfortunately, Alexander was swept away by his conviction that only a public explosion would blow the top off the Arnheiter case. He distributed his statement to the press and to members of Congress. Regrettably, in a fatal breach of protocol, he failed to leave even a courtesy copy for Admiral Thomas Moorer, Chief of Naval Operations. Moorer, a distinguished and greatly respected officer, had been installed only two months earlier; he knew little of the Arnheiter case. He was understandably outraged to read about it in the papers. He summoned Alexander to his office, told him he had lost confidence in him, and wanted his resignation as commanding officer of *New Jersey*. Three weeks later, Alexander was shipped to an ignominious desk job in the Boston Navy Yard, his career at an end.

Alexander does not regret his support of Arnheiter. In his view, "Arnheiter has the spark of naval genius. He might have been another Halsey. God knows the Navy has need of such men.

There it stands. Secretary Ignatius has flatly refused to reopen the case. Such congressmen as Joseph Y. Resnick and Herbert Tenser of New York have urged a congressional investigation, but the House Armed Services Committee has shown no disposition to take up their resolution. Arnheiter's suit against Secretary Ignatius may not survive the government's first motion to dismiss. Meanwhile, Arnheiter himself has been sued by Generous and Belmonte for invasion of

privacy and defamation of character, but such a proceeding scarcely would produce the official inquiry Arnheiter has demanded. At the Pentagon, a form letter has been prepared in which the Navy earnestly cites its multiple reviews of the case.

BACK TO THE OLD WAYS

The key figures are scattered. Arnheiter is stranded at headquarters of the Western Sea Frontier on Treasure Island; his personal struggle for vindication absorbs his waking hours. Hardy, promoted to lieutenant commander, is stationed at Key West; he is "fed up" with Arnheiter, and believes his detachment was "richly deserved." Belmonte, 27, is out of the Navy, and working in the financial district of San Francisco. Generous, 28, who is taking graduate studies at Stanford University, also is out; he resigned his commission in November of 1966 in a highly-charged letter, speaking of Arnheiter as "we who called him criminal."

In June of 1967, long after Arnheiter was effectively beached, a former commissaryman third class on *Vance*, Ronald D. Fournier, wrote a letter of recollection:

"When Lieutenant Commander Arnheiter came aboard, he tried to get the ship running the way it should have been running but was not. The trouble was that people had been too used to being lazy and didn't want to change, didn't want to make the effort. When Mr. Arnheiter was C.O., he changed the status of the petty officers by giving them authority, and I think they appreciated it. But as soon as he left the ship, things went back to the way they were before: A seaman could talk back to a first class petty officer and get away with it . . . *Now, everything's back the way it used to be before he came.*"

ARNHEITER'S DAY A BAD TIME FOR NAVY BRASS

(By James J. Kilpatrick)

Marcus Aurelius Arnheiter, the naval officer who was summarily dumped two years ago as commanding officer of a U.S. destroyer serving off Vietnam, finally got a kind of "day in court" on Capitol Hill last week. It was a bad time for the Navy brass. They were conspicuous by their absence.

The hearings, arranged by New York's *Congressman Joe* Resnick, were entirely one-sided hearings. All the witnesses were sympathetic both to Arnheiter and to Richard Alexander, the brilliant young naval captain whose career was destroyed when he publicly took Arnheiter's side. This was not Resnick's idea. He repeatedly invited high Navy officials to appear in defense of the Navy's position. No one turned up.

This stone-cold silence was understandable—from the Navy's point of view. The more one studies this distressing affair, the more one is driven to the conclusion that the Navy bungled the Arnheiter case from the very beginning. At half a dozen points along the line, something might have been salvaged by granting Arnheiter the one privilege he has been begging—a Court of Inquiry, or as an alternative, a full-dress court-martial. He was still begging for this last week; and the Navy was still deaf to his pleas.

For those who may have just come in, it should be said that the case arose in December 1965, when Arnheiter took command of the USS *Vance* at Pearl Harbor. It was his first—and his last—command. Ninety-nine days later, after a slam-bang tour of duty off Vietnam, Arnheiter was summarily detached. He was given one weekend to prepare himself against a bewildering array of malicious charges, cooked up by rebellious junior officers. Then he was subjected to a one-man investigatory hearing, without benefit of witnesses in his own behalf. And professionally speaking, that was the end of Marc Arnheiter.

As last week's hearing made clear, every safeguard provided in the Navy's own regulations inexplicably was ignored. The Navy does not award wartime commands lightly, but neither are such commands lightly revoked. The rules provide explicitly that before so drastic a step is taken, an officer must be fully informed of all charges against him; he must be given counsel and advice toward the correction of his defects. The rules are specially designed, among other things, to protect a commanding officer from the very sort of wardroom conspiracy that was hatched against Arnheiter.

The evidence in this case indicates that Arnheiter inherited a sloppy ship manned by an undisciplined crew. He himself is a spit-and-polish Dutchman, a Naval Academy graduate with an obsessive love of fighting naval traditions. He threw his entire energies into a crash program to revitalize his ship. Doubtless he made mistakes of judgment—mistakes of zeal—but his purpose was high and his methods were succeeding.

Then the ax fell. Since then his principal accusers have dropped out of the Navy. Arnheiter's strenuous efforts to clear his name have branded him a troublemaker; he is beached in San Francisco.

Captain Alexander, convinced that Arnheiter had been shabbily treated, came recklessly steaming to his rescue; Alexander too has been beached.

The top brass keep compounding their errors. One burly captain in the Bureau of Personnel has dropped the snide rumor that Columnist Drew Pearson has sided with Arnheiter because Mrs. Arnheiter is Pearson's niece. They are not related in any way. Another charge emanating from the top brass is that Arnheiter ordered the Vance's guns to fire on a "Buddhist pagoda." Evidence offered at Resnick's hearings totally disproves the charge. A third rumor is that Arnheiter had a "pitcher of martinis" aboard. Utterly false.

Perhaps the saddest testimony last week came from a 22-year-old Texas seaman, John M. Cicerich Jr., who served on the Vance after Arnheiter had been banished. Once Arnheiter left, he said, everything reverted to the old undisciplined patterns. Life on the ship once again was "like living in a prison with convicted toughs."

It is too late for Arnheiter, too late for Alexander. It is not too late, however, for the Navy to make certain that the next time a gung-ho skipper is victimized by junior officers, the skipper is accorded the consideration Marc Arnheiter never had.

ARNHEITER CASE DISGRACES U.S. NAVY

Washington . . . Lt. Commander Marcus Aurelius Arnheiter had enjoyed a promising naval career before he took command of the destroyer Vance on Dec. 22, 1965. Immediately preceding his command assignment, he had served as executive officer of the destroyer Ingersoll for eighteen months. In that service, he had demonstrated exceptional qualities of leadership.

Arnheiter found the Vance dirty and the crew undisciplined. He set new standards of performance and inspired the crew with his own desire to excel. But the new discipline was surreptitiously opposed by a cabal of junior officers who sought to undermine the new skipper.

One of these, an officer who had suffered an emotional breakdown in his prior service on another destroyer, complained by private letter to a Navy chaplain, a Catholic priest, about "Protestant" compulsory church services on the Vance.

The Vance was on station in Vietnam waters for about two months. It was there visited by a chaplain who had been in the Navy for five months. As he departed after twelve days aboard, the chaplain referred to low morale but did not reveal to the skipper the tissue of lies and idle gossip which he had collected and which he would incorporate in his report to the Navy Department.

During its service in Vietnam waters, the Vance showed an exceptional elan. It was zealous and competent in performing its assignments.

In late March of 1966, the Vance was relieved on Vietnam station and returned to Subic Bay in the Philippines for servicing. On March 31, Commander Arnheiter was summarily relieved. Naval officers remote from the scene had acted upon malicious and mutinous reports and upon the observations of an inexperienced chaplain to arrive at a false appraisal of a capable officer.

It is a disgraceful record. Arnheiter's fourteen years of exemplary service were brushed aside by superiors who did not even take the precaution to have the allegations checked by a senior line officer. There must have been panic in Navy Headquarters over the lying report of a Catholic junior officer of doubtful mental stability that he had been forced to attend Protestant religious services. This is the kind of charge the Navy would not want exposed in a Court of Inquiry.

Why did the responsible flotilla commanders fail to inform Commander Arnheiter of the reports and hear his side of the story? Their behavior can be explained only by receipt of direct orders from Washington to relieve Arnheiter and to conduct the "investigation" afterward. When the record was reviewed by the Admiral commanding cruisers and destroyers of the Pacific Fleet; he recommended that the proceedings be quashed and that Commander Arnheiter be restored to command. But the Pentagon was adamant. It had informed the Promotion Board that Arnheiter's removal was for cause. Arnheiter was passed over for promotion.

The record is one of outrageous injustice to a capable officer. But it also evidences a deficiency of command in the highest ranks of the Navy. A Chief of Naval Operations who would condone this kind of maladministration is unworthy of his office. Why have two Chiefs of Naval Operations failed to right this injustice?

I can relate this kind of behavior only to the fawning submission which our top military leaders accord to incompetent civilian Secretaries. Did the uniformed personnel of the Navy receive from the civilian superstructure a directive to relieve Arnheiter of command, as the Army did in the case of General Walker? Is that why the normal procedures of investigation *before* taking action were not followed? Is that why the Navy railroaded Arnheiter out of his command and has only a tissue of false reports to support its action?

Captain Richard G. Alexander, another outstanding naval officer, took up the Arnheiter case to plead for correction before the Secretary of the Navy. He gave copies of his analysis to the press. No doubt he thought Commander Arnheiter needed public support, but the press release was imprudent. Captain Alexander has been beached.

Mediocre officers are plentiful; competent leaders are rare. If our Navy treats exceptional ability as Arnheiter and Alexander have been treated, it will destroy its own fine tradition of command responsibility.

VIETNAM

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BRINKLEY. Mr. Speaker, the editor of the Columbus Ledger, Mr. Carlton Johnson, editorialized earlier this week that Hanoi should be told immediately

that we are not in Paris to surrender. Any person who is not in agreement should look to the latest casualty figures.

TWO GI'S, MARINE FROM STATE KILLED IN VIETNAM FIGHTING

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. LONG of Maryland. Mr. Speaker, Sgt. George C. Letmate, Pfc. James S. Allport, and Pfc. Thomas N. Dean, three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their bravery and honor their memories by including the following article in the RECORD:

THREE MARYLANDERS KILLED IN ACTION—MEN FROM PRINCE GEORGES, DUNDALK ARE VICTIMS

Three infantrymen from Maryland, two Army paratroopers and a marine, have been killed in Vietnam, the Department of Defense announced yesterday.

The dead servicemen are Sgt. George C. Letmate, 20, of Dundalk; Pfc. James S. Allport, 19, of Marlow Heights, and Pfc. Thomas N. Dean, 19, of Landover.

Sergeant Letmate, the son of Mr. and Mrs. Rudolph Letmate, of 1942 Ewald avenue, was killed May 4 by shrapnel while his base camp in Quang Tri province was under attack.

KILLED DURING ATTACK

Private Allport, a son of Mr. and Mrs. Campbell B. Allport, of 6283 Akron street, Marlow Heights, was killed during an attack on his base camp near Hue May 2.

Private Dean, a son of Mr. and Mrs. William H. Dean, 7430 Landover road, Landover, and husband of Mrs. Joan Dean, of La Plata, Md., was shot in the stomach and killed May 5 near Da Nang.

Sergeant Letmate, assigned to a pathfinder reconnaissance company of the 1st Cavalry Division (Airmobile), was a 1966 graduate of Patapsco High School.

ENLISTED AFTER GRADUATION

He worked as a carpenter briefly and then enlisted the summer he graduated. He was promoted to sergeant just before returning on a 30-day leave in February.

His last letter home was dated April 9, his birthday, and he wrote that his unit "was on the move" and that "he was taking good care of himself," his father said.

"He was there a full year," Mr. Letmate said. "Then he put in for another six months. He wanted to get it over with so he wouldn't have to go back during his three-year enlistment again. He had been back six weeks when he was killed.

"As near as we can figure from what they tell us, he was in his base camp and they were attacked and he was killed by shrapnel. A mortar, I guess."

PLAYED BASEBALL

Sergeant Letmate played baseball in high school. His father said his son did not plan to make the Army his career.

Besides his parents, Sergeant Letmate is survived by two sisters, Mrs. Janet L. Loyman and Miss Rena Letmate, both of Dundalk.

Private Allport, assigned to a brigade of the 82d Airborne Division, went to Crossland High School.

He enlisted last August, trained at Fort Benning, Ga., and Fort Gordon, Ga., and then went to jump school at Fort Bragg, N.C.

His mother said he had written home that Vietnam is a "beautiful country" and that "things aren't too bad."

GUARDING BRIDGES

She said he had been guarding bridges in Hue most of the time since he arrived in Vietnam February 29.

Besides his parents, Private Allport is survived by three brothers, John, Jerry, and Justin, and three sisters, Donna Jean, Janice and Jo Ann.

Private Dean was a Marine rifleman fighting near Da Nang.

His sister, Miss Linda Dean, said he enlisted last summer and had been in Vietnam for about three months. She said he attended high school in La Plata.

Besides his parents, his wife and his sister Linda, Private Dean is survived by an infant daughter, Joan, two other sisters, Pattie and Betty and three brothers, Jimmy, Bobby and Billy.

STRAIGHT TALK ON CRIME

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. UTT. Mr. Speaker, I include in the Extensions of Remarks an editorial from the Washington Daily News of Friday, May 10, 1968. This editorial commends former Vice President Richard M. Nixon for his forthright stand on the need to crack down on crime. I am certain that most Americans, both Republican and Democrat, support this position, and are demanding that Congress and the administration take firm measures to eliminate this cancer on American life.

The editorial follows:

STRAIGHT TALK ON CRIME

Republican Presidential candidate Richard M. Nixon has said some things that needed saying in outlining his position on how to halt the growing wave of criminal violence in the U.S.

They amounted to this: The high price of leniency toward the lawless is a society in which the law-abiding live in fear—A fact all too apparent in many an American city already. The way to assure "safe streets" is to crack down. Prove to the criminal that crime doesn't pay.

The role of poverty, he said, has been "grossly exaggerated" as a cause of crime. And so it has. It is, no doubt, a contributing factor. But millions of decent, law-abiding Americans of limited means give the lie to the argument that poverty and crime are synonymous.

Mr. Nixon contends doubling the rate of convictions "would do more to eliminate crime in the future than a quadrupling of the funds for any Government war on poverty." Without indorsing that ratio or belittling anti-poverty efforts, we heartly agree that crime is more likely to be deterred by the prospect of certain punishment than of Government aid.

Mr. Nixon advocated legislation—or Constitutional amendment, if necessary—to remove Supreme Court restrictions on confessions. He called for wiretapping to fight organized crime. Provisions to these ends are contained in the omnibus crime bill now before the Senate.

He called for prison reforms, for Federal aid to states for law enforcement, for better trained and equipped local police. Failure to act promptly and decisively now to end growing lawlessness will, he warned, bring this end: "This nation will then be what it is fast becoming—an armed camp of 200 million Americans living in fear."

Tough talk. But it's the kind of talk millions of uneasy Americans will welcome. For crime in this election year is a major—possibly the major—domestic issue.

Candidate Nixon, of course, blamed the Johnson Administration for much of the crime rise. And within hours after Mr. Nixon released his White Paper, President Johnson made public a letter to Senate Majority Leader Mansfield urging prompt action on the omnibus crime bill. "The mugger and the murderer will not wait—neither must we," said the President.

But for the national disgrace of widespread crime there is blame enough to go around among the courts and Congress, the ins and the outs of politics. What's more important is that the politicians of both parties have got the word that the people want crime stopped.

YOUTHS FIND WORK AT JOB FAIR

HON. JOE R. POOL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. POOL. Mr. Speaker, the Dallas Times Herald, on Sunday, May 12, 1968, reported on a job fair held in Dallas, Tex., under the auspices of the Dallas Chamber of Commerce and the Texas Employment Commission. The project succeeded in matching 3,500 youths from low-income families with summer jobs in private industry. This summer employment will permit most of these young people to save enough money to continue their schooling in the fall. I wish to point out, Mr. Speaker, that the job fair was made possible through the interest of the local Dallas business community. In my opinion, this is the proper approach—the only practical approach in keeping with the American tradition of free enterprise—to the eradication of the root-causes of poverty.

SOME 3,500 YOUTHS FIND WORK AT JOB FAIR

(By Tommy Ayres)

A wide grin graced the face of one Charles Richards—he had a job.

Charles is 16. He is a junior at Lincoln High School. He wants to be a doctor. But before Saturday, the prospect of his even attending college was a remote one.

He was one of almost 4,000 Dallas area youngsters who showed up for interviews in a massive summer job signup at the State Fair. More than 3,500 youths were successful.

As for Charles, he will work this summer for Anderson Clayton Brothers Funeral Home. He will receive $1.60 an hour, for 40 hours a week.

"I am going to save as much as I can," he assured. "I want to go to college and take medicine.

"I wanted a job this summer, and I was going to try to find one," he said. "But I don't know if I could have made it without this."

The scene of the giant Job Fair was the Women's Building at the State Fairgrounds.

From wall to wall stood rows of tables. At the tables sat dozens of employers—interviewing youngsters for jobs, and hiring them.

It was all hectic—and heartening. And it climaxed an all-out effort by the Dallas County business community, the Dallas Chamber of Commerce, and Texas Employment Commission, to find jobs for the youth of the area this summer. They were most successful.

The Job Fair was conceived by the Urban League of Greater Dallas, nurtured by the Youth Opportunity Committee and coordinated by the Dallas Chamber of Commerce.

"I know," said Morris Hite, general chairman of the Mayor's Youth Opportunity Committee, "that the employment of these youngsters will be of great benefit to Dallas. Substantial wages will be paid and hopefully, many of these boys and girls will be able to save enough to help them continue their schooling."

All Dallas area youngsters from the ages of 16 and 22 from low-income families were eligible for Job Fair assignments. The applicants were first screened in Dallas County schools. There they were matched and scheduled for interviews with 430 employers offering more than 3,500 jobs at the Job Fair.

State, city and federal agencies provided 529 of those jobs.

The jobs themselves include a wide range—from laborers to bus boy, department store sales-people to paste-up work for computerized type.

Transportation to and from the Job Fair was provided by the Dallas Transit System and various volunteer organizations. Free soft drinks were provided by various bottling companies.

Members of the Texas Employment Commission played a major role, taking over interview responsibilities for 191 of the participating companies.

The National Alliance of Businessmen worked closely with the Dallas chamber in an effort to provide many of the jobs. More than 200 businessmen volunteered to help seek the jobs.

On hand to help with the sign-ups Saturday were a number of members from the Dallas Cowboy football team—among them, Frank Clarke.

"This is something that should have been done a long time ago," he said. "The City of Dallas is responding to a sincere and honest need.

"This program is geared to assist the very kind of people who would be hard-pressed to otherwise find summer jobs," Clarke said. "I think it is a very good thing."

And so does Charles Richards.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS, INC., TO OBSERVE 25TH ANNIVERSARY ON MAY 20

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. McCLOSKEY. Mr. Speaker, the National Federation of Independent Business, Inc., will be celebrating its 25th anniversary on Monday, May 20. I point to its achievements with special pride because the federation's home office is located in the district which I represent, San Mateo County, Calif.

The federation was founded in 1943 by C. Wilson Harder, who recently received the Small Business Administration's Public Service Award for "outstanding service." This award is the highest honor the SBA bestows on individual citizens.

Today Mr. Harder's federation has grown to include nearly a quarter of a million members, making it the largest organization of its kind in the world.

Most of us are familiar with the foundation through the efforts of its representatives on Capitol Hill and its publication, the Mandate. The Mandate carries with it a tear-off self-mailer ballot on pending legislation which each individual businessman fills out and which is forwarded to his Representative in Congress. I have received a number of these ballots, and find that they serve to keep me informed on many matters which otherwise might escape careful analysis. Important as they thus are to the legislative process, these ballots, numbering more than 4 million each year, also serve to indicate the personal, active commitment to better government on the part of men of proven independence and ability.

The federation's expressed goal is "that our Nation remain the land of opportunity by giving small business fair consideration." I am honored to commend the members and the leadership of the federation on their 25th anniversary of continuing success in promoting free enterprise and small business. I hope we in the Congress can join them in constant efforts to reform and cut back the cumbersome aspects of taxation, paperwork, and bureaucracy which so often occur under our democratic form of government.

"STEEL IMPORTS COULD TAKE 25 PERCENT OF MARKET IN AMERICA"—PHILIP D. BLOCK

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. PUCINSKI. Mr. Speaker, the Chicago Tribune this morning carried a most serious report about a speech made here in Washington Monday evening by Mr. Philip D. Block, chairman of the Inland Steel Co.

I was at the dinner at which Mr. Block spoke, and I know that there were many steel manufacturers in the Chicago area who attended the meeting and who shared in his somber warning.

I believe that Congress can no longer delay action on the Iron and Steel Orderly Trade Act.

The Chicago Tribune article follows:

"STEEL IMPORTS COULD TAKE 25 PERCENT OF MART"—BLOCK

WASHINGTON, May 14.—Steel imports could absorb 25 per cent or more of the United States market if unchecked, Philip D. Block, chairman of Inland Steel company, said today.

Addressing a meeting of congressmen from Illinois, Indiana, and Kentucky, Block said that 10 years ago imports accounted for 1½ per cent of the steel used in this country, but imports rose to more than 12 per cent last year and are likely to exceed 15 per cent in 1968.

"There is nothing on the horizon to give us confidence that in future years imports will not continue to climb at these accelerating rates and could reach 25 per cent or more of the national market," he said.

He asked the congressmen to support the iron and steel orderly trade act which would limit imports to a fixed percentage of recent steel usage in the United States.

Block called the import situation a national problem.

"You, as keepers of the well-being and security of the United States, should insist that, so long as other nations protect and actively encourage their industries and so long as there are serious and artificial imbalances in cost factors, we cannot safely be the only nation acting as tho unrestricted free trade principles govern world markets."

YOUR OPINION, PLEASE

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. ROUDEBUSH. Mr. Speaker, during my four terms in the U.S. House of Representatives I have found it extremely valuable in my responsibilities here to ask my constituents each session, "Your Opinion, Please."

My annual questionnaire this session will go to the residents of the Fifth Congressional District of Indiana.

Through this valuable medium of communication, in addition to frequent personal visits to the district, I am able to keep in close contact wtih the thinking and legislative desires of our citizens.

Mr. Speaker, under unanimous consent I offer my 1968 congressional questionnaire, entitled, "Your Opinion, Please."

The opinion poll follows:

CONGRESSMAN ROUDEBUSH REQUESTS YOUR OPINION, PLEASE

DEAR FIFTH DISTRICT RESIDENTS: As your Representative in the 90th Congress, it is my duty and responsibility to vote on crucial issues of the day affecting all Americans.

To assist me in this task I earnestly solicit your opinion on the great issues of the day confronting our beloved United States.

At the same time, I wish to take this opportunity to invite you to contact me for assistance on any governmental matter.

You may write me or call me here in Washington at 1503 Longworth Building; drop by or write me at the Fifth District Congressional Office located in the basement of the Post Office Building at Noblesville.

Whatever your problem or request—be it Social Security, veterans affairs, armed forces or whatever—we will do our level best to be of assistance. Thank you.

RICHARD L. ROUDEBUSH,
Member of Congress, Fifth Indiana District.

YOUR OPINION PLEASE

	Yes	No
Do you favor:		
1. The administration request for a 10 percent surtax on private and corporate income?	____	____
2. Federal financing to create 1,000,000 new jobs and a guaranteed annual income for all?	____	____
3. Restricting police during riots to avoid brutality charges and further escalation of violence?	____	____
4. Responsible officials halting riots at once with whatever force necessary?	____	____
5. Federal registration and control of firearms?	____	____
6. Congressional action to reverse Supreme Court decisions favoring criminals?	____	____
7. Congressional action to blunt effects of Supreme Court decision permitting Communists to work in defense plants?	____	____
8. More massive Federal spending for the cities, running into the tens of billions?	____	____
9. The Roudebush bill (passed in the House; pending in the Senate) to make desecration of the American flag a Federal offense punishable by fine and imprisonment?	____	____
10. Congress withdrawing all Federal assistance to college students engaged in rioting, disruptions and other campus violations?	----------	
11. Congress cutting off trade with Communist nations aiding North Vietnam? (Introduced by Roudebush.)	----------	
12. In Vietnam, during negotiations, should the United States:		
(a) Cease all bombing?	----------	
(b) Withdraw our troops?	----------	
(c) Agree to a Communist coalition government?	----------	
13. If peace negotiations fail, should the United States:		
(a) Resume limited war?	----------	
(b) Permit our forces to seek a military victory?	----------	
(c) Withdraw?	----------	
(d) Continue to seek a negotiated settlement?	----------	
(e) Other (please explain)		

CALIFORNIA LEGISLATURE ASKS FULL FEDERAL FINANCING OF PUBLIC ASSISTANCE TO PERSONS NOT MEETING STATE RESIDENCE REQUIREMENTS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. ROYBAL. Mr. Speaker, recent Federal court decisions in California and other parts of the Nation have declared State residence requirements for eligibility for various public assistance programs to be unconstitutional on the grounds that they contravene the "equal protection of the law" guarantee of the Federal Constitution, and that they unduly restrict the freedom of Americans to travel at will within the country.

Because of the tremendous financial burden these decisions, if upheld by the U.S. Supreme Court, will impose on State and county governments, the California Legislature has adopted Assembly Joint Resolution 35 asking that the Federal Government assume the responsibility for public assistance payments to persons not now fulfilling the current residence requirements in the States.

Since this subject is of vital importance to millions of Americans throughout the Nation, and because of the deep concern local and State government officials and taxpayers have expressed in this matter, I include the text of Assembly Joint Resolution 35 in the CONGRESSIONAL RECORD at this point:

ASSEMBLY JOINT RESOLUTION 35

Joint resolution relative to Federal participation in welfare payments to nonresidents

Whereas, The Federal Social Security Act since its enactment in 1935 has permitted the various states to impose reasonable residence requirements for eligibility to the various public assistance programs whose costs are partly paid by federal funds; and

Whereas, The Federal Social Security Act so provides at the present time, with California having consistently required a reasonable continued residence as an eligibility factor for permanent public assistance payments; and

Whereas, A federal court in California and other federal courts in other parts of the nation have declared the unconstitutionality of such residence requirements alleging that they contravene the "equal protection of the law" guarantee of the Federal Constitution and that they unduly restrict the freedom of Americans to travel at will within the country; and

Whereas, If this new judicial theory is upheld by the United States Supreme Court, state and county costs of public assistance in California will be tremendously and permanently increased; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to amend the Federal Social Security Act at once so as to provide full federal financing of public assistance payments made to recipients who do not meet the length of residence requirements presently permitted by federal statute and contained in the California Welfare and Institutions Code and applicable statutes in other states, such federal financing to continue in each case only until the existing length of residence requirements have been met by each recipient; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

A LOSS FOR AMERICA

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. HÉBERT. Mr. Speaker, when I came to Congress 28 years ago, the name of Joe Martin was already firmly imprinted on the pages of history.

No more could be asked of an individual than the 42 years of public service he gave the people he represented and the Nation as a whole.

I had the pleasure of serving under him during his two terms as Speaker of the House, and I have never found a more dedicated and understanding individual.

He was a giant among men, and Congress will not soon forget his many contributions. A man of the conviction and caliber of Joe Martin is a rarity in this body, and his experience, devotion to duty, and capabilities were unequaled.

I am proud to have been able to serve and work with him, but more important, I am proud to say that Joe Martin was my friend.

His death was a tragic loss for his family and friends, and without a doubt, a loss for America.

THE LATE JOSEPH W. MARTIN

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. DORN. Mr. Speaker, the Honorable Joseph W. Martin, of Massachusetts, was one of the alltime great leaders of this Congress. Not only was Mr. Martin a great congressional leader, he was a great American and one of the outstanding leaders of the Republican Party in the history of that great political party.

When I first came to the House of Representatives in the 80th Congress, Joseph W. Martin was Speaker. It was my privilege to serve in the 83d Congress when Joe Martin was again Speaker of the House.

Mr. Martin was a warm and close personal friend of the man who served longer as Speaker than any man in history—the beloved Sam Rayburn, of Texas.

As Speaker, and as a Member of this great body, Mr. Martin was always generous with his time. He was courteous, warm, and friendly in his relationship with the Members. Mr. Speaker, I recall that when I first came to Congress Mr. Martin was almost as new at presiding as I was with membership in this House. During the 1-minute period, I dashed into the well of the House shouting, "Mr. Speaker" which is the custom in many State legislative bodies. My senior colleagues in the well were astounded when the Speaker responded to my cry of "Mr. Speaker" and recognized me. Later in the day, an older Member explained the rules to me and advised that I should wait my turn in being recognized during the 1-minute period. Mr. Martin laughed and said he thought there was something urgent about my request.

I shared with Mr. Martin a great admiration for Gen. Douglas MacArthur. When General MacArthur was commander of our forces in the Far East during the Korean war, Mr. Martin believed that a great opportunity presented itself to win the war and crush Communist aggression in the Far East forever. I agreed with Mr. Martin and only wish that General MacArthur had been permitted to cut the Yalu bridges, crush the Communist aggressor, and unite North and South Korea.

Mr. Speaker, Joe Martin will go down in history as a man with great foresight, intense patriotism, love of country, and love of this great institution—the Congress of the United States. I will always cherish my friendship and association with Joseph W. Martin.

QUESTIONNAIRE TO THE 39TH CONGRESSIONAL DISTRICT OF NEW YORK

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. McCARTHY. Mr. Speaker, last week, I sent out over 140,000 questionnaires to the residents in my congressional district. I feel that questionnaires are one of the best ways of gaging the public's feelings on the many important issues facing our Nation today. The results of my questionnaire will be tabulated so that I will get an accurate picture of public sentiment in my district. A copy of my questionnaire follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR FRIENDS: Vietnam, our next President, the dollar drain, crime, riots and urban decay, inflation, pollution, these are among the major questions and problems facing the nation.

As I have for each of the past three years, I would this year appreciate having your considered opinion on the major issues of the day.

If none of the choices in this questionnaire approximates your views or you would like to enlarge on any of the points raised, please write me a letter. Thank you!

Sincerely,

RICHARD D. McCARTHY,
Member of Congress.

QUESTIONNAIRE

Please describe yourself as nearly as possible in the following:

☐ industrial worker
☐ professional
☐ self-employed
☐ office worker
☐ other
☐ 21–30 years old
☐ 31–40
☐ 41–50
☐ 51–60
☐ 61–
☐ male
☐ female
☐ urban resident
☐ suburban
☐ rural

VIETNAM

Which one of the following courses of action would you most nearly prefer?

☐ Do whatever is necessary to win an immediate total military victory, without limitation as to weapons, targets, or commitment of manpower.

☐ Continue our present course restricting ground action to the area south of the DMZ while moving toward a negotiated settlement.

☐ Withdraw all American forces from the area.

OPTIONAL

Name: _____
Address: _____

U.S. ECONOMY AND THE DOLLAR

In order to stopgap inflation, which one of the following do you favor?

☐ Increasing government revenue through the proposed 10% surtax.

☐ A smaller surtax and expenditure cuts in non-essential programs.

☐ Cutbacks in all programs and no surtax.

PROBLEMS OF THE INNER CITIES

What do you think is the most important factor in the trouble in our inner cities?

☐ Social and economic disadvantages of minority groups.

☐ Disrespect for law and order.

☐ A combination of the above.

Which of the following federal measures do you favor?

☐ Urban renewal and "Model Cities".

☐ The War on Poverty and other self-help measures.

☐ Increased federal aid to local law enforcement agencies for crime prevention and control.

☐ Increased aid for housing and education in core areas.

Please indicate your current choice for President in next fall's election from the following alphabetical listing.

☐ Hubert H. Humphrey
☐ Robert F. Kennedy
☐ Eugene J. McCarthy
☐ Richard M. Nixon
☐ Ronald Reagan
☐ Nelson A. Rockefeller
☐ George Wallace
☐ Other: _____

WHERE WILL IT END?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. DERWINSKI. Mr. Speaker, the Calumet Index of Chicago, Ill., a community newspaper serving localities in the far South Side of Chicago and immediate suburbs, is noted for its keen editorial observations. An editorial carried in the May 12 edition raises some interesting and necessary questions about Government inflationary policy.

The editorial follows:

WHERE WILL IT END?

A UPI press release reports: "President Johnson asked Congress . . . to set in motion a federal health program aimed at eventually providing medical care to every American who needs it." Not so long ago, when members of the medical profession warned that proposals for unlimited expansion of federal responsibilities in the health care field threatened all-out state medicine (socialism), they were generally scoffed at as alarmists.

Inflation caused primarily by excessive government spending for all manner of services has pushed up all costs, including the cost of medical care. This has added to the appeal of programs for government care of more and more citizens. As inflationary fiscal policies of government push prices higher, pressure increases for more government help which in turn means more deficits and still higher prices. The medical profession has become a victim of this vicious circle as have its patients.

We seem to have learned nothing from the sad plight of Great Britain. For Britain, the story of the welfare state is reaching its inevitable conclusion, financial chaos, and in the United States, we follow the same path. So far as the expanding government health care programs are concerned, as one editorial comment puts it, ". . . the burden of providing for medical aid for the growing millions who come under federal programs falls on a narrowing segment of the population. The final solution in all likelihood will be to include the nonindigent and under 65 in the health program. Then U.S. medicine will be fully socialized."

A SMALL WEEKLY WINS A BIG HONOR

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. WIDNALL. Mr. Speaker, the American Political Science Association, aided by the Ford Foundation, annually honors 40 newsmen and their newspapers for excellence in reporting public affairs. This year's winners, reporters whose stories have contributed toward better government, come from daily newspapers, including such nationally known journals as the Washington Post, the Chicago Tribune, and the Wall Street Journal.

There is one exception to this list of daily newspapers, however. The American Political Science Asosciation saw fit to honor only one weekly newspaper in the Nation, the Virginia Observer of Norfolk, Va., and its national award-winning reporter, Gordon Dillon. Mr. Dillon's stories appearing in a modest weekly, operating on extremely limited capital, have brought about savings to the taxpayers of the United States of over $1.2 million.

I have followed Mr. Dillion's reporting with great interest, ever since his stories on an application for a Federal open space grant by the city of Virginia Beach. The city applied for a $261,000 grant to help pay 50 percent of a $522,000 public park purchase. Mr. Dillon's reporting disclosed the fact that the land was assessed by Virginia Beach for only $21,000, and that the land had been bought by the city from a land speculation company, which had purchased it only 6 months prior for $200,000. The grant was cancelled, and the taxes of the people did not go to reward profiteers.

In another instance, Gordon Dillon exposed the convenient rerouting of a Federal highway through part of the Great Dismal Swamp in Virginia, which had been rezoned for industrial use shortly after speculators had purchased the land. Had the deal gone through, the American taxpayer would have been forced to pay higher prices for land industrially zoned than for the same land which under normal circumstances would be simple swampland. Mr. Dillon's story prompted the U.S. Bureau of Roads to compel the Virginia Highway Department to revert to its original plan for the highway, thus saving over $1 million in construction and acquisition costs. Additional Dillon stores included a series that resulted in the dismissal of the Virginia State highway commissioner.

Then there was the situation described in Mr. Dillon's articles involving the Rosemont housing project being built in Norfolk in a federally supported project. New homes planned for the area were not only above the average income of area residents, but would have been particularly hard on the Negro minority. It was estimated that only 7 percent of the Negro families earned enough even to qualify for the VA or FHA loans. I per-

sonally looked into this situation and found out that the homes built on federally financed land did not compare in price with VA–FHA approved homes being built by private builders on privately purchased land who had not benefited from a Federal subsidy of clearance costs. We can hope that this project's story will prevent repetition in the future.

Mr. Speaker, certainly the Congress should congratulate all of the 40 reporters selected by the American Political Science Association for their part in bringing about better government in our Nation, which is a cause to which we are all committed, but I would suggest that perhaps a special accolade should be extended to a reporter for a small weekly newspaper, Gordon Dillon, and the Virginia Observer.

LUNG CANCER AMONG ASBESTOS WORKERS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BINGHAM. Mr. Speaker, the subject of occupational safety and health, the object of H.R. 14816, may seem highly abstract to some. However, an article appearing in the Washington Post graphically illustrates one of the many aspects of assuring safer and more healthful places to the 80 million employed Americans. The article—which is of special interest in view of the fact that H.R. 14816, the Occupational Safety and Health Act of 1968, introduced by the gentleman from Michigan [Mr. O'HARA], and others, is in the markup stage in the Select Subcommittee on Labor—follows:

RAPID INCREASE IN LUNG CANCER NOTED AMONG ASBESTOS WORKERS

(By Thomas O'Toole)

One out of five asbestos insulation workers in metropolitan New York now dies of lung cancer, an eminent physician told Congress yesterday.

"If these figures are projected to the country as a whole, and if no improvement in the health hazzards these men face is achieved," said Dr. Irving J. Selikoff, "we may look forward to perhaps 6000 deaths of lung cancer and perhaps 15,000 deaths of cancer in general in this single asbestos trade alone."

Dr. Selikoff is professor of Community Medicine at New York's Mt. Sinai Hospital and president-elect of the prestigious New York Academy of Sciences.

Testifying before the House Select Labor Subcommittee, Dr. Selikoff said these statistics come as no surprise" to asbestos industry observers.

"In 1935," said Dr. Selikoff, "Dr. Kenneth M. Lynch, now Chancellor of the University of South Carolina, described the case of lung cancer in a man who also had asbestosis," a combination he said was rare. But since then, Dr. Selikoff said, "numerous similar cases of this association were recorded."

The New York doctor told the Subcommittee, which is holding hearings on President Johnson's proposed Occupational Safety and Health Act that nobody has taken steps to curb the spread of cancer in asbestos workers, despite the mounting evidence that the disease is on a rapid rise.

For the past six years, Dr. Selikoff said, he has conducted an intense study of 632 asbestos insulation workers belonging to the New York and New Jersey locals of the Asbestos Workers Union.

The 632 men had been asbestos workers since 1942. Dr. Selikoff said. On the basis of normal life expectancy trends, 203 could have been expected to die by 1962. But, instead, said Dr. Selikoff, 255 men died. Looking for the reason behind the extra 50 deaths, he said, it became evident "that cancers of several types" were responsible.

"We might have expected six or seven deaths due to lung cancer," he went on, "but there were 45. And while we would have expected nine or ten cancers of the stomach or colon, there were 29."

Dr. Selikoff explained that the "people who work in a dusty atmosphere not only breathe it in, they eat it, too."

Since 1962, he said, "the figures have been even worse.

"While we would have expected 50 men to have died in the past five years," Dr. Selikoff said, "there have been 118 deaths. While we would have expected three to have died of cancer of the lung or ploura, 28 have died of this disease."

Of equal concern, Dr. Selikoff went on, is a relatively new tumor related to asbestos exposure called mesothelioma, which is a cancer of the lining of the chest or peritoneum.

This is such a rare cancer, Dr. Selikoff said, that it is found to cause one out of every 10,000 deaths. But of the 113 deaths in the asbestos worker group in New York, he said, 13 have been from mesothelioma.

"This makes it one out of every 10 deaths among asbestos workers," he said, "instead of one out of 10,000."

SBA HELPS PITTSBURGH WOMAN BECOME "SMALL BUSINESSWOMAN OF THE YEAR"

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. MOORHEAD. Mr. Speaker, a resident of the Pittsburgh area, Mrs. Roberta Lewis, has been named Pennsylvania's "Small Businessman of the Year" by the Small Business Administration.

SBA Regional Director F. A. Thomassy, who recognized her courage and determination to succeed and helped her get a loan to establish her successful "Hors D'Oeuvres by Roberta" shop, nominated her for the award.

An article about Mrs. Lewis and her long struggle for success appeared in the May 13 edition of the Pittsburgh Press. As an example of the kind of results that the Small Business Administration and energetic people like Mrs. Lewis can achieve by working together, I insert the article at this point in the RECORD:

SMALL BUSINESSWOMAN EARNS BIG STATE HONOR

(By Sherley Uhl)

Pennsylvania's "Small Businessman of the Year" is a businesswoman who rose from coal miner's daughter to successful owner of a specialty food shop here.

Tomorrow, Mrs. Roberta Lewis will be honored here and in Harrisburg for the determination that enabled her to surmount all adversity . . . including the fact that she is a Negro.

Her new title was conferred by the Small Business Administration (SBA).

PROVIDED LOAN

It provided the loan with which she opened her shop, "Hors D'Oeuvres by Roberta," last June in Sleepy Hollow Shopping Center, Castle Shannon.

At 10:45 tomorrow at City Hall, Mrs. Lewis will receive the compliments of mayor Joseph M. Barr.

Then she will fly to Harrisburg for presentation of the SBA award by John Tabor, secretary of labor and industry.

Later she will receive copies of commendatory resolutions passed by both the Senate and House.

Born in McHenry, Ky., she moved with her impoverished family to West Virginia and then to Pennsylvania as her father struggled to find and hold jobs in a declining mining industry.

Forced to leave school in the seventh grade, she supported herself by working as a domestic (she is now coauthoring a book on her career, ironically called "Through Your Back Door"). From her meager income, however, she managed to pay for a course in hotel management.

BECAME SUPERVISOR

Subsequently she obtained supervisory jobs in Pittsburgh hotel and restaurant kitchens, and sought to advance herself by studying voice at the YWCA and drama at the Pittsburgh Playhouse.

She had no show business ambitions, she explained, but merely wanted "to improve my poise and posture"—because by now she was lecturing at food shows and demonstrations.

She was, she recalls, one of the first Negroes to appear on a TV commercial when she was featured on old station WDTV (forerunner of KDKA–TV), as a frozen food expert.

Since 1940, she has been married to T. Harvey Lewis, Sr., a shipping clerk at the Canteen Corp. of Pittsburgh.

Before she opened her own business, Mrs. Lewis was with the Roosevelt Hotel, Colony Restaurant in Mt. Lebanon and Bolan's Restaurant in East Liberty.

CHILDREN DOING WELL

Her eldest son owns a trucking business and a second son is an auditor for the Aluminum Co. of America. Her older daughter, a college graduate, is the wife of a Westinghouse Electric Corp. salesman and her youngest daughter hopes to teach school.

Mrs. Lewis, an hors d'ouevre pioneer, began to experiment with morsels on toothpicks 20 years ago while preparing food for Kaufmann's Department Store.

She now sells 75 original combinations, including such favorites as corn muffins topped with cranberries and sausage; tiny stuffed cabbage rolls, and muffins with seasoned meat and kidney beans. Allegheny Airlines is her biggest customer.

Mrs. Lewis, who was nominated for Small Business champ by SBA Regional Director F. A. Thomassy, credits her success to her refusal to recognize the word "can't."

"Whenever anybody told me I couldn't do anything," she said, "that's when I did it."

CELANESE CORP. SUPPORTS EDUCATIONAL TV

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mrs. GREEN of Oregon. Mr. Speaker, I would like to call attention to an excellent corporate effort being made by the Celanese Corp. to advance public awareness of our great teachers and teaching institutions. The series on great

teachers, which they have made possible with a grant to the national educational television, will be a source of inspiration to all those in the profession and those who may aspire to teaching.

I am particularly pleased that they chose Lloyd Reynolds, of Reed College in Portland, Oreg., as one of the men whose fine work is highlighted in the series. Apart from my pride in seeing one of Oregon's great teachers receive national recognition through television, I am heartened to see educational TV benefiting through financial support from private enterprise.

In Oregon our educational television network is State-supported, receiving its funds through the State system of higher education. Recently our network has sought to broaden its financial base by encouraging private enterprise to support ETV programing in the interest of public service, in the same manner as Celanese has done with national educational television's great teachers series.

Educational stations, not only in my own State but throughout the Nation, turn to local business and industry and to interested citizens for a helping hand in meeting the high costs of serving their communities' educational and cultural needs.

I commend Celanese and other private enterprise which have supported educational broadcasting across the nation. Such public service gestures from the private sector of our economy can help educational broadcasting achieve the broad base of support necessary to its well-being.

THE AMERICAN LEGION—A PROUD ORGANIZATION—LOOKS TO THE GOLDEN ANNIVERSARY OF ITS FOUNDING IN ST. LOUIS, MO.

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mrs. SULLIVAN. Mr. Speaker, the city of St. Louis is proud of the record that has been written by the founding of so many of the great national organizations at meetings held within the city. One of these with which all Americans are familiar and which has written an outstanding record of patriotism and service throughout the 49 years since its first meeting in St. Louis held May 8–10, 1919, is the American Legion.

I have a deep personal pride in the American Legion since my late husband, John Berchmans Sullivan, was a member and past commander of Quentin Roosevelt Post No. 1—the first established in the United States—and I am a member of its auxiliary.

In connection with the plans which are being made for its golden anniversary in May 1969, the Honorable WRIGHT PATMAN introduced a bill providing for a commemorative medal for its 50th anniversary. The subcommittee of the House Banking and Currency Committee, of which I am chairman, handled the bill which was passed by the House and Senate and became Public Law 90–127 on November 4, 1967.

The two great St. Louis newspapers, the St. Louis Globe-Democrat and the St. Louis Post-Dispatch, have carried articles recently, telling of the accomplishments, aims, and purposes of the American Legion as it approaches the 50-year mark, which I commend to you for your consideration. I place them in the RECORD, as follows:

[From the St. Louis Globe-Democrat, May 11–12, 1968]

THEY'RE PROUD TO BE AMERICANS—MEMBERS OF AMERICAN LEGION, WHICH WAS BORN IN ST. LOUIS 49 YEARS AGO, FOSTER GOOD CITIZENSHIP

(By Jack Jones, chief of Globe-Democrat's Jefferson City bureau)

One of the places where patriotism stays in vogue is in the ranks of the American Legion.

This has a special significance for St. Louis, for it was here that those ranks began to form nearly a half-century ago.

In studied contrast to draft-card burning, irresponsible pacifism and a growing disrespect for democratic institutions stand 2,500,000 Legionnaires—men who have served their nation in the armed forces in two world wars and a series of lesser conflicts which have threatened the survival of those institutions.

In Missouri, close to 58,000 veterans wear the distinctive red, white or blue military caps denoting their membership in the Legion.

The red denotes national office, the white a state post.

Dr. Harry E. Goddard, of Kennett, Mo., department commander, wears the white. But he declares himself to be "A blue hat at heart."

For it is in the hearts of the rank and file Legionnaires that the real spirit of Americanism resides. They give of their time and their treasure to promote a keener sense of American heritage and tradition.

That tradition was succinctly defined last year by the late publisher of the Globe-Democrat, Richard H. Amberg, who was keynote speaker at the 1967 Missouri department convention in Kansas City.

"It is a tradition of fighting for the right," Mr. Amberg observed, "A tradition of not being pushed around, a tradition of being in favor of the little guy and in favor of law and order."

Just a few days before his death, Mr. Amberg was named the recipient of the Legion's fourth estate award at the 49th national convention in Boston, the birthplace of the American Revolution.

The birthplace of the Legion was in St. Louis May 8–10, 1919.

The concept of establishing a veterans organization following the armistice of World War I had begun to emerge in France even before the hostilities ended.

But it was in St. Louis some months later when advance committees comprised of delegates from each of the states met to formulate the actual purposes, aims and organizational structure of the American Legion.

It was in St. Louis at that caucus where the constitution was adopted.

Its preamble, which has remained unchanged, reads:

Preamble to the constitution of the American Legion for God and Country, we associate ourselves together for the following purposes:

To uphold and defend the constitution of the United States of America;

To maintain law and order;

To foster and perpetrate a one hundred per cent Americanism;

To preserve the memories and incidents of our associations in the great wars;

To inculcate a sense of individual obligation to the community, state and nation;

To combat the autocracy of both the classes and the masses;

To make right the master of might;

To promote peace and good-will on earth;

To safeguard and transmit to posterity the principles of justices, freedom and democracy;

To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

Nine days after the St. Louis caucus, the 66th Congress of the United States enacted legislation formally recognizing the American Legion as a corporation formed "to uphold and defend the constitution of the United States of America; to promote peace and good will among the peoples of the United States and all the nations of the earth; to preserve the memories and incidents of the two world wars (as amended in 1942) fought to uphold democracy; to cement the ties and comradeship born of service; and to consecrate the efforts of its members to mutual helpfulness and service to their country."

It is in service where the Legion has excelled over the ensuing 49 years.

On the national level, the Legion has in addition to its continuing promotion of Americanism, undertaken extensive programs in fields of child welfare, rehabilitation of the disabled, and national security.

The Missouri department of the American Legion is one of the oldest in the nation, formed at the convention in Jefferson City just a few months after the St. Louis caucus. Within the year, its membership exceeded 18,000.

Its present adjutant, Aubrey W. Sullivan, coordinates a number of Legion activities from the department's headquarters in Jefferson City.

Among them are the annual oratorical contest, the American Legion Missouri Boys State, American Legion Baseball, ROTC awards, and more recently the establishment of the Legion's Law and Order program.

Up to 5,000 high school students each year participate in the oratorical contest, speaking extemporaneously on some facet of the U.S. Constitution.

The 34th annual contest sponsored by the Missouri department and its local posts has just recently been completed. Medals and scholarship prizes for those contestants who worked their way through school county, district and zone competition into the state finals totals more than $1,000.

Winners at the state level then enter national competition.

The American Legion Missouri Boys State, an annual exercise in citizenship training and practical experience in simulated state government, is held on campus of Central Missouri State College at Warrensburg.

It began in Fulton in 1938 with 180 boys attending. More than 950 are expected to take part in this year's assembly which is scheduled for June 15–22.

American Legion Baseball, which has produced several major league athletes, promotes sportsmanship and wholesome competition. The teams are sponsored by local posts, often in cooperation with businesses.

Last year, 107 teams were fielded under the Legion banner.

Missouri is one of three departments conferring awards to college reserve officer training corps cadets for military or scholastic excellence.

In 1967, in the midst of growing civil disorder and disobedience, the Missouri department inaugurated its law and order program in an effort to foster renewed respect in laws and the agencies charged to enforce them.

Mr. Amberg was named chairman of the Legion's first Law and Order Committee in Missouri, and that committee went right to work to set up guidelines for local groups to follow in their own communities.

The current chairman of that committee is Maj. Gen. Lawrence B. Adams, Jr. Adjutant General of the Missouri National Guard.

Commander Goddard summarized the meaning of the Legion in these words:

"In the American Legion, I find the basic ingredients for keeping America strong, respected, and continued freedoms for her people.

"The Legion, as we so often mention, is committed to serve God and Country, and has done just that for the past 50 years.

"By the events in his life, the former military man has a better conception of America and her ideals. His service renders him eligible to belong to the American Legion. It gives him a feeling of owning a great share in his homeland, and working in the American Legion is considered by millions to be continued service and respect to country.

"We of the American Legion in Missouri are proud of the fact that this great organization became a reality through the founders, meeting in the St. Louis caucus in May, 1919."

[From the St. Louis Post-Dispatch, May 12, 1968]

PEACE MUST BE WITH HONOR, LEGION COMMANDER SAYS

William E. Galbraith, national commander of the American Legion, said here yesterday that Americans should accept no compromise on a "peace with honor" in Vietnam.

Galbraith spoke at a Legion founders' day luncheon in the Boulevard room of the Sheraton-Jefferson Hotel. About 200 Legion members and their wives attended, including 26 men who helped found the organization 49 years ago.

"It is our hope and prayer that peace can be brought to Vietnam," Galbraith said. "But although we look forward to a negotiated peace, we should not forget that we have more than 500,000 of our young men fighting there for a freedom that three generations of Legionnaires joined in fighting for."

He called on Americans to show a united front so that the North Vietnamese would not misread dissension as national weakness.

On the subject of riots in American cities, Galbraith declares that the Legion and its members "are not witch-hunters." But he suggested that a national survey be made to see "if our laws are adequate with respect to acts of sedition, acts of treason, acts of inciting a riot."

If they are not, he said, "then the Legion would speak out to encourage the Congress to enact such laws so that we can again live in security and peace in our own homes." The remark drew applause.

Also yesterday, tentative plans for the Legion's fiftieth anniversary celebration here next year were announced.

The plans include an eternal flame in the vicinity of Soldiers' Memorial, and a meeting of the Legion's national executive committee here next May 8, 9 and 10.

In other action yesterday, it was decided to name President Lyndon B. Johnson and former Presidents Dwight D. Eisenhower and Harry S. Truman as honorary presidents of the society of American Legion Founders.

The Founders Day program yesterday began with a wreath-laying ceremony at the American Legion plaque at the Union Electric Building, Twelfth boulevard and Locus street, and closed with a dinner last night.

HON. JOSEPH W. MARTIN, JR.

HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. WHALLEY. Mr. Speaker, the passing of the Honorable Joseph W. Martin, Jr., represents a great loss to America as he was one of the Nation's outstanding men. His passing is especially mourned in this House of Representatives.

He dedicated over a half a century to public service and directed this Chamber as Speaker of the House for the 80th and 83d Congresses.

Joseph Martin, who served so long and so well the people of Massachusetts and his beloved country, was a man whose integrity and decency will be long remembered in these halls and throughout this Nation.

He served in some of the most difficult jobs this House offers and devoted many years of hard work to the ideals of our country.

We must not only grieve his passing but also rejoice that he had lived to give his life in public service to the entire Nation. His selfish dedication is an inspiration to all of us.

Joe Martin was a good man. He deserved the confidence, trust and respect he earned from his colleagues. He won my warm, personal affection.

We shall long cherish the memory of the Honorable Joseph Martin, Jr.

LAW AND ORDER COMMEMORATIVE POSTAGE STAMP

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. REINECKE. Mr. Speaker, I should like at this time to commend the Post Office Department for issuance of the 6-cent law and order commemorative postage stamp, which occurs tomorrow, May 17, during this Police Week.

I would also like to commend a woman in my congressional district for her efforts to secure issuance of a U.S. postage stamp honoring the profession of law enforcement. Mrs. John J. Devine deserves the thanks of her community for her efforts in encouraging the Postal Department to issue a stamp honoring the people who bear the responsibility of maintaining law and order.

Mrs. Devine, who lives in Burbank, Calif., was corresponding secretary of the Women's Club of Burbank last March when she began her project of interesting persons in the issuance of such a stamp. Through her efforts, the project was approved by her club and later the convention of the Sierra Cahuenga District No. 15 of the California Federation of Women's Clubs. Later at the State convention, her efforts were recognized by the delegates attending and cooperation of the General Federation of Women's Clubs in Washington, D.C., was sought.

Mrs. Devine presented her suggestion to me last June, and I, in turn, immediately presented her idea to the Post Office Department.

The purpose of both the law and order stamp and Police Week is to produce among the populace an awareness and reaffirmation of the traditional role which the law-enforcement officer plays in protecting the people of America. The policeman is, and should be considered, a friend of each and every citizen he serves. This stamp, as well as the observation of Police Week, is intended to foster respect for law and order to encourage a better understanding between police and society. I heartily commend this contribution by the Post Office Department to the development of harmony and concord among our citizens and to the cause of law and order, which must be preserved.

It is, in this connection, appropriate that the month of May has been designated as "Crime and the Community Month" by the National Broadcasting Co. During this month NBC stations in Los Angeles, New York, Chicago, Washington, and Cleveland are presenting special programs relating to problems in their local communities. Station KNBC of Los Angeles is broadcasting 23 separate programs during May which will deal with local crime and its possible eradication by community-police cooperation. Among these programs are "People and the Police," "Crime in the Streets," "View From the Bottom," and "Youth and the Police."

I commend the efforts by our national leaders—both Government and civic—to deal with the problem of crime in a constructive and positive manner. I wish them every success in promoting the understanding that we all, as Americans, so fervently seek.

TODAY'S NAVY: A SICK ORGANIZATION

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. RESNICK. Mr. Speaker, if there is any one lesson that the Arnheiter-Alexander case has driven home to every naval officer loud and clear it is this: If you want to move ahead, don't bruise the establishment. If you do, your career may be flushed out to sea, whether you are right or wrong, no matter who you are.

Today's Navy has demonstrated, in the full view of the American public, that it is a sick organization, so arrogant and unyielding that it would rather destroy its best officers than admit to a possible error in judgment.

Capt. Richard Alexander learned this the hard way when he courageously came to Lieutenant Commander Arnheiter's defense because he and many other naval officers believed Arnheiter had been grossly wronged. For his trouble, this brilliant officer whom the Navy has trained and groomed for top command for 25 years was fired—suddenly and without explanation.

Why is the Navy fighting so desperately to prevent a rehearing of the Arnheiter case? And why is it dealing out such harsh punishment to those asking for a rehearing? Captain Alexander put it rather delicately, but precisely, to the Secretary of the Navy. He attributed this fear to "the strong positions already taken by senior officers."

In plain English, this means the Navy

is afraid that a new hearing might result in a reversal that would embarrass the authors of Arnheiter's removal, and all the highly placed brass who so readily concurred with the decision and endorsed it. In other words, the myth of naval establishment infallibility must be protected at all costs.

Mr. Speaker, there is another aspect of this matter which disturbs me: The Navy's ability to attract high-caliber officers in the wake of the Arnheiter-Alexander case. What young man would choose to surrender his self-respect and personal freedom to a blind and vengeful system that sacrifices justice and individuality upon the altar of arrogance and self-protection?

Last week, two young men, who at one time contemplated careers in the Navy, testified at my ad hoc hearings. They are James B. Roberts, Ann Arbor, Mich., and Richard S. Stoddart, Shaker Heights, Ohio, who served with Lieutenant Commander Arnheiter aboard the U.S.S. *Abbot*. I enter their statement in the RECORD at this point:

JOINT STATEMENT OF JAMES B. ROBERTS, ANN ARBOR, MICH., AND RICHARD S. STODDART, CLEVELAND, OHIO, BEFORE CONGRESSMAN JOSEPH Y. RESNICK, CONCERNING THE RELIEF OF LT. COMDR. MARCUS A. ARNHEITER AS COMMANDING OFFICER OF THE U.S.S. "VANCE" (DER-387)

BACKGROUND

James B. Roberts—graduate of Purdue University in 1957, and Naval Officer Candidates School, Newport; First Lieutenant and Gunnery officer aboard USS *Abbot* (DD-629) from 1957 through 1960; engaged in technical sales and marketing since 1960; currently Vice President of Systronics, Inc., a computer terminal manufacturer in Ann Arbor, Michigan.

Richard S. Stoddart—graduate of Dartmouth College in 1958 as ROTC Regular; Communications officer and CIC officer aboard USS *Abbot* (DD-629) 1958 to 1960; Staff Operations Officer on Staff of Commander, Escort Squadron 14 from 1960 to 1961; graduated from University of Michigan Law School in 1964; practiced law in the Cleveland law firm of Thompson, Hine and Flory 1964 to 1968; currently Vice President and Secretary of Shaker Savings Association, Shaker Heights, Ohio.

The strange and sometimes bizarre activities of the U.S. Navy regarding the relief of Lieutenant Commander Marcus A. Arnheiter as Commanding Officer of the USS *Vance* have been in the national focus for some months.

Mr. Arnheiter served as Operations Officer aboard the USS *Abbot* at a time when we both were also serving on board the same vessel, Stoddart as a subordinate in the department which Arnheiter headed, and Roberts as a fellow department head. We would not be so presumptuous to assume that we could add a great deal to the testimony of the many articulate career naval officers who have supported Mr. Arnheiter, but we believe that we might add perspective to your investigation, Congressman Resnick, in discussing the attitude and reaction that we had as ex-officers who chose *not* to remain on active duty in the navy.

Had we remained in the navy service, we would have probably by now received an executive officer billet, or perhaps even a small command. We assume therefore, that we probably reflect the views of hundreds of young naval officers in the age 30-35 bracket. Most of them would find it impossible to express their concerns and fears because of the incredible disciplinary action which was taken against one officer within the establishment who had the courage to support Lieutenant Commander Arnheiter. Certainly no junior officer, on his way up and intent upon a career, could now afford to voice the opinion that the Arnheiter case has been a travesty of justice.

Congressman, this case is far bigger than just the man involved or the fate of a naval career. It affects every man in uniform in the service of this country, for it strikes at the very foundation of the military command structure, and the ability of a commander of his vessel or unit to maintain and insist upon discipline. If this case as it now stands is to be considered a precedent, then all commanders in the U.S. Military, particularly those in the Navy, must be constantly on guard lest dissatisfied subordinates take steps to overturn them. A disturbing question that appears in order and particularly relevant to Arnheiter's case, is whether the growing permissiveness and challenge of authority that pervades our society today has in fact been nurtured within the Naval establishment.

We have attempted to thoroughly familiarize ourselves with the background and facts of the Arnheiter case. We feel it is significant, and pertinent, that we find nothing to indicate that Lieutenant Commander Arnheiter was any different an individual while he had command of the USS *Vance* than he was as Operations Officer of the USS *Abbot*. Arnheiter was, in our opinion, a competent, squared away, dedicated officer who constantly endeavored to instill pride of ship and naval tradition in crew and officers alike. Without question, he was a masterful ship handler, and as the senior watch officer, he thoroughly trained others in the safe navigation and conning of the ship. As Operations Officer, he did an outstanding job in operational briefings, in priming the officers and men for the mission at sea. As any Navy man knows, Congressman, there is a certain quality to life aboard ship at sea which exists nowhere else in the world. A combatant ship's ultimate mission at sea is to be constantly prepared for a single purpose—to fight. Marc Arnheiter believed that a ship which was not capable of fighting did not deserve to be at sea. We served with Arnheiter on board the *Abbot* when she was assigned as a gun fire support ship during the Lebanon crisis in 1958. In much the same manner as he successfully prepared *Vance*, and previously the *Ingersoll*, for Vietnam duty, as Operations Officer on the *Abbot* he zealously pursued the task of readying our ship for a possible combat situation. His efforts included working with the Gunnery Department in the organization of a landing team, with small arms marksmanship drill being held off the fan tail en route. As protestant lay leader, at that time, Stoddart conducted services and arranged for Arnheiter to speak on naval tradition and naval heroes as an inspiration to the men on their way to a war zone.

Marc Arnheiter has always had the courage of his convictions. This was no doubt instrumental in his large measure of success as executive officer of the *Ingersoll*. He undoubtedly is aggressive. But it is unfortunate that aggressiveness and innovation are apparently being condemned within the Navy, especially when those attributes were being employed to seek out the enemy in a war zone such as Vietnam.

It is incredible to us that subordinate officers could convince competent senior officers in operational staff positions that Arnheiter had done anything but attempt to make the *Vance* a fighting ship worth her salt. Even more unbelievable has been the subsequent sorry record of cover-up in the entire case—an effort which is still going on—and the lack of sensitivity and understanding of the position taken by Captain Richard Alexander. During our tour of duty abroad the *Abbot*, Captain Alexander was the commanding officer of a sister ship in the same squadron. His exemplary performance and outstanding capabilities were well-known throughout the squadron. We were not at all surprised when he was later selected for the much sought after job as commanding officer of the USS *New Jersey*. The action of the Navy in handling the Arnheiter affair has been deplorable enough, but the destruction of Captain Alexander is particularly appalling.

How could any young officer today, knowing the facts of the Arnheiter case, really believe that he could someday exercise any initiative, imagination, or daring in commanding a ship and still be assured of all prerogatives of command supposedly guaranteed by Navy regulations?

We, along with Arnheiter, had the good fortune of going to sea on the *Abbot* under exceptionally competent, professional Commanding Officers who exemplified the best in naval tradition and leadership. With this influence, we both seriously considered navy careers. Stoddart had applied and was about to be accepted in submarine school. Roberts was offered the opportunity for a teaching assignment at the Naval Academy as an incentive to remain in the Service. Our respective decisions to leave the Service were based in large part upon an uncomfortable awareness of the inherent structure within the naval establishment that would permit just this kind of demoralizing mess. Career-minded young enlisted men and officers alike who are familiar with the actual facts of the Arnheiter story must be disturbed by the fate of needed men like Alexander and Arnheiter. What appeal is there to men of similar stature to remain in the service with this example of the Navy's reward for initiative?

Congressman, today, as private citizens of this country, we are appalled by the actions of some of our Navy's top echelon and decision makers in this case who have apparently chosen to disregard the legal rights of Lieutenant Commander Arnheiter in order not to embarrass one another. Marcus Arnheiter has asked for a court of inquiry. We believe he deserves, at the very least, an opportunity to vindicate himself. We urge members of Congress to insist that the Secretary of the Navy convene a court of inquiry on the Arnheiter-Alexander fiasco. Let the chips fall where they may.

U.S.S. "PUEBLO" INCIDENT

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. QUILLEN. Mr. Speaker, the National Executive Committee of the American Legion in their meeting of May 1–2, 1968, at Indianapolis, passed a resolution in regard to the U.S.S. *Pueblo* incident, with which I am in complete agreement.

I said right after the seizure of the U.S.S. *Pueblo* and her crew:

During a crisis like this, we are first of all Americans, and we must rally to whatever action is necessary.

Taking an American ship by force, killing American men, capturing and holding the crew—all are acts of war against our Country.

We must have the courage to put our foot down firmly and demand the release of our men and ship. If they don't comply within a specified time of our demand, then we must go in and get our men and our ship.

There is no other honorable course for us to take.

I urge my colleagues and the readers

of the RECORD to read this resolution and support positive action to return the U.S.S. *Pueblo* and her crew to the control of the United States.

U.S.S. "PUEBLO" INCIDENT

Whereas, The American Legion is deeply concerned over the fact that the USS Pueblo and its crew have been detained in military custody by North Korea since January 23, 1968; and

Whereas, at the time of its illegal seizure by North Korean gunboats, the National Commander of The American Legion advised the President of the United States by telegram that this organization strongly backs "all determined efforts you deem necessary to effect the prompt return to United States control of the USS Pueblo and its personnel and equipment;" and

Whereas, in his message to the President, Commander Galbraith further stated that, "There must be no miscalculation on the part of our enemies of American resolve at this critical juncture," and that, "We are satisfied that the American public will tolerate no undue delay on the part of Communist North Korea in this situation;" and

Whereas, repeated diplomatic representations, including resort to the Security Council of the United Nations and direct discussions with North Korean officials at Panmunjom, have failed thus far to produce any sign of willingness on the part of the North Koreans to return the vessel and crew; and

Whereas, the Communists there and elsewhere are using this issue for propaganda value and, in their typical fashion, are confusing and distorting the facts in an effort to degrade and demoralize the personnel of the Pueblo, and to discredit and disparage the United States generally; and

Whereas, these Communist tactics—plus the fact that we have not recovered our men and property—have tended to lower United States prestige among our allies and friends; and

Whereas, continued delay in resolving this issue satisfactorily will result in further loss of respect for the United States and in serious deterioration of our ability to fulfill the role of leader of the free world, and champion of free Asia; and

Whereas, the American Legion believes it is high time for the United States to reaffirm and reestablish its traditional posture of defender and protector of our international rights as an independent, law-abiding, and God-fearing member of the community of nations; and

Whereas, The American Legion firmly adheres to the idea that a slogan which helped make that tradition is still a valid guideline for the foreign policy of this country, namely: "Millions for defense, but not one cent for tribute;" now, therefore, be it

Resolved, by The National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 1 and 2, 1968, that The American Legion—

(1) has the utmost sympathy for the plight of the men of the Pueblo and their family members at home;

(2) hopes earnestly that persistent diplomatic efforts on the part of the United States will soon result in recovery of these men and the USS Pueblo itself; and

(3) insists that this matter must be resolved satisfactorily at an early date; and be it further

Resolved, That if the Communist regime of North Korea continues to refuse to return the Pueblo and its crew, The American Legion calls for and will support strong, positive action by our Government—including the use of whatever military force is required—to restore to United States control the personnel of the USS Pueblo and the vessel itself.

COMMUNICATIONS FUTURE

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. MILLER of California. Mr. Speaker, Dr. L. A. "Pat" Hyland, vice president and general manager of the Hughes Aircraft Co., delivered a speech entitled "The Future of Communications: A Commentary," which should be of interest to anyone interested in communications, in space, or in science generally.

I know of no one better fitted to deal with this subject than Dr. Hyland, who has had an outstanding record of over 50 years in the field of science and a great deal of this in the field of communications.

I commend his fine speech to the reading of my colleagues:

THE FUTURE OF COMMUNICATIONS: A COMMENTARY

(By L. A. Hyland, vice president and general manager, Hughes Aircraft Co.)

The more than 50 years that I have been a communicator have spanned the period which marked the end of necessarily local communications and the beginning of literally unlimited communications. Until quite recently there has been little change, except in degree, in the patterns of communication from the time of Sir Frances Drake. The importance to our habits of Drake and the British admiralty can hardly be overestimated, for they conceived the pattern which was completed and maintained until the advent of the communication satellite.

In the early development of the British Empire, Drake and his successors established watering stations at every promontory, controlling island, and navigable strait around the world, beginning the effective domination of ocean shipping and communications during the days of the sailing craft. As steam displaced sail these same geographical points became coaling stations. With the development of electrical communications these same points were valuable as cable landings and later as wireless stations.

Whatever important control real estate was not occupied by the British came under the influence of other European powers or, to a minor degree, of American interests. Communication between points dominated by different powers generally was conducted through the home capitals, so we find both colonialism and geography as the primary factors in the structure of long distance communications. The limitations of optical signalling and, later of wire conductivity, controlled short distance communications.

Technological advances slowly crept in and improved and extended, in small increments, the utility of communication within these basic limitations during the four hundred years between the Drake explorations and the first synchronous communication satellite. The important dates then in the history of communication are 1570 and 1963. Why is 1963 important? Why is the year of the launching of the first syncom such a major milestone in the history of communications?

To set this in the proper framework I must comment on the history of inventions. For thousands of years a major invention typically resulted in a two-to-one technological improvement over what had existed before.

Some ingenious prehistoric man discovered that placing a load on a couple of drag sticks enabled him to carry twice as much as the load he could carry on his back. Later on some forgotten genius discovered that placing the load on a couple of wheels carved from a tree trunk would enable him to pull twice the load he could move with the drag sticks. Initially there were long intervals between these major inventions, but the ratio of improvement in each was on the order of two-to-one. This two-to-one relationship persisted for thousands of years until the 1940's when nuclear energy came about and the historical relationship of two-to-one became one-million-to-one. In almost any way you look at it atomic fission has this million-to-one relationship whether for poison, power production, explosive energy, or many other characteristics. This million-to-one relationship suddenly was imposed on a two-to-one human comprehension and level of adaptability that has been bred into us for eons of time. If you should protest that the telegraph or early radio was a jump materially greater than two-to-one. I respond that you have overlooked the five decades it took for the telegraph to be developed and widely implemented, and you have forgotten the pitiably small reliable power of the early radio transmitters.

With the advent of the communication satellite and its million-to-one potential, the barriers of geography and the painfully erected structures of bureaucracy by which our communications have been controlled are crumbling.

Let me recite a few examples. First the rate structure. The transoceanic rates for communication via satellite are not based on satellite costs, but are set to protect investments already made in cables and radio transmission. Although the United States has a monopoly on satellite communication because of its booster and spacecraft technology, nevertheless the protective rates are only a temporary umbrella. Other nations, especially those in the Communist world, will combine to utilize boosters of their own and cut under this monopoly with more realistic rates. This is not a threat; it is a promise if we persist in our present rate practices.

Another example: The cost of establishing communication in the underdeveloped or sparsely settled countries using conventional land-line or land-radio techniques is prohibitive. But with current satellite technology, newly developed beaming systems and the capability of multiple voice, television, and information channels, there can be remarkably flexible choices as to area coverage both for one-way and two-way communication.

It is almost a paradox that those nations without an existing communications plant may be the first to benefit fully from the new technology by having a truly modern system made possible by satellites. That result can flow from the following considerations:

All of you who have been in business know that the existence of factories, special tooling, established markets, and ongoing marketing organizations, are a major hindrance in a change-over otherwise enabled by newer technologies or changing public demands. It is the responsibility of the established manufacturer or operator to introduce new products in such manner as to minimize the prospect of economic loss to his customer as well as to himself. This practice slows down the adoption of new devices or operating modes, particularly where the existing investment is large. No better example of this fact could be found than in the peculiar way mankind is moving to grasp the applications that will be possible as a consequence of communication satellites. There will be impact not only with respect to the satellite systems themselves, but also in the changes to other kinds of communications which will be forced by adaptation to the employment of satellites.

It is entirely possible that many of the developing countries will have modern com-

munication systems much sooner, for example, than the United States because they have little investment in older systems and hence no problem in the writeoff on existing investments.

It may happen, however, that American booster and satellite technology export controls may be a *temporary* controlling factor influencing the rates at which the emerging nations will be allowed to progress in communications. If these ridiculous controls are allowed to persist, their main long term result will be to accelerate the time when the other technically advanced nations will develop their space technology into export quality. The Americans have no corner on the supply of brain power or motivation, and our past investments can be matched elsewhere. Here, as in many other technological and political matters, we should recognize that the launching capabilities of Russia, and the rapidly expanding capabilities of China and other countries, must not be ignored.

Everyone should be aware that France has an active space research program and a well developed launch facility in the Sahara. In collaboration with Germany, France is today at work on the Symphonie Communication Satellite. Even though the European space research organization, Esro, and the launcher development organization, Eldo, have recently come upon hard times with the withdrawal of Italy and the United Kingdom, we must expect these problems to be only temporary impediments to technological collaboration and progress in Europe. I believe the Europeans will learn to collaborate on the simple grounds that it would be patently insane for them not to do so.

Also, by the way, the French are carrying on a discussion of satellite communications of some sort with the Russians.

Meantime the Japanese have an active space research program representing both the government and private industry. Japanese industry is quite active in the field of satellite communication earth terminals.

The lesson is plain enough for all to see. We dare not be reluctant to supply our friends with the service they demand, even including the exclusive ownership of satellites, on a business basis. The foreigners are not children. What they want they will in time obtain, from whatever is the most favorable source of supply.

The matter of satellite frequency needs must be mentioned. The principal divisions of the available radio frequency spectrum, particularly at the frequencies below some 10,000 megacycles where bad weather does not present a problem, were laid out before anyone was prepared to argue the case for satellites and for some of the terrestrial business radio services. Since the advent of radio communication, with the gradual extension of the frequency spectrum utilized, there has been a running battle between the number of channels available and those who desire to employ them. The national and international agencies have done, for the most part, an excellent job of cooperation in laying down and forcing reasonable utilization of these valuable channels. Their job has been made easier by the technological developments which have made an ever increasing number of channels available to satisfy requirements. Always, however, some users have been offended. But we are now approaching the end of this road because the spectrum now in use extends from below the acoustical range up into the frequencies of light. There are certain frequencies which ought to be allocated to satellite communication and this fact, plus the burgeoning of other demands, requires a complete study toward the reallocation of all frequencies. That will be a large international undertaking.

A major change in any policy of a single government is a ponderous, time consuming and controversial matter. When that change involves all governments in the world and some huge private institutions in an area as important as communications, with all of the vast interests, investments and bureaucracies involved, the undertaking is indeed staggering.

Let's review a few familiar facts that will affect the nature of the changes which will take place.

First, although publicly used television is perhaps only twenty-five years old, there are today in this country some 120 million television receivers as against 90 million telephones, and, of course, the number of radio broadcast receivers is far greater than the count of television sets. This means then that the facilities for mass communications far outnumber those for individual communication. I am sure that the ratio between the numbers of mass receivers and of individual terminal handsets will steadily increase from here on out.

Second, both mass and individual communication systems have heretofore been limited by either or both of geographical and national boundaries, but these boundaries are now becoming meaningless from the communications viewpoint.

Third, in the space of five and one-half years the channel capacity of synchronous satellites has increased from one two-way channel to the many thousands which will be provided in the forthcoming military tactical communication satellite. Parenthetically it should be noted that every new venture into expanded communication channels has always been done in the face of questions regarding the prospect of the full use of the new facility, and always the new facility is fully utilized in half the time or less of the most optimistic estimate.

Fourthly, the communications business is one of the great growth businesses in the developed countries with no saturation in sight as the added facilities and services become available. Yet these developed countries account for only a fourth of the world's population. The need for both individual and mass communication media in the developing countries will provide one of the greatest markets of any technological era. It is noteworthy that this need could not be economically satisfied as long as earth-bound, land-lines communication, of whatever source, were the only means by which the necessary services could be made available. With the advent of high capacity satellites having selective area coverage and selective beam widths, the economic cost is reduced to the point where the most remote village could be provided with effective information links, whether individual or en masse.

What this all adds up to is that this million-to-one jump in technology has clearly outdistanced all of the means heretofore adequate to bring order and equity to communications.

That we have done as well as we have with the existing administrative, cooperative, and regulatory agencies during the progress of communications to date has been in my opinion largely due to the relatively slow rate of inventions during the 400 years prior to satellites. With the advent of satellites, however, and their concomitant ground distribution devices, we have a completely new ball game. The opportunities never existed before, the old rules are not appropriate, the administrative agencies obsolescent, and the old operating entities are battling the new realities in a paradoxically vigorous but somnolent passion of yearning for the good old days. The next decade will be interesting.

Now I want to depart from this theme and introduce another factor which in my opinion is even more important. In approaching this factor I am going to make the general assumption that the institutional, economic, legal, technical, and political factors for the new era of communications will eventually be solved. That massive achievement, however important and difficult it may be, brings us to the significant issue which for the first time can then be seen in its true dimensions. That issue is understanding! The sole purpose of communications, in whatever field, is to transmit and receive information which can be understood between the parties involved.

The technological limitations on communications prior to radio broadcasting kept information exchange to relatively simple items which could be understood by both parties. These were items such as prices and other easily definable commercial matters, administrative documents, and letters on family or social affairs.

In these cases, conditioning of the minds of the parties involved had either taken place beforehand, or the subject was easily defined in common terms. Where more complex or unknown elements entered into the situation the common practice was to transport one party to the other for face-to-face communication.

Radio broadcasts added a new dimension to the problem of understanding. The number of people listening was vastly increased but the breadth of the language and the contents of the material broadcast had to be limited by the common denominator of audience understanding. The material of the programs therefore became limited to comedy, light drama, crude violence, music, and news—all tightly edited for widest appeal. The advent of television, first black and white and then color, added to the interest of broadcast information without much improvement of understanding. At least television requires attention even though the program content may be no better. It is, by the way, interesting that broadcasting without pictures is the favorite medium for propagandists and charlatans, whereas in television the stage setting and make-up are as important as the material itself.

I am making these remarks from the standpoint of an American living in an environment of education, culture and language that is as well informed as any national group of people in the world. Yet the understanding of this fortunate group is so limited that the broadcast material is largely aimed at the level of understanding of a twelve year old. In Los Angeles we have eleven television channels on the air. Only one of these regularly offers seriously adult programing. We have some fifty radio stations locally, and only two of them are focused upon the mature audience. We do have educational programs—before 7:00 o'clock in the morning. Once in a while we have a churchillian speaker who can reach both the twelve year old and the mature individual, but this level of understanding is the best we have been able to do in the United States.

Now picture in your mind what we shall be able to do on a continent-wide, or world-wide basis with no common language, with millions who have never been out of the immediate area they were born in, with primitive cultures and little experience with a society of more than a few hundred people. Technology has made it possible for us to reach these people. With what do we reach them? What is the program content? Will it be reduced to the six year old level or should we follow the alternative and attempt to determine the means by which understanding can be conveyed through the application of the scientific method? Our technology has run away from the ability to communicate understanding. Anthropologists have repeatedly assured us there is no difference between the races in brain capacity and ability to learn. The differences which do exist at maturity are the consequences of environment, education, and superstition. The task then is *not* one of permanently degrading the programs to an a priori level of understanding, but of how to *improve* the understanding of the audience. Here there is both challenge and magnificent opportunity.

Consider a few examples. In our neighbor-

ing country, Mexico, there are villages in which the national language, Spanish, is not spoken. The people have been passed up by the general national progress—farming, health, and nutrition practices have not improved for centuries. The Mexican Government desires to reach these people and draw them into the mainstream of the national life. For this purpose instructional television giving language lessons in the local dialect, instruction in animal husbandry, the care of plots of crop lands, in birth control, in how to make a piece of simple furniture—these services could easily be provided by satellite link and at very low cost per head if the system deployment is sufficiently widespread.

The same problem recurs in nation after nation . . . India, Pakistan, Brazil, Ecuador—where concerned governments desire to initiate appropriate action programs.

There is more to the solution than simply putting up a small receiver terminal and a display tube. One of my staff people recently witnessed, in Spain, a showing in a remote village of a simple training film on the care of chickens for local food production. There was a near riot during the showing as a peasant overturned the screen in an effort to capture the chickens being pictured on it. He could not comprehend how the chicken could be seen without being present in the flesh. He had no understanding.

For untold centuries we have been governed by the lawyers, the priests, the philosophers and politicians, and in later years these have been joined by the professional financial managers, none of whom have improved our *understanding* a particle. The changes that have come to pass, for those in the developed nations, are improvements in factual knowledge, health, nutrition, and in physical facilities. Nothing has been done about human mutual understanding. The best that can be said for the governing sector, the opinion makers—and I must include myself in this indictment—is that they adapted the age old principles of control, or influence, to the increasing numbers in national units. However, we seem to have reached an upper limit to which this adaptation can take place as evidenced by increased unrest around the world. It seems to me we can compare the psychological problems to the medical problems. Humanity did not get very far so long as medicine was practiced by witch doctors and superstition. Progress commenced with the application of science to the healing arts and I submit that progress in understanding can be made only by the application of science.

As a matter of fact our progress in technology has only recently arrived at the point where it can be of use in the humanities. The jobs that we have done in technology so far are the easy jobs. Except for certain bacterial organisms, technology has dealt with materials, and non-living organisms. Until the aviation and space age, the application of systems studies to medicine was unknown, yet the human organism is the most complicated system of systems that exists.

The big job is ahead of us. It is the mission of the engineer to participate and help in bringing about an *understanding of understanding*, just as it has been the mission of technology to help improve health. It is the function of the engineer to recognize his worth and his responsibility to inject himself into the picture.

The fact that engineering should collaborate in bringing about understanding appears to be self-evident. Unfortunately, however, things are not quite as simple as that. Let me give you a definition of philosophy—"A search for truth through logical reasoning rather than factual observation". This is what the world had to live with prior to the advent of technology. In the absence of facts, for example, the philosophers were able to debate for years about how many angels could occupy the head of a pin. It is a human trait that the philosophers were unwilling to give up their dominance of humanity; they sought to continue occupancy of their primary position in the affairs of men. Therefore, I use the word "inject" advisedly with respect to the introduction of engineering in the search for understanding.

A current example of the need for technological injection is the President's Task Force on Communications Policy which is composed of fifteen members, only two of whom have any technical background. Of these two only one is a communicator. Admitting the vital need for participation by legal, political, and diplomatic experts, it is equally necessary for a substantial number of technologists to be represented on such a committee to elucidate, project, interpose, and judge on the facts relating to the future of communications, and to have a vote in the policy determinations. The facts relating to the achievement of understanding and to the evolution of the great potential of communications technology are not self-evident to the technically unprepared, however sophisticated they otherwise may be. It is not enough for a policy organism merely to consult with technologists. The engineer must be an integral and equivalent part of the decision-making process. In these days of rapid technical change it is difficult even for an expert to keep up with progress and develop that judgment which comes from a lifetime of experience in his field.

In our industry, we have what is called Murphy's law which states that: "In the absence of sure knowledge any choice is bound to be wrong". Therefore, I submit that the time has arrived for the development of knowledge so that we may ultimately bring understanding to the peoples who are making use of the communications achievements now made possible.

As I look back upon the last fifty years which have spanned the transition from semaphore and heliograph to television and satellite, I cannot help but be impressed with the great transition that has taken place in the communication field, and by the technically magnificent foundation that has been built. I look ahead to a structure which will go a long way towards bringing about better understanding within our own Nation and throughout the world at large. I envy the opportunity that you people in this room will have to participate in building this structure, and I wish you Godspeed in getting along with the job.

WORLD ORDER PROJECT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. RARICK. Mr. Speaker, the promoters of a new world order—hiding behind man-made law—continue their project to equalize the world colony.

Questions such as whose law? By what authority? And who decides who will be in control?—go unanswered.

I place a New York Times release, dated May 8, in the RECORD at this point:

LAW GROUP TO DRAFT WORLD ORDER PLANS

PRINCETON, N.J., May 8.—Officials of the World Law Fund announced today a project in which teams of scholars and public figures in seven areas of the world will develop models of world order, for use about 1990.

Douglas Dillon, former United States Secretary of the Treasury, is chairman of the sponsoring committee of the project in the United States. He announced the teams were now at work in Europe, Latin America, Japan, India and the United States.

"A nucleus group is under way in Africa," he said, "and three meetings have been held in Moscow, which it is hoped will lead to the drafting of a model in the U.S.S.R."

The models prepared in each country will deal with the role of world organizations, peace-keeping, methods of settling international disputes, disarmament, world economic development, social and human rights, weather control, control of oceans and a number of other subjects.

Saul H. Mendlovitz, professor of international law at Rutgers University Law School, is the director of the project. The research effort in the United States is headed by Richard A. Falk, professor of international law at Princeton University.

UBIQUITOUS U

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. DERWINSKI. Mr. Speaker, on Wednesday, May 15, the Chicago Tribune very properly commented on the unfortunate anti-U.S. bias of United Nations' Secretary General, U Thant, whose role in efforts to produce peace and freedom in the world has been much less than effective. It is obvious that U Thant, who philosophically is a Marxist, fails to recognize the diabolical nature of communism and persists in his preconceived prejudice against U.S. foreign policy.

The Chicago Tribune editorial of May 15, 1968, follows:

UBIQUITOUS U

The opening statements had hardly been exchanged in the Paris meeting of representatives of the United States and communist North Viet Nam when Secretary General U Thant declared himself in on the act.

In a speech in faraway Edmonton, Alta., he is described as throwing "his personal prestige behind North Vietnamese demands for an unconditional cessation of American bombing of that country."

We don't know what Mr. Thant's "personal prestige" amounts to. If it is equivalent to that enjoyed by the United Nations, his employer, it is minimal if not nonexistent. The secretary general's office, by its nature, requires neutrality, but Thant has never been guilty of that self-effacing virtue.

Over the years he has never missed an opportunity to sideswipe the United States and proclaim the merits of the Communists in every conceivable cause. So he is strictly in character in climbing on America's back once more with a demand for an unconditional halt in bombing and all "other acts of war." He says nothing about reciprocity from the Communists. There is no suggestion that North Vietnamese divisions stop the infiltration of the south or that the Viet Cong terror end. This war was initiated by Hanoi, but you would never know it from Thant's statement.

The secretary general finds it proper that the United States and South Viet Nam suffer these pressures, but it is intolerable to him that North Viet Nam should be obliged to "negotiate under duress." He deplores "the savage conduct of the war," but is unconcerned that there would be no war if the Communists hadn't launched it or that savagery is the stock-in-trade of the Communists. The discovery of mass graves at Hue, containing the bodies of 1,000 to 2,000 civilians butchered during the communist lunar new year offensive, is the latest entry in the gruesome record.

Thant paid us the dubious tribute of saying

that the climate of violence within the United States is "a consequence of the psychological climate created by the Viet Nam war." He said that, "if the principle of the sanctity of human life is not reestablished, the future for international peace and security is indeed a very dark one."

The climate of violence in the United States is largely the product of the revolutionary forces loose against us—the black militants and the Castroites, Maoists, and Marxists of the student left. These elements never miss a chance to make common cause in assailing the war and playing into the hands of the communist enemy. They do not conceal their desire that the United States be defeated and humiliated.

If Thant is concerned about the sanctity of human life, he could spend his time to better profit carrying his preachments to Hanoi, Peking, and Moscow. These are the sources of the doctrine of "wars of national liberation" to encircle America and the west and bring them to their knees.

The timing of Thant's announcements could not have been better calculated to serve the communist cause in the Paris conference, wishfully viewed by the Johnson administration as opening an avenue to "peace." What is most shocking about the secretary general's blatant intervention at this particular juncture of events is that he has perverted his office and disregarded every diplomatic nicety in order to play the partisan on the side of America's enemies.

If the United States government had any self-respect whatsoever, it would demand his immediate resignation. He could then retire to Hanoi and collect the rewards for his services.

STORM CLOUDS OVER THE NATION'S CAPITAL

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BURKE of Florida. Mr. Speaker, the skies over our Nation's Capital are heavily laden with storm clouds, but these clouds, as ominous as they may appear, may not be the only troublesome signs over Washington as this city sits on the site of a fire that could light the ingredients for a civil explosion, the likes of which our country has not witnessed since the Civil War.

We here in Washington are witnessing the beginning of a sad spectacle, described by some as the Poor People's March, when, in actuality, it is the intent of the leaders of the march to stage a giant camp-in, almost within sight of the White House, less than 2 miles from the Capitol.

Although I concur that it is the right of any of our citizens under the Bill of Rights to peacefully petition the Government for a redress of grievances, I question the right of our Government officials to encourage and to condone a camp-in by granting a permit for 3,000 or more people to live on land which belongs to all Americans. I also find it difficult to understand why the White House would condone a shanty town in complete violation of the building and sanitary codes applicable to other citizens residing within the District.

Although the leaders of the group have insisted that the demonstrations will be peaceful and nonviolent, one cannot help but remember that Washington was literally a city under siege a little over a month ago when bands of rioters and looters burned and ravaged a large section of the District, causing merchants and householders millions of dollars in losses.

Thus, it is no wonder that I and many other Congressmen and citizens are concerned.

Leaders of the protesters definitely plan acts of civil disobedience in the event the Congress fails to act promptly on their demands.

And while the administration granted a permit to allow camping only until June 16, the Reverend James Bevel, a leader of the Southern Christian Leadership Conference, stated that the marchers feel they have the right to remain longer, maybe as long as 2 or 3 years.

The march leaders also indicated recently they are not obligated to remain within the 15-acre tract in West Potomac Park for which the permit was granted, and may move onto other public lands to build.

To attain their ends, the leaders of this campaign have indicated it might be necessary to turn Washington and the Congress upside down. This hardly sounds like the peaceful protest that is meant under the Bill of Rights, especially since there are elements in Washington who would like nothing better than to seize on any incident to turn nonviolence into violence. One rabble rouser who has already visited the camp is Stokely Carmichael, who after one handshaking tour was described by Reverend Bevel as "A friend and brother, and one of the great black leaders of the country."

The smell of acrid smoke still lingers in many memories and the sight of burned buildings are still too much in evidence for me to take this present setting for trouble as lightly as some of our leaders.

I am sure that the American people will not allow the White House, or the Justice Department to ignore the demands of the majority of our people to maintain law and order and to apply the law equally to all, but I truly wonder where is the action and the words of reassurance that trouble will not occur in this campaign?

"Be cool, don't spread rumors," the President's appointed Mayor Washington says. The White House has said little or nothing and Attorney General Ramsey Clark stated on national television, "A little civil disobedience is alright."

They certainly are not heeding the words of the Reverend Ralph Abernathy, who is directing the campaign from his comfortable suite of hotel rooms and has been saying, "If Congress doesn't act for the poor people, there will be many plagues cast in their direction," and although nonviolence is the theme of the campaign, he adds if his group does not get what it wants he may not be able to keep his people nonviolent.

While Reverend Abernathy has expressed a concern that concentration camps might be built to lock up Negroes, he has created for these people a mock concentration camp. The poor, under his leadership, will live in the most cramped of quarters and share neighborhood restrooms and showers. The possibility of sickness and pestilence is great.

There is no assurance at this time where all this activity will lead, and you might well wonder just what does the Reverend Abernathy and his followers really want.

He demands that $24 billion per year be spent on welfare programs; he demands a rent supplement program; and a guaranteed minimum income of $4,000 per year, including cost-of-living adjustments and a work incentive. More recently he has added to the list a drive for land redistribution programs which would give the poor parcels of land.

These so-called nonviolent demands are backed with certain ominous revolutionary overtones, and I believe all Americans should recognize that Mr. Abernathy, in collaboration with the black militants, is about ready to put the majority of Americans to the test.

I think that once one considers all these demands and looks at the entire scope of this project that one can plainly see why I and others are so concerned. As citizens and as Members of Congress we were eyewitnesses to the horrible mob action in Washington only weeks ago.

The aim of the protesters now is to force the Congress to bend to the will of the leaders in this demonstration.

Once before this year, the Congress was stampeded into enacting legislation under emotion and threats of violence. I state now that the time has come for this type of legislation to be halted.

If the White House and those in the executive branch do not soon become aware of the true nature of how the poor are being used by the revolutionary demagogues without considering protection for the rights of the majority, then I hope that the Members of Congress will show the necessary courage needed to put our national house in order.

We must insist that our laws be obeyed by all Americans alike.

What is happening in Washington may well trigger the shot or incident that will result in the bloodletting revolution that the subversives who are prowling America today want tomorrow.

This country is beset with many problems, but they will not be solved by coercion or threats, nor can they be solved by insurrection and anarchy.

As you will know the protesters involved in this so-called "poor people's camp" will be the real losers should their actions be followed by rebellion.

I hope, therefore, that all Americans; white, black, brown, yellow, or red will recognize the dangers that face the Nation here in Washington. This so-called "poor people's" protest is not in the best interests of our country.

We are now in the midst of times that try not only men's souls, but also the patience of all races. I pray that those who are responsible for allowing this spectacle to take place will heed the storm clouds in the heavens that greeted the marchers upon their arrival into the Nation's Capital and their shanty town.

GENERAL PROVISIONS OF CONSUMER CREDIT PROTECTION ACT AGREED TO IN CONFERENCE

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mrs. SULLIVAN. Mr. Speaker, the nine conferees representing the House and the five conferees representing the Senate agreed last night, at the end of six long sessions extending over a period of more than 6 weeks, on all of the provisions of a very comprehensive bill dealing with consumer credit and truth in lending. We will have a completely new substitute bill to present to the respective Houses, and this substitute is still being worked on to incorporate all of the many technical points covered in the conference agreement.

I mention this point because my office has been inundated with calls all day, and so has the Committee on Banking and Currency, asking for information on the specific terms of the conference bill. I want to assure the House that on every significant issue in which the House took a position on this legislation, the conference bill generally follows the spirit of what we agreed to in the House, and in most respects the House bill prevailed. However, we did have to make concessions on details—concessions in degree rather than in principle—as is inevitable in the legislative process where there are such far-reaching differences between the bills passed by the two Houses.

GARNISHMENT

I was disappointed in the extent to which we had to weaken the title of the bill restricting garnishment, for instance, but we have nevertheless ended up with what will be the first Federal law of general applicability on this subject. Instead of the flat exemption of $30 per week and of 90 percent of the worker's pay over that figure, as in the House bill, the best we were able to persuade the Senate conferees to accept was a provision assuring the worker that he would have at least $48 out of his weekly pay, or 75 percent of his pay, whichever is higher. This is better than the garnishment laws in effect in roughly half of the States. The restriction on firing a worker for a single garnishment remains in the bill.

REVOLVING CREDIT

We won on our insistence that stores granting revolving credit advise the customer that the 1½ percent typical monthly charge on the unpaid balance is at the nominal annual rate of 18 percent, but we made several concessions. In all cases, however, the actual dollar-and-cent charges for revolving credit have to be spelled out, along with the manner in which the charge is assessed. If the store has a minimum charge of 50 cents a month or less, it does not have to figure out the annual percentage rate on every customer's monthly balance.

THE $10 EXEMPTION

The Senate bill exempted from rate disclosure all consumer credit transactions in which the credit charge is $10 or less. We had no such exemption in the House bill. We compromised with a rather complicated sliding scale formula which would permit sellers or lenders offering installment credit to avoid having to give the annual percentage rate of the credit charges on any transaction of $25 or less—that is, the principal amount of the debt, not the service charge. Then we set certain limitations on the service charges which can be made without having to give the percentage rate; for instance, on a loan or sale of $75 or more, no annual rate would have to be figured out if the total service charge did not exceed $7.50.

NATIONAL COMMISSION ON CONSUMER FINANCE

We realized throughout our work on this bill that it was impossible to write as far-reaching a piece of legislation and be sure that we had covered every point with exact precision and with wisdom. We tried our best. But there will be many hands and minds put to the task of implementing this legislation under regulations to be drafted by the Board of Governors of the Federal Reserve System before it takes effect July 1, 1969.

One of the most important titles of the bill creates the National Commission on Consumer Finance to study all aspects of the consumer credit industry, particularly in relation to this legislation, and recommend changes or improvements in the law. We are giving that Commission some high priority assignments in the areas where the conferees felt we did not have all of the facts we would like to have in reaching some of our decisions. So there will be time to close loopholes where found, or to eliminate any unnecessary or undesirable requirements.

ADVERTISING OF CREDIT TERMS

The advertising requirements are generally along the lines of the House bill with some technical changes. There was no provision in the Senate bill dealing with advertising of credit terms.

ADMINISTRATIVE ENFORCEMENT

The enforcement provisions followed the House bill.

EXTORTIONATE EXTENSIONS OF CREDIT

A very far-reaching provision in the House bill would make it a Federal crime to engage in organized loan-sharking activities in violation of State law. This section has been completely rewritten to accomplish this goal and will provide a powerful weapon to use against criminal rings using strong-arm methods, or threats of violence to collect unconscionable interest charges. There was no similar provision in the Senate bill.

SECOND MORTGAGE RACKETS

The House bill provisions on credit transactions involving a security interest in residential property have been retained. However, instead of the 3-day notification period required in the House bill, we agreed to provide a 3-day period after the completion of the transaction for the customer to cancel. The details on how this will be done must be worked out by the Federal Reserve Board. The right of the customer to challenge the "holder in due course" defense under certain circumstances, as spelled out in the House bill, was retained also. This is a real breakthrough, as is true with many other provisions of the bill.

FIRST MORTGAGES

The Senate bill exempted all first mortgages, regardless of their character, from any of the requirements of truth-in-lending disclosure. The House bill carried no such exemption. The conference bill has a very limited exemption for "purchase money" first mortgages in that the total amount of the interest over the entire life of the mortgage does not have to be included in the information which must be disclosed to the purchaser. We had already in the House bill an exemption of that nature in the advertising of residential property financing terms, so the change is not inconsistent. The reason for this special treatment is that prospective purchasers of homes might be discouraged from buying if they saw that over the period of a 25- or 30-year mortgage, the interest charges usually exceed the principal amount of the mortgage. I felt this was useful information for home purchasers to have in order to decide on the number of years they would prefer to have the mortgage run, but this was a concession we made in reaching agreement on the bill.

ON THE WHOLE, A STRONG BILL

In this first and hasty outline of the terms in the conference bill, I have left out many of the technical changes and amendments which the credit industry will need to know about. My purpose today is just to try to cover some of the major areas in disagreement between the House and Senate bills which were worked out in conference. It is, on the whole, a strong bill—much, much stronger than many thought we would ever have a chance of enacting into law. Many people deserve grateful thanks for the hard work and the patience and the wisdom they devoted to this landmark piece of legislation and I certainly intend to name many of them as we complete action on the legislation. Right now, I want to mention with my deepest gratitude and admiration the work of Chairman WRIGHT PATMAN of the House Committee on Banking and Currency who succeeded yesterday in guiding the conference into agreements on issues which had eluded agreement for weeks.

The House conferees stood solidly together for the principles of a strong consumer credit bill and exhibited tremendous staying power to win the concessions we obtained for the House position. They were wonderful allies, all of them: Representatives BARRETT, REUSS, ASHLEY, MOORHEAD, WIDNALL, FINO, and DWYER. I have never been in a more difficult conference or seen better House unity and effectiveness.

EXCELLENT WALL STREET JOURNAL ARTICLE

Mr. Speaker, the news media did an outstanding job last night in handling this big package of technical provisions. The story I saw which carried the greatest detail was in the Wall Street Journal. It is remarkably accurate considering the conditions under which it had to be

written late in the day. However, there was one minor error: in all of the cases where we exempt revolving credit or installment charges, we do not exempt them from dollars-and-cents disclosure, just from disclosure of the annual percentage rate. Otherwise, I commend this story as an excellent review of the decisions made in conference, as follows:

[From the Wall Street Journal, May 16, 1968]

TRUTH-IN-LENDING MEASURE HEADS TOWARD PASSAGE—HOUSE-SENATE GROUP AGREES ON GARNISHMENT CURBS—ENACTMENT SEEMS CERTAIN—SOME STIFF PROVISIONS KEPT

WASHINGTON.—A House-Senate conference committee recommended legislation that would require "truth in lending" and restrict garnishment of a worker's wages to pay off debts.

The conference's action brings the proposal to the threshold of enactment after a battle of more than seven years. The legislation is expected to be ready soon for final floor votes, and enactment seems assured.

The bill retains many of the tough provisions the House wrote into it, though it was softened somewhat in compliance with Senate demands Truth-in-lending rules would become effective July 1, 1969. The restriction on garnishment of wages would go into effect July 1, 1970.

COST MUST BE STATED

Basically, the rules provide that finance charges must be disclosed to buyers in writing before a sales or loan transaction is completed. For most consumer credit, the charges would have to be itemized both in dollars and in terms of approximate annual interest on the declining balance of loans.

This would change many traditional methods of stating credit costs in the $100 billion consumer-finance field. For example, a person borrowing $100 with a total finance charge of $6 no longer could be told that the interest charge is 6% if the loan is to be paid in 12 equal monthly installments. Instead, in a typical case, the interest rate would have to be stated as approximately 11%.

The higher rate is the "true" figure because the borrower would have available, on the average, only a bit more than half the total loan as he repaid it over the 12 months.

Until Jan. 1, 1971, the legislation would permit lenders and other creditors the option to state finance charges in terms of "dollars per $100." Thus, instead of stating an interest rate of 11%, disclosure could be made in terms of $11 per $100. This is intended to safeguard lenders and creditors from running afoul of state usury statutes; the legislation presumes that states would change usury laws by 1971 so that disclosure could be on an interest-rate basis in all cases.

The bill directs the Federal Reserve Board to administer the law and issue regulations to implement it. Retailers or lenders convicted of violations could be held liable to customers for up to $1,000. Criminal violations could result in a prison sentence of up to a year.

The intent of the measure is to enable consumers to compare credit plans and shop for the best one. It was long opposed by business interests, and a number of concessions from the original concept were written into the bill to mollify businessmen.

A key compromise involves interest-rate disclosure on department-store revolving charge accounts, though backers of disclosure on an annual-rate basis appear to come out ahead.

The bill requires interest-rate disclosure on revolving charge accounts on both a "nominal" annual-rate basis and a "periodic-rate" basis, usually a monthly rate. Thus, in a typical case, a department store would have to tell customers that the finance charge on a revolving account was 18% a year and 1.5% a month.

OTHER METHOD DEVISED

But the conference committee devised another, optional method of stating revolving-account rates. The option would permit a store to tell customers the "effective" average annual interest rate the store realizes from its revolving charge-account business. This would typically be less than the nominal rate, because the nominal rate wouldn't take into account the "freetime" customers often are given before they are charged interest.

The effective rate would be figured by dividing total income from revolving credit into the interest-charge portion of that income. For example, if the total income was $1 million and the interest-charge portion was $100,000, a store could state its effective annual rate as 10%.

The optional method could result in disclosure of three different interest-rate figures. For example, a store could state that its "nominal" annual rate was 18%, its "effective" annual rate 10% and its monthly rate 1.5%.

SMALL CHARGE EXCLUDED

Retailers were given a concession in a provision that would allow them to exclude from disclosure of finance charges a certain minimum monthly charge on small unpaid revolving-account balances. In general, on monthly charge-account balances of $35 or less a store could require payment of up to 50 cents without disclosing the service charge to a customer.

The bill also exempts certain small finance charges from the general disclosure requirement for installment credit and loans. The conference committee adopted a sliding method of exemption. It provides that disclosure of finance charges wouldn't have to be made for any item costing $25 or less. An exemption from disclosure would be permitted for items costing $25 to $75 if the charge was $5 or less. For more expensive items, disclosure wouldn't be required unless the finance charge was more than $7.50.

Interest rates on first mortgages for home buyers would have to be stated at a "true" basis; most mortgage lenders currently do this anyway. But the bill drops a House requirement that would have required mortgage lenders to state total finance costs over the life of the mortgage, though this requirement will continue to apply to other types of loans and retail credit.

VICTORY FOR HOUSE

Agreement to an antigarnishment provision was a major victory for the House; the Senate hadn't considered this proposal. But the House had to agree to soften somewhat the antigarnishment plan it had enacted. The final bill specifies that 75% of a worker's wages would be exempt from attachment to satisfy a debt.

Low-paid workers would receive a flat $48-a-week exemption from garnishment, even if that amount exceeded the 75% rule. The exemption, moreover, would apply to a worker's take-home pay after deductions for taxes and other items required by law. The bill is fashioned so that the minimum $48-a-week garnishment exemption would rise if the Federal minimum wage was increased.

The bill also forbids employers to fire workers the first time they are slapped by a garnishment. Sponsors of the garnishment restriction have argued that many persons have been forced into bankruptcy when they lost their jobs because of garnishment action.

OTHER PROVISIONS

Other sections of the bill include these measures:

A grant of broader power to Federal authorities to combat "loan-sharking" by criminals. This provision will let Federal authorities enforce state usury laws when violations involve interstate traffic in loans.

A rule designed to prevent home-repair concerns from tricking credit customers into giving them second mortgages on their homes under terms of a credit agreement. Sponsors of this measure assert that many home owners have unwittingly signed second mortgages to pay for home repairs when they thought they were simply agreeing to a regular installment payment contract.

A requirement that interest-rate disclosure requirements be complied with in credit advertising. This would permit advertisers to refer generally to "easy" credit terms, or use other general language, but any specific interest-rate and dollar-cost statements would have to comply with the disclosure rules.

A rule that the cost of credit life insurance would have to be figured as a part of the total financing charge to be disclosed, if the consumer is required to buy such insurance. This measure wouldn't apply if the consumer voluntarily bought credit life insurance from the creditor.

Establishment of a National Commission on Consumer Finance that could make recommendations to Congress for further legislation.

REPLENISHING THE IDA

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. REUSS. Mr. Speaker, the May 15 edition of the Washington Post contains an excellent editorial on the need for increased participation by the United States in the International Development Association:

REPLENISH THE IDA

The International Development Association, widely known as IDA, is a subsidiary of the World Bank which specializes in making low-interest, long-term loans to countries so poor that they can neither service nor repay their debts in convertible or "hard" currencies. IDA, which exhausted its capacity to extend more loans, is being replenished by subscriptions from 19 advanced countries. The United States' share of the $1.2 billion replenishment was $480 million, payable in three installments of $160 million. We hope that the House Banking Committee, which meets today in executive session, will authorize the full subscription and strongly urge its approval by the House.

In terms of the urgent needs of the less developed countries, the IDA replenishment is quite modest. Under the original proposal, advanced by Mr. George D. Woods, the former president of the World Bank, the average annual subscriptions to IDA were to be $1 billion and arranged so that they would increase in each of the three years. That plan foundered, largely because the need to protect the U.S. balance of payments position gave other countries an excuse to scale down their contributions. But the U.S. payments problem is now resolved by a special arrangement under which the outflow of dollars for IDA would be postponed until the end of the three-year period.

The United States, which accounts for about 55 per cent of the total income of the 19 advanced countries, is being asked to provide only 40 per cent of the IDA replenishments. For every $2 that we put up, other countries will contribute $3. A $160 million a year contribution is not at all a high price to pay for encouraging economic development. The United States long ago assumed the leadership in providing eco-

nomic assistance on a multilateral basis, and Congress should honor our commitment by approving the full IDA contribution.

PRESIDENT QUINCY DOUDNA OF EASTERN ILLINOIS UNIVERSITY SUGGESTS SOLUTIONS TO INNER CITY PROBLEMS

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. MATSUNAGA. Mr. Speaker, I recently had the opportunity to read an unusually inspiring and thought-provoking commencement address which was delivered to the 1967 graduating class of Eastern Illinois University by its president, Dr. Quincy Doudna.

Dr. Doudna diverted somewhat from the usual commencement themes and spoke to the university graduates on the problems of the inner city—problems which he stated are fundamentally economic rather than racial.

Although this address was delivered last summer, I find that his remarks are as timely today as they were then, and I wish to share them with the Members of Congress and other readers of the CONGRESSIONAL RECORD.

President Doudna suggests economic remedies to help the disadvantaged people in the slums of the inner city—such as "the development of industrial plants in the centers of our large cities within walking distance of large numbers of ghetto dwellers." He also submits the proposal that our large city school systems be broken up into districts that are somewhat similar to the community unit districts in order to make them less remote psychologically to the people of the cities.

The constructive nature of President Doudna's ideas merits careful reading and consideration by all, including Members of Congress, who seek solutions to the problem of civil disorders which is troubling this Nation. To them I commend his speech and insert it at this point in the RECORD:

Some twenty times now I have given a charge to the class on the occasion of the commencement exercises. These have usually dealt with matters associated with the new Eastern Illinois University and sometimes quite particularly with the new role of the members of the graduating class as they become alumni. I had planned such a talk for this evening but have changed my purpose and my presentation.

Distressing and indeed alarming events of this past summer, following similar but less numerous episodes in other recent summers, lead me to feel compelled to add my views to the many that have been publicly stated with respect to the serious problems of our inner cities.

My time for reading is necessarily limited. Yet I have read what I could of the opinions so many have expressed relative to the obvious problems and to the deep-seated but less discernible causes that have brought about the summer riots. I have read of the palliatives that have been proposed, and I have read a number of suggestions for attacking the far-reaching, basic causes insofar as they are understood. After reading all of this, I paraphrase Winston Churchill and suggest that never have so many said so much that adds up to so little about such vital problems. I say this, recognizing that those who hear me may conclude that I have simply added to the number by what I say. If my criticism of the multitude of comments, or yours of mine, should be valid, it would be quite understandable. We are dealing with matters that are extremely complex and we seem to be seeking solutions that are simple and solutions that are cheap because we need them so desperately and so immediately and because demands on our resources are being dissipated in so many other activities which in themselves seem to be important to those making decision.

I should like to say at the outset that I think the element of race involved in the problem has been greatly overstated. I have seen the shacks of the slum-dwellers perched precariously on the hillsides outside Lima, Peru, visible as they are from roofs of the handsome new downtown buildings. I have seen them again in Caracas, Venezuela, visible once more from the luxury hotels and the fabulous University City with its beautiful architecture. I have stepped over men who were asleep on the sidewalks in the principal streets of Cairo, Egypt, because they have no homes to go to. In not one of these situations is color or race an apparent factor. I have seen the slums in Trinidad and other West Indies islands where the slum dwellers are Negro, but where this can hardly be relevant since, in some islands, the colored population constitutes ninety-five percent of the total.

Color is relevant to the problem in America, as I see it, chiefly because through force of circumstance a great many, but by no means all, of the people living in the inner cities do happen to be colored. It can be contended that many of them are there because opportunities have been denied to them because of race. This may well be true, whether they were born there or moved from the South where their opportunities as children were limited. This much I concede. My point, however, is that hatred of the white man, which gets so much publicity because of the utterances of the leadership of the Black Power Movement, might well have been hatred of white man for white man rather than black man for white man—if white men happened to be the dominant population group in the ghettos as was the case several generations ago when the Irish, the Italians, the Poles, the Hungarians, and others came to America and gravitated to the ghettos. What I am saying is that there is little or nothing inherent that results in the dislike of one race for another. There is, however a quite understandable hatred inherent in those who have been disadvantaged for generations—whatever their origin. For those who have somehow not become full participating members of our affluent society this hatred would exist, I repeat, regardless of color.

One asks at once, then, why are there not riots of the same type in the great cities of the world where color is no factor. As I see it, the riots occur in this country more than elsewhere because the people doing the rioting here have had so many opportunities through at least limited contact with schools, through occasional sallies to the suburbs, through watching television, and through hearing the pronouncements of our state and national leaders about our economic progress and prosperity that they have come to believe that in America, at least, no one really ought to live the way they live. Perhaps in some parts of the world poverty is still accepted by the poor. It is no longer accepted by the poor in America, whatever their color.

What I am saying then is that I think the basic trouble is fundamentally economic and not racial. The racial aspect is coincidental and those who make much of it, do a disservice by diverting our attention from the real causes that we ought to be trying to correct. No matter how much we may come to love the black man because of Christian teachings, or how much integration we may advocate, or provide for because of humanitarian considerations, if the economic problem is not solved the hatred and the bitterness and the violence will continue and grow.

Unfortunately, because of a lack of full understanding of the situation, the recommended remedies have fallen short of reality in many, many instances. Even those who have recognized the basic nature of the problem as economic have said that the solution lies in "more and better education"—which ought to make any of us engaged in that enterprise pleased, since our potential contribution to the general welfare appears to be recognized. But then it appears that the big emphasis, in trying to improve educational opportunities, is on *integrating* the schools rather than *improving* them. I cannot agree with those who seem to think that the mere presence of two races in a classroom does very much automatically for the education of the children in the room. If I were a black parent, I would rather have my child go to a school, even if everyone were his color, where the building was first-rate, where the teacher was first-rate, where the equipment was first-rate, and where the books were abundant and first-rate, than to have him to go to a school where there was a variety of children but where everything was third-rate. One can contend that the variety of children will give some social advantages that are worth achieving and that we should have an integrated school that is also first-rate. I agree with this. My only point is that so many seem to have put so much faith in getting the schools integrated that we have had our attention diverted from trying to improve the schools no matter who attends them. This is what is vital.

I shall have more to say about the schools in just a moment. I want to get now to an area where I do not feel as sure of myself as I do when I talk about education.

I said that the basic trouble was economic. I conceded that the problem over the long run could not be solved without great improvement in the education of all of our citizens, but particularly those about whom we are thinking at this moment, namely those who have somehow not been able to participate in any real sense in twentieth century American society.

Improvement in education comes slowly and education is a slow process. Slowly though improvement comes and slow though the process be, the improvement must be sought and the necessary years in school must be afforded. Yet it is impossible to improve the schools forthwith by wave of wand, and no matter how hard we try they will not be much better in the inner cities by the time hot weather comes in 1968. Certainly, we cannot wait for a new generation of better educated young people to come out of our slum schools, even assuming they are improved and that we get all of the students to attend them who should and for as long as they should. Remedies must be forthcoming immediately.

I repeat that the basic trouble is economic. I speak now of an economic remedy that appears to me to be feasible and necessary and that could be made operative in a matter of months, or at least within a year or so, if we were to set our minds to it with anything like the zeal that we apply to helping disadvantaged people in lands overseas.

I propose that the government become a generous partner in the development of industrial plants in the centers of our large cities within walking distance of large numbers of ghetto-dwellers. This may horrify city planners who know more about these things than I do, but I see no reason why new industry must be located in towns such as Charleston or Mattoon, or in cornfields beyond the suburbs such as is the case in

some instances in northern Illinois. I think that some of them could be where the labor is—and in order to solve the problem we are concerned with here that is where they ought to be. A man ought not have to drive an hour or so, or ride a bus, to get to his work in the morning and home at night. Certainly he is not very likely to do it if he does not want to work very badly anyway. Further, he will not take the pride in his job that he might if the factory where he works were near him. I said the government would have to be a generous partner. It would have to furnish a substantial portion of the capital to some private investor who is willing to take the risk in this rather precarious type of industrial development. It would also have to furnish the money for the extremely heavy insurance premiums that are now being demanded of those who own any kind of property in the ghettos. It might have to give generous tax write-offs over a period of several years just as has been done in Puerto Rico to encourage the development of industry. Further, the industries would have to be selected so that one does not have to have much educational background to earn at least a modest wage in the enterprise. I was amazed to learn that in a southern Illinois border city an industry acually had to go out of state to hire personnel because they could not find among the unemployed in their own city persons that met the sixth grade education requirement, if I am to believe the public press.

I get back now to something I know more about. I have said that the real problem as far as education is concerned, recognizing as I do its ultimate necessity in solving the economic problem, is to improve the general quality of the schools. In my judgment, this improvement is almost certain not to come in the slums of the inner cities under any plans I have seen proposed thus far. The problem is not one of finance entirely, costly though an improvement program would be. It is more a problem of organization and administration. A generation ago we were faced in rural Illinois and Wisconsin, and in much of the nation for that matter, with a situation where our school districts were too small to operate effectively. We launched a massive program of school district reorganization and developed the very excellent community unit districts that have meant so much in improving educational opportunity for rural, village, and small-city youth.

What we need now is an attack at the other end. We have in our major cities a more serious problem than we ever faced in our rural areas but an entirely different one. In a large city the school system is too large. It is not only difficult to manage; I submit it is unmanageable. No general superintendent in Chicago or New York or Detroit will solve the educational problems within the framework now existing.

I propose that our large city school systems be broken up into districts that are somewhat similar to the community unit districts. I suggest that there be one high school in each district with the neighborhood elementary schools that commonly contribute their graduates to the high school being a part of the same district. Lest somebody tell me quickly that in his city they have "area superintendents" I hasten to say that this is not what I mean at all. I do not propose that the dozens of districts thus set up in the larger cities be under the jurisdiction of a general superintendent with a coterie of assistants. I propose that they be independent school systems, not only with their own superintendent but with their own school board elected by the people who live in the district and whose children go to the schools there. Only then will the people take any pride in the schools. People served by schools must feel close to them to have interest and pride in them. They can then feed strength to the schools and, in turn, draw strength from them. In the big cities, schools must seem terribly remote psychologically, however close geographically. If you live in Chicago or New York or Detroit or Los Angeles, how much do you as a person have to do with efforts to improve the schools? Can you help elect the school board? Can you complain to the school board if you think things are going badly, or can you compliment them when you think things are going well? Does your parent-teacher association have any real effect on the situation? If you answer any of these questions yes, I submit you are being fooled.

I am not deterred, in setting forth this proposal, by the financial problems. I am fully aware that there would be some districts with nowhere near enough assessed valuation to support a first-rate program and others with factories, utilities, etc., that would augment the valuation to the point where the tax rate could be relatively low and still a good school system be supported, but I ask, "Do not these disparities exist in downstate Illinois and elsewhere in rural and semi-rural America?" It does not take any great genius to develop equalization formulas that will result in every taxpayer getting approximately the same quality school system for approximately the same tax rate. Surely an equalization plan within a given large city could be worked out. I say this could be done even if we had to rely largely on the property tax to support schools, which we are not obliged to do. Clearly, with the additional possibilities for equalization of taxes and hence, of opportunity, that exist because of the availability of the state and federal taxing machinery and resources, it should be possible to solve the financial problems of running a hundred school districts in a major city and getting them down to such size that the people whose children attend them can concern themselves with them and exercise some influence in the direction of their improvement.

I recognize that I have dealt with some very complex matters that would be difficult of solution even if all concerned were able to sit down dispassionately and do some good solid thinking about them. They are rendered so much more difficult because of the emotion that has been engendered. The violence, the destruction, the bloodshed, the death, trouble us when awake and haunt us when we sleep. Yet we have to think and we have to think coolly and competently about these matters. Moreover, we also have to think quickly.

As of now, you are university graduates. A very special responsibility rests on your shoulders. If you have been concerned with aid to athletes, the desirability of a stadium, your girl friend's hours in her place of abode, and whether you should be obliged to attend class or decide that as you see fit, surely you must know that those are problems of a passing sort that scarcely are worthy of really deep thought and concern. The problem I have been discussing tonight is, I submit, worthy of every talent our economic, educational, and political leadership can muster. Certainly it is worthy of every effort that you as new graduates at Eastern Illinois University can bring to bear toward its solution.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. SCHERLE. Mr. Speaker, this is the 115th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

FORCES FOR PEACE AND FREEDOM

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. REINECKE. Mr. Speaker, it is a privilege for me to honor the men and women of our Army, Navy, Marine Corps, Air Force, and Coast Guard on this Armed Forces Day, which is Saturday, May 18. In this difficult world of neither total peace nor total war, the necessity of defense preparedness, based upon the Active and Reserve military personnel of our Armed Forces, assumes a transcendent importance.

An English general, Sir John W. Hackett, in a 1962 series of lectures at Trinity College in Cambridge, stated the following:

> Since war became total we have acquired weapons which in total war can destroy mankind.

Does this mean that mankind's only hope of survival lies in the destruction of all weapons, beginning with nuclear weapons? Does this mean that the United States should voluntarily surrender its weaponry in the hope that other nations would follow our lead? The answer is, of course, a categorical "No." General Hackett continues:

> The penalty of inadequacy was high before. It could now be final.

Does this mean that total nuclear war must inevitably come? Does this mean that we should seek and welcome total nuclear war? The answer again, is of course a categorical "No."

What then is the function of our Armed Forces and our military might? I submit that we cannot meaningfully honor our servicemen, their dedication and sacrifice, without fully understanding their role in today's world. Three factors converge at this point. First, the fact that we live in an international environment of neither total war nor total peace dictates an extremely high level of defense preparedness. Second, this preparedness must be partly nuclear as a deterrent to total war; in fact, in the very acquisition of these weapons lies our only hope that they will not be used. Third, in addition to nuclear preparedness, we must maintain a conventional capability because the intolerability of total nuclear war means not that conflicts will cease to occur, but that they may occur on a limited, nonnuclear basis.

What I am saying is that we must be prepared for war if we wish to have peace. This is of course not a new thesis; indeed, Aesop wrote in his "Fables" over 2,500 years ago:

> Against danger it pays to be prepared.

George Washington stated in his first annual address to Congress in 1790:

> To be prepared for war is one of the most effectual means of preserving peace.

Theodore Roosevelt stated in 1897:

Again and again we have owed peace to the fact that we were prepared for war.

And Gen. Maxwell D. Taylor wrote in 1960:

The deterrence of war is the primary objective of the armed forces.

We must therefore continue to ask the men and women of our Armed Forces to preserve our national security and deter aggression. Any discussion of peace, of freedom, indeed, of this Nation's survival, is contingent upon military preparedness. It is, within this context, not a cliche to say that our Armed Forces constitute a force for peace and freedom.

In this sense, I am always bewildered at the criticism of certain minority elements who loudly and passionately downgrade our military might. Our Armed Forces are not responsible for man's imperfections, for man's inclination toward conflict and violence. One does not blame a doctor for the existence of disease, for the doctor constitutes a response to that disease. It is the same with our Armed Forces. Their very existence and their continuing presence constitutes a response to aggression. This has been historically true concerning the United States, and it is true today.

The revolutionary ideals and beliefs that created this Nation have, through the passage of time, grown into a rich heritage from which we draw our guidance and inspiration. Our ancestors fighting in the Revolution carried banners bearing such mottos as "Don't Tread on Me" and "An Appeal to Heaven." These banners are still flying, but only because we have been able to draw upon a tremendous reservoir of commitment and self-sacrifice, because the men and women of our military services speak of dedication, not only with words but with service.

Translated into action, this dedication and service provides this Nation with an Army of great flexibility and combat readiness, with a Navy of versatility in the mobilization of seapower, with a Marine Corps of readiness through amphibious forces, with an Air Force of sophisticated specialization in airpower and firepower; and with a Coast Guard consisting of both military and humanitarian capabilities.

The vastness of these services and their functions is equalled only by the extent of their contributions to our security and well-being—ranging from the Air Force's flying of 117,000 strike sorties in South Vietnam in 1967 in support of ground operations to the Coast Guard's 1967 record of saving over 3,000 lives and responding to some 42,000 calls for assistance from ships and aircraft.

This Nation, realizing the contribution of its Armed Forces, has, in its wisdom, set aside a day to honor the men and women who so proudly serve. On this day then, we pause and contemplate a mighty arsenal—an arsenal consisting not only of sophisticated weaponry, but also of profound dedication; an arsenal whose sole reason for existence is the preservation and pursuit of peace and freedom.

WHY THE UNITED STATES WILL HAVE A VALUE ADDED TAX BY 1973

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. ULLMAN. Mr. Speaker, I am pleased to bring to the attention of my colleagues a statement by Dean Richard Lindholm, of the University of Oregon School of Business. This distinguished scholar has brought honor to his school and to himself many times by his outstanding work in taxation studies.

The value-added tax, as presented by Dean Lindholm, has many appealing qualities, especially in the field of foreign trade. I feel this very informative article deserves the attention of everyone, and I insert it in the RECORD at this time:

WHY THE UNITED STATES WILL HAVE A VALUE-ADDED TAX BY 1973

(By R. W. Lindholm, University of Oregon)

The United States, now relying on a nineteenth-century system of taxation and deferring to the ideas of nineteenth century political philosophers such as John Stuart Mill, must change its outmoded tax ways if it is to thrive in the twentieth century.

Current taxation practices in the U.S. are derived from John Stuart Mill's ideas, expressed in 1861 to the British Parliament's Select Committee on Income and Property Tax. The U.S. still subscribes to his hedonistic philosophy of taxation, taxing production so that aggregate personal sacrifice is minimized, justifying all taxes according to the popular standard of individual ability-to-pay. But these practices no longer square with today's social and economic problems.

On the surface the old system sounds equitable, but its real effects appear to work against the best interests of the very segment of society whose welfare it is designed to promote. For today low income non-producers receive help through government expenditures and not through direct redistribution of the income of high producers. Therefore, the welfare of the low-income group seems finally to depend on an increase in funds available to the government. But taxes based on ability-to-pay tend to discourage both profits and individual savings and thus to reduce funds available for investment. Without sufficient new investment, economic growth is hindered and so is the growth of government funds.

European theorists offer a solution for this problem in the philosophy and imposition of taxes. Although they developed ability-to-pay income taxes. Continental economists never completely accepted Mill's tax policies. Since World War I, first through development of the turnover tax and now through the value-added tax, the industrial nations of the Continent have supported taxation based on *use* of resources rather than on production. Resources, by whomever used and in whatever quantities, bear the same tax rate.

The value-added tax (VAT) is difficult to describe briefly for people unfamiliar with tax systems different from those already used in the U.S. But basically, VAT is a general excise tax, a tax assessed at a given rate, say 10 percent, on each sale of a good or service. In effect, it is a 10 percent tax levied on gross receipts, the cost of which is paid by the seller and passed on to the buyer. However, the tax liability of any one seller (and hence the buyer's cost) is reduced by the amount of VAT already paid on the goods and services that have gone into the good or service he offers for sale.

The VAT is founded on use of resources, not production, and on national, not private, prosperity. In modern industrial nations, with capital in short supply and social demands heavy and growing, the domestic advantages of the *resource use* rather than *resource production* approach to taxation cannot be ignored. When resource use is the tax base, it is society's ability-to-pay that is of fundamental importance, rather than individual ability-to-pay, which is emphasized when production is the base.

A closer look at the operation of the VAT and consideration of its widespread use will confirm the advisability of its adoption in the U.S. Assuming the continued viability of capitalism, it is possible to argue the merits of VAT as a basic tax both in its domestic effects and in the competitive advantages it offers internationally.

Domestically, the U.S. system of taxation, the old John Stuart Mill approach implying taxation based on resource production, stimulates spending as opposed to saving. An individual cannot reduce his taxes by saving. He can only reduce his tax payments by earning less, i.e., producing less. This combination of the stimulation of spending and lessened production tends to promote inflation and to inhibit the growth of the economy.

Other disadvantages accompanying the present system. The payroll tax method of social security financing places nearly all of the burden on the producing sector of society. The corporate profits tax places all its burden on our best measure of business efficiency, profits. The individual income tax falls most heavily on society's most productive members, and the more successful their productive efforts, the greater the tax burden.

With VAT, on the other hand, the tax burden rests on a broad, impersonal base. The VAT is impersonal, for it is levied on goods and services, not on individual producers. VAT places an equal burden on all resources as they are utilized. Productive workers using a given quantity of resources pay the same tax as non-producers who use up the same quantity of resources.

VAT offers both public and private advantages. Encouraging business growth, VAT reduces the return, i.e., profit, required from an investment to make it outweigh the risks, i.e., chance of loss. VAT encourages saving (and the consequent possibility of investment) by taxing spending. For private persons VAT offers the advantages of spreading social security financing over the entire life of all of society's members and of increasing the take-home portion of additional dollar earnings by reducing the rates of payroll taxes and income tax withholdings.

These business and personal influences of VAT fit in well with the fiscal needs of today. by utilizing a broad base, perhaps as large as $700 billion in the U.S., VAT would permit government to shift its revenue intake by large amounts with only a small change in the tax rate. Profit and income tax rates can be made much more flexible because VAT can be relied on to provide large and stable revenues. Incidentally, VAT, with the entire production and marketing process as its base, would provide unmatched data for use in evaluating economic trends.

These domestic economic advantages of VAT are augmented by its international strengths. First, it stimulates exports by offering tax advantages to both seller and buyer. The General Agreement on Tariffs and Trade (GATT) has developed a set of regulations to be followed among its cooperating nation members relative to the treatment of taxes. One of these rulings is that indirect

taxes (VAT has been declared an indirect tax) can be refunded on goods exported, and that a tax equivalent to the importing nation's indirect tax applicable to the import may be levied as a border tax.

The GATT procedure rests both on a sound theoretical concept, the destination principle of tax payment, and on administrative realities.[1] The allocation of income or profits taxes to particular exports to provide a basis for tax rebate is nearly impossible. The same difficulty exists, of course, in setting border tax rates on imports. On the other hand, indirect taxes, and particularly VAT, can be calculated very accurately for each good exported and for each good produced in a nation.

Second, and perhaps most important, adoption of the VAT, stimulating exports as it does, is necessary if the U.S. is to maintain its position in international trade. The European Economic Community (EEC) has decided to move further in the direction of using this traditional Continental approach to taxation. The EEC Member States have determined to harmonize this general indirect tax system into a rather uniform VAT by 1970. The domestic and international economic implications of this decision are just becoming apparent, and they are so important that the U.S., Great Britain, and other industrial nations can fail to follow suit only at considerable economic peril.

All modern industrial nations seek to expand their international trade, to increase the rate of their economic growth, and to provide for the welfare of their citizens through this expansion. VAT tends to support expansion, whereas the individual ability-to-pay tax system suppresses it. An examination of tax figures from the leading industrial nations further substantiates the threat of economic danger, both in international trade and social financing, for the U.S. and other non-VAT countries.

The comparative tax data of industrial nations show that as a portion of GNP, the total taxes collected are fairly similar. The nation collecting the highest 1965 taxes, measured in this fashion, was Sweden at 39.01 percent of GNP paid as taxes. The lowest was Japan at 19.62 percent. The percentages for other industrial nations went like this: Belgium, 29.74 percent; Canada, 27.13 percent; France, 38.49 percent; Germany, 34.33 percent; Italy, 29.66 percent; The Netherlands, 34.08 percent; Norway, 34.90 percent; Switzerland, 20.87 percent; United Kingdom, 29.94 percent; and the United States, 27.30 percent.

But, examined in detail, these apparently similar data demonstrate a considerable variation in the manner in which nearly one-third of the typical "industrial nation's" GNP is collected as taxes and spent. All nations confront the problem of financing social security programs. For example, in 1965 Japan collected only 3.52 percent of GNP as social security contributions; and the U.S. at 4.22 percent was next, with the United Kingdom and Switzerland tied at 4.76 percent. On the other hand, French Social Security Contributions were at 14.25 percent and Italy at 10.41 percent was not far behind. Although these collection totals are a good indication of the level of social security expenditures, they don't tell the whole story. Canada, for example, collects only 1.85 percent of GNP as Social Security Contributions, but Canada uses a large amount of general revenues to finance her social security system, while France uses very little general revenue taxes for this purpose. In Germany, Holland, Sweden, and Switzerland, too, there is increasing use of general revenues to support social security expenditures.

Another detail or two will help demonstrate why the U.S. will be using VAT as a major tax by 1973.

Since corporate profits taxes are likely to retard business growth, those nations with the least use of such taxes will very likely experience more rapid economic expansion than will nations with a high use. French corporate profits taxes in 1965 were 2.12 percent of GNP, while in the U.S. such taxes equaled 4.50 percent, in Canada 4.19 percent, and in Japan 3.96 percent. The other industrial nations used the corporate profits tax about as intensely as France. Here, the U.S. is at a clear disadvantage.

Again, the U.S. is overlooking a source of revenue that has proved profitable to the other industrial nations. VAT belongs to the family of taxes classified as general excise taxes levied by the national government. When the leading industrial nations are compared in their use of this type of tax, a sharp divergence again develops. (This time 1961 data will have to be used, for the required breakdown of more recent data is not available.) The U.S. collects no taxes from this source, while France obtains 25.0 percent of total tax collections, or 8.1 percent of GNP, from this type of tax. In Germany the percentage is 16.5 percent and in Italy 16.7 percent.

Finally, the U.S. must recognize the unmistakable international trend toward increasing use of the VAT and must weigh the domestic advantages other nations have found in this tax. Through their VAT the Dutch plan to increase general excise tax collections above those now collected from their cascade turnover tax. The new German VAT (Mehrwetsteuer) is expected to raise sufficient revenues to permit the *Gewerbesteuer* (a local direct business tax to be largely eliminated). The coverage of the French TVA has been expanded, while the rates have been reduced, a move that will increase revenues from this source. Undoubtedly the introduction of VAT in the remainder of the EEC Member States will have a similar upward impact on the portion of national revenues raised from a general excise tax. The development of VAT in Denmark and the new Norwegian VAT are more than likely only the first of the adoptions which will be made by commercial and industrial nations outside the EEC.

Very simply then, VAT will be adopted in the U.S. by 1973 because it provides an efficient excise tax that can be levied at substantial rates without placing an undue burden on any single level of production; serves up through its administrative procedures unaparalleled economic data for use by business, government, and individuals; corrects the undue tax burden that accumulates on wages as social security and medicare costs increase; makes possible more flexibility in fiscal policy through provision of a stable basic revenue source; permits acceptable procedures for increasing domestic capital investment and stimulating exports; and finds increasing favor among the industrial nations of Europe whom the U.S. cannot permit to enjoy the international trade advantage it offers in an ever smaller world of reduced trade barriers and freer capital markets.

[1] Destination principle teaches that taxes should be paid in the area of final use.

TRIBUTE TO HON. JOE MARTIN

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. HATHAWAY. Mr. Speaker, many men come to Congress. A few men leave their mark. Joe Martin was one of those few who secured himself in the hearts of many. His dedication and service to the body politic around which our democratic system revolves contributed long-lasting momentum to the success of our legislative processes.

Joe Martin did not set himself apart from his colleagues when he took the Speaker's stand. It was his determination to be an essential part of the full body which lifted him to a pedestal.

Joe Martin's will was never imposed—it was invited. The qualities he possessed will always find welcome in the Congress. His insight into the nature of man, his willingness to offer understanding and his integrity which stood behind his convictions made Joe Martin a leader wherever he served.

The Honorable Joseph William Martin, Jr. shall ever be known as a great Republican and an honored American who set a praiseworthy example of leadership.

GOVERNOR REAGAN ON LAW ENFORCEMENT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. ASHBROOK. Mr. Speaker, more and more the people of this Nation are looking not to the incumbent Federal administration but to the State of California and Gov. Ronald Reagan for answers to problems which confront many segments of society.

This new, forward-looking leadership has now come up with proposals for shaping up law enforcement and judicial processes.

With a 13-point program aimed at improving police efficiency, a six-point program to combat juvenile delinquency, a six-point program to improve correctional work and a 13-point program designed to orient community action against the forces of crime, this document should stir the interest of all who are interested in preserving this Nation against the lawlessness and inefficiency of crime control which each hour threatens the population.

When proposals such as Governor Reagan's are studied and implemented, Americans will come to believe that the scales of justice, thrown so far out of balance by the courts and hand-slapping law enforcement, will balance out to include and protect the rights of the law-abiding.

A short article from today's New York Times outlines several of the statements included in the proposals. I include it at this point:

REAGAN PROPOSES JUDICIAL REFORM—HE ASKS CHANGES TO STIFFEN ENFORCEMENT OF LAWS

(By Gladwin Hill)

LOS ANGELES, May 15.—Declaring that "the guilty should not go free simply because of legal technicalities," Gov. Ronald Reagan proposed today a seven-point program of judicial innovations aimed at strengthening law enforcement.

The suggestions were made in the second of a series of elaborately printed Reagan position papers. The documents, though addressed to "fellow Californians," are being distributed nationally to 6,000 recipients.

Marked "not printed or mailed at taxpayers' expense," the 20-page illustrated bro-

chure resembles a campaign document. Aides of the Governor, who is in Hawaii for a meeting of Western Governors, denied that the document was part of a plan to seek the Republican Presidential nomination. It is being given wide bipartisan distribution, they said, simply because of interest in California problems.

The treatise obliquely accuses the national Administration of espousing "lawbreaking as a 'right.'" "One of America's highest elected officials brags 'I've got enough spark in me to lead a mighty good revolt,'" it says at one point, referring to Vice President Humphrey.

NEW KIND OF CRIME

The paper asserts that the nation is confronted with "a new kind of crime, political lawlessness, committed by revolutionary hypocrites who sing songs to freedom but dance to the beat of anarchy."

"Much of the lawlessness of today is a symptom of the sickness or permissiveness in the attitudes of right and wrong which pervades our homes, our schools, our churches, our courts and our Government," the document continued. "The time has come to state that the law will be upheld—and mean it."

The report contains a 13-point program for improving police efficiency, a six-point program to combat juvenile delinquency, a six-point program for improving correctional work, a 13-point program for gearing community action against crime.

The proposals for judicial changes include court use of computers "for information storage and retrieval"; revision of bail practices "so that the quality of justice is not measured by the quantity of a defendant's money"; development of a summons system in lieu of physical arrests for persons not charged with "crimes of violence or moral turpitude," and improved techniques for handling mass arrests so "the guilty should not be permitted to escape punishment."

Mr. Reagan would also allow law enforcement officers "to use electronic surveillance equipment under the control of a warrant authorized by a judge" and provide some means for judging the constitutionality of laws before crimes are committed.

SWAZILAND INDEPENDENCE

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mrs. BOLTON. Mr. Speaker, the complicated road to self-determination has been followed by some dozens of nation-states since World War II. The whole world has watched, not always comprehendingly, sometimes critically, while these young nations, their leaders, and their inhabitants try to sort out the myriad ideas on nation building that flood in on them from every side. Meanwhile, they struggle with the awesome problems of examining the modern 20th-century ideas that fit their needs. They try to amalgamate the values of this 20th century with the traditional and cultural values they need and wish to keep. They try to figure out how to develop an economy that will support the kind of nation they want and need.

Mr. Speaker, still another nation is now entering upon this struggle. I refer to the small southern African country of Swaziland which is scheduled to achieve its independence next September 6. Like every other new African nation, Swaziland will have some difficult years of nation building ahead of it. It is already tackling many of them, including problems occasioned by the fact that it is landlocked. Beyond this, Swaziland goes forward into independence with certain important advantages that many of these new nations have not had.

Not the least of these advantages is a relatively homogeneous population. The vast majority of the country's inhabitants are Swazis. Almost all of the other indigenous Africans are closely related Zulus. Some 10,000 more inhabitants of Swaziland are Europeans and perhaps 2,500 are Eurafricans.

Another very important "plus" in Swaziland's picture at the outset of independence is a rather good endowment of known natural resources. It has substantial wealth in forestry, comparatively good soil, and plentiful water supplies.

Swaziland is being prepared for final independence under the cooperative efforts of the mother country, Britain, and Swaziland's own Government, headed by its ruler, the Ngwenyama, King Sobhuza II, and its Prime Minister, Prince Makhosini Dlamini.

Under permission to extend my remarks, I include a statement from the Courier Express of Buffalo, N.Y., entitled "Swaziland's Good Independence Prospects."

SWAZILAND'S GOOD INDEPENDENCE PROSPECTS

Another small African community is emerging from the status of a protectorate with more than usual prospects for a successful future. Britain has informed the United Nations Committee on Colonialism that Swaziland, a landlocked state surrounded by South Africa and Portuguese Mozambique, will gain independence Sept. 6 and become a full member of the British Commonwealth. It is expected to apply for U.N. membership.

The encouraging feature of Swaziland's approach to independence is the fact that although it has a population of only 400,000, mostly black, it has attained a position of prosperity, mainly through British investments. It has achieved annual exports of nearly $60-million in sugar, asbestos, iron ore and citrus fruit. It has had internal self-government since last year.

Unlike some other new African states which have arrived at independence facing formidable financial difficulties and needing substantial outside help, Swaziland gives the impression of being able to stand on its own economic feet. If so, its challenge will be to manage its affairs as effectively in freedom as they have been managed in its existence as a protectorate.

THE LATE HONORABLE LOUIS GARY CLEMENTE

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 1968

Mrs. KELLY. Mr. Speaker, it is with a heavy heart that I learned the news of the death of the Honorable Louis Gary Clemente, of New York, on May 13, 1968. Gary served with distinction in the House of Representatives on the State of New York's delegation, for a period of 4 years, from 1949–53, the 81st and the 82d Congresses.

Gary was my former colleague and a dear and cherished friend. He devoted many years to the public service as a soldier in World War II, as a New York City councilman, as Queens Borough works commissioner, and as a Congressman.

To the members of his family, his wife Ruth, and his nine children, I extend by deepest sympathy.

NEW POSTMASTER GENERAL IS SON OF TEXAS POSTMASTER

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. DULSKI. Mr. Speaker, it is clear to anyone who knows the family background of our new Postmaster General, W. Marvin Watson, why he has moved so smoothly into his new position in President Johnson's cabinet.

General Watson's father was postmaster in Grapeland, Tex., until he learned his son was being promoted to head the Post Office Department.

W. Marvin Watson, Sr., then resigned before heading for Washington to see his son take the oath of office.

Texas postmasters are very proud of the Watsons, as is evident in the following article from the May 15 issue of the Lone Star Postmaster, published in Glen Flora, Tex.:

TEXAS PM'S SALUTE PMG WATSON: "POSTMASTERING RUNS IN NEW PMG FAMILY"

(By Editor Eve Bartlett)

We have learned that "Postmastering" is not new to the newly-appointed Postmaster General—Texan W. Marvin Watson. That indeed "Postmaster Blood" is his to claim through his father, the recently-resigned Grapeland Postmaster W. Marvin Watson Sr., who for several years has been a member of Texas Chapter, NAPUS, and plans to remain so.

Postmaster Watson's resignation as Postmaster came—as a matter of fact—when he learned of his son's appointment as Postmaster General, and as he and Mrs. Watson made preparation to attend the Postmaster General's swearing-in ceremonies at the White House.

(They stayed 10 days, the elder Mr. Watson said, during our telephone conversation. It was their second Washington visit.)

We discovered the Watson's illustrious son is an only child, who has three children of his own. They are Lee (21 years), Kimberly (17) and William Marvin Watson III, (4) who is called "Bill." The lovely mother of these grandchildren is the former Marion Baugh of Waco, a Baylor University classmate of the now PMG Watson.

The very modest Honorable William Marvin Watson Sr.—who declined the use of his photograph—was born in San Augustine in 1905. After a move by his family to Huntsville he came to Grapeland in 1941 and became the Grapeland Postmaster on December 18, 1964.

His interest in Texas history is personal, since his heritage is that of early-day Texas settlers in and around the History-Heart of Texas, among East Texas pines and rolling hills.

(A Texan Historical Survey Plaque was recently unveiled on the San Augustine High School Football Field, marking 251 years the

community has been on the El Camino Real . . . road to Mexico.)

Since Mr. Watson obviously preferred to speak of his son—and that with dignified restraint—we verified stories that PMG Watson once assisted the then Rep. Lyndon B. Johnson in his successful Senate campaign.

That he was indeed active in campaigns of Gov. John Connally and for a time was chairman of the Texas Democratic Executive Committee.

His attendance at Baylor University was interrupted in 1941 for four years while he served in the Marine Air Corps. Following War II he returned to Baylor and earned his Masters Degree while courting and marrying classmate Marion Baugh.

His service as Executive Vice-President of Lone Star Steel, before joining President Johnson as appointments secretary, has been cited in many news releases.

The elder Mr. Watson—who is a young 63 years of age—assurred us he and Mrs. Watson hope to attend the Houston Convention. He also is certain his PMG son will attend "if he possibly can."

President Lyndon B. Johnson, in announcing his appointment of Postmaster General Watson, praised his "wisdom, gentleness and loyalty."

As we visited with his parents we sensed these are inherited virtues nurtured in a Christian, patriotic American home where love and loyalty are the ever-present watchwords.

DO WE HAVE AN ATTORNEY GENERAL?

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. TEAGUE of Texas. Mr. Speaker, I submit the following editorial from the U.S. News & World Report of the week of April 29, 1968, and congratulate the editors on calling the crime wave what it is, insurrection:

HOW TO FIGHT A DOMESTIC WAR

(By David Lawrence)

Never before in the history of the United States have the people been confronted with such a threat to their safety in the cities as we are witnessing today.

The official figures from 76 cities show that 46 persons were killed in a few days in the riots which erupted after the assassination of Dr. Martin Luther King, Jr., on April 4. More than 2,500 were injured, and approximately 21,000 were arrested. Disturbances actually broke out in more than 100 cities, but the national statistics of all the losses have not yet been compiled.

Also, in the Detroit outbreak last July, there were 43 deaths, and in the same month 23 were killed in riots in Newark, N.J.

Many a college campus from coast to coast has been the scene of violence. A few days ago students seized the office of the President of Columbia University, and similar rebellions occurred in several other universities.

Apparently the impulse to create havoc is infectious. Its spread is plainly due to the failure of established authority promptly to impose discipline so as to deter further attempts to defy the law.

Police chiefs throughout the country find themselves calling for State militia. Governors are faced with a situation so menacing that they have to ask for the aid of federal troops. Meanwhile, the riots reach massive proportions, and the damage is extensive. Fires are set and snipers boldly support the rioters. There is no doubt that in most instances the arsonists work in cooperation with the looters. Persons with criminal records are often noted on the lists of arrests.

Basically, many of the rioters have lost all respect for "law and order," and are taking advantage of the softnes of governing authorities. When "marches" and "demonstrations" first began, and the police used normal methods of control, charges of "police brutality" were heard. A continued propaganda movement has since been carried on against the police generally.

As a tense situation arises anywhere, local authorities who refuse to grant permits for street gatherings related to highly controversial subjects should not be restrained by the courts. There are plenty of auditoriums and stadiums where such discussions can be carried on in a lawful manner. Nothing in the Constitution says that freedom of speech means the right to incite persons to destroy lives or property.

The main problem nowadays is how to apply force and prevent violence when the disorders start or mobs gather. Some police chiefs are even hesitant to utilize tear gas or to let guns be used to quell disturbances. Recently a debate has been going on in the press between the mayors of various cities, some of whom declare that it is wrong to shoot at arsonists or looters to deter them. Others say that the intention to use force must in some way be made clear to the mobs if they are really to be prevented from inflicting serious injury. Certainly resistance to arrest can be dealt with forcibly.

Various public officials have been advocating a gentle handling of riots and restrictions on the use of force, even though criminal elements are stimulated to rob and loot. The impression has been conveyed that the authorities would be "soft" and that thievery could go on with little interference and without much risk of punishment. There have been too many cases of vandalism while police were nearby. If the impression develops throughout the big cities that looting can be done with relatively little chance of its being stopped by police, an even greater loss of life and property could ensue in the future.

It is evident that the police are in many instances not instructed in how to deal with rock-throwing, arson and looting. The uprisings often develop in different parts of a city, and an adequate number of officers of the law is not at hand to squelch the disturbances.

The time has come for the Federal Government to take the initiative and help coordinate the police operations of the States and cities. For obviously the disorders are instigated across States lines and are in large part a federal as well as a local problem. Occasional seminars are not enough. The crime wave in a growing population cannot be handled without more police and some form of national supervision.

If federal authorities were required to train the police force and to issue beforehand public announcements of the methods that would be taken to deal with riots, the irresponsible elements would not be likely to risk a defiance of the law.

The problem of communication is vital—how to let the people in the crowded neighborhoods of the big cities know that a riot can be dangerous and that the police will not hesitate to apply maximum force if violence breaks out. Not only must notice of an intention to use drastic measures be given in advance and widely publicized in the communities, but rigid discipline must be applied when disorder becomes manifest.

Insurrection should be handled on a national basis. There is no need for a police state, but there is every need for national security and safety.

WHERE IS OUR FOREIGN AID MONEY SPENT?

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mrs. MINK. Mr. Speaker, despite demands being made on us to find ways to cut Federal spending, I believe that our foreign aid program deserves our full and continued support. I endeavored to analyze this program and to emphasize its importance to us and our national security in a recent speech I gave to the Business and Professional Women's Club of Honolulu. I submit it to this House in the hope that it might contain information which will be useful and persuasive:

I would like to talk to you tonight about the foreign aid program of the United States, what it is seeking to do, how much it costs, and where the money is spent.

May I start right out by commending you for selecting this timely topic—a phase of our economic and public life which is greatly misunderstood and often misrepresented. Yet, I believe, it stands very close to all of us, and to the cause of peace.

One prominent student of the times in which we live has observed that everything the United States has done in the field of foreign policy since World War II has been done in an effort to prevent World War III. Foreign aid is one of the programs we are conducting, necessarily experimental in many of its pioneering aspects, which looks toward a world in which people can live in freedom and peace. It seeks to help the developing nations of the world get started on the road to self-sustaining economic growth—to achieve a higher standard of living in freedom and to build the strength necessary to protect that freedom. We do this not just out of a sense of charity or goodwill, quite the contrary. We do this in the interest of our own national security and well being.

When we went into Europe with the Marshall Plan after World War II, we were helping to restore order and support democratic governments on a continent which was in chaos and where, without the help we provided, plainly the whole nature of our position there would be vastly different today, and the problem of United States security would be enormously more difficult and more costly.

Looking back, therefore, it is plain that what we spent for economic aid to Europe under the Marshall Plan was not simply of benefit to the Europeans, but also was of great value in terms of our own national security.

Furthermore, there were and are very large economic benefits to the United States flowing from our economic aid under the Marshall Plan. American exports to the European countries are booming, and American investments in Europe, yielding profitable returns to the United States, have grown very rapidly. This growth in exports and in American investment has taken place in Europe because the Marshall Plan helped to restore thriving and growing economic conditions in Europe. It is fair to say that the economic benefits alone of the Marshall Plan are far greater than the entire cost.

Over and above our security interests and our economic interests, however, there is still another element in the motivation for our assistance to other countries. As Americans we are proud of our religious background and our ethical and moral traditions. It would surely not be fitting for the wealthiest nation on earth to refuse help to our friends in other lands who are poor and hungry and ill.

Thus the security interests, the economic incentives, and the humanitarian motives that have led our country to provide assistance to others are very powerful. Why then is there so much controversy in the annual legislative process in the Congress over the foreign assistance legislation?

One reason I believe is that people have been skeptical that the undoubted success of the Marshall Plan could be achieved elsewhere. It was all very well, some say, to provide economic help to the Europeans who after all had a great deal of industrial experience, managerial know-how, and effective governmental institutions. They agree that our economic aid could be effective under those conditions, but ask whether it can be effective in other parts of the world.

By now, the skeptics have been proven wrong in quite a few cases. One of the early instances was Japan. We are accustomed today to think of Japan as a thriving, prosperous, rapidly growing country. But this was not so clear in the late 1940's. In 1949, for example, Fortune Magazine described our "$2 billion failure in Japan," and went on to say that "the Japanese face a future uniquely bleak . . . The American taxpayer must prepare himself for an indefinite period of vast appropriations."

Within five years that prediction by Fortune Magazine was proved to be a spectacular error. By the middle 1950's, economic progress in Japan was so rapid and so firmly based that American assistance could be brought to an end. Japanese economic progress has continued, resulting in growing economic markets—U. S. exports to Japan have nearly tripled in the past ten years, and in recent years Japan has been second only to Canada as the best market for U. S. products. Today, far from being a recipient of economic assistance, Japan, like the European countries, provides major economic assistance of its own to less-developed countries.

In recent years, there have been additional instances of the successful accomplishments of our economic assistance programs. The most recent case, and in many respects the most significant, is the remarkable progress of the Republic of Free China on Taiwan. Fifteen years ago it appeared certain that the only prospect for Taiwan was one of indefinite dependence on U. S. aid. But the strong efforts of the government and the people of Taiwan, plus a major assistance program from the United States, have achieved extremely rapid progress.

From the outset, the Chinese on Taiwan concentrated on expanding the agricultural base for their economy. Chinese agricultural technicians were trained, a successful land reform was instituted, increased crop yields were improved and improved farm marketing was achieved. Food output doubled in fifteen years.

Industry on Taiwan has grown even more rapidly than agriculture, with an average annual rate of increase in output of 12 percent per year over the past decade. The gross national product has grown six to eight percent annually. Schools and health facilities have been greatly enlarged.

Most important of all, there is today sufficient economic strength and momentum, sufficient competence in and out of government to permit Taiwan to make continuing further economic and social progress without further aid grants and soft-term loans from the United States.

It is important to note that the progress that has been made has not made the Taiwanese rich: the average income per person in Taiwan today is about $150 per year—compared to more than $2500 per person per year in the United States. But the point is that the Taiwanese are now in a position through their own efforts to raise their per capita income steadily year by year into the future, without special assistance from the United States.

This is the objective we are seeking in other developing countries as well—and we are making steady progress in that direction.

Of course there are, and will continue to be, difficulties in the way. Foreign aid is not a prescription for "Instant Paradise."

There is first of all the inherent nature of the situation in the developing countries, where typically there are not enough schools for all the children even to go through the primary grades let alone go on to high school and college—where farming methods are typically primitive and farmers have neither the education nor the credit facilities nor the access to modern techniques and supplies which would permit them rapidly to expand farm output—where there is often no tradition of responsible management in the public interest of governmental agencies or private activities—where the average life span is half what it is in the advanced countries, and where the rate of infant mortality is several times what it is in the United States. These are the conditions of lack of education, of disease, of poverty and lack of resources which are inherent in the less-developed countries. It is necessarily a difficult and time-consuming task, no matter how good the leadership is in those countries, no matter how strong and effective is external aid, to make permanent and lasting progress in such countries. But steady if not spectacular progress is being made.

Today we are extending some kind of a helping hand to 55 countries with programs to help them improve their agriculture, their national health, their educational and industrial systems. But this aid is by no means scattered haphazardly around the globe. It is concentrated, generally speaking, in a few countries which need it most and *which can use it best.*

The program has a three-prong thrust—giving top priority to programs in agriculture and the war on hunger, education, and health.

War on hunger

The simple arithmetic of the world's food supply and the population it must feed means that improved agriculture has the highest development priority of all.

In simplest terms, population has been rising faster than food production. There is less food per capita in the world today than a year ago. The rate of increase of food production in the developing world has slowed since 1960 while population has continued to rise by 2½ to 3 percent annually. But in 1966, when world population grew by 70 million, food production stood still.

The significance of this fact—in terms of world stability, peace, further economic progress—is plain. If developing countries cannot meet growing food demands, the bill for failure will be paid in political and social unrest among people no longer content with silent suffering, in the stifling of economic and social development, in malnutrition—eventually in widespread famine. The outlook would be virtually hopeless if solution to the problem were not widely acknowledged as within the capacity of the modern world to achieve.

We know how to produce vastly larger amounts of food. We know how to improve and increase arable land. We have barely begun to fully exploit the food resources of the sea. And we are confident, looking at the other side of the as yet unbalanced equation, that population growth can be effectively curbed without violence to human dignity.

No matter how successful the world may be in increasing agricultural productivity, long continuance of the present population growth rate would bring disaster. Before the world reaches the projected level of seven billion population in the year 2000, millions would be without food and there would be widespread breakdown in employment, education, housing, health and public services, with consequent disorders of many kinds.

Fortunately, world concern over the social and economic consequences of the fact is growing. Yet progress has been slower than the urgency of the situation dictates.

Unlike other kinds of assistance, including help in raising food production, family planning programs are relatively inexpensive in terms of foreign exchange needs supplied from the outside, which means that for the most part such programs can be financed with the currency of the country concerned. The techniques of family planning are simple.

However they do require well-planned and well-executed educational efforts because of social and cultural changes implicit in their wide acceptance.

In those countries that have not acted urgently the fundamental obstacle to progress in family planning is insufficient awareness of what fast-growing populations mean, not only to food supplies but to an entire development program.

Every American instinctively understands that good health and economic productivity go hand in hand. In the United States of 1967, more than 60 percent of the people live to an age of 65 or more, providing a sustained application of vigorous adult human resources to economic progress through the truly productive years.

But this was not always so. Eighty years ago only 14 percent, about one American in seven, lived as long. And in the developing world today life expectancy is often less than that. In a typical unhealthy population many children are fed, housed and educated only to die before reaching adulthood!

In addition, sickness creates permanent or recurring unproductivity which further burdens the already weak economy.

AID's programs in health have four broad objectives:

First. To assist developing countries in the control and eradication of communicable disease;

Second. To help them find and train their own health workers;

Third. To help reduce and ultimately solve the problem of malnutrition, above all in mothers and children;

Fourth. To help, *when asked,* in establishing population control programs.

It is apparent that malnutrition and population problems are matters closely related to the broader War on Hunger.

Education

The function of education in developing countries is to train vast numbers of people in the skills of nation-building in the shortest possible time. But in the longer view education is also the key to responsible democracy and enriched individual lives.

Yet in developing countries today there are more than 300 million children of school age who are not in school. The problem is growing as needs mount notwithstanding construction of more schools and training of more teachers. In India, for example, 40 million persons were taught to read and write in a recent 10-year period. When the drive ended, however, there were 11 million more illiterates than before as a result of population increases.

Even the relatively well developed countries AID assists often have major school deficiencies in their rural areas. In Chile, for example, about 30 percent of rural children abandon school within the first two years and only 16 percent complete the sixth grade.

In AID's case, education has long been a priority area of attention, in recent years accounting for the largest number of AID-financed technicians, about one in five, working in Asia, Africa and Latin America. They strive to help develop basic education systems as well as programs needed to train the doctors, nurses, health workers, farm experts, engineers, public administrators, managers and other specialists required for successful development.

In earlier programs, AID directly hired most American technicians and educators assigned to school programs overseas. Today, however, four of every five such experts are staff members from American colleges and universities with which AID has contracts for technical assistance. Through some $219 million in such contracts, 127 U.S. colleges and universities play a role in technical assistance, including training of AID-sponsored foreign students. Teams from 74 of these institutions are at work in 39 countries.

The AID contribution can be measured in several ways, for example by the fact that more than 97,000 foreign technicians and professionals have come to this country under its auspices, or its predecessors', since 1949. In the same period some 19,000 were trained in other countries having suitable facilities. In fiscal 1966 alone there were 8,800 foreign trainees in the United States under AID auspices and about 2,000 in other nations. About half were enrolled in colleges and universities while the rest attended special training programs or seminars.

Colleges and schools established in developing countries with AID assistance have graduated more than 378,000 teachers who in many countries constitute a third or more of the teaching force. In Ethiopia they account for 70 percent of the nation's teachers, in Pakistan 35 percent, Korea 28 percent, Iran 45 percent, Cost Rica 34 percent, and Nepal 33 percent. Although the result is not susceptible of quantitative measurement, AID-financed American educators have helped many developing countries modernize and improve school curricula by relating subjects taught to special requirements for trained manpower.

The University of Hawaii is among these institutions. The University has contracts valued at more than three million dollars to carry out training programs for AID employees assigned to the Far East; to undertake family planning studies; and to render technical assistance to the governments of Pakistan and Laos.

Now once again the Congress is considering what should be the shape and size of the AID program for next year. The President has requested 2.5 billion dollars to carry out the program—the lowest request in history. It means that the cost of our foreign aid represents about a penny and a half of each federal budget dollar. The figure represents less than one-half of one percent of the gross national product of the United States.

Most of the funds requested will be spent in a relatively few countries. The following 15 will get nearly 90% of all country program funds: Bolivia, Brazil, Chile, Colombia, Dominican Republic, India, Indonesia, Korea, Laos, Pakistan, Peru, Thailand, Tunisia, Turkey and Vietnam

Eight of these countries—India, Pakistan, Turkey, Korea, Indonesia, Brazil, Colombia and Chile—are scheduled to get more than four-fifths of development loan country programs. Four of them—Vietnam, Korea, Laos and Thailand—are expected to get 95% of all Supporting Assistance. The President is requesting $765 million for Development Loans.

Three countries in the *Near East and South Asia* region—India, Pakistan and Turkey—are scheduled to receive three-fourths of all Development Loan funds. Nearly half the people AID seeks to help live in these three countries.

India, spurred by a record food grain crop now estimated at 100 million tons, sound agricultural policies, and a more practical approach to current economic problems and longer-range development planning, has the opportunity to break through to a significantly higher growth rate than in the past.

Pakistan is making steady development progress. The development budget has been increased, and agricultural progress is at the point where self-sufficiency in food grains looks only a short time off. A vigorous family planning program is under way, and private investment is steadily expanding. $177 million is proposed for Development Loans.

Turkey is making good use of Aid. Her GNP has grown on an average of 6% a year since 1962, industrial output has grown 9% a year, and food production is growing faster than population. By the early 1970s, Turkey plans to reach the point where she will no longer need concessional economic aid. This year a development loan on the order of $60 million is proposed for Turkey.

Substantial Development Loan programs are contemplated for two countries in *East Asia*—Indonesia and Korea. The United States has agreed, subject to appropriation, to help meet *Indonesia's* requirements as determined by a seven-nation Inter-Governmental Group, the International Monetary Fund and the World Bank, provided the other donors do their part. About $55 million in Development Loans will be needed in 1969.

In the past few years *Korea* has been making excellent progress in agriculture, in industry, in education and in reducing population growth. GNP has averaged 8.5% a year since 1961. Korea will get about $40 million in Development Loans to enable her to maintain her present momentum and capitalize on the remarkable progress she has made to date.

Appropriation cuts have sharply reduced the level of Development Loans for *Africa*—from $98 million in FY 1967 to $52 million in FY 1968. More is needed in FY 1969 to support regional development efforts, help the reform government of Ghana and support Tunisia's strong development effort. A total of $90 million is proposed for FY 1969.

The President has requested $235 million for Technical Assistance in FY 1969.

All developing countries need Technical Assistance to provide skills, develop trained manpower, build basic institutions and prepare for capital investment.

In *Africa,* $80 million is needed to train teachers, provide skilled manpower and expand regional development activities in response to African initiatives.

In the *Near East and South Asia,* $46 million is needed for population programs, for secondary and higher education, and to help governments carry on priority programs in

In *East Asia,* $63 million is needed to spread rural development, education and health programs, and to assist Asian initiatives for regional development.

In the category of direct support, not loans and not technical advice, $595 million is proposed. Programs are planned for seven countries.

Of this, $480 million is proposed for *Vietnam.* The program was planned before the Vietcong offensive which began January 30. In the months to come, changes in scope and composition may be required as the situation develops.

In *Korea,* $25 million is proposed to help that nation shoulder her large defense burden. In *Laos* ($39 million) and *Thailand* ($50 million) Supporting Assistance is needed to help maintain internal security and promote rural development. In the *Dominican Republic* $20 million in Supporting Assistance loans will be used to attack unemployment and support fiscal reforms.

In *Latin America,* the President is requesting $625 million for the Alliance for Progress, $110 million of which is for technical assistance grants. About 70% of these funds are planned for Brazil, Chile, Colombia and Central America.

Brazil is making progress in containing inflation and resuming economic growth. In 1967 real GNP growth exceeded 5% for the first time in five years. AID assistance for FY 1969 is planned at $215 million. A $75 million program loan will support continuing economic stabilization efforts. Sector loans in agriculture and education will total $60 million. The agricultural loan will provide credit to help farmers invest in farm storage facilities, fertilizer, seed and pesticides needed to increase earnings and production. The loan for education will help finance the beginning of a free secondary school system.

Chile, under the administration of President Frei, has achieved an annual per capita growth rate of nearly 2.5%—the Alliance target.

For FY 1969, $83 million is planned. A $35 million program loan will support the economic stabilization program. Over the past three years, inflation has been cut in half to about 20%. $30 million is needed for sector loans in agriculture and education.

In *Colombia,* a $95 million program is planned for FY 1969. The Colombian economy has been hurt by falling coffee prices. The resulting drop in her foreign exchange earnings threatens to choke off growth. $65 million in program lending will finance the U.S. goods and raw materials that Colombia's private sector needs to grow. A $15 million agricultural sector loan will provide fertilizer and machinery to help Colombia boost food production. A $10 million education sector loan will begin an attack on the secondary education bottleneck which now denies educational opportunity to Colombia's people.

Central America has made rapid strides toward economic integration in the last few years. But the increase in traditional exports which spurred growth has stopped, and now the Central American governments must expand their investment and raise more revenue. For FY 1969, $15 million in Alliance technical assistance and $68 million in Alliance loans are planned.

This brief rundown of the developing world gives you an idea of where the AID money goes. Most of it is in the form of loans, made over long terms and at low interest rates, but it is not money we are saying goodbye to forever. The record of loan repayment has been very good. Besides this aspect, the proceeds from such loans are spent in the United States, as required by law, to purchase the tools, the tractors, the trucks needed for development and to pay for the hire of American technicians, teachers and engineers who are sharing American "know-how" and "can-do" with the developing nations.

In relation to our gross national product, we are devoting to foreign assistance *today less than half as much as* we did in the days of the Marshall Plan. Moreover, we have adjusted our policies in order to minimize the impact of our foreign assistance on our own balance of payments. *Today 90 percent of the funds voted by Congress for foreign aid are spent directly in the United States for American goods and services.* It is these goods and services, rather than dollars, which we make available under our aid programs, and their export, of course, does not add to our balance of payments deficit.

Nevertheless, even though they should not be exaggerated, the costs of our foreign assistance are real and substantial, and we must make sure that the funds spent under this program, like those spent under all other government programs, achieve maximum results.

In addition to the inherent difficulties of the task of achieving progress in the developing countries, we are unfortunately facing continuous opposition from subversive elements trained and directed from Communist sources. This type of opposition can be very damaging and costly to efforts to achieve progress for free countries. There is no doubt that we will face this kind of difficulty for years to come. Those who are directing the Communist subversion are astute, persistent, and patient. It will require at least an equal degree of intelligence, of persistence, and of patience on our part if we are to help extend

the area of freedom around the world, and prevent that area from shrinking.

But the lesson of experience since the end of World War II is that foreign aid can be a very powerful and effective instrument for achieving peaceful progress. Our aid programs are only one element in our foreign policy. They are no cure-all. Even where they are successful, the results are limited, and will not do away with differences of opinion among free nations.

We believe, after all, in a world of free and independent nations because such a world offers the opportunity through the process of international cooperation to achieve maximum freedom and advancement for us and for all the people of the world. Such a world, like our own situation in the United States, does not eliminate problems, but it offers us the chance to solve those problems in peace and freedom.

As in all major programs affecting our relations with other countries and their people, our foreign assistance programs must constantly stand the light of public inspection and review. In my own view, I believe the time has come when unilateral selection of countries to receive our free-world assistance has passed and we should instead be looking more and more to the counsel of other nations from whom we expect moral and military support in our efforts to help other people. I believe this policy decision of who receives help should be the work of a multilateral group—many nations all participating in this selection and all sharing the responsibility of shaping the future welfare and well-being of the world.

RECOMMENDATIONS TO COMBAT CRIME

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BRASCO. Mr. Speaker, the American public is deeply disturbed over the growing crime rate. The rise in crimes of all types, the fear that has gripped many large urban centers and the need for a restoration of law and order are problems that demand bold measures if we are to achieve realistic solutions.

It is a national tragedy when people are terrified of using the streets after dark and even are reluctant to use park and recreational facilities during the daylight hours. As one who has worked in law enforcement, I recognize the magnitude of the crime problem, and wish to outline a series of recommendations which, if adopted, would be most helpful in combating the crime that troubles our society.

First, it is essential that the President's safe streets and crime control bill be adopted so that new and effective crime-fighting programs may be developed at the local level, including the training and use of neighborhood youth in community patrol activities.

I believe that the bill should go one step further than as is presently constituted. I would propose that a portion of the funds that would be earmarked for anticrime efforts be used to expand the police force of our cities. In New York City, where the crime rate has reached frightening proportions, we need an additional 5,000 policemen in order to make our streets safe again.

The civil disorders that have convulsed our Nation in recent years have served to underscore the critical need for gun control legislation. In many of the cities struck by riots, there were scores of sniper attacks, and the victims included innocent citizens as well as local policemen and firemen. Certainly, we can prevent weapons from falling into the hands of irresponsible persons with little or no regard for life and property by making the interstate sale of all weapons illegal. A ban on the mail-order sale of weapons would not impede recognized, responsible rifle clubs. Rather it would sharply reduce the possibility of wanton mayhem in the streets of our cities.

While the Federal Government has a role and a responsibility in preserving law and order, there is much that can be done by local government to fight crime. For example, I have recommended to the mayor of the city of New York that the parks department create a new job, "parks patrolman," to help combat crime and vandalism in parks and other recreational areas.

I would like to point out that there are patrolmen who function with the transit department, the housing authority and the port authority. Thus, there are precedents for parks patrolmen.

In New York, we have parks that are in such a state of deterioration that even if the streets and the parks were safe, people would find it difficult to enjoy recreation in them.

The costs of the proposed "parks patrolmen" would not compare with the amount of money the city spends every year to rehabilitate facilities that have been hit by vandalism.

In my years as the assistant district attorney, I saw many cases in which recreational facilities in parks were destroyed beyond repair, where park comfort stations were burned down or torn apart brick by brick, and where fences and games were broken and stolen. The addition of parks patrolmen would enable all our citizens to enjoy the city's parks in complete safety, and I think all cities should give this recommendation serious consideration.

Also of extreme urgency is our need for protection for our citizens living in housing projects. A force of 2,500 additional housing patrolmen could prevent a sizable proportion of the crime and damage which is incurred regularly in these areas by vandals. And certainly, the money the city of New York would have by putting a stop to this wanton destruction would be more than adequate to finance the additional "housing patrol" force.

In terms of the role of the courts, I have proposed that a "call system" be established in all criminal courts in New York City, whereby witnesses would be notified to appear on the day of trial instead of having to make repeated trips to court before the case is heard. Under the present system, many witnesses become discouraged and do not make appearances when scheduled.

A call system would make it easier for them as well as for everyone connected with the case. It would also free scores of patrolmen, who are tied up in courts awaiting the call calendar, from wasting precious hours waiting for a trial to come up. We are deeply aware of the shortage of patrolmen on our streets. Here is a method that would enable more police to patrol our streets.

In line with this, I strongly support legislation that would expand the judiciary in New York. New judgeships are especially needed in the criminal courts, where because of an enormous backlog of cases, confirmed criminals sometimes are permitted to plead guilty to a lesser offense in order to speed up the calendars. More judges in these courts would eliminate this possibility, and assure the community that in every criminal case the punishment will fit the crime and hardened criminals will not be released before the appropriate time.

Statistics show that drug addiction is responsible for a substantial number of crimes committed against society. I strongly support measures that would invoke severe penalties against sellers of narcotics, and at the same time urge immediate passage of a bill I introduced to alert young people and their parents to dangerous drugs.

My bill would require that so-called "pep pills" and other barbiturates and narcotics be manufactured in different colors so as to avoid confusion. Pills manufactured in varying colors would serve as a warning to youths, parents, and teachers, and would contribute to a reduction in drug addiction. It would also assist law-enforcement officers in the identification of these dangerous drugs.

Recently I was alerted to the fact that a Florida-based company was selling through the mail masterkeys for all make automobiles. To confirm this, I ordered, and received, a set of keys for all Ford automobiles for the meager sum of $3. This kind of sale is one of the prime causes for the wave of auto thefts plaguing our cities. Subsequently I cosponsored legislation to ban the use of interstate mails for these sales. The House of Representatives very quickly passed the bill; I urge the Senate to do the same immediately.

Mr. Speaker, while I have outlined specific programs, I would like to emphasize that the public itself can contribute to a curtailment in crime by taking an active interest in community affairs, and by working with their local police and law-enforcement officials to eradicate the lawlessness. The problem is an enormous one, but by no means insoluble. We can—and we will—restore safety to the streets. Thank you.

TULIP SELECTED AS NATIONAL FLOWER

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. WYLIE. Mr. Speaker, the student body of the Pickaway Township School, Logan-Elm School District in Pickaway County, feels that the United States should have a national flower.

After several flowers were suggested for the honor, arguments were presented to the entire student body, after which by secret ballot the tulip was chosen.

It was suggested that the tulip be chosen as the national flower because: First, it is found in most States; second, it is usually the first flower to bloom in the spring; third, it is eye-catching, representing the beauty of our country; and fourth, it was brought to this country by the Pilgrims on the Mayflower.

OCCUPATIONAL HEALTH AND SAFETY ACT OF 1968

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. BURTON of California. Mr. Speaker, in my district in San Francisco recently a rather remarkable speech was presented to a large group of scientists that forcefully stated the need for the passage of the Occupational Health and Safety Act of 1968.

It was delivered by an Assistant Surgeon General of the U.S. Public Health Service, Dr. Richard Prindle, to the annual convention of the Industrial Medical Association of the United States. I feel that it was sufficiently important to call to the attention of the Members of Congress several of the salient paragraphs of the speech:

Health officers and physicians cannot afford to approach the potential health hazards of the contemporary environment, and we must include the work environment, as though we were attorneys in a court where the suspect is deemed innocent until guilt is proved beyond reasonable doubt. The size of the population at risk and the possible consequences of failure to control both the known and the suspected hazards are too great to await absolute proof. Strong circumstantial and theoretical evidence requires action. To await positive proof is to court disaster.

The people of this country need and desire the products and the affluence of a prosperous industrial economy. But they also need and increasingly are demanding cleaner air and water; they want safe jobs, safe food, drugs, and clothing. I believe it is clear the people are convinced that an unsafe and unhealthy environment is not a reasonable price to pay for prosperity. I believe the American people feel that a science which can unravel the genetic code, develop artificial hearts and kidneys, and an industry which can transmit clear photographs back to earth from the moon's surface can also clean up the environment and improve the workplace without destroying the American way.

Air and water pollution have held the center of legislative and public attention until now because their gross effects are readily apparent to millions of people. Health authorities have concentrated on air and water because of the size of the populations exposed to their potentially harmful contaminants.

Belated as were the legislative enactments of recent years designed to cope with air and water pollution, with better delivery of health services, even more belated but equally welcome to health workers was the introduction this year of the Occupational Safety and Health Act of 1968. This is clearly one of the most important and needed pieces of health legislation introduced in the last decade.

WINTON M. BLOUNT, NEWLY ELECTED PRESIDENT OF U.S. CHAMBER OF COMMERCE

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. ANDREWS of Alabama. Mr. Speaker, it is with a great deal of pride that I bring to the attention of my colleagues an event which took place recently in Washington when the Chamber of Commerce of the U.S.A. elected Winton M. "Red" Blount its 41st president.

I have known Red Blount all of his life. He was born and reared in my hometown of Union Springs, Ala. His father, affectionately called "Bo" Blount, was one of the best friends I ever had.

Red is president and board chairman of the multimillion-dollar Blount Bros. Corp., which he built from scratch. Blount Bros. has landed some of the biggest and toughest contracts in the country over the past 17 years. They include atomic research facilities at Oak Ridge, Georgia Tech, and the National Bureau of Standards; the Atlanta airport terminal; Cape Kennedy's Saturn launch complex with a 400-foot steel tower that moves on rails; an "indoor ocean" for research by the U.S. Navy; missile defense installations in six States; a 250-foot-deep compulsion engine test cell; Cleveland's underground convention center and mall; the Marion, Ill., Federal maximum security prison that replaced Alcatraz, and a wide variety of complex industrial projects. In fact, he has injected into the construction industry some of the most up-to-date management techniques. He is sending his entire top management, one by one, to the 13-week advanced management program at Harvard Business School.

Red and his lovely wife, Mary Katherine, have five children. They live in a handsome Georgian-style home on a hill overlooking his 60-acre estate—"Wynfield"—in the outskirts of Montgomery, Ala. It is not far from where he plans to build soon a new headquarters for Blount Bros.

In my opinion, Red could give each of us a real good lesson in leadership.

I include in my remarks his acceptance speech made at the annual convention of the Chamber of Commerce of the United States:

WINTON M. BLOUNT, ELECTED U.S. CHAMBER OF COMMERCE PRESIDENT

Thank you, Mr. Chairman, and ladies and gentlemen, for your expression of welcome and encouragement.

The abilities I have to offer are at your service in the year ahead. But whatever significance they gain—the impact we make on the events of our time—will not reflect the efforts of a single individual, but the resolution of the Chamber of Commerce and the business community to make the force of its convictions felt at a time when they are most needed.

I think I can safely say that never before has the leadership of the National Chamber—its officers, directors and staff—been so aware of the responsibility for assuring that the measure of this organization's effort be sufficient to the challenge of our times.

Today we are faced with international problems such as Vietnam and the worth of the dollar in the world markets; national problems related to an economy beset by inflation, urbanization and industrialization; human problems of race and poverty; and spiritual problems of dissension, distrust and violence. These problems must be met and solved.

This is a time for reason and restraint. This is also a time for response—restraint from emotionalism and radicalism . . . but response toward finding solutions to these major problems. The climate of unrest and uncertainty have placed, as never before, new demands upon the business and professional community for leadership and constructive action.

Business is responding by bringing its leadership, management and problem solving abilities to bear on these matters, invading areas which have been traditionally left to government. We are seeking out dark corners and moving into the social problem backwaters where politicians have been making too many of the decisions. The Chamber must continue to encourage and lead this effort, and determine the most effective channels for its expression.

Government cannot solve these problems alone, as it has sometimes tried to do in the past. Rather, it must be a joint effort of the national government, the local and state governments, business community, other organizations and private citizens—a total effort on the part of all—and business has a key role to play.

I am an optimist—you have to be in my business. And I am optimistic that America will solve its problems. Our background and heritage have not prepared us for defeat. Our resiliency as a nation has been demonstrated time and time again.

But as we progress and change and move forward into the exciting world of the future, we must preserve and strengthen the essential institutions and values which have provided the vitality and inner strength of this great nation.

Ladies and gentlemen, it is up to the vast majority of Americans who are responsible, reasonable and restrained citizens to insure that our progress is responsive, sound, and intelligent.

What is our role? I believe the nation needs to hear from us.

It needs to hear from us about preserving the vitality of our economic system. As George Champion pointed out yesterday we must tell the story to every citizen of the vital role of capital, incentive, and profits in our free enterprise economy.

The nation needs to hear from us a reaffirmation of the democratic process as the proper and most effective expression of the public will. Politics is too important to leave to the politicians; businessmen must become involved.

In this regard, I am pleased to announce tonight that Governor Allan Shivers has graciously consented to serve in this important election year as chairman of the new Individual Political Action Program developed by the National Chamber. Let's all join Gov. Shivers to insure the success of this significant program at every level.

And finally, the nation must hear from us a reaffirmation of our moral strengths—our belief in individual rights, and the preservation of those rights through obedience to the law.

Sunday I visited the rubble and destruction of the recent riots in Washington. While I had seen the destruction on television and through other news media, I was utterly shocked and yes, dismayed, by what I saw—parts of our capital laid waste as a Berlin or a London of over two decades ago. This . . . in the capital of the United States, a nation of dedication to great principles and progress—not to destruction.

I say to you and to all the people of this country that the business community has a deep and compassionate concern for people of all races who live in poverty in the

slums of our cities, the disadvantaged, the hard-core unemployed, and the undereducated. We are deeply concerned over all the problems of the urban areas of our country and the business community must and will redouble its efforts everywhere to open wide the doors of opportunity and to lend a helping hand to those who will take advantage of these opportunities.

While we feel all of these things, it is outrageous to enunciate a policy which essentially encourages and escalates riots and lawless acts. We cannot abide lawlessness, nor can we justify short-run violations of the law in hope that it will bring about peace in the long run. Human rights cannot long exist in a chaotic and disorderly society. They are assured and preserved only by prompt and reasonable enforcement of the law.

Riots are started by lawless hoodlums and the disruptive elements in our society. They are not started by the innocent bystanders or the children. But if we have a national policy of withholding authority and letting the arsonist burn and the looter steal then you can be certain that seeing this example the surrounding community will join in. We must have a national policy that says as soon as riots threaten, at the very first hour there must be an appropriate and overwhelming show of force and determination by all those in authority to insure that these criminal acts are stopped in their tracks.

During the important workshop held Sunday afternoon, I heard it said that the business community has lost the initiative in this area. I do not believe this is the case and in fact the matter of who has the initiative is not the point. Rather we must work together with respect and understanding toward successful solutions.

STRAIGHT TALK

HON. MASTON O'NEAL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. O'NEAL of Georgia. Mr. Speaker, Tom Anderson is the straight talking president and editorial writer of the Georgia Farmer, whose monthly page is titled "Straight Talk."

It is most appropriate that his message this month is directed to the 1968 graduates. The commonsense views expressed in pungent quotable words and phrases should be read not only by our colleagues, but by every student in America before it is too late with this generation that preaches "permissiveness." The article follows:

STRAIGHT TALK

(By Tom Anderson)

Now, for the first time, America has a large revolutionary youth movement resembling Europe's. They are against the system, against the Establishment. They plan to take *over,* if *necessary* by force. Some are not militant. They are willing to settle the issue by peaceful and legal means. All we turned-off dopes over 30, we capitalists and puritans need to do is to surrender to their politically passionate puberty.

The hippies are trying to replace "dog eat dog" with "dog love dog." Both are animalism and can only return us to the jungle.

Freedom without discipline is an uncivilized absurdity. "Freedom now!" sounds great, I suppose, to people who lack the capacity to think deeply. The phrase we should be hearing is "Discipline now!" In a civilized society freedom without discipline is impossible. Those who cannot discipline themselves cannot for long be allowed to run free. We must discipline ourselves, individually, else some government must do it. If the prevailing government is too decadent to do it, then some other government, from outside or within, will replace it by force if necessary. Thus, individual violence is replaced by government violence. And freedom is replaced by slavery. There is little individual violence and crime—and little freedom—in any Communist country. All looters in Communist countries are executed. Hence there is little looting.

A recent advertisement by the great and patriotic Warner & Swasey Company of Cleveland said: "I want my boy to have all the advantages I can give him, such as having to earn his own allowance by running errands, cutting lawns. Such as getting good grades in school—getting them because he wants to and because he knows what it would do to me if he didn't. Such as being proud to be clean and neat and decent. Such as standing up and standing proud when his country's flag goes by. Such as addressing elder friends of his parents as 'sir' and 'ma'am.'

"Such as having to earn his own way in the world and knowing he has to prepare for it by hard work, hard study and sacrificing some of the pleasures and ease his friends may get from too-indulgent parents.

"These are the advantages I want my son to have, because these are the things which will make him self-respecting and self-reliant and successful. And that is the happiness I want him to have."

And now the old gasbags pontificate the stupid redundancy that "you are our future." You are not our future but our now.

The young want to change things. They can and they should. I hope I never get so old I won't want to change things—for the better. Some things we can and should change and some we can't and shouldn't. The most inevitable thing in life is change. In government and in life be sure you have something *better* before you agree to a change. Some of the "progressive" ideas, such as socialism to replace capitalism, "humanism" or "modernism" to replace Christianity, would set us back almost 2,000 years. For it was that long ago that socialism, humanism and modernism were first proved failures. There will never be a perfect system until there are perfect people. No society and no city is better than the individuals in it.

The agnostic pragmatists who call themselves "liberals" have taught a generation of children: (1) that there are no clear distinctions between right and wrong; (2) that there are no eternal verities, no absolute truths; (3) that environment determines truth, and, since environment constantly changes, everything is relative; (4) that "life adjustment," not inculcation of principles and disciplines, is the aim of education; (5) that partiotism is out of date. The Freudian frauds further proclaim that we are not responsible: "Man is a product of his heredity and his environment, and you cannot expect him to rise above it."

The collectivists, so-called "liberals," seem to operate on the theory that a socialistic government can legislate unsuccessful people into prosperity by legislating successful people out of it. Remember, there is no such thing as equality. Hold up your thumb and look at it. God has never made another thumb like it. We cannot be free *and* equal. Free men are not equal and equal men are not free. But all slaves are incarcerated equally. All men are created equal only in the eyes of God and of the law. And they don't even stay equal there. God penalizes unrepentant sinners, and the law penalizes repeating criminals.

One of the main reasons America became the greatest nation in the world was because we believed in the *inequality* of man—in the right of any man, no matter to what station born, to rise from the bottom to the top—or, the right to be a bum; the right of anybody to be somebody. An old Hindu proverb says: "There is nothing noble in being superior to some other man. The true nobility is in being superior to your previous self."

All totalitarianism must "destroy" God, for no total state can stand the competition of man as a free creature under God. All atheists are not Communists, but all Communists are atheists. We are headed the way of the Roman Empire, and for the same reasons: The world has lost faith in us and we have lost faith in ourselves. We have all but abandoned the eternal principles that made this country great: religion and morality, discipline, honesty, patriotism and work.

When you cash in your chips for this life, the only thing of any value you can take with you is your character. Character is a victory, not a gift. Character knows no race, creed, color or circumstance. If you lack it, it's nobody's fault but your own.

In the final analysis, neither your government nor your parents are responsible for you—you are responsible for yourself. As somebody said: "The young man who thought the world owed him a living is the old man who is blaming the world for his failures." If you're determined merely to milk all possible pleasure out of life, you should buy your own cow, not milk somebody else's through the fence.

The so-called "civil rights" movement is Communistic, based on forced equality, forced association and forced share-the-wealth. All of the money in the world, all of the bombs and armies, all of the laws and treaties cannot possibly bring either brotherhood or peace. Only Christianity can bring brotherhood and peace. Christianity is the hope of the world, and the only hope.

Christ didn't preach a government "poverty program." Christ said such "un-American" things as: "The poor we will always have with us."

The Bible teaches not government-forced "open housing" but private ownership. The Bible is capitalistic! The Bible advocates private property. It says: "Thou shalt not steal . . . Thou shalt not covet what is thy neighbor's." Property rights are the sacred foundation of human rights.

Our problem today is not so much the noise of the bad people but the silence of the good people. You become part of what you condone. The epitaph on the American tombstone may someday read: "This civilization died because the people didn't want to be bothered." History is made not by majorities but by dedicated minorities. Whether you survive as free men or slaves depends on whether the dedicated minority for what's good and right is more powerful and effective than the dedicated minority for what's evil and wrong. We face socialism, insolvency, surrender and possible revolution and civil war. It's *your* fight. It's your world they're trying to destroy. Where do *you* stand? And what are you *doing* about it?

What can "little" you do? A little 17-year-old country girl who couldn't even read or write changed the course of history. Her name was Joan of Arc. You're probably not a St. Joan. Neither was she when she started.

"THE VULNERABLE RUSSIANS"

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. DERWINSKI. Mr. Speaker, the book under the title of "The Vulnerable Russians" deserves the studied attention of every thinking American who is con-

cerned with questions of war and peace, U.S.-U.S.S.R. relations, and America's future. At this time, measures taken by Moscow within the Soviet Union are becoming increasingly oppressive against what this imperio-colonialist center calls "bourgeois nationalism." If I may use a somewhat inaccurate term, "re-Stalinization" is gaining momentum as the tolerated narrow limits of so-called liberalization have been reached. This tightening-up process will have consequences in other parts of Moscow's empire.

A working background to these current developments in the camp of our prime enemy is well furnished by "The Vulnerable Russians." Authored by Dr. Lev E. Dobriansky, of Georgetown University, the work is easy reading, revealing, and well documented.

The work is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. However, some excerpts from the book will give the reader an indication of the novel nature of the work, particularly from the vital angle of Russia's present policies toward the captive non-Russian nations in the Soviet Union.

The excerpts follow:

AN AMERICAN ZIG, THE RUSSIAN ZAG

"The sacred duty of the party is . . . The strengthening of our multinational socialist state . . . The resolute and irreconcilable struggle against every expansion of bourgeois nationalism." (Pravda)

"Bourgeois nationalism" in Russian political lingo means opposition to Moscow's alien domination over the non-Russian nations. So-called crimes of Trotskyism, Bukharinism and the like have long vanished as objects of Moscow's condemnation, but bourgeois nationalism has persisted. The reasons for its persistence are obvious. All that has been said about the patriotic national consciousness of the captive non-Russian nations in the USSR, their invincible aspirations for genuine independence and freedom, forms these reasons. What imperio-colonialist Moscow condemns as bourgeois nationalism, we uphold and esteem as national patriotism and love of country. What the colonialist Russians prescribe as "national in form, socialist in content," the captive non-Russians describe as "national in form, Russian in content." Our formula in the Cold War can only be "national both in form and content." The *Pravda* quote clearly defines Moscow's formula.

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"Whenever they (the Russians) zig, we zag," declared former Defense Secretary Robert A. Lovett in his apt characterization of American foreign policy before a Senate committee. The passive art of zagging has been the conspicuous monopoly of the State Department. Under the perpetuated dominance of the "zaggistic" containment crowd in the Department, this art of diplomatic indolence is the very thing a sizable portion of the American people have been determined to eliminate at the polls since 1952. During each presidential campaign they were repeatedly and in explicit language promised the substitute and imaginative art of zigging. So that whenever we zig, the colonialist Russians would zag. Unfortunately, the unfolding record still shows that this promise has yet to be realized. Mere reactive utterances of "back up your words with deeds," which govern the psychology of the present in our relations with the mortal enemy, are in essence not of the diplomatic species of zigging but rather that of the usual zagging. Again, in their "peace offensive" the Russians have zigged, and we with little show of tangible initiative have just zagged, allowing them to reap all the advantages of the "breather" they need and enjoy. No matter how commendable in themselves, the Peace Corps, the atoms-for-peace proposal, food-for-peace and other weak cold war ventures are all of the zag species. It is most noteworthy how we have shied away from a Freedom Corps, an atoms-for-freedom proposal, the original food-for-freedom and other solid cold war undertakings of the zig species.

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On the surface the resolution appeared at the time to be an appeasing gesture. But when thought was given to its background and implications, it represented, as Felix Morley described it, "a clever legislative proposal, well-calculated to create difficulties for Soviet Russia . . ." For a time the resolution was pigeonholed in the House Foreign Affairs Committee. However, growing public interest in the proposal soon led to formal hearings. Many who had bother to reflect on this proposed diplomatic zig became convinced that the Smith resolution constituted the first solid test of American initiative in the Cold War. Investigating the reaction to it at the State Department, Mr. Morley learned that "2 months after the introduction of the resolution it has been discovered by the State Department. And several alert officials there are of the opinion that the proposal should be seriously pressed . . . Now policy planners at the State Department are saying: 'Why didn't we think of that ourselves?'

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But, what happened? Contrary to all expectations, in response to an invitation issued by the chairman of the House Foreign Affairs Committee to participate in forthcoming hearings on the resolution, the State Department sent a letter stating a negative position on the subject. Addressed to the chairman, the Honorable Robert B. Chiperfield, the letter advanced five arguments against the resolution. These were: (1) it would bolster the Soviet myth of the sovereignty of Ukraine and Byelorussia, (2) it would enable Moscow to push other republics in the USSR into international organizations, (3) it would require a "large expenditure of money" to set up missions in Kiev and Minsk, (4) it would lead to two more "communist missions" in the United States, and (5) all this would arouse "adverse sentiment and criticism" among our people. The hearing nevertheless took place on July 15, 1953 before a special subcommittee chaired by the Honorable Frances P. Bolton of Ohio. The members of the subcommitee were, of course, swayed by these arguments. Yet these and other arguments were carefully examined at the hearing. It would do well for us to summarize the analysis here.

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2. *We refuse to recognize Red China, so why should we recognize Soviet Ukraine and Byelorussia?*

Because the two cases are by no means parallel. The fact is that we already recognize these two Soviet republics in the United Nations, while we have rightly resisted similar recognition of Red China in the same body. The legal framework which differentiates the two cases was really a justifying basis of the Smith resolution. The provision immediately preceding the body of that resolution itself alluded to this. It read: "Whereas it is clearly incongruous from every viewpoint to maintain the recognition by this Government of the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialistic Republic in the United Nations without the peace-oriented opportunity to establish direct diplomatic concourse with their respective capitals of Kiev and Minsk: Now, therefore, be it Resolved . . ." Of course this legal argument is not sufficient in itself to warrant the step recommended by the proposal, but it obviously answers this and similar points of criticism. We mustn't forget, too, that our mission in the Republic of Free China is a recognition of the Chinese people and nation, both on Formosa and the mainland. We extend no comparable direct recognition to the peoples and nations of Ukraine and Byelorussia. Speaking of Red China, let us also remember its cynical exploitation of the Russian/non-Russian volcano in the USSR, so much so that Brezhnev and Kosygin chastised it for aiming "to disturb the friendship among the nationalities in the U.S.S.R." The issue in the volcano is one of genuine independence and freedom, not Parties' squabbles.

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It is interesting to observe the campaign in the United States for our direct recognition of Outer Mongolia. This Russian "satellite" is a member of the U.N., brought in about twenty years after Ukraine and Byelorussia. Secretary Rusk stated in March, 1966, that we continue to weigh the matter of granting diplomatic recognition of this Red state, and a Washington newspaper editorialized in this vein: "Recognition would advance the stated American desire to "build bridges" to Communist lands, and thereby promote their nationalism and our influence, too." These double-standard exponents oppose, however, the same action toward Ukraine and Byelorussia where on every point—population, history, strategic importance, etc.—it would count vastly more. But what can one expect when the editors of the same organ wallow in the conceptual ignorance of "the Soviet Union as a nation."

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"PEACEFUL COEXISTENCE" IN REVERSE

5. *Good, but what benefits would we derive if Moscow should refuse to accept our offer for peaceful relations?*

The benefits we would derive in the event of Moscow's refusal would be almost equivalent in force to those hinging on its equally possible acceptance. One, this step would undoubtedly produce acute embarrassment for the highly vocal, puppet delegations representing Soviet Ukraine and Byelorussia in the U.N. In fact, we would gain a powerful propaganda weapon. As Bob Considine evaluated the Smith resolution in his syndicated column, "It would put Russia on the spot in a variety of ways." This surely would be one.

Second, a Soviet Russian refusal would provide an additional lie to its protestations of peace. We would stand to capitalize on this throughout the entire Free World. Third, this circumstance would formally expose the fraud built on the alleged independence of these two major, captive non-Russian nations in the Union. Here, let it also be emphasized that Soviet Russia's acceptance of the offer would by no means constitute any verification of genuine sovereignty and independence in these two states. With American Ambassadors in Kiev and Minsk, Ukraine and Byelorussia would functionally be more independent and sovereign than are Poland and Czecho-Slovakia where we do have missions. The illogic in the State Department's argument on this is quite evident.

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6. *Didn't the British Government attempt this in 1947 and fail?*

Not exactly. Although the British Government made certain gestures in the same general direction, its meager effort had by no means been exerted along the lines of strategic psycho-political advantage as proposed in the Smith resolution, nor had it at all been formalized in terms of the data which were incorporated in the resolution. The animus and substance of the British attempt were wholly different. Had it been otherwise, in the way presented here, it could not reasonably have failed.

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We have noted the State Department's contention that, should the Soviet government reject—or even accept—this proposal in the name of the Ukrainian and Byelorussian governments, this would bolster the fiction of their independence and consequently nullify one of the propaganda benefits mentioned above. This is a patently groundless objection. It is common knowledge among the captive peoples themselves that these governments are no more independent of the dictates of Moscow than are the governments of Poland, Hungary and so forth. Therefore, a refusal through such means, regardless of all the fabrications surrounding it, would have rather affirmative effects.

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9. *Wait now, wouldn't the presence of two more Communist missions in the U.S. increase our internal danger?*

Not really. As a matter of fact, when the U.N. Assembly is in session, the delegations of Ukraine and Byelorussia establish themselves as separate missions in New York. Any opportunity they might have to engage in espionage in a sense already exists. On the merits of the case one cannot compare two additional American embassies in the Soviet Union, situated in Kiev and Minsk, with two more Iron Curtain embassies in Washington, certainly not from the viewpoint of impact on and importance to the specific peoples involved. The environments of the respective embassies are not in the least similar. The area of contacts for American missions in Ukraine and Byelorussia is virtually virgin territory, while that of a Ukrainian or Byelorussian embassy in Washington has surely been exploited well beyond the point of diminishing returns by the USSR embassy. Moreover, espionage is a two-way street. The argument implied by this question seems to suggest American inferiority in the art, a thesis one would find difficult to accept.

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NOTHING TO LOSE, EVERYTHING TO GAIN

By now, in thinking through the Smith resolution, you are probably of the feeling that actually there was nothing for us to lose, everything to gain. You are not alone in this feeling. For example, serious-minded students of the Georgetown University International Relations Club had this feeling, and addressed a number of questions on the subject to the Ukrainian and Byelorussian delegates at the U.N. Result?—as anticipated, no reply. These "independent" spokesmen could not decide whether their "independent" countries are open to American diplomatic representation. In a sense, unofficially we zigged and they couldn't even zag. Many others viewed the resolution in the same favorable light. As one editor emphasized at the time, "It deserves a better fate than to be laid on the shelf. It should be studied on its merits."

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In the spring of 1958, Congressman Leonard Farbstein of New York revived the resolution and inquired about the long-awaited study by the State Department. The letters received from the Department indicated that no written study had been made. Assistant Secretary William B. Macomber stated "The Department has no record of a study such as you described having been made subsequent to this time." He also enclosed a copy of the March 13, 1953 letter, containing the old arguments of the Department. Macomber's reply confirmed a discussion this writer had in 1956 with Undersecretary of State Robert Murphy, who admitted that State had not pursued any study of the matter since the 1953 hearing. Later, Congressman Barratt O'Hara of Illinois also introduced a similar resolution. For some unknown reason the Committee on Foreign Affairs had not acted on these resolutions. The proposal, however, has remained very much alive and will again be legislatively formalized, so that an American zig can precipitate a Russian zag in the advancement of our own cold war interests.

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Over ten years ago, a diplomatic correspondent for *Newsweek* emphasized that "serious American thought also must be given to the nationally conscious Soviet components such as the Ukraine and Byelorussia. The fact that these two nations have their own representatives in the U.N. has never been properly utilized by the United States. To encourage their independence and to strive for the decentralization of the Soviet Union into its separate though not necessarily unfriendly components, is likely to become one of the chief United States objectives." If we were to wait for the State Department to study this, another glorious opportunity would be lost. Fortunately, the proposal remains very much alive and will be acted upon so that an American zig can precipitate a Russian zag in the advancement of our own Cold War interests. How this can be done was demonstrated again in 1960, an interesting episode to which we now turn.

KANSAS BEEF MONTH

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 16, 1968

Mr. WINN. Mr. Speaker, May has been officially declared as Kansas Beef Month, and because of the importance of the beef industry to the Kansas economy, the Kansas Cattlemen's Association and the Kansas Farm Bureau urges everyone to support May beef month by eating Kansas beef daily.

Kansas, because of its climate, topography, and soil conditions, is becoming increasingly important as a beef producing State. As of January 1, Kansas ranked seventh in the number of cattle on feed with a total of 610,000 head. The number of commercial feedlots, those with a capacity of 1,000 head or more, is growing each year.

The Farm Bureau is participating in numerous activities in Kansas designed to call attention to the importance of the Kansas beef industry.

SENATE—*Friday, May 17, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

Rev. Edward B. Lewis, D.D., pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O God, the hope of all nations, we have sinned against Thee and each other as a country and a world. Help us, through this prayer of repentance of our sins, to find a new life of love, opportunity and peace for all men.

Give wisdom to those negotiating for peace now meeting in Paris. We pray for a just peace in Vietnam and throughout the world.

We pray for brotherhood, understanding, and sound minds in our cities. We know that death, destruction, and hate must not reign in our streets.

Cause us to ponder what we have done and are doing to ourselves. Give us the inner resource to find a just solution to a feeling of injustice and persecution.

Implant within us a right spirit through the power of Thy Holy Spirit. We pray in the name of Him who can give us life abundant in peace, strength for trying hours, and guidance in ways we must follow. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 16, 1968, be dispensed with.

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

MESSAGES FROM THE PRESIDENT

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

REPORT ON OPERATION OF THE AUTOMOTIVE PRODUCTS TRADE ACT OF 1965—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

To the Congress of the United States:

I am pleased to transmit to the Congress the second annual report on the operation of the Automotive Products Trade Act of 1965. By this Act Congress authorized implementation of the United States-Canada Automotive Products Agreement.

The Agreement was designed to create a broader U.S.-Canadian market for automotive products to obtain for both countries and both industries the benefits of specialization and large-scale production. We have moved far toward this goal.

Automotive trade between the United States and Canada was $730 million in 1964, the year before the Agreement went into force. Trade in 1967 was over $3.3 billion. The Agreement has also stimulated trade in allied products.

Industry, labor and consumers in both countries continue to benefit from this growth in commerce and from the increased efficiency made possible by the Agreement. It is dramatic proof of what