and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchases and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.J. Res. 1307. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. DON H. CLAUSEN:

H.J. Res. 1308. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. EILBERG:

H.J. Res. 1309. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. JACOBS:

H.J. Res. 1310. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. JOHNSON of California:

H.J. Res. 1311. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. KARTH:

H.J. Res. 1312. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mrs. SULLIVAN:

H.J. Res. 1313. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. TALCOTT:

H.J. Res. 1314. Joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to provide by law for the loss of nationality and citizenship; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.J. Res. 1315. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WOLFF:

H.J. Res. 1316. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 1317. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. CASEY:

H.J. Res. 1318. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. GARMATZ:

H.J. Res. 1319. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HERLONG:

H.J. Res. 1320. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. OTTINGER (for himself, Mr. KUPFERMAN, Mr. SAYLOR, Mr. DENT, Mr. SCHEUER, Mr. BUTTON, Mr. CLEVELAND, Mr. FARBSTEIN, Mr. WALKER, Mr. EDWARDS of California, Mr. EILBERG, and Mr. PODELL):

H.J. Res. 1321. Joint resolution proposing an amendment to the Constitution of the United States relating to the conservation of the natural resources and natural beauty of the United States; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.J. Res. 1322. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. STANTON:

H.J. Res. 1323. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. WATTS:

H.J. Res. 1324. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

351. The SPEAKER presented a memorial of the Senate of the State of New Jersey, relative to Federal legislation imposing a mineral severance tax, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 17880. A bill for the relief of Kurt Friedrich Link; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 17881. A bill for the relief of George Adom; to the Committee on the Judiciary.

H.R. 17882. A bill for the relief of Giovanni Del Vecchio, his wife, Maria Del Vecchio, and their minor children, Antoniella, Domenico, and Carmelina Del Vecchio; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 17883. A bill for the relief of Doemico Grano; to the Committee on the Judiciary.

H.R. 17884. A bill for the relief of Gennaro Orlando; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 17885. A bill for the relief of Vincenzo Argiro, his wife, Anna Maria Argiro, and their minor children, Natalino Argiro, Aldo Argiro, and Concetta Argiro; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 17886. A bill for the relief of Bong Soon Lee; to the Committee on the Judiciary.

H.R. 17887. A bill for the relief of Paul Stavropoulos; to the Committee on the Judiciary.

H.R. 17888. A bill for the relief of Giuseppe Talarico; to the Committee on the Judiciary.

H.R. 17889. A bill for the relief of Vincenzo Francisco Taverna; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 17890. A bill for the relief of Ricardo B. Bellosillo; to the Committee on the Judiciary.

H.R. 17891. A bill for the relief of Lorenzo J. de Leon; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 17892. A bill for the relief of Zlata Lipsker; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 17893. A bill for the relief of Ljubica Vanis; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 17894. A bill for the relief of Jane V. R. Bryant; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

346. The SPEAKER presented a petition of the Arizona State Council of the Knights of Columbus, relative to voluntary prayer in public schools, which was referred to the Committee on the Judiciary.

SENATE—*Thursday, June 13, 1968*

The Senate met at 11 a.m., and was called to order by the President pro tempore.

His Beatitude Maximos V Hakim, patriarch of Antioch and of all the East, of Alexandria and of Jerusalem, offered the following prayer:

Eternal Father of all, we thank Thee for granting us the opportunity on this the 25th anniversary of our consecration as a bishop of the holy church to stand here before the Senate of the United States of America.

Accept, O Holy and Immortal One, our abiding gratitude for this land and this mighty Nation. Constantly renew, O God, in her sons and daughters the mighty sense of mission which her Founding Fathers possessed at her establishment. Let her stand forth before the community of nations as an ever brighter beacon of freedom and peace and justice.

Grant, Heavenly Father, Thy blessings on these Thy servants, the Members of this august body, and bestow on them the wisdom which Solomon of old sought and received from Thee so that they with prudence yet with courage may confront and solve the problems which torment a troubled world.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, June 12, 1968, be dispensed with.

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

RECOGNITION OF SENATOR FANNIN

The PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Arizona [Mr. FANNIN].

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. FANNIN. I am delighted to yield to the distinguished majority leader.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary and the Subcommittee on International Finance of the Committee on Banking and Currency be authorized to meet during the session of the Senate today.

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

OBJECTION TO COMMITTEE MEETING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

Mr. FANNIN. Mr. President, by request, I object.

The PRESIDENT pro tempore. Objection is heard.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

A CALL TO REASON

Mr. FANNIN. Mr. President, today our Nation finds itself tossed upon a sea of emotion. The events of the preceding days have saddened and buffeted all of us to the point that we have become numbed. The tragedies that sweep suddenly from the shadows, when they come in such frequency as we have experienced, have their injuring effects upon our senses and we come almost to expect one catastrophe to follow another.

This is the atmosphere, Mr. President, in which we are asked to legislate and find some solutions to the problems that beset America.

During the period that followed the tragic assassination of Dr. Martin Luther King, Mr. President, I hesitated to speak out. I held back for several reasons: First, I thought our public officials would evidence more control and calmness than it now appears they did; second, many charges and countercharges were flying about, the atmosphere was charged with racial tensions, and it seemed to me that another voice added to the clamor would tend to worsen the situation rather than better it; and, finally, I wished to allow spokesmen from the minority community the opportunity to display their leadership, talent, and reasonableness so they could thereby develop genuine leaders worthy of trust and admiration.

Mr. President, in my own State of Arizona there were responsible leaders of the Negro community who spoke out against lawlessness and violence at the time of Dr. King's death. We were thereby spared some of the tragedies and violence that wracked other parts of the Nation. This is one of the bright spots in an otherwise rather bleak picture so far as my own experience of these troubled times is concerned. For now it appears that some of our vaunted intellectuals—men who by commonly accepted standards should be worthy of respect—have suddenly taken leave of their senses, mounted the nearest hobby horse and collectively ridden off in all directions.

Many things, I suppose, can be laid at the door of sudden grief. Certainly I would not deny a man the right, the privilege, or the duty of grieving for a fallen comrade. I grieve for my colleague and my friend, Senator Kennedy, and for his family, as I grieved for President Kennedy and his family, and indeed for all men everywhere who are suddenly and unjustly cut down in peace and in war. But my grief does not grant a license to utter reckless and irresponsible judgments or advocate actions which may compound the very difficulty they are supposed to combat.

I say I remained silent at the time of Dr. King's death and did not speak out against the senseless actions recommended at that time. There was a sudden outpouring of media sentiment to the effect that this or that piece of legislation should be passed as a memorial to the late reverend doctor. This is a perilous kind of precedent to follow. Edmund Burke, a great English exponent of liberty for the people, noted almost 200 years ago:

> The people never give up their liberties but under some delusion.

Mr. President, those words ring true today. Right after Dr. King's death we were entreated to pass the open housing law which would end discrimination in residential housing. Dutifully, the House passed the law on the day after his death. The bill had not been transmitted to the White House, Mr. President, before I heard a Member of Congress on the air saying:

> Passage of this legislation does not begin to touch the real problem . . . We must pass stronger and stricter regulations—

And so forth. Of course, that bill does not correct all those vast catalogs of discriminatory ills so glibly cited over the air—no legislation in the mind of man, much less on paper, can correct all those ills which flesh is heir to. To represent that it will is a sham and a hoax and should be so labeled. I have said it here before and will probably say it again—you cannot legislate morality. It is beyond the power of the Senate to pass a law making men honest, or unprejudiced, or moral, or anything else. Should we then cease to legislate? Of course not. But we do have an obligation to use commonsense, God's gift to every man, and if we feel our emotions have taken hold of the better part of our senses, then let us pause until reason returns.

My point is that we may, under a stormcloud of emotion, be urged to do those things which at a more reasonable time we would refuse to consider. At this time, I think the Senate and this Nation are under such an emotional cloud. We have difficulty separating fact from fiction. We seem to be impelled to do something, even if it is the wrong thing. And we are getting some of the most irrational advice from quarters where we have reason to expect better, and I quote:

> The world today is asking a terrible question—a question which every citizen of this Republic should be putting to himself: What sort of people are we, we Americans?
>
> And the answer which much of the world is bound to return is that we are today the most frightening people on this planet. . .
>
> It is almost as if a primal curse had been fixed on our Nation. . .

Those are the words of Arthur M. Schlesinger, Jr., a would-be chronicler of this present age. I join the Wall Street Journal in labeling these words "nonsense," Mr. President. Let Mr. Schlesinger study his history awhile longer and come back when he has gained sufficient wisdom to put facts in their proper perspective.

Into this same category of "nonsense" go the frothy commentaries of Mr. Howard K. Smith, the Vietnam dove-turned-hawk, who has done everything on camera but fall down in a screaming fit as he flails away at the Senate for not having the wisdom to pass a "meaningful" gun control law before Senator Kennedy was assassinated.

I will return to Mr. Smith in a moment, Mr. President, but may I pause long enough to ask if anyone knows the meaning of "meaningful"? I am convinced that whenever an editorial writer knows little or nothing about a subject he calls it "meaningful." It is almost a sure signal that he does not know what it means. I am trying to ban the word from my vocabulary. It seems to drape across any subject to which it is appended like a wet dishcloth.

Mr. Smith has the advantageous position of being a 20–20 hindsight legislative editorializer but he does not tell us how a "meaningful" gun control law would have prevented the death of Senator Kennedy. He does not need to. He is riding piggyback with Herblock of the Washington Post atop a gigantic tide of grief related to the death of Senator Kennedy, but trying to accomplish a mission that by their own words would not solve the problem. Instead we have meaningless comparisons of gun-related deaths between our Nation and European nations. They quite adroitly leave out a total comparison of overall crime rates between these countries because that would not serve. They fail to notice that crime in general is more prevalent in America than it is in England or in France, because when we begin to explore the reasons behind those statistics we find the courts and liberal-espoused "permissiveness" come under the gun as a probable cause of violence in America—and suddenly that is off limits.

Let us put some perspective on these facts, Mr. President. Of the principal assassinations listed in the World Almanac for 100 years between 1865 and 1965, there were 43 assassination tragedies. There were several people killed in some instances, as when the Bolsheviks murdered the czar's family in cold blood, but there were 43 assassination events listed in that time. Of these 43 events only eight took place in the United States. Yes, that is eight too many. That is slightly over 18 percent. Even in these eight there were significant foreign influences. One would have thought from the public handwringing over the public media for the past few days that everyone that has been involved in a political or religious assassination was an American. We seem to have forgotten such world figures as Trotsky, Archduke Francis Ferdinand, Mahatma Gandhi, Hendrik Verwoerd, Rafael Trujillo, Patrice Lumumba, Nicaraguan President Somoza, Panamanian President Remon, Guatemalan President Castillo Armas, Venezuelan President Chalbaud and Austrian Chancellor Dollfuss, all slain by foreign hands.

H. Rap Brown in one of his gutterside press conferences made the statement that—

> Violence is as American as cherry pie.

Are some of our American editorialists and supposedly learned commentators going to make that nihilist dream come true? The sickness that these people so often refer to does not rest in society but in man himself.

The first political assassination with which most of us are familiar is that of Julius Caesar and it occurred in 44 B.C. Americans have no monopoly on violence. Man is a violent creature and unless held in check by the laws of man and God, his nature is to destroy. Our plight is in this Nation that we have in recent years tended to shackle the law rather than the criminal. This "national guilt" that

one of our presidential candidates says we must bear, resides only in the minds of those who must share in the blame for unleashing the criminal on our society, fostering permissiveness in our educational and judicial systems, and engendering a general relaxation of the moral and spiritual standards upon which this Nation has prospered.

Permissiveness leads to the popular cause we have now called "civil disobedience." Somebody has the idea that if you break the law on a large scale that it is not breaking the law it is civil disobedience. Well it is not civil disobedience. Breaking the law is breaking the law—and civil disobedience is really criminal disobedience.

A famed English playwright once said:

Liberty means responsibility—that is why men dread it.

We have much talk of liberty in America today—many loudly proclaim their "right" to live by the sweat of another man's brow—but we have precious little talk of responsibility. To those who would flaunt their intellectualism in the face of such old-line morality, let me quote the words of one of the most famous intellects to ever be a Member of the Senate. His likeness is one of the five chosen to decorate the reception room just outside this Chamber. Few, I think, will venture to boast their intellectual prowess above his. The man is Daniel Webster, who once said:

The most important thought I ever had was that of my individual responsibility to God.

Mr. President, individual responsibility is a phrase we hear seldom these days. The President pointed out the other night that 200 million Americans did not kill Robert Kennedy, or John Kennedy, or Martin Luther King. Each was the act of one man, so far as we know, and that man must bear the guilt.

No matter what a Senator's stand may be on more gun legislation, until I see or hear some better reasoning than I have heard to this point I say it is a monstrous nonsequitur that snatches at our constitutionally guaranteed freedoms without returning to us a sufficient guardian for that freedom. We need a pause.

May I say at this point, Mr. President, that I have not made this speech at the behest of the National Rifle Association, nor have I been in contact with them at all. I am embarrassed to see some of our supposedly independent-thinking commentators and legislators follow the lead of the few, like an obedient pack of sheep, in castigating the National Rifle Association. It is a shameful display, creating a convenient whipping boy, and I think those that engage in such a deficient practice should be, and will be, ashamed. The practice lacks reason. Those who will not reason are bigots; those who cannot reason are fools; those who dare not reason are intellectual slaves.

If, when the smoke kindled from these carelessly set emotional torches clears away, we can have a reasonable debate on this matter, and when we have given legislation just passed a chance to exert its force, and possibly found it lacking, then I think we should take up the matter again—not before.

Mr. President, I am concerned for the spirit of America, for I fear that the people of our Nation, like others who have gone before, will cease to have confidence in any government. Those who in past years have preached over and over that government is your sworn enemy must be in the same category as those who now strike out in unreasoning anger at what they call the "system" that denies them their desire. Both are bent on "tearing down." Both are essentially nihilist, holding the the present system must be destroyed before a new one can take its place—even then they have no plan for the new utopia, they only know they do not like this one. Well, I could have some advice for them if they do not like this country, Mr. President, but that can wait for another time.

I suspect that more than a few legislators in this Chamber have come to the same conclusion that I have: That while the NRA is undoubtedly an effective lobby because it has entered into such a comprehensive program of instruction in gun safety and taught thousands of youngsters in the proper use of firearms, the NRA is not what prevents passage of stronger gun laws; rather it is the people—the homeowners, the small retailer, the service station operator—who feel that because we have an Attorney General who ignores the respect due his office and provides a forum for rabble-rousers to revile the United States, who exhibits little interest in protecting victims rather than criminals, who reckons himself opposed to capital punishment, who still is "investigating" the words and deeds of Stokely Carmichael to see if there is a possibility that he may have acted to incite a riot—for all these and more reasons the people feel they have little expectation of the legal protection they have taxed themselves to provide. Does the Nation really wonder why people in the main are opposed to additional laws that make their self-protection even more difficult?

Last week in Washington as a judge was about to sentence a convicted looter in the aftermath of the April riots he made these observations: Here is a man who has four children with one on the way, making a small wage on which he supports his wife and family. During the time he has lived in Washington he has no police record. If he is put in jail, up go the relief roles; if he is let go it is a clear invitation to others to try the same thing.

The judge asked the young man how he happened to get involved in the riots. The man said:

I was sitting on my porch and these other folks were going by carrying TV sets and clothes and I asked where they were getting them. They said down at the store. I asked if the police weren't stopping them. They said no, so I decided to go and get my share.

At that point the judge asked him if he would have gone and participated in the looting if he had known they were shooting looters.

He replied:

No sir.

Perhaps it is too much to draw a large lesson from a single experience, but do we really need a Violence Commission to tell us that enforcing the laws will cut down on violence? We are looking for some other answer, but there can be no other answer other than America is built upon respect for law and order.

And what of the charge that these assassinations are a product of American society? Let us just examine that for a moment.

It appears that Senator Kennedy's assassin was a Jordanian immigrant and he shot the Senator for a reason that is not primarily related to domestic affairs, but rather to the international difficulties in the Middle East.

We know too little of Dr. King's assassin to speculate, although there appears to be some elements of conspiracy there.

From testimony developed by the Warren Commission, we know that Lee Oswald's background consisted of a renounced American citizenship, a Russian-born wife, and a period spent behind the Iron Curtain.

George Lincoln Rockwell: Espousing Nazi philosophy, apparently killed by one of his own followers. Hardly as American as "cherry pie."

Malcolm X: Cut down by members of his own sect following a religion that has Mideast trappings.

Medgar Evers: The man charged with his assassination was not convicted of the crime, so beyond that we cannot go.

The assassination attempt on President Truman and the shooting incident in the House of Representatives was carried out by members of a Puerto Rican nationalist group.

The assassination attempt on the then President-elect Roosevelt that killed Mayor Anton Cermak was carried out by Guiseppe Zangara, an Italian immigrant who said he had also tried to kill King Victor Emmanuel.

The assassination attempt on President Theodore Roosevelt was carried out by a demented man who was born in Bavaria.

President McKinley was killed by Leon F. Czolgosz, an anarchist who hated all forms of government.

President Garfield was assassinated by Charles Giteau, a religious fanatic.

President Lincoln was killed by John Wilkes Booth, a Confederate sympathizer.

Based on this information, one could more easily make a case for tightening up our immigration laws with much stricter regulations. The logic would be as clear or clearer than calling for tighter curbs on guns.

Mr. President, we can see from these that not all, not even a preponderance of crimes of violence that have affected the political life of our Nation, have come from American roots.

I wonder how many know that even on the day Senator Kennedy died, the New York Times carried a small story about testimony given by a New York police detective who had infiltrated one of the revolutionary Negro groups there. This Negro detective testified that Senator Kennedy's name appeared on a list given to him of leaders marked for as-

sassination by the Black Brotherhood Improvement Association. The detective testified that he had become a part of a three-man "terrorist cell" and that sharing the list of targets with Senator Kennedy were Roy Wilkins and Whitney Young.

I sound a call to reason. A call to calmness. I ask for a time in which we all may put our facts back in perspective.

At least, the leaders of opinion can stop the irresponsible words about violence and anarchy. We can begin—and I think it is high time—to assert the claim of law, order, and reason in our society. We can stop coddling the criminal and kicking the victim. We can remind men that the lawful way is the only way to secure equal rights, liberty, and justice for all the people.

Let us tell the hoodlum, the racist, the demogog, and the exponent of anarchy that the great quiet power of this Nation lies in her law-abiding citizens. They are reaching the end of their patience. They are not sick. They are not guilty. It is a time for us to remind ourselves and the Nation that wherever the rule of law prevails, any man, woman, or child can walk the street in peace, in freedom, in dignity. That is the way America was built; that is the way she will be maintained; that is the way in which she will go forward.

In conclusion, I feel that the greatest need today is for a thorough investigation of why existing laws are not being enforced.

PRESIDENT JOHNSON SPEAKS TO UNITED NATIONS ON PREVENTION OF NUCLEAR PERILS

Mr. PASTORE. Mr. President, yesterday at the United Nations, President Lyndon B. Johnson spoke eloquently of the Nuclear Nonproliferation Treaty. He equated this treaty in importance to the birth of the United Nations itself and I share the President's assessment of the value of this treaty to mankind.

Over 2 years ago—on May 17, 1966—the Senate expressed itself on the need for an international agreement to halt the spread of nuclear weapons. It took the form of Senate Resolution 179:

Resolved, That the Senate commends the President's serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons and supports the principle of additional efforts by the President which are appropriate and necessary in the interest of peace for the solution of nuclear proliferation problems.

It was my privilege to introduce that resolution. It was adopted by the Senate by a vote of 84 to 0.

We live in a dangerous and turbulent nuclear world where a misguided hand or a miscalculation in the mind of man could mean the end of civilization as we know it today.

The Limited Test Ban Treaty of 1963 represented a step away from the abyss of nuclear disaster. The Nonproliferation Treaty continues a trend toward sanity and away from horror.

I commend the President for his splendid work in pressing for this treaty while he moves with restraint and determination to seek peace with honor in Vietnam. I ask unanimous consent that the President's statement given before the United Nations on the Nonproliferation Treaty be placed in the RECORD at this point.

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

ADDRESS TO THE GENERAL ASSEMBLY BY PRESIDENT LYNDON B. JOHNSON

Mr. President, Mr. Secretary General, Your Excellencies, Delegates to the General Assembly:

I have asked for the privilege of addressing you this afternoon to acknowledge this momentous event in the history of nations; and to pledge, on behalf of the United States, our determination to make this but a first step toward ending the peril of nuclear war.

Four and a half years ago—shortly after the awesome responsibility of leadership was thrust into my hands—I instructed our negotiators at Geneva to seek a treaty to prevent the spread of nuclear weapons.

I recalled the modest and mutual reductions in arms spending that had been achieved by the United States and the Soviet Union. And I said then:

"Let us pray that the tide has turned—that further and more far-reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks for peace."

Four and a half years of patient and painstaking negotiations at Geneva—and of further debate and refinement here in the United Nations—were to follow. Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have written a testament to reason—and to the will of mankind to endure.

The resolution that you have just approved commends to the governments of the world—for their speedy ratification—the treaty for the non-proliferation of nuclear weapons.

It is the most important international agreement in the field of disarmament since the nuclear age began.

It goes far to prevent the spread of nuclear weapons.

It commits the nuclear powers to redouble their efforts to end the nuclear arms race, and to achieve nuclear disarmament.

It will insure equitable sharing of the peaceful uses of nuclear energy—under effective safeguards—for the benefit of all nations.

On behalf of the government and the people of the United States, let me congratulate all who have contributed to this historic event.

But we should not linger long in mutual congratulation. The quest—and the need—for disarmament is too urgent for that.

Many further steps are needed if this treaty is to fulfill its great purposes, and if we are to move beyond it toward the ultimate goal that we all seek, peace in the world.

As regards the treaty itself, no time should be lost in bringing it into force. I pledge you this afternoon that we of the United States will move rapidly to open the treaty for signature; to sign it on behalf of our own government; and to seek its prompt ratification in accordance with our Constitution.

We shall urge other nations to complete their ratification speedily, so that the treaty can enter into force at the earliest possible date.

I further pledge that—as soon as the treaty has entered into force—we of the United States will carry out our responsibilities under it in full measure.

First, we shall fully and scrupulously discharge our obligations as a nuclear weapon party; *not* to transfer nuclear weapons, or control over them, to any recipient whatsoever; and not to help any non-nuclear state acquire such weapons.

Second, we shall cooperate fully in bringing the treaty's safeguards into being—safeguards that will prevent the diversion of nuclear energy from peaceful uses to weapons.

Third, we shall, as the treaty requires, facilitate the fullest possible exchange of equipment, materials, scientific and technical information for the peaceful uses of nuclear energy. We shall give particular attention to the needs of developing nations.

We shall share our technical knowledge and experience in peaceful nuclear research—fully, and we shall share it without reservation. This will include very important new developments in electrical power generation, in agriculture, in medicine, industry and the de-salting of sea water.

Fourth, we shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty parties—without delay and under the treaty's provisions—the benefits of such explosions.

Finally—in keeping with our obligations under the treaty—we shall, as a major nuclear power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

It is right that we should be so obligated. The non-nuclear states—who undertake with this treaty to forego nuclear weapons—are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race.

We desire—yes, we urgently desire—to begin early discussions on the limitation of strategic offensive and defensive nuclear weapons systems.

We shall search for an agreement that will not only avoid another costly and futile escalation of the arms race, but will de-escalate it.

I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms race. I believe that it can give the world time—very precious time—to protect itself against Armegeddon. And if my faith is well-founded, as I believe that it is, then this Treaty will truly deserve to be recorded as the most important step toward peace since the founding of the United Nations.

Further, the non-proliferation treaty will serve not only as a deterrent to the spread of nuclear weapons, but also as a powerful stimulus for the *peaceful* use of the atom.

And, when this treaty comes into force, the growing number of nuclear power reactors around the world—with their inevitable by-product of plutonium—need no longer cause anxiety as potential sources of nuclear weapons material. Under the safeguards of the treaty, those reactors will be pledged and will be guaranteed as peaceful sources of energy—as vital instruments of growth and development.

My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

Nations that were long beset by differences in this great treaty—found common ground in their need to use the incredible force of the atom for peace, and not for war.

From this ground that we have won here together, then let us press forward to halt and to reverse the buildup of nuclear arsenals; to find new ways to eliminate the threat of conventional conflicts that might grow into nuclear disaster.

And in the name of our common humanity, let us insure our survival—so that we may achieve our high destiny on earth. Let us work for the ultimate self-interest of mankind: for that peace in which future generations may build a world without fear and without want—a world that is fit for the sons of man.

In closing, Mr. President, permit me to pay my cordial respects to you. In your conduct of the affairs of this Assembly, Mr. President, you have won new honors for your country and for yourself.

Mr. Secretary General, we of the United States are very grateful for your contributions to the United Nations and to its universal goals of peace.

And to all of the delegates that are here assembled, to all of you who have labored hard and fruitfully throughout this historic session, we extend our sincere good wishes; and to those who are about to leave our shores, we bid each of you Godspeed and a safe and pleasant journey home.

ORDER OF BUSINESS

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

LENNART GORDON LANGHORNE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1183, H.R. 15462.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. H.R. 15462, for the relief of Lennart Gordon Langhorne, reported without amendment.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1204), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Lennart Gordon Langhorne as of February 1, 1962, thus enabling him to file a petition for naturalization.

STATEMENT OF FACTS

The beneficiary of the bill is a 25-year-old native and citizen of Denmark, who was admitted to the United States as a student on February 1, 1962. He subsequently departed and reentered this country on five occasions in that status. On September 1, 1964, the beneficiary's status was adjusted to that of a lawful permanent resident. The beneficiary has received a degree in mechanical engineering. He desires to accept a commission in the U.S. Air Force for pilot training, and has completed all ROTC requirements except the 4-week summer camp, for which U.S. citizenship is a prerequisite. The U.S. Air Force has granted him an extension until July 10, 1968, to obtain U.S. citizenship. The beneficiary's parents are lawful resident aliens, and he is married to a U.S. citizen.

REVISION OF POSTAL REGULATIONS RELATING TO SHIPMENT OF FIREARMS

Mr. CARLSON. Mr. President, yesterday, the Postmaster General, W. Marvin Watson, speaking at the National Press Club luncheon, announced that the Post Office Department had issued regulations that all firearms shipped through the mails be clearly labeled with the word "firearms."

The Postmaster General stressed the fact that under existing legislative authority, the Department was authorized to take this action.

I want to commend the Postmaster General and the Post Office Department for taking this step, which I think will be helpful in the control and distribution of firearms.

The Postmaster General's speech was of such national interest that I ask unanimous consent that it be printed in the RECORD, and also a news release.

There being no objection, the speech and news release were ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT NEWS RELEASE

A major revision in postal regulations to prohibit delivery by postmasters of any firearms without prior notification to law enforcement officers was announced today by Postmaster General W. Marvin Watson.

Simultaneously, the postal chief launched a frontal assault on one of the areas which produce "the symptoms of tension in our society," unveiling a comprehensive "Plan of Action" to strengthen equal employment opportunities throughout the postal system.

Concerning the move to tighten restrictions on the mailing of guns, Mr. Watson said, "In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of state and local gun control laws.

"Therefore," Mr. Watson announced in a speech before the National Press Club, "I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: FIREARMS. If the shipment is not so labeled, it will not be accepted in the mails.

"I have also ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal."

"This regulation will be effective immediately," Mr. Watson said.

The Postmaster General also classified sawed-off shotguns and short-barreled rifles as concealable weapons—thus barring them from the mails unless sent to certain authorized recipients, such as law enforcement officers.

"In this way," he said, "though we are not restricting the shipment of the larger weapons, we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

"This will enable local law enforcement authorities, in those many states and local jurisdiction having gun control laws, to take action if there is a violation of their laws."

The Postmaster General said he has sent telegrams to the private express companies urging that they follow the lead of the postal service in doing what they legally can to assist local law enforcement officers in keeping abreast of the traffic in guns.

"The Post Office Department stands ready to assist you in this in any way you desire," his telegram said. "I personally will be available to meet with your representatives."

The Postmaster General quoted a statement by President Johnson that "the key to effective crime control is effective law enforcement—at the local level."

"I fully realize," Mr. Watson said, "that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets."

"But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the smyptoms of tension in our society but also attacks and can defeat those causes."

He said a society in which social and economic justice has been achived is "a society that will produce less tension, less sickness, less violence."

In this connection, he said the Post Office Department "will seek to advance even more one of the President's most cherished goals—full equality of opportunity for all Americans."

"Effective at this hour," he announced, "I have ordered the Post Office Department to embark on an extensive program to strengthen our pursuit of equality and justice for all."

Under the new program, postmasters in all 4,859 first class post offices will be designated as deputy equal employment opportunity officers and will be directed to improve the equal opportunity effort in their post offices.

Postmasters will be encouraged to participate in civic affairs and to help eliminate racial or cultural bias from local school systems, housing arrangements and other institutions.

Mr. Watson announced these other moves intended to promote the equal opportunity effort in the post office and the community:

He said that the Post Office Department will hire 23 additional contract compliance examiners who will be responsible for reviewing activities of private companies which do business with the Postal Service. The new Examiners will nearly double the current complement of 26; they will improve post office capacity to help companies meet their responsibilities under President Johnson's directive that government contractors must practice equal opportunity.

Mr. Watson appointed a task force to visit post offices and to make certain that promotion practices are in accord with equal opportunity criteria. The task force will have authority to make on-the-spot changes and to recommend improvements which must be instituted from the national level. The group is a successor to a similar task force which visited 42 major post offices in 1965 and helped reform hiring practices.

The Postmaster General ordered the Department to begin a $1.5 million pre-promotion supervisory training program for an estimated 5,000 supervisory candidates of all races and both sexes. Those eligible for the 80-hour, on-the-clock course are persons who have passed supervisory examinations and who stand high on the register for promotion, usually within the top 15 per cent. Never has the Department engaged in pre-promotion training on such a scale. In addition, a booklet of information and instruction is being prepared for distribution to all rank-and-file employees who are interested in taking the supervisory examination.

The next round of examinations will be given nationally in 2,500 post offices from September 7 through November 9. More than 300,000 persons are eligible.

Although he made it clear that every post office will be a part of the new equal opportunity effort, Mr. Watson said that special responsibilities will be required of postmasters of first class offices which are located in the cities and the larger communities of the nation.

These postmasters will have 60 days in

which to submit to postal headquarters projected courses of action for their post offices. Thereafter, all such postmasters will be required to report to Headquarters on a quarterly basis, giving statistics and in some cases narrative which will show the status of the local efforts. Among other things, the reports must show minority group hiring, promotion, training, separation, incentive awards and similar post office data as well as indication of what is being done in the community.

The Postmaster General made it clear that he wants more emphasis on recruitment and promotion of minority group members. Post offices will continue to send recruiters into the neighborhoods and to cooperate with groups which offer preexamination orientation to job candidates.

Similarly, post offices will be required to publicize promotional opportunities fully and to cooperate with employee organizations, community groups or others who are willing to help train employees for the supervisory examinations.

In addition, postmasters who pass over women or minority group people for employment or promotion must justify the action in writing. Reports specifying the reasons for such action must be submitted to postal headquarters.

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON AT THE NATIONAL PRESS CLUB, WASHINGTON, D.C., JUNE 12, 1968

One of the most serious challenges to our democratic process is the growing tide of violence threatening every American. It is a violence that could construct a Berlin Wall of fear between those who aspire to political office and the American people.

Weapons fired from the darkness of sick minds can not only kill an individual but also destroy our hopes of making this nation a finer, freer place where the human spirit can flourish and all men reach their full potential.

Each of us must do what he can to reverse this dangerous and frightening trend.

And each of us must do so in a way that will not compromise or modify the freedom we now enjoy.

Last February, the President asked the Congress for the most comprehensive crime control legislation in our history—legislation that would strike a heavy blow against crime while at the same time maintaining our tradition of local control. Again, just last month, in a letter to Senator Mansfield, the President said that ". . . the key to effective crime control is effective law enforcement—at the local level."

Thus, while we must find ways of dealing with crime and with the instruments of crime, we must also be careful not to endanger our system of federalism—a system based on divided but equal responsibilities at all levels of government.

Certainly, if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.

I am here today to tell you that the Post Office Department intends to carry out its responsibility.

In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.

Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "Firearms."

If the shipment is not so labeled it will not be accepted in the mails.

I have also ordered that all postmasters shall not make delivery of any firearm without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This regulation will be effective immediately.

I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agents.

In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.

We all recognize that the passage of arms is also accomplished by means other than government mails. Many weapons are sent through private express carriers. The Post Office Department cannot direct these private businesses to follow our lead. However, we recognize that these public firms are as interested in the good of this country as any private citizen.

For that reason, I have sent the following wire to these businesses and transportation organizations this morning. It reads:

"I have today ordered the Post Office Department to require all shippers to clearly identify firearms with a label. Before delivery of such a package, our Postmasters will notify local law enforcement officials of the name of the recipient. It is my hope that you will freely join with us in this endeavor. The Post Office Department stands ready to assist you in this in any way you desire. I personally will be available to meet with your representatives."

I fully realize that guns do not kill or threaten . . . men do.

I fully realize that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets.

But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the symptoms of tension in our society, but also attacks and can defeat those causes.

I think it is self-evident that a society in which social and economic justice has been achieved is a society that will produce less tension, less sickness and less violence. All government agencies are working toward that end. This is particularly applicable to the Post Office Department which is the largest civilian employer among government agencies.

I take particular pride in my association with 711,660 fellow employees. In my 44 days in office, I have travelled some 15,000 miles and seen 30 different postal facilities and I am told that I have met over 8,500 employees. This was done for two purposes—first, to get to know the system and those who make it work; and, second, to search out ways to do the job better and at less cost.

I think both aims have been to some degree achieved. Certainly I am more convinced than ever that the Post Office is an often overlooked cornerstone of democracy—an organization which by its daily delivery of mail affects every home and every business. And I am convinced that our people are doing a good job of delivering over 82 billion pieces of mail this year.

But I am equally convinced that we must give them further assistance, both in modernization of machinery and in modernization of our employee programs. This is particularly important in the Post Office—for, as the largest civilian department of government, everything we do has an effect on the nation as a whole.

Therefore, I have pledged myself to these fine people and to these programs for a better post office. Today, I am pleased to be able to announce a new Plan of Action that will enhance our goal of full equality of opportunity for all.

Effective today, I am ordering an advanced program to aid the disadvantaged—and thus aid our land as well. This is not a hastily conceived program. It is one we have worked on intensively during my six and one half weeks as Postmaster General.

The Plan of Action is designed to pinpoint responsibility for action to carry out the President's program and my own; it is designed to require explanations if qualified minority members are passed over for employment or promotion; it is designed to assure regular and detailed reports on the status of equal employment in every post office and postal installation.

It is direct and specific.

It is a Plan of Action that will work.

It is a Plan of Action which keeps the Post Office Department in the forefront of aiding the less advantaged.

I hope you will clearly understand that we are not suddenly creating equality or social justice.

Rather, we are improving on the very good program we already have—a program which has served as a guidepost for many other government agencies.

What we are doing now is adding to this program and strengthening it. This is in keeping with our postal policies which date back to the last century.

The first Negro lady postmaster in the United States, Minnie M. Cox, was appointed back in 1896 at Indianola, Mississippi. Some years later when elements of that city attempted to make things unpleasant, President Teddy Roosevelt shut down the post office until her safe return was guaranteed.

We have all come a long way since then, both as a government and as a people.

In the post office, we guarantee social and economic justice, not by shutting down post offices, but by opening them up as wide as we can.

To understand what we have done and what we propose to do, six facts are necessary:

First Fact—we are the largest single civilian employer of minority group workers in the world. Our workforce includes over 150,000 minority group members, mostly Negroes, who constitute almost 22 per cent of our total employment.

Second Fact—we employ and recruit not on the basis of race or religion or color, but ability.

Third Fact—our minority group employees are of proven high quality. Minority group members now hold the Postmasterships of the three largest post offices in the United States—in New York, Chicago, and Los Angeles.

Fourth Fact—all the trends in minority group employment in our Department are upward.

In virtually every major city in America, our percentage of minority group employment exceeds the percentage of minority people in the city's population.

Fifth Fact—we insist that those who contract with the Department also provide equal employment opportunity. Our contract compliance program is sternly enforced. So far, enforcement of regulations requiring contractors to follow equal opportunity job policies has resulted in the hiring of 13,000 minority group employees in many fields outside the Post Office. More importantly, it has helped break down long standing patterns of discrimination in numerous key industries.

Sixth Fact—we are now starting new programs to search out talent where it may be hidden, and to find ways of telling members of minority groups that they are wanted and they are welcome in the postal service.

One of the finest of these new programs has a bureaucratic name, but a human intent.

It is called the Concentrated Employment Program.

Translated into English that means we are testing a way of finding postal work for the so-called hard-core unemployable. Right now such a test is being conducted in San Francisco for 200 persons recruited from the ghetto areas.

Another project along this line will begin shortly in Oakland, California, and others will follow.

Under the concentrated employment program, each worker receives two weeks of pre-appointment orientation with a small salary from the Labor Department. When he begins on-the-job training with the Postal Service, the appointee must attend two hours of school each work day outside working hours for a maximum period of one year, or earlier if he passes the Civil Service examination.

We are also providing training in 70 locations for veterans about to be discharged and we are making special efforts to hire recent service veterans.

In addition, our summer employment program is aimed primarily at young people from families with income at the poverty level.

Thus, the door is open.

We should be proud and satisfied.

And to a large degree we are.

But we are not completely satisfied.

We think we can do better.

It is for that reason that I approved this morning our Equal Employment Opportunity Plan of Action.

The Plan has one basic philosophy—that old patterns will not just fade away. They must be attacked.

So we are moving forward aggressively.

Today, I am informing every postal employee that no discrimination of any kind will be tolerated. Together, we will push hard, both where we have already broken through, and where new breakthroughs are needed.

Our new plan of action—based on our philosophy of equality for all people—translates into hard hitting programs which fight discrimination and strike against poverty.

First, I have designated a special high level task force to survey postal installations and assure that equal opportunity fully and truly exists in promotions as well as hiring. These top personnel will travel over the nation and will effectively assure that our plans become fact.

Second, I am intensifying our contract compliance program. We are hiring 23 additional Contract Compliance Exmainers to make sure all our contractors are meeting the requirements of President Johnson's Executive Order on contractor employment.

Third, since there is a post office in every city and almost every village, town, and hamlet, it is our responsibility to assure that national leadership in racial justice is also brought home at the local level.

Therefore, I am asking all our postmasters to contribute their influence and abilities to improving equal opportunity in their communities. I am also encouraging them to aid as community leaders in helping to eliminate racial or cultural bias from local school systems and housing arrangements.

Postmasters are local leaders. Since elimination of racial, social, and economic injustice is one of our major problems, these are the areas where their leadership can be most helpful.

Since big cities crystallize this problem, I have designated postmasters of all 4,859 first-class post offices as deputy equal employment opportunity officers. They will have special responsibilities, and they will report directly to our Equal Opportunity division in Washington.

We intend to take full advantage of our postmasters' places as leaders in their communities. As a Federal Agency, it is our responsibility to work in accordance with President Johnson's policy of education, jobs and housing for all people without regard to race or any other irrelevant consideration.

Fourth, I have issued an order to begin pre-supervisory training on a large scale to all candidates who are eligible for promotion to postal supervisors. I have also directed that maximum encouragement be given to minority group employees to take the next nationwide supervisory promotion examination. This will be given in the fall, and a special handbook will be provided for all who wish to prepare for a supervisory examination.

I will require all post offices to cooperate with all employee organizations or community groups who are willing to help employees prepare for the supervisory examination.

In the same vein, post offices will also cooperate with groups preparing job seekers for the civil service test leading to postal employment. And we will now step up our efforts to recruit in the neighborhoods—efforts which have been successful in our test programs.

Finally, we will take a number of detailed and quite specific steps to make our Plan of Action a meaningful weapon in the war against poverty and discrimination.

This war is perhaps the most challenging that has ever faced America. I intend to wage it with intensified effort.

For this war touches the very essence of America. As President Johnson said, "We shall either find the means to open employment to all of our workers—to find decent housing for all of our citizens—to provide a good education for all of our American children—or we shall see the American promise spoiled for each of them."

The American promise has for 200 years served as a light pointing the way.

Today I have described two steps to protect that promise and that light.

I have done all that I can within the law to support local and State law enforcement agencies in their effort to control and regulate the possession of firearms, and ban certain lethal weapons from unrestricted passage through the mail. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal.

And I have taken a number of major steps to assure that the Post Office Department serves the nation, not only as an effective channel of communication, but also as an instrument of social justice.

May I end by promising to you, that this great Department of government will do everything possible to serve the American people and advance the American dream.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. HARTKE. Mr. President, I ask unaninmous consent that the Subcommittee on the Separation of Powers of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

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

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States, in which it requested the concurrence of the Senate.

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 16162) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States, was read twice by its title and placed on the calendar.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Armed Services, with an amendment:

H.R. 16703. An act to authorize certain construction at military installations, and for other purposes (Rept. No. 1232).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3058. A bill to amend the Water Resources Planning Act to revise the authorization of appropriations and administering the provisions of the act, and for other purposes (Rept. No. 1234).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 827. A bill to establish a nationwide system of trails, and for other purposes (Rept. No. 1233).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 17104. An act to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum (Rept. No. 1235).

PREVENTION OR MINIMIZATION OF INJURY TO FISH AND WILDLIFE—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1236)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report

favorably, with amendments, the bill (H.R. 15979) to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of myself and the Senator from Michigan [Mr. HART].

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Philip Handler, of North Carolina; Harvey Brooks, of Massachusetts; Norman Hackerman, of Texas; Frederick E. Smith, of Michigan; R. H. Bing, of Wisconsin; William A. Fowler, of California; Grover Murray, of Texas; and James G. March, of California, to be members of the National Science Board, National Science Foundation; and

William George Anlyan, of North Carolina; Max Michael, Jr., of Florida; and George William Teuscher, of Illinois, to be members of the Board of Regents, National Library of Medicine, Public Health Service.

By Mr. CLARK, from the Committee on Labor and Public Welfare:

James D. Templeton, of Kentucky, to be an Assistant Director of the Office of Economic Opportunity.

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

George C. Trevorrow, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review.

By Mr. MORSE, from the Committee on Labor and Public Welfare:

Lynn M. Bartlett, of Michigan, to be an Assistant Secretary of Health, Education, and Welfare.

Mr. INOUYE. Mr. President, from the Committee on Armed Services I report favorably the nominations of 10 general officers in the Army and Marine Corps. I ask that these names be placed on the Executive Calendar.

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

The nominations, ordered placed on the Executive Calendar, are as follows:

Lt. Gen. Bruce Palmer, Jr., Army of the United States (major general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, in the grade of general while so serving;

Maj. Gen. John Edward Kelly, U.S. Army; Maj. Gen. Richard Giles Stillwell, U.S. Army; Maj. Gen. Walter Thomas Kerwin, Jr., Army of the United States (brigadier general, U.S. Army); and Maj. Gen. Donald Vivian Bennett, Army of the United States (brigadier general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenants general while so serving;

Lt. Gen. Robert Howard York, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general;

Lt. Gen. Berton Everett Spivy, Jr., Army of the United States (major general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, in the grade of general while so serving;

Maj. Gen. William Pelham Yarborough, U.S. Army; and Maj. Gen. John Jarvis Tolson, U.S. Army, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenants general while so serving; and

Lt. Gen. Ralph K. Rottet, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list.

Mr. INOUYE. Mr. President, in addition, I report favorably the nominations of 422 officers for promotion to the grade of first lieutenant in the Army. Since these names have already been printed in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations, ordered to lie on the desk, are as follows:

Thomas Abercrombie, and sundry other officers, for promotion in the Regular Army of the United States.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated June 6, 1968, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

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

By Mr. COTTON (for himself and Mr. MCINTYRE):

S. 3639. A bill to authorize the establishment of the Franklin Pierce National Memorial Amphitheater; to the Committee on Interior and Insular Affairs.

By Mr. RIBICOFF (for himself, Mr. PEARSON, Mr. ALLOTT, Mr. BAKER, Mr. BAYH, Mr. BENNETT, Mr. BOGGS, Mr. BREWSTER, Mr. BROOKE, Mr. BYRD of Virginia, Mr. CANNON, Mr. CASE, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DOMINICK, Mr. ERVIN, Mr. FANNIN, Mr. FULBRIGHT, Mr. GRIFFIN, Mr. GRUENING, Mr. HANSEN, Mr. HARRIS, Mr. HATFIELD, Mr. HOLLINGS, Mr. HRUSKA, Mr. JAVITS, Mr. JORDAN of IDAHO, Mr. LAUSCHE, Mr. LONG of Missouri, Mr. MCCLELLAN, Mr. MCGEE, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MILLER, Mr. MONDALE, Mr. MONTOYA, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. MURPHY, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. PERCY, Mr. PROXMIRE, Mr. PROUTY, Mr. RANDOLPH, Mr. SCOTT, Mr. SMATHERS, Mr. SMITH, Mr. SPONG, Mr. THURMOND, Mr. TYDINGS, and Mr. YARBOROUGH):

S. 3640. A bill to establish a commission to study the organization, operation, and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy; to the Committee on Government Operations.

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

By Mr. RANDOLPH (for himself, Mr. MOSS, Mr. LAUSCHE, and Mr. MURPHY):

S. 3641. A bill to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general purpose airports, airport terminals, and related facilities, and for other purposes; to the Committee on Commerce.

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

By Mr. BURDICK (by request):

S. 3642. A bill to approve Public Law 9–189 of the Territory of Guam, entitled "An act to add chapter 6, to title XXII, to amend sections 4004, 21000, 21002, 21003, 21201, 21204, 21206, 21208.3 and 21214 of, and to repeal section 21208.2 of, the Government Code of Guam, relative to the Guam Power Authority," and Public Law 9–190 of the Territory of Guam, entitled "An act to add chapter 7 to title XXII of the Government Code of Guam, relative to Guam Power Authority Revenue Bonds."; to the Committee on Interior and Insular Affairs.

By Mr. BROOKE (for himself and Mr. HART):

S. 3643. A bill to amend title 18, United States Code, to prohibit the sale and delivery of destructive devices, machineguns, short-barreled shotguns, and short-barreled rifles; to the Committee on the Judiciary.

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

By Mr. MONDALE:

S. 3644. A bill for the relief of Nelson A. Paguyo, M.D., and Ester R. Paguyo, and his wife; to the Committee on the Judiciary.

By Mr. MONRONEY (by request):

S. 3645. A bill to authorize the Secretary of Transportation to plan and provide financial assistance for airport development, and other purposes; to the Committee on Commerce.

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

By Mr. INOUYE:

S. 3646. A bill for the relief of Au Yeung Keung Keung, Lam Kam Muk, Mui Yuen Cheung, Tsang Yan Wo; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 3647. A bill for the relief of Emilie Favila Seno; to the Committee on the Judiciary.

S. 3648. A bill to authorize the payment of the expense of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes; to the Committee on Government Operations.

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

S. 3640—INTRODUCTION OF BILL TO ESTABLISH A COMMISSION ON REORGANIZATION AND MANAGEMENT

Mr. RIBICOFF. Mr. President, for myself, Senator PEARSON, and 54 other Senators, I introduce the Executive Reorganization and Management Act of 1968. This is a combination of the best features of legislation which Senator PEARSON and I have previously sponsored.

Earlier this year the Subcommittee on Executive Reorganization held 7 days of hearings on five different bills relating to the problems of organization, management, and coordination in the execu-

tive branch. At the conclusion of the hearings Senator PEARSON and I reached agreement on the present legislation.

In brief, the bill establishes a bipartisan eight-man commission to conduct a 2-year study of the executive branch and make recommendations for modernizing and improving its operations. The commission will focus not on the goals of our Government, for these should be determined by the President and Congress, but on how the executive branch functions in carrying out the policies laid down by Congress.

Our measure is patterned after the legislation creating the Hoover Commissions of 1947 and 1953. But it contains one important advance over those laws—it directs the commission to consider criteria and procedures for the establishment of priorities among Federal programs. There is a growing recognition in Congress and throughout the country of the need to evaluate the importance of our many programs and concentrate our efforts where we can achieve the most results for our dollars.

Mr. President, it is time for another Hoover-type Commission. Thirteen years have passed since the Nation had the benefits of its report on the organization and operation of the Federal Government. The American people deserve to know how efficiently and effectively their Government is being run at this crucial time. Our Government, unlike private enterprise, does not have competition to keep it responsive to change and functioning properly. So from time to time it is necessary to convene a group of our most able citizens of both parties to review the structure of government and make recommendations for needed reforms.

This Commission will be above politics. Its purpose is not to look back over what has been done in the past 13 years, it is to look forward to what we must do in the coming decade. This is the task which summons the leaders of a great, free nation.

We must streamline the machinery of government if it is to be capable of solving the problems of today and tomorrow. We cannot find in yesterday's remedies the answer to the troubles which concern us today.

All men of good will can support this effort to modernize our Government. For all of us must realize that we will receive no better quality government than we ourselves provide.

I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

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

The bill (S. 3640) to establish a commission to study the organization, operation and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy, introduced by Mr. RIBICOFF, for himself and other Senators, was received, read twice by its title, referred to the Committeee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 3640

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Executive Reorganization and Management Act of 1968".

FINDINGS OF FACT AND DECLARATION OF POLICY

SEC. 2(a) The Congress declares that it is the responsibility of the President, in conformance with policy set forth by Congress, to administer the executive branch effectively and economically, and that it is the joint responsibility of the President and the Congress to provide an executive organization structure which will permit the efficient and economical discharge of the duties imposed upon the President by the Constitution.

(b) The Congress finds that there are more than one hundred and fifty departments, agencies, boards, commissions, bureaus, and other organizations in the executive branch engaged in performing the functions of Government; that such a proliferation of governmental units tends to produce a lack of coordination between them and overlapping, conflict, and duplication of effort among them; that the Congress and the President do not have adequate information and techniques to determine the best means of improving the conduct of the public business in so many governmental establishments.

(c) The Congress further finds and declares that in order to promote the efficient management and improved coordination essential to the economical administration of governmental services and to assure that program expenditures and performance are consistent with the policies established by the Congress, a commission to review the organization, operation, and management of the executive branch should be established.

COMMISSION ESTABLISHED

SEC. 3 (a) For the purpose of carrying out the policy set forth in section 2 of this Act, there is hereby established a Commission to be known as the Commission on the Reorganization and Management of the Executive Branch (referred to hereinafter as the "Commission"). The Commission shall be composed of eight members; four appointed by the President of the United States, two from the executive branch of the Government and two from private life; two appointed by the President of the Senate from the membership of the Senate; two appointed by the Speaker of the House of Representatives from the membership of the House. The Commission shall elect a Chairman and a Vice Chairman from among its members.

(b) Five members of the Commission shall constitute a quorum. A vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission appointed from private life shall represent equally the majority and minority parties; with respect to members of the Commission appointed from the House of Representatives and the Senate, there shall be a Representative and a Senator from the majority party and one each from the minority party.

(d) Members of the Commission appointed from private life shall receive compensation at the rate of $100 per diem when engaged in the actual performance of duties of the Commission. Members of the Commission who are Members of Congress or officers of the executive branch of the Government shall serve without compensation in addition to that received for their services as Members of Congress or officers of the executive branch. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses actually incurred by them in the performance of the duties of the Commission.

(e) For the purposes of chapter 11, title 18, United States Code, a member of the Commission appointed from private life shall be deemed to be a special Government employee.

(f) Members of the Commission appointed pursuant to this section may continue to serve during the existence of the Commission. Any member of the Commission appointed pursuant to section 3(a) of this Act who, at the time of his appointment is serving as a Member of Congress, may continue to serve as a member of the Commission without regard to whether he continues to hold office as a Member of Congress.

DUTIES OF THE COMMISSION

SEC. 4. (a) It shall be the function of the Commission to—

(1) Analyze and assess the current organization, coordination and management of the executive branch and recommend appropriate actions, modifications, innovations and reorganizaitons to achieve the purposes of this Act,

(2) Consider, evaluate, and make recommendations regarding criteria, systems, and procedures for improved coordination and cooperation among Federal agencies to insure the maximum degree of consistency in governmental actions,

(3) Appraise the current status of administrative management in the executive branch and its individual departments, agencies, bureaus, boards, commissions, independent establishments and other organizations with a view to proposing reforms and new procedures, techniques and facilities which will improve the conduct of Government service; and

(4) Consider, evaluate and make recommendations regarding criteria, systems, and procedures for the: (a) establishment of priorities among Federal programs; (b) consolidation and redirection of those programs; and (c) reduction or elimination of those which are of marginal utility or which are unnecessary.

(b) The Commission shall submit an interim report to the Congress one year after the date of its appointment and at such other times as the Commission may feel necessary or desirable and shall complete its study and investigation no later than two years after the date of its appointment. Within sixty days after the completion of such study and investigation the Commission shall transmit to the Congress a report of its findings and recommendations. Upon the transmission of such report, the Commission shall cease to exist.

POWERS OF THE COMMISSION

SEC. 5. (a) The Commission shall have power to appoint and fix the compensation of the Executive Director and other personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission may procure temporary and intermittent services of experts and consultants to the same extent as is authorized for the departments by section 3109 of title 5, United States Code, but at rates not to exceed $75 per diem for individuals.

(c) To carry out the provisions of this Act, the Commission, or any duly authorized subcommittee or member thereof, may hold such hearings; act at such times and places; administer such oaths; and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as the Commission or such subcom-

mittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, the chairman of any such subcommittee, or any duly designated member, and may be served by any person designated by such chairman, or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C. title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(d) To enter into contracts or other agreements with Federal agencies, private firms, institutions, and individuals for the conduct of research or surveys.

(e) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestion, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office independent establishment, or instrumentality is authorized and directed to furnish on a nonreimbursable basis such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

APPROPRIATIONS

SEC. 6. There are hereby authorized to be appropriated to the Commission such sums as may be required to carry out the provisions of this Act.

EXECUTIVE REFORM

Mr. PEARSON. Mr. President, today I join with the distinguished Senator from Connecticut [Mr. RIBICOFF] in introducing a bill to create a Hoover-type Commission on the Reorganization and Management of the Executive Branch.

As my colleague observed, this legislation is the product of extensive hearings recently held by the Subcommittee on Executive Reorganization. It reflects many of the recommendations brought forth in these hearings and is a merger of the best provisions of my original bill (S. 47) and that of my colleague (S. 2116) which formed the basis for the discussions sponsored by the subcommittee.

The new bill, which we hope will be reported favorably by the committee in the near future, calls for the creation of an eight-man bipartisan commission, four appointed by the President, two appointed by the President of the Senate, and two appointed by the Speaker of the House. This composition insures the 50–50 balance between congressional and Executive representation on the panel which should result in the objective review essential for the development of responsible recommendations.

In the 13 years since the last Hoover Commission submitted its report, Federal spending has more than doubled and over 500,000 civilian employees have joined the payroll. Growth, by and of itself is not necessarily undesirable, of course. But we are now confronted with such a mass of duplication and wasted effort, that some clearing of the underbrush is essential. For example, today there are approximately 33 Federal agencies engaged in 296 consumer protection programs. Thirty separate programs are involved in teacher training activities, nine deal with job recruitment, while at least five subsidize on-the-job training projects.

Mr. President, these are critical times. The needs of our citizens are many and urgent. Waste and inefficiency can no longer be tolerated. Good programs will have to be made better and poor programs will have to be eliminated if our Government is to be able to solve the many serious problems this country faces. If we are to fulfill our historic role as agents for effective government, we simply must be given more comprehensive information on how best to restructure the Federal bureaucracy.

The bill introduced today will not solve all the problems of poor management and organization that are crippling the Federal Government. It will not remake the bureaucracy overnight. But it should provide some badly needed guidelines on where and how reorganization might be most effectively undertaken.

Too much time has already passed since the last thorough study of the bureaucracy was made. We must begin a new overhaul today if we are to be equipped to meet the heavy responsibilities of the future.

S. 3641—AIRPORT DEVELOPMENT ACT OF 1968 INTRODUCED—URGENT NEED FOR TRUST FUND CITED

Mr. RANDOLPH. Mr. President, on behalf of myself and Mr. Moss, I have introduced for appropriate reference a bill, the Federal Airport Development Act of 1968.

The dominant features of the measure would establish an airport development trust fund which would be supported by special taxes of 2 percent on domestic air passenger tickets and $2 per passenger in foreign air transportation on flights originating at U.S. airports. Although the trust-funded program would function without general tax revenues, the legislation does not preclude such appropriations. In fact, the measure contemplates continuation of the existing Federal-aid airport program with some expenditure authorizations. But I visualize the FAAP—general treasury financed—as being limited essentially to aid for small economic development airports. The proposed trust-funded program would be for the development of a better air carrier and general purpose airport system.

Congress has been asked to recognize that the existing system of air carrier and public use airports and airport terminal and access facilities within the United States is rapidly becoming inadequate to meet the present and future needs for civil aviation operations.

Congress also should declare that the Federal Government has a responsibility to plan, encourage, and assist in the development of a system of airports adequate to meet our civil aviation, postal service, and national defense needs. There seems to us to be ample evidence that Congress should realize that financial assistance beyond that provided under existing laws is necessary to assure an adequate system of air carrier and public use airports and air terminals and related facilities.

To those ends, we propose that the costs of providing and maintaining such airports and facilities should, insofar as is practicable, be borne in the main by airport operators and the users of such airports. Thus, the base of financing would shift from Treasury general funds to reliance principally on user tax income and trust fund management.

I emphasize that the term "air carrier airport," as used in our proposed legislation, means any air traffic hub or nonhub receiving scheduled service by an air carrier or air carriers certificated by the Civil Aeronautics Board. The term does not contemplate or imply segregation of any public use. Federal-aided airport for air carrier utilization only.

Mr. President, I do not believe in total reliance on annual appropriations from the Treasury general fund for Federal aid to airport development, other than for the small so-called community economic development airfields. And, certainly, I am opposed to levying new aviation user taxes predicated on their use for airports and airways development purposes, only to have them commingled in the Treasury general funds. As was done when highway user taxes were imposed, we should provide that aviation user taxes be deposited in and administered under the trust fund arrangement to serve the purposes for which levied and collected.

The administration has proposed a program predicated on user taxes for airport and airways development, but without a trust fund arrangement. That proposal is in legislative form and is scheduled for consideration in hearings beginning June 18 in the Commerce Committee's Aviation Subcommittee, under the chairmanship of the distinguished senior Senator from Oklahoma [Mr. MONRONEY]. That subcommittee held hearings last fall on the airports and airways problems and issued tentative recommendations that a system of user taxes and a trust fund arrangement be established by law as the core of a program for solution of the critical airports and airways situation.

I believe in the validity of that tentative report issued by the Aviation Subcommittee earlier this year on the basis of its findings during the 1967 hearings. The air carrier industry is almost unanimous, I am told in endorsing most of the recommendations of the subcommittee. Through the Air Transport Association, the scheduled carriers are on the record with their views, as are most other segments of the aviation industry. Spokesmen for the administration likewise are on the record of the general hearings. But now there is to be a round of hearings on specific legislation.

Frankly, Mr. President, I believe the best specific recommendations for a program of airport development through the user tax-trust fund arrangement have been those proposed on behalf of the air carrier industry by Stuart G. Tipton, president of the Air Transport Association. Those recommendations are well represented in the provisions of the measure introduced today, but include provisions also recommended by numerous other competent sources.

It is our feeling that the ideas for legislation embraced in this measure should be available to the Aviation Subcommittee and the full Commerce Com-

mittee at the time of the hearings. They merit consideration, as do the administration proposals and numerous cogent and pertinent concepts espoused by the chairmen and members of both the subcommittee and the full committee.

I have confidence that there will emerge from the subcommittee chaired by the able Senator from Oklahoma [Mr. MONRONEY] and the parent Commerce Committee headed by the distinguished senior Senator from Washington [Mr. MAGNUSON] a comprehensive legislative solution to the serious airports and airways system problems.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief outline of the provisions of the proposed Federal Airport Development Act of 1968, introduced today.

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

FEDERAL AIRPORT DEVELOPMENT ACT OF 1968
OUTLINE OF PROVISIONS

1. Establishes an Airport Development Trust Fund administered by the Secretary of Transportation.

2. Fund would be supported by special taxes of 2% on domestic passenger tickets and $2 per passenger in foreign air transportation. While the trust-funded program would function without general tax revenues, it does not preclude such appropriations.

3. Fund would be used:

(a) primarily for contracts of up to 40 years in length by the Secretary of Transportation with local airport sponsors to pay up to 75% of the principal and interest of local airport bonds for airfield and terminal projects; and/or,

(b) to guarantee the full amount of such local bonds; and/or,

(c) to purchase local airport bonds for resale; and,

(d) to make short-term loans for advance planning and land acquisition.

4. Funds would be available to:

(a) all airports served by air carriers;

(b) general aviation airports designed to relieve congestion at major airports.

5. Contemplates continuation and extension of authorization of FAAP program continuance for small economic development airports and for general aviation airports.

6. Tax revenues of $109 million could be realized in FY 1969 and would support issuance of $1,950,000,000 in local airport bonds the first year, if enacted promptly.

7. Congress each year, through appropriation acts covering FY 1969 and the four succeeding fiscal years, would authorize the Secretary of Transportation to make the expenditures to meet the obligations incurred.

The program is proposed as a means of generating large amounts of capital to meet the nation's most immediate major airport construction requirements without any burden on the general taxpayer and without unduly burdening airline passengers. The provision in Sec. 3(b) for federal contracts to pay a portion of local debt service costs is based on Sec. 10 of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1410). The trust fund feature is patterned in part on the Highway Trust Fund. (see 23 U.S.C. 120, note)

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

Mr. RANDOLPH. I yield.

Mr. LAUSCHE. Do I correctly understand that the bill just submitted by the Senator from West Virginia contemplates establishing a trust fund, similar to the trust fund under which highways are built, for the construction of airport expansion and new facilities?

Mr. RANDOLPH. The understanding of the Senator from Ohio is correct.

Mr. LAUSCHE. And what is the tax that would be imposed upon the cost of the ticket?

Mr. RANDOLPH. Two percent on domestic passenger tickets and $2 per passenger on foreign air transportation at airports where the passenger would originate his trip in the United States.

Mr. LAUSCHE. I assume that the Senator anticipates that the future will demand larger airports and more airports, and that instead of paying for their construction out of the general fund, the users of the airports should share the major part of the cost.

Mr. RANDOLPH. The Senator from Ohio is correct.

In the earlier days of our highway program in this country, we had no trust fund. We came, of course, to 1956, when we needed an interstate system, and we went to the trust fund for our road development.

The same situation now exists with respect to airports. Our airports are inadequate and antiquated, and we need a very dynamic program; and I believe the users should pay the major portion of it.

Mr. LAUSCHE. Will the Senator allow me to become a cosponsor of the measure?

Mr. RANDOLPH. I am gratified to have the cosponsorship of the Senator from Ohio.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3641) to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general purpose airports, airport terminals, and related facilities, and for other purposes, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

S. 3643—INTRODUCTION OF BILL TO PROHIBIT THE SALE AND DELIVERY OF DESTRUCTIVE DEVICES, MACHINEGUNS, SHORT-BARRELED SHOTGUNS, AND SHORT-BARRELED RIFLES

Mr. BROOKE. Mr. President, yesterday I introduced a bill to provide for national registration of firearms. The measure was designed to supplement and strengthen both our existing gun control laws and the recently passed legislation awaiting the signature of the President, as well as the additional legislation I hope we will soon approve.

With the same sense of urgency, I rise today to offer on behalf of myself and Senator HART a bill to prohibit the sale to private parties of destructive devices, machineguns, short-barreled shotguns, and short-barreled rifles. There is no conceivable reason why such weapons should be sold to private parties. Destructive devices have been defined to include "any explosive, incendiary, or poison gas bombs, grenade, mine, rocket, or similar device; and 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." They are obviously weapons of war, not suitable for personal use.

At the present time, weapons of this description can be purchased by a private citizen with no significant controls whatsoever, and with no effective provision that the purchase be reported to the appropriate law-enforcement officers.

The omnibus crime control bill, which was recently considered by this body and which is now awaiting the President's signature, provides that destructive devices can be sold to anyone who obtains a sworn statement from his local law-enforcement officer that there is no law against his possession of such weapons, and that there is no reason to believe that the weapon will be used for unlawful purposes. Conceivably an individual could even acquire a nuclear weapon under so broad a provision.

Mr. President, I fail to see any convincing reason for permitting the sale of such weapons to private parties.

Destructive devices have no reasonable use for sport or recreation. They are entirely inappropriate to household protection. They should simply be removed from the market. Therefore, in anticipation that the recently passed title IV will become law, I introduce again today a bill to prohibit the sale of destructive devices to individuals. I hope and believe that when the Senate has had a fuller opportunity to consider the merits of this proposal it will receive the strong endorsement of this body and the House of Representatives.

I sent the bill to the desk and ask that it be printed in full at this point in the RECORD.

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

The bill (S. 3643) to amend title 18, United States Code, to prohibit the sale and delivery of destructive devices, machineguns, short-barreled shotguns, and short-barreled rifles, introduced by Mr. BROOKE, for himself and Mr. HART, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD.

S. 3643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that destructive devices (as defined in title 18, United States Code), machineguns, short-barreled shotguns, and short-barreled rifles are primarily weapons of war which have no appropriate use as instruments of sport, recreation or personal defense; that intrastate commerce in such devices and weapons affects the flow of interstate and foreign commerce in such devices and weapons; and that therefore it is necessary to regulate all commerce in such devices and weapons.

SEC. 2. (a) section 922(b)(4) of title 18, United States Code, is amended to read as follows:

"(4) 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."

(b) Section 922(b) of such title is amended by adding at the end thereof the following new sentence: "Paragraph (4) of this subsection shall not apply to any research organization designated by the Secretary."

SEC. 3. The amendments made by this Act

shall become effective 30 days after the date of its enactment.

S. 3645—INTRODUCTION OF BILL TO BE KNOWN AS THE AIRPORT DEVELOPMENT ACT OF 1968—NOTICE OF HEARINGS

Mr. MONRONEY. Mr. President, I introduce, by request and for appropriate reference, a bill to authorize the Secretary of Transportation to plan and provide financial assistance for airport development and other purposes. I ask unanimous consent that there be printed in the RECORD at this point a letter from Secretary of Transportation Alan S. Boyd to the Vice President transmitting this proposed bill, together with a section-by-section analysis of the provisions contained in the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and section-by-section analysis will be printed in the RECORD.

The bill (S. 3645) to authorize the Secretary of Transportation to plan and provide financial assistance for airport development, and other purposes, introduced by Mr. MONRONEY, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and section-by-section analysis, presented by Mr. MONRONEY, are as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C.

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

DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill "To authorize the Secretary of Transportation to plan and provide financial assistance for airport development, and other purposes", together with a section-by-section analysis.

This proposed bill would chart a new course for Federal assistance to airport development. It would authorize direct loans for development of airports which are potentially viable but for which loans in the private market cannot be obtained on reasonable terms. The loans outstanding at any one time would be limited to $1,000,000,000.

To assist development of airports served by local service carriers receiving operating subsidy from the Civil Aeronautics Board, the bill would authorize grants up to 50 percent of the cost of projects attributable to service by the subsidized carrier. As a condition to a grant, the Secretary would have to find, after consultation with the Board, that the cost of the project did not exceed the value of the service to be provided.

All of the proposed Federal assistance would be available only for development projects related to landing areas and safety facilities. It would not be available for terminal, hangar, parking, and other passenger service or industrial purposes.

The bill would require the Secretary to prepare, within two years, and revise at least every two years thereafter, a plan for the National Airport System. The plan must set forth for at least a ten-year period the type and estimated cost of all airport development required to meet the needs for airport facilities in locations served by air carriers, for the national defense and postal service, and for the economic development objectives of the States and their subdivisions.

The growth in aviation activity, both air carrier and general aviation, will continue to create a demand for expanded airport facilities. The Federal Government has a substantial interest in the orderly development of our Nation's airports, but this Federal interest should not be considered overriding. Our civil airports are owned and operated by State and local governments or by private individuals. They are used by privately-owned common carriers, by private corporations, and by private individuals. They are financed largely by these users and by the communities served. The interests and responsibilities of these groups must be recognized in our policies and our planning.

The aviation industry has reached a new stage of maturity. The evidence is clear that Federal grant assistance is no longer required at most airports. With few exceptions, the direct users of an airport are financially capable of bearing the full costs of development and operation. Certainly, the unsubsidized airlines are capable as a regulated industry, of bearing the full costs of their operations. Today, less than 2 percent of the expenses of the scheduled airlines are attributable to airport landing fees.

Very few general aviation airports charge any landing fee at all. The impact of a modest fee sufficient to develop and support these airports would be negligible in most cases.

A reasonable system of charges should provide communities sufficient revenues to attract private financing of needed airport development. There are, however, special cases where Federal financial assistance must be continued and the proposed bill would do this.

The Bureau of the Budget has advised that enactment of this proposed legislation would be in accord with the President's program.

Sincerely,

ALAN S. BOYD.

SECTION-BY-SECTION ANALYSIS OF A BILL TO AUTHORIZE THE SECRETARY OF TRANSPORTATION TO PLAN AND PROVIDE FINANCIAL ASSISTANCE FOR AIRPORT DEVELOPMENT, AND OTHER PURPOSES

Section 1. *Short Title.* This section cites the Act as the "Airport Development Act of 1968".

Section 2. *Declaration of Purpose.* This section sets forth the finding of Congress that, while most airport development can be accomplished through private financing, there is a need for more extensive planning for future airport facilities and the provision of Federal financial assistance where private capital is not available on reasonable terms.

Section 3. *Airport Loans.* This section authorizes the Secretary to purchase securities or make loans for projects for the construction of landing areas and other facilities and interests in land necessary to the operation of aircraft. The loans are subject to certain findings, the most important of which, is that the project cannot be financed on reasonable terms without Federal assistance. It is contemplated that loans would be made for all or part of the project costs, depending upon whether private financing or grants were available for any part of the costs. Securities purchased or loans made could not exceed 30 years maturity, and would bear interest at current Treasury rates. Total loans outstanding could not exceed $1 billion.

Section 4. *Grants to Airports Served by Local Service Carriers.* This section authorizes the Secretary to make grants for airport development at those airports at which the only certificated service is provided by airlines receiving operating subsidy from the Civil Aeronautics Board. Grants may be made only for projects attributable to the operations of the certificated carrier, and only where the Secretary finds, after consultation with the Board, that the cost of the project does not substantially exceed the value of the service to be provided by the carrier. The Federal share may not exceed 50 percent of the project cost. The total grant authorization is $100 million. If the demand exceeds funds available, the Secretary must apportion funds, taking into consideration the relative effect of each project on the air transportation service available to the locality served, and the need to develop a balanced airport system.

Section 5. *Advances of Funds.* This section authorizes the Secretary to advance funds to an airport eligible for assistance under sections 3 or 4 for the purpose of preparing plans and specifications, and taking other actions preliminary to construction, including the acquisition of land and interests therein.

Section 6. *National Airport System Planning.* This section directs the Secretary to prepare, periodically revise, and report progress on a plan for the National Airport System which extends for at least ten years; includes all types of development required for cargo, passenger, and aircraft handling; and covers all airport development needed in locations served by air carriers, for the special needs of national defense and the postal service, and to carry out the economic development objectives of State and local governments.

Section 7. *Separate Fund.* This section establishes a separate fund in the Treasury for the purpose of financing the loan program authorized by section 3. The initial capitalization of the fund will be made by appropriations. The Federal National Mortgage Association Charter Act is amended to authorize the Secretary to establish trusts with the FNMA for the resale of obligations acquired under the loan program. All expenses associated with the administration of section 3 will be paid from the fund.

Section 8. *Definitions.* This section defines the terms "landing areas", "public agency", and "Secretary" for the purpose of their use in the Act.

Section 9. *Appropriations.* This section authorizes appropriations necessary to carry out the Act.

Section 10. *Effective Date.* The Act is to become effective July 1, 1969.

Mr. MONRONEY. Mr. President, the bill would authorize direct loans for landing area and safety facility development in an amount not to exceed $1 billion. In addition there would be authorized $100 million for 50-percent matching grants at those airports served exclusively by local service carriers.

The need for a new Federal airport assistance program is unquestioned and is amply documented not only by the Secretary's letter, but also by the interim report issued by the Aviation Subcommittee of the Committee on Commerce last January. I introduce this bill so that it can be considered, along with other proposals for airport development during the hearings I have scheduled for Tuesday, June 18.

S. 3648—INTRODUCTION OF BILL TO AUTHORIZE THE PAYMENT OF EXPENSES OF TRANSPORTING BODIES OF FEDERAL EMPLOYEES FROM ALASKA AND HAWAII TO THEIR FORMER HOMES

Mr. GRUENING. Mr. President, I introduce, for appropriate reference, a bill to authorize the payment of the expenses of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes.

This bill is introduced at the request of the Secretary of Transportation. The Secretary has indicated in his request to the President of the Senate that up

until the time that Alaska and Hawaii became States, the act of July 8, 1940—now codified in title 5 of the United States Code at section 5742—authorized payment of the expenses of preparing and transporting to his former home or place of interment the remains of a Federal employee who died while performing official duties in Alaska or Hawaii, and the expenses of transporting his family and household effects to his former home. However, the change in political status of Alaska and Hawaii from territories to States had the effect of canceling the authority, because the authorizing provisions contained the geographical description of "a Territory or possession of the United States," and, therefore, excluded Alaska and Hawaii when they became States. The purpose of this proposed legislation is to restore applicability to employees dying in those two States.

I ask unanimous consent that the letter dated May 13, 1968, to the President of the Senate from the Secretary of Transportation be printed in the RECORD at this point, as a part of my remarks.

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

The bill (S. 3648) to authorize the payment of the expense of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes introduced by Mr. GRUENING, was received, read twice by its title and referred to the Committee on Government Operations.

The letter, presented by Mr. GRUENING, is as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 13, 1968.

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

DEAR MR. PRESIDENT: Enclosed is a draft of a bill "To authorize the payment of the expenses of preparing and transporting to his home or place of interment the remains of a Federal employee who dies while performing official duties in Alaska or Hawaii, and for other purposes."

It is recommended that it be enacted by the Congress.

Up until the time that Alaska and Hawaii became States, the Act of July 8, 1940 (now codified in Title 5 of the United States Code as section 5742) authorized payment of the expenses of preparing and transporting to his former home or place of interment the remains of a Federal employee who died while performing official duties in Alaska and Hawaii, and the expenses of transporting his family and household effects to his former home. However, the change in political status of Alaska and Hawaii from Territories to States had the effect of canceling the authority, because the authorizing provisions contained the geographical description of "a Territory or possession of the United States", and, therefore, excluded Alaska and Hawaii when they became States. The purpose of this proposal is to restore applicability to employees dying in those two States.

The authority to pay a third category of expenses, transportation of the remains of dependents of employees stationed in Alaska or Hawaii to their former home, was added to the 1940 Act by section 7(b) of the Act of July 15, 1954. This authority was not affected when Alaska and Hawaii became States, because the 1954 amendment contained the geographical description of "a place outside the continental United States or in Alaska". Thus, since enactment of the Act of July 15, 1954, we have had the inconsistent situation where the remains of a dependent of an employee stationed in Alaska or Hawaii can be returned at Government expense, but the remains of the employee cannot be.

This bill is motivated by geography not political status. It does not involve special legislative treatment for Alaska and Hawaii. It does involve recognition of geographical factors which the conferring of political status could not change and which pose special problems in the recruitment of personnel for the conduct of federal activities in these areas.

As evidence of the very practical distinctions posed by the geographic location of Hawaii and Alaska, which the Congress continues to recognize in other statutes, section 5722 of Title 5, United States Code (originally enacted as section 7 of the Administrative Expenses Act of 1946), may be cited. This section provides that an employee cannot be sent to posts outside the continental limits of the United States (including Hawaii and Alaska) at Government expense unless he signs an agreement to remain there for at least twelve months (the Federal Aviation Administration usually requires a two-year tour in Alaska and Hawaii). If the employee breaches this agreement, he is indebted to the Government for the cost of transportation to the post of assignment. Further, this section requires an agency to return the employee, his family, and his effects to his actual place of residence after not less than one nor more than three years of service (unless the employee agrees to an extended tour). Finally, the section permits an agency to return an employee and his family to his place of residence prior to the expiration of the original agreement if his separation is for reasons beyond the control of the employee.

The Comptroller General has construed this latter provision to permit the return of dependents of a deceased employee since death was, obviously, beyond the control of the employee (40 Comp. Gen. 196). In the same opinion, however, the Comptroller held that the section did not authorize the return of the employee's remains. He reasoned that the Act of July 8, 1940, which related to return of remains of employees (but upon statehood became inapplicable to Alaska and Hawaii) was exclusive authority and, therefore, that the Administrative Expenses Act of 1946 applied only to living persons. It is this decision which motivates the amendment enclosed herewith.

As the law now stands, if an employee of the Federal Aviation Administration, for example, should serve two years in Alaska or Hawaii, that agency would be obligated by statute and contract to return the employee, his dependents, and his effects to his place of residence in one of the other 49 states. However, should the same employee die after completion of two years service in Alaska or Hawaii but before commencing travel to his place of residence, the agency could not return his remains, although it could return his dependents and his household effects. Finally, and to complete the inconsistency, if a dependent of an employee dies at any time during the employee's service in Alaska or Hawaii, the agency could return the dependent's remains. For these reasons, we earnestly recommend Congress' early and favorable consideration of this corrective legislation.

The Bureau of the Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

ALAN S. BOYD.

SENATE CONCURRENT RESOLUTION 75—CONCURRENT RESOLUTION TO AUTHORIZE ACCEPTANCE FOR THE NATIONAL STATUARY HALL COLLECTION OF STATUES OF FATHER DAMIEN AND KING KAMEHAMEHA I, PRESENTED BY THE STATE OF HAWAII

Mr. INOUYE (for himself and Mr. FONG) submitted the following concurrent resolution (S. Con. Res. 75); which was referred to the Committee on Rules and Administration:

S. CON. RES. 75

Resolved by the Senate (the House of Representatives concurring), That the statues of Father Damien and King Kamehameha I, presented by the State of Hawaii for the National Statuary Hall collection, are accepted in the name of the United States, and that the appreciation of the Congress is expressed to the State for the contribution of the statues of two of its most eminent personages, illustrious for their historic renown and distinguished civic services.

SEC. 2. The State of Hawaii is hereby authorized to place temporarily in the Rotunda of the Capitol the statues of Father Damien and King Kamehameha I referred to in the first section of this concurrent resolution, and to hold ceremonies in the Rotunda on said occasion. The Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

SEC. 3. (a) The proceedings authorized by section 2 of this concurrent resolution to be held in the Rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such document shall be prepared under the direction of the Joint Committee on Printing.

(b) There shall be printed five thousand additional copies of such document, which shall be bound in such style as the Joint Committee on Printing shall direct, of which one hundred and three copies shall be for the use of the Senate and two thousand eight hundred and fifty-eight copies shall be for the use of the Members of the Senate from the State of Hawaii, and four hundred and thirty-nine copies shall be for the use of the House of Representatives and one thousand six hundred copies shall be for the use of the Members of the House of Representatives from the State of Hawaii.

SEC. 4. A copy of this concurrent resolution, suitably engrossed and duly authenticated, shall be transmitted to the Governor of Hawaii.

SENATE RESOLUTION 304—RESOLUTION TO AUTHORIZE PRINTING OF TRIBUTE BY SENATOR EDWARD M. KENNEDY TO HIS BROTHER, THE LATE SENATOR ROBERT F. KENNEDY, AS A SENATE DOCUMENT

Mr. PELL. Mr. President, the senior Senator from Massachusetts gave an immensely moving, powerful, and poignant eulogy at the funeral in St. Patrick's Cathedral of his brother, Senator Robert Kennedy. While all of us there were in the depths of grief, these clear, wonderful words gave to each of us a sense of true direction as to how our Nation can and should be moving.

Accordingly, I submit a resolution ordering that the tribute be printed as a Senate document.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, under the

rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 304) was referred to the Committee on Rules and Administration, as follows:

S. RES. 304

Resolved, That the tribute paid by Senator Edward M. Kennedy to his brother the late Senator Robert F. Kennedy, at Saint Patrick's Cathedral, New York City, on Saturday, June 8, 1968, be printed as a Senate document.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Nevada [Mr. BIBLE] be added as a cosponsor of the bill (S. 3227) to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets Nos. 88, 330, and 330–A, and for other purposes.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing the name of the Senator from Oklahoma [Mr. HARRIS] be added as a cosponsor of the bill (S. 3633) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

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

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor of the concurrent resolution (S. Con. Res. 74) relating to the 28th International Congress on Alcohol and Alcoholism.

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

HIGHER EDUCATION AMENDMENTS OF 1968—AMENDMENT

AMENDMENT NO. 850—AMENDMENT TO ENABLE VOLUNTEERS TO SERVE IN DISADVANTAGED SCHOOLS

Mr. NELSON. Mr. President, today I submit an amendment to the Higher Education Amendments Act of 1968 to add a volunteer teaching assistant component to the Teachers Corps program enabling college graduates to serve as volunteers for 1 or 2 years in our Nation's poverty classrooms.

The regular Teachers Corps program provides 2 years of service and graduate study toward the master's degree for those seeking careers in poverty teaching.

The amendment I offer today would expand the program to include volunteers who would serve in schools and communities full time.

They would have the same 2 to 3 months of preservice training as Teachers Corps interns.

They would serve with established Teachers Corps intern teams under the guidance of an experienced teacher from the local schools.

They would provide the same instructional assistance to teachers that regular Teachers Corps interns do, in small group instruction and remedial work in language and math.

They could actively encourage community participation in the schools—under the direction of the team leader—as well as carry on the work of extending the educational work of the school into the community through tutorial centers, home visits and work with parents of preschool children.

They would be free from the graduate study, which takes up 25 percent of the time of present Teachers Corps interns, and could devote all of their energy and time for work in the school and community.

They would be paid $75 a week, as are regular Teachers Corps interns, with 90 percent from Federal funds.

But they would be local employees, serving only at the request of the local schools systems, and subject to the control of the local school system as are regular Teachers Corps interns.

THE NEED

The National Education Association estimates we need 348,000 new teachers next fall to achieve quality staffing. Meanwhile the number of graduates from teacher education institutions numbers only about 180,000. Only 75 percent of these are expected to go into teaching at all. And only 13 percent, according to a recent survey want to teach in inner city schools.

The practical results of such figures can be seen in Chicago where the Teachers' Union estimated last fall that 300 to 700 classrooms were without regular full-time teachers. In Detroit elementary school classrooms of between 35 and 40 pupils are common. And teacher attrition in large city schools runs over 30 percent annually in some cases.

These statistics are symbolic of our national crisis in education. The children of the poor are being denied the chance for a decent education because of this crisis.

Americans have always looked to their schools as institutions of great hope. So failure of the schools is particularly bitter. Is it any surprise that many of the young rioters in the streets last April were very young men still in school or just out of it? For them failure in the world has been failure in school.

If a sense of hope and possibility is to be restored to these young men, to their parents and to their communities, then the schools must begin to show real improvement and very soon.

But if the teacher is the key to the learning situation and the hard statistics of teacher supply are as cruel as they seem to be, what can be done?

It seems to be that the immediate answer must lie in the area of a wiser use of existing staff and in providing the harassed professionals with a great deal of well trained help. I suggest that the college young people of this Nation can make a very significant difference in our schools serving as volunteer teaching assistants.

THE TEACHING STAFF

This concept rests on the growing recognition within the teaching profession of the need to expand the teaching staff and on the successes during the past 2 years of the Teacher Corps' efforts to train and use interns as instructional aides in the schools.

I am not an expert on school staffing by any means. But educators whom I have consulted and respect, such as Prof. Lindley Stiles of the Northwestern University, formerly head of the School of Education at the University of Wisconsin, says that the volunteer teaching assistant concept is timely and workable.

In a number of schools, most of them suburban, newer staffing patterns are already well established. I ask permission to have printed in the RECORD at the close of my remarks an article written by two educators from Temple City, Calif., from the January 1968 issue of the Phi Delta Kappan, that explains in detail the kind of staffing patterns that are emerging.

The regular Teacher Corps' intern program fits into this developing pattern. In a number of schools the Teacher Corps has represented the first opportunity, the first supply of trained manpower, available to a principal to put these ideas into effect.

The 2 to 3 months of preservice training is adequate to teach bright college graduates the diagnostic and instructional skills needed to be of real use in teaching individuals and small groups under professional supervision.

AN UNTAPPED SUPPLY

The need for teachers, then, could not be more serious. And the pattern for using able teaching assistants has been developed. But where will the people come from to fill the jobs?

I submit that there is a large, perhaps even sufficient supply of able dedicated people to fill the ranks of teaching assistants right now on our college campuses.

The headlines over the disruptions at Columbia University in recent weeks make it easy to forget that only 10 years ago we were wringing our hands over a generation of college students more interested in panty raids than social protest. Indeed, the aroused social conscience and practical, insistant idealism of this generation of young people is our greatest asset and best hope during this time of anxiety for the Nation.

Their response to ventures like the Peace Corps has been remarkable. But while we train teachers in the Peace Corps for the slums of South America we have no equivalent program for volunteer service in the poverty area schools of our own Nation.

VISTA volunteers are precluded from regular classroom assignments. But the Teachers Corps provides a format in which the issue of Federal control need not be troublesome. For Teachers Corps members are employees of, are paid by, and can be fired by the local school system.

The Teachers Corps intern program is quite small. And not terribly well publicized. But it is now anticipated that by June 30 there will be 10,000 applications on hand for the approximately 1,100 positions available this summer.

Many college students who are reluctant to make the kind of commitment to a career in teaching that accepting a tuition-paid master's degree at Federal

expense implies would be eager to volunteer for a year, or 2 years of service before going on to other careers.

It could even be argued that during this time of great national trial it is the duty of those who are most favored in this Nation, those who are graduating from college, to give a year of their lives in service to the Nation and to those who are most in need. With the help of a few months of intensive instruction the language skills of college graduates can be sharpened into useful teaching instruments for use in well-supervised tutoring situations.

If we are to make an effective attack on the problem of teacher supply in rural and urban poverty schools, then I believe we must tap the potential resource of recent college graduates—now emerging from our colleges at the rate of well over 500,000 a year.

Clearly the Teachers Corps volunteer program could never absorb more than a fraction of the number needed. But the program could serve as a very useful model for local programs, as the Teachers Corps intern program is now serving as a new model for training programs for career teachers of the disadvantaged.

During this tight budget year we hopefully can think in terms of a pilot project. In this legislation I propose raising the authorization for the Teachers Corps program for next year from $56 million to $65 million, and then authorizing $86 million for fiscal year 1971 and $100 million for the years 1972, 1973, and 1974. It is not my intent to reduce the size of the regular Teachers Corps intern program at all.

The legislation also includes a provision to raise the salary of interns in the second year to 85 percent of the beginning salary of a starting teacher in the school system in which they serve. The schools would be responsible for the difference between the current Federal share—90 percent of $75 a week plus $15 for each dependent—and the 85 percent figure. Teachers Corps interns salary was established last year by the other body in their rewriting of title V of the Higher Education Act to conform with other Federal stipends paid graduate students. However, stipends are tax free, whereas Teachers Corps salaries are taxable. So in a number of cities with relatively high costs of living Teachers Corps interns are living on less than $60 a week take-home pay. This is not acceptable for 2 years.

It is my thought that during the second year of their service these people are entitled to a modest raise in recognition of the hardship of the very low pay in the first year and of the increased value of their services in the second year. The raise, of course, would be only for the interns and not for the volunteers. I would be very interested in the comments or suggestions of any Senator regarding this or any other approach to the pay situation.

I ask unanimous consent that the text of the amendment, together with a summary of its provisions, a section-by-section analysis, and an article be printed in the RECORD at the close of my remarks.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment, summary, section-by-section analysis, and article will be printed in the RECORD.

The amendment (No. 850) was referred to the Committee on Labor and Public Welfare, as follows:

AMENDMENT NO. 850

On page 83, insert the following below line 23:

"SEC. 504. (a) Section 511(a) of the Higher Education Act of 1965 is amended by striking out 'and' at the end of clause (1), by striking out the period at the end of clause (2) and inserting in lieu thereof '; and', and by adding the following new clause:

"'(3) attracting and training inexperienced teaching assistants who will be made available to local educational agencies for full-time instructional assistance in schools and communities served by Teacher Corps teams.'

"(b) Section 511(b) of such Act is amended by striking out '$56,000,000 for fiscal June 30, 1970, respectively; and there are further authorized to be appropriated such sums for the fiscal year ending June 30, 1971' and inserting in lieu thereof '$65,000,000 for the fiscal year ending June 30, 1970, $86,000,000 for the fiscal year ending June 30, 1971, and $100,000,000 each for the fiscal year ending June 3, 1972, and for the fiscal year ending June 30, 1973, respectively; and there are further authorized to be appropriated such sums for the fiscal year ending June 30 1974'.

"(c) Clause (3) of section 513(a) of such Act is amended by striking out the word 'who' after 'and a number of teacher-interns' and inserting in lieu thereof 'or teaching assistants, or both; any such teacher-interns'. Such clause (3) is further amended by adding at the end thereof 'any such teaching assistants shall be afforded opportunities by the local educational agency for school-related community work;'.

"(d) Clause (2) of section 514 of such Act is amended to read as follows:

"'(2) a teacher-intern or a teaching assistant shall be compensated at a rate which is equal to the lowest rate paid by such agency for teaching full time in the school system and grade to which the teacher-intern or teaching assistant is assigned, or $75 per week plus $15 per week for each dependent, whichever is less; but, if it would be greater, a teacher-intern shall be compensated during the second year of service at a rate which is equal to 85 per centum of the lowest rate paid by such agency for teaching full-time in the school system and grade to which the teacher-intern is assigned.'

"(e) Clause (4) of section 513(a) of such Act is amended by striking out 'but not in excess of 90 per centum thereof, except that, in exceptional cases, the Commissioner may provide more than 90 per centum of such compensation during the first year of any agency's participation in the program' and inserting in lieu thereof 'but, except in unusual cases, the Commissioner may not provide in excess of 90 per centum of such compensation and, in the case of teacher-interns in the second year of service, the Federal share of such compensation shall be equal to 90 per centum of $75 per week'."

The summary, section-by-section analysis, and article, presented by Mr. NELSON, are as follows:

A SUMMARY OF THE TEACHER CORPS VOLUNTEER TEACHING ASSISTANT PROGRAM

The Concept: That the youth of this nation is eager to serve where needed in this time of crisis. That dedicated college graduates, who do not specifically intend to make their careers in education, will be willing to serve for one or two years at low pay in the nation's poverty schools and communities where staff help is desperately short.

How does this differ from the regular Teacher Corps?

Teacher Corps Interns are committed to and training for careers in education. During their two years of service they spend about 25% of their time in graduate study. The Volunteer Teaching Assistants would work full time in school and community. Their duties would be very similar, including small group instruction and remedial reading and math work with slower learners in school and a variety of education related work with children and parents in the community.

How would they be trained?

In university pre-service programs of two to three months in length that have proven over two years to be successful in preparing Teacher Corps Interns for teaching roles in the school.

How would they be supervised?

Teaching Assistant Volunteers would serve as members of regular Teacher Corps teams under the leadership of the experienced teacher who is the team leader.

How would they be paid?

They would be paid at the same rate as Teacher Corps Interns in the first year: $75 a week. This is approximately what VISTA Volunteers are paid in major cities.

Can the schools use them effectively?

As graduate schools have for years used teaching assistants to relieve the pressure on professors, public schools are beginning to use classroom instructors with less than full teacher status to improve the effectiveness of the professional teachers. The Teacher Corps intern program is based on this role. The Volunteer Teaching Assistant program would fit in very well, according to leading educators.

What would the cost be?

A regular Teacher Corps intern costs about $8,100 a year. Because of savings in tuition and team leader costs, the Teaching Assistant program would cost about $5,800.

SECTION-BY-SECTION ANALYSIS OF PROPOSED AMENDMENTS TO S. 3098, THE HIGHER EDUCATION AMENDMENTS OF 1968, BY SENATOR GAYLORD NELSON TO AMEND AND EXPAND THE TEACHERS CORPS TO PROVIDE FOR A VOLUNTEER TEACHING ASSISTANT PROGRAM

Sec. of S. 3098, the Higher Education Amendments of 1968—

(a) Provides for the recruitment and training of volunteer teaching assistants to work full time in schools and communities. Regular Teacher Corps interns spend approximately one-fourth of their time in graduate study.

(b) Extends the Teacher Corps' authorization through June 1974, as the Higher Education Amendments extend other programs, and raises the authorization from $56 million for fiscal year 1970 to $65 million and provides $86 million for 1971 and $100 million for 1972, 1973 and 1974. The $100 million figure would provide for a Teacher Corps of approximately 7,500 interns and 7,500 teaching assistants.

(c) Specifics that Volunteer Teaching Assistants can be provided to local education agencies asking for them, and provides that teaching assistant interns shall be provided opportunity to carry on school related community work.

(d) and (e) relate to pay. They provide that a volunteer teaching assistant shall be paid at the same rate as an intern is now paid, that is $75 a week, plus $15 for each dependent or the beginning salary of a teacher in his school, whichever is less. It provides, however, that in the second year of his service a teacher intern shall be paid 85% of the salary of a beginning teacher (if this is more than $75 a week). The Federal share would be 90% of $75 a week, with the local school providing the difference between the

Federal share and 85% of a beginning teacher's salary. The pay increase in the second year reflects (1) the increased responsibility assumed by second year interns in the schools, (2) the difficulty of living on take home pay of as little as $60 a week for two years ($75 minus taxes and deductions) and (3) a distinction between the intern and volunteer teaching assistant programs.

[From the Phi Beta Kappan, January 1968]

TOWARD A DIFFERENTIATED TEACHING STAFF

(By M. John Rand and Fenwick English)

(NOTE.—The single salary schedule and the assumptions of homogeneous teacher roles which support it constitute a school tradition carefully built over the past 30 or 40 years. Mr. Rand and Mr. English think it is time to change this tradition. Mr. Rand (1622, University of Southern California Chapter) is superintendent of the Unified School District, Temple City, Calif. Mr. English (3332, University of Southern California Chapter) is director of the Differentiated Staffing Project for the same district.)

The acute shortage of teachers and the growing movement toward teacher professionalization are placing unbearable strains upon the present organizational structure in education. The shortage is worst in the nation's largest metropolitan areas, where organizational structures are most rigid and inner-city children in greatest need of good education. In suburban districts there is growing constituent dissatisfaction. Taxpayers are balking at increasing education costs without some proof that the pudding will be better.

Rising militancy and mass "resignations" last fall are signs that teachers are dissatisfied with their roles as mere implementers of administrative decision. Their demands are certainly more inclusive than simply a raise in pay. Teachers are telling us something we should have known or predicted long ago. When a group of people increase their technical competence close to that of the top members of the hierarchy, lines of authority become blurred. The subordinate position begins to rest more upon arbitrary and traditional distinctions than upon competence to perform the job.

Teachers are demanding inclusion in the decision-making process in education. As Corwin says,[1] professionalism is associated positively with militancy. Rather than arouse hostility in administrators and lay boards, it should be welcomed as one sign that the teaching profession is coming of age.

Increasing teacher specialization and competence mean that roles within the present educational structure are in the process of change. Teachers are recognizing that to break out of the ceilings imposed by the single salary schedule they must reexamine the assumptions which support it. The increasing need for high specialization and advanced training means that some teachers should be paid between $20,000 and $25,000 per year, as are specialists in other fields. So long as we have the single salary schedule, however, no one will get this amount. The money simply cannot be raised without a complete (and in the short run completely impossible) overhaul of tax structures, school financing, and public value systems.

Hence the dissolution of the single salary schedule is a must if the teaching profession is to advance. Teachers will generally admit that not all of them possess the same abilities or strengths. They reject the onus of "merit pay," however, as "unprofessional" or otherwise undesirable. Merit pay plans offer the advantage of dissolving the single salary schedule. but ordinarily make no distinction in job responsibilities of teachers. Added pay is for "merit," not for added responsibility. As long as teaching is considered an art, one man's "superior" teacher is another's "average" teacher. Judgment of teaching "excellence" must be based on careful research just beginning to emerge at some universities. We have a long way to go before we can specify on the basis of empirical evidence what teaching excellence consists of. Hence we do not have the foundation for merit pay.

The Temple City plan approaches the problem from a different perspective. Teachers are not treated the same. They may receive additional remuneration for increased professional responsibilities, which means change in their roles as teachers. These new responsibilities imply increased training and time on the job, and implicit in the concept of advancement is professional competence as a teacher, however it is measured. Teachers are not chosen to be paid more simply for continuing to perform their same functions; they are paid more for assuming increased responsibilities in the instructional program. They are selected on the basis of their experience and qualifications for the job by a professional panel and are retained only as they are able to perform adequately in their capacities. The Temple City Differentiated Staffing Plan, almost wholly designed by teachers, offers a way for teachers to receive remuneration of $20,000 per year by differentiating teaching roles and systematically enlarging their authority and decision-making powers to shape the instructional program.

The Temple City plan is not a brand new idea. Aspects of the plan have been espoused by Myron Lieberman,[2] J. Lloyd Trump,[3] and Robert Bush and Dwight Allen[4] at Stanford University. Allen was instrumental in developing the Temple City project, funded by the Charles F. Kettering Foundation of Denver, Colorado, for an 18-month study. The TEPS program of the NEA has also been active in proposing differentiated roles for professional personnel. The strength of the Temple City concept of differentiated staffing resides in a high degree of staff participation in its development. Indeed, the process of development is every bit as important as the product, i.e., an acceptable organizational design to implement the ideas of the professional staff.

The original model of differentiated staffing was developed by Allen and presented to the California State Board of Education in April of 1966. Later it was altered in the work done by Temple City teachers. At the present, this model is undergoing further revision as a result of financial studies and further staff feedback. A brief sketch of the job descriptions follows.

TEACHING RESEARCH ASSOCIATE

The teaching research associate (TRA) is the "self-renewal" unit of the organization. His primary function is to introduce new concepts and ideas into the schools. He is well versed in research methodology and evaluation of instruction. The TRA may conduct field studies, but his major purpose is to translate research into instructional probes at the school level. The TRA functions in the present structure as a classroom teacher, as do all of the other personnel in the differentiated staffing plan, although in a limited capacity. In this way he does not lose sight of the receivers of his efforts. The TRA represents the apex of professional advancement for the aspiring teacher.

The teaching research associate meets all of Rogers'[5] criteria for initiating planned change in education. These are: (1) base the topics investigated on felt needs of practitioners; (2) create an educational structure to facilitate change; (3) raise the practitioners' ability to utilize the research results. Part of the TRA's responsibilities are implied in the third criterion mentioned by Rogers. Much of his liaison work with staff and current research will be to increase the sophistication level of teachers and help them use it in practice and evaluate its effectiveness.

TEACHING CURRICULUM ASSOCIATE

The teaching curriculum associate (TCA) also must possess knowledge of research methodology, except that his knowledge is more applicable to curriculum theory, construction, and evaluation. In addition, the TCA would be adept at modifying national curriculum studies to meet local needs and local teacher proclivities.

The TCA also works at raising the level of teacher specialization in specific subject areas. He is more of a communications specialist than the TRA. However, due to the overlap in some functions, and because it is difficult to separate research from curriculum and instructional improvement studies, these two functions will probably be combined into one position: the Teaching Research-Curriculum Associate.

THE SENIOR TEACHER

The senior teacher is primarily responsible for the application of curriculum and instructional innovations to the classroom. The senior teacher is an acknowledged master practitioner, a learning engineer, a skilled diagnostician of the learning process. He is the teacher's teacher.

The senior teacher as an instructional advisor heads a subject group and represents this area on the school academic senate. He shares with the school principal the selection, performance, and evaluation of his colleagues in that subject specialty. In a team teaching situation, the senior teacher would function as a team leader. At least one-half of this teacher's day would be with students.

THE STAFF TEACHER

In a sense, all teachers in the differentiated staffing plan are staff teachers. A full-time staff teacher spends his school hours with students. He performs the same professional functions as most teachers in typical school districts. In a differentiated staffing plan the staff teacher is relieved of semi-professional and clerical duties by employment of the following assistants:

THE ACADEMIC ASSISTANT

The academic assistant is a skilled paraprofessional, or a teacher intern (associate teacher) from a nearby college or university. He works with students and may instruct in special or skilled areas. He may also maintain physical materials, grade papers, and supervise resource center activities or student study.

THE EDUCATIONAL TECHNICIAN

The educational technician assumes many of the clerical and housekeeping tasks that consume so much professional time in the present organization. The technician keeps records, duplicates material types, supervises student movement on campus, takes attendance, etc. The technician has little, if any, instructional responsibilities.

THE ACADEMIC SENATE

Teachers are formally involved in school decision making through the organization of

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[1] Ronald G. Corwin, "Militant Professionalism, Initiative and Compliance in Public Education," *Sociology of Education*, Vol 38, pp. 310–31, Summer 1965.

[2] Myron Lieberman, *The Future of Public Education*. Chicago: University of Chicago Press, 1960.

[3] J. Lloyd Trump and Dorsey Baynham, *Guide to Better Schools*. Chicago: Rand McNally, 1961.

[4] Dwight Allen and Robert Bush, *A New Design for High School Education*. New York: McGraw-Hill, 1964.

[5] Everett M. Rogers, "Developing a Strategy for Planned Change," paper presented at a Symposium on the Application of System Analysis and Management Techniques to Educational Planning in California, Orange, California, June, 1967.

an academic senate on each campus. One of the responsibilities of senior teachers is to represent the staff in the establishment of school policies relating to the educational program and its improvement.

THE SCHOOL MANAGER

In addition, the principal's role is differentiated by establishing a position called school manager. The school manager assumes responsibility for most of the business functions of school operation and thus relieves the principal for attention to the instructional program. It is hoped that eventually the principal will also refurbish his image as a teacher by assuming some direct teaching responsibilities with students. Most principals would find this impossible now, since they too are overburdened with paperwork and administrivia.

This combination of teacher specialists and administrator generalists would provide the school with the best judgments of all the professionals occupied with shaping a dynamic instructional program. School leadership is clearly enhanced with teachers exercising judgment as to how the instructional program should be improved. The principal's role is strengthened, since he can count on the specialized expertise of his senior teachers in the hiring and evaluation of the instructional staff. Teachers are intimately involved in professionalizing and disciplining their own ranks through the academic senate. This is crucial for full-fledged maturity; effective professional regulation can only occur when teachers assume responsibility for each other's performance. Administrators should welcome this desire for more responsibilities and assist their staffs in learning how to develop and exercise the leadership concomitants to fulfill this important professional role.

A discussion of differentiated staffing would not be complete without mentioning some of the problems the district has encountered in studying this concept. Differentiated staffing challenges a basic assumption inherent in the organizational structure of education. The myth that all teachers are equal exercises a powerful influence upon our thinking. The present organizational structure which assumes that one teacher can be all things to all students is a barrier of the first magnitude, especially at the elementary level.

One way of avoiding change and protecting oneself is for the teacher to shut his door and isolate himself with his 30 children. The position of the teacher in his classroom fortress is easier and more secure without the scrutiny of his colleagues. To differentiate teacher roles is contrary to the standard organizational pattern of elementary education for the last 100 years. When teachers perform different functions and assume new responsibilities they cannot be with children all day long. They must have time during the school day to plan with colleagues and conduct studies or meet with individual students. This implies some type of flexible scheduling, plus dual use of instructional models and resource facilities. This in turn means that teachers must delegate to paraprofessionals many nonprofessional responsibilities that do not demand a high degree of skill and training.

We have found a greater resistance at the elementary level to concepts of differentiated staffing than at the secondary. Some teachers fear that team teaching, use of paraprofessionals, resource centers, and flexible scheduling will permanently "damage" their children. They fail to recall that the present organizational structure established in 1870 at the Quincy Grammar School was organized for administrative convenience and that critics pointed out even then that it rather callously ignored the needs of continuous educational progress for each individual student.

Also we noted that a greater proportion of women than men object to teachers assuming a professional disciplinary role with their colleagues. This is especially true at the primary level, where a traditionally protective environment shields both students and teachers from decision making and colleague interaction.

At the secondary level, the idea of differentiated staffing was received more warmly. Here more teachers are men and the tradition of subject area specialization and leadership through department chairmen has been well established. However, some teachers at the secondary level are just as immobilized in their six-period day, self-contained classrooms as their elementary counterparts.

Some administrators will be uncomfortable in sharing the decisionmaking process with their staffs. Fear of losing status is an important consideration when proposing new roles for teachers. One must remember that almost all other roles in a school district hinge upon that of the teacher. If the teacher base is expanded upward, a shift is required in functions all the way to the superintendent. This means that in the Temple City plan teachers (teaching research associates) will sit with principals in an academic coordinating council headed by the superintendent. This district-wide group plans and anticipates district movement. Teachers (teaching curriculum associates) will also be a part of the curriculum coordinating council headed by the assistant superintendent. This group articulates curriculum development through the grades. Teacher specialists form an integral part of the decision-making machinery with the administrators of the district.

The Temple City plan of differentiated staffing offers a way to emancipate the teacher. It changes and enlarges the roles of teachers, increases their autonomy and decision-making powers, offers career advancement, and places them in a position to assume a regulatory function of their own profession. From the point of the administrator it enhances the leadership potential of his staff and builds in some guarantee that the instructional program will indeed remain vital and strong in all areas. A board of education and community should be encouraged when their teachers are willing to assume a corporate responsibility for the quality of education in their schools. The fact that teachers are disciplining themselves, are constantly in the self-renewal process, and have the freedom to rise as teachers to the top of their abilities and willingness to work means that the collective human resources which lie fallow in every organization are more fully tapped. In the short time our project has been operative we have been amazed at the talent which has emerged from our staff.

The most difficult barrier of all is not physical or financial but the subtle limitations in our vision, attitudes, and expectations, conditioned by one organizational structure for over 100 years. The validity of this structure may have been eroded, but its form has been firmly implanted in our psyches. The ability to rise above our own conditioning and previous expectancy levels is the most difficult problem, for solutions cannot be devised until problems are accurately perceived. Perception is limited when assumptions cannot be questioned. Our inability to see that some of our frustrations stem from traditional assumptions is a tragic dilemma. Differentiated staffing is a concept which challenges a whole host of notions about how American education should be organized and operated. At the moment it may be heresy; in a decade it may be practice.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 13, 1968, he presented to the President of the United States the enrolled bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.

PRESIDENT JOHNSON ADDRESSES THE UNITED NATIONS

Mr. PELL. Mr. President, yesterday afternoon, President Johnson addressed the General Assembly of the United Nations. He congratulated the world body for its approval of the treaty to halt the spread of nuclear weapons.

In his remarks, the President said:

Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have wrtiten a testament to reason—and to the will of mankind to endure.

The action by the General Assembly caps a movement that was started by President Johnson 4½ years ago, when he offered a new initiative for peace through our negotiators at the Geneva disarmament talks. The President made it clear yesterday that we still have much to do before the world can rest easy from the fear of nuclear war, but yesterday's action was a major step forward.

I ask unanimous consent that the President's remarks be printed in the RECORD.

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

REMARKS OF THE PRESIDENT TO THE UNITED NATIONS GENERAL ASSEMBLY, NEW YORK, N.Y.

Mr. President, Mr. Secretary-General, Your Excellencies, Delegates to the General Assembly: I have asked for the privilege of addressing you this afternoon, to acknowledge this momentous event in the history of nations; and to pledge, on behalf of the United States, our determination to make this but a first step toward ending the peril of nuclear war.

Four and a half years ago, shortly after the awesome responsibility of leadership was thrust into my hands, I instructed our negotiators at Geneva to seek a treaty to prevent the spread of nuclear weapons.

I recall the modest and mutual reductions in arms spending that had been achieved by the United States and the Soviet Union. And I said,

"Let us pray that the tide has turned—that further and far reaching agreements lie ahead—and that future generations will mark 1964 as the year the world turned for all time away from the horrors of war and constructed new bulwarks for peace."

Four and a half years of patient and painstaking negotiations in Geneva—and of further debate and refinement here in the United Nations—were to follow. Now, at last, the work of many governments has become one instrument of international peace and sanity. The hands of many peoples have written a testament to reason—and to the will of mankind to endure.

The resolution that you have just approved commends to the governments of the world for their speedy ratification the treaty for the non-proliferation of nuclear weapons.

It is the most important international agreement in the field of disarmament since the nuclear age began.

It goes far to prevent the spread of nuclear weapons.

It commits the nuclear powers to redouble their efforts to end the nuclear arms race and to achieve nuclear disarmament.

It will insure the equitable sharing of the peaceful uses of nuclear energy—under

effective safeguards—for the benefit of all nations.

On behalf of the Government and the people of the United States, let me congratulate all who have contributed to this historic event.

But we should not linger long in mutual congratulations. The questions—and the need—for disarmament is too urgent for that.

Many further steps are needed if this treaty is to fulfill its great purposes, and if we are to move beyond it toward the ultimate goal that we all seek—peace in the world.

As regards the treaty itself, no time should be lost in bringing it into force. I pledge you this afternoon that we of the United States will move rapidly to open the treaty for signature; to sign it on behalf of our own government; and to seek its prompt ratification in accordance with our Constitution.

We shall urge other nations to complete their ratification speedily so that the treaty can enter into force at the earliest possible date.

I further pledge that—as soon as the treaty is entered into force—we of the United States will carry out our responsibilities under it—in full measure.

First, we shall fully and scrupulously discharge our obligations as a nuclear-weapon party: not to transfer nuclear weapons, or control over them, to any recipient whatsoever; and not to help any non-nuclear state acquire such weapons.

Second, we shall cooperate fully in bringing the treaty's safeguards into being—safeguards that will prevent the diversion of nuclear energy from peaceful uses to weapons.

Third, we shall, as the treaty requires, facilitate the fullest possible exchange of equipment, materials, scientific and technical information for the peaceful uses of nuclear energy. We shall give particular attention to the needs of the developing nations.

We shall share our technical knowledge and experience in peaceful nuclear research—fully, and we shall share it without reservation. This will include very important new developments in electrical power generation, agriculture, medicine, industry, and in the desalting of sea water.

Fourth, we shall continue our research and development into the use of nuclear explosions for peaceful purposes. We shall make available to the non-nuclear treaty parties—without delay, and under the treaty's provisions—the benefits of such explosions.

Finally—in keeping with our obligations under the treaty—we shall, as a major nuclear-weapon power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

It is right that we should be so obligated. The non-nuclear states—who undertake with this treaty to forego nuclear weapons—are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race.

We desire—yes, we urgently desire—to begin early discussions on the limitation of strategic defensive and offensive nuclear weapons systems.

We shall search for an agreement that will not only avoid a costly and futile escalation of the arms race, but will de-escalate it.

I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms race. I believe that it can give the world time—very precious time—to protect itself against Armageddon. If my faith is well founded, as I believe that it is, then this treaty will truly deserve to be recorded as the most important step toward peace since the founding of the United Nations.

Further, the non-proliferation treaty will serve not only as a deterrent to the spread of nuclear weapons, but also as a powerful stimulus for the peaceful use of the atom.

When this treaty comes into force, the growing number of nuclear-power reactors around the world—with their inevitable by-product of plutonium—need no longer cause anxiety as potential sources of nuclear weapons material. Under the safeguards of the treaty, those reactors will be pledged and will be guaranteed as peaceful sources of energy—as vital instruments of growth and development.

My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

Nations that were long beset by differences have—in this great treaty—found common ground in their need to use the incredible force of the atom for peace, and not for war.

From this ground that we have won here together, let us press forward to halt and to reverse the build-up of nuclear arsenals; to find new ways to eliminate the threat of conventional conflicts that might grow into nuclear disaster.

In the name of our common humanity, let us insure our survival—so that we may achieve our high destiny on earth. Let us work for the ultimate self-interest of mankind: for that peace in which future generations may build a world without fear, and without want—a world that is fit for the sons of man.

In closing, Mr. President, permit me to pay my cordial respects to you. In your conduct of the affairs of this Assembly, Mr. President, you have won new honors for your country and for yourself.

Mr. Secretary-General, we of the United States are very grateful for your contributions to the United Nations and to its universal goals of peace.

To all of the delegates here assembled, to all of you who have labored hard and fruitfully throughout this historic session, we extend our sincere good wishes; and to those who are about to leave our shores, we bid each of you Godspeed and a safe and pleasant journey home.

THE FOUR HORSEMEN OF THE NEW APOCALYPSE: CRIME, POVERTY, ANARCHY, AND INDIFFERENCE—SPEECH BY SENATOR GORDON ALLOTT

Mr. DOMINICK. Mr. President, on Friday, June 7, I was privileged to be in Sterling, Colo., with my esteemed colleague, GORDON ALLOTT, attending the State convention of the American Legion. The Sterling Post had done a fine job as host and the convention was in full swing although decidedly muted over the tragic death of Senator Robert Kennedy.

Both Senator ALLOTT and I emphasized the need to develop solutions to the pressing crime and violence problems, and then my distinguished and able friend delivered a prepared address on the subject which is not only a thoughtful analysis of the problems but with his usual constructive attitude suggests some practical solutions. His use of the phrase "The Four Horsemen of the New Apocalypse: Crime, Poverty, Anarchy, and Indifference," is particularly appropriate to the scene we face today.

Mr. President, I ask unanimous consent that Senator ALLOTT's complete statement be printed in the RECORD.

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

STATEMENT BY SENATOR ALLOTT

I want to thank each of you for the honor of addressing this year's American Legion Convention here in Sterling. As a fellow member of the Legion, I am conscious of our common military sacrifice to this great country. I am also aware of the bond which continues to reflect our deep commitment and concern for the future of the United States. Any citizen would feel a great sense of responsibility in coming before this distinguished assembly to speak his mind on the critical issues as he sees them at this moment in history. As a citizen, and a member of the Legion and the United States Senate, I am deeply aware of that responsibility.

But I feel a sense of duty to each of you to "Tell it like it is" from my own point of view.

The incredible changes which time has wrought during these past few months, indeed, within the last 48 hours, have altered, perhaps forever, the political and social scene of this country. Those impatient forces which have been waiting in the wings have suddenly been thrust onto the very center stage of the American drama. And you and I as participants in that great American drama are suddenly asking ourselves questions which never occurred to us before. The answers to those questions may well determine whether the American drama ends in triumph or tragedy.

Every American citizen today seems animated and buffeted by a deep awareness of the crisis in this country. There is a crisis in the cities; a crisis on the American campus; a crisis in poverty; indeed, for many, there is a crisis in the very fabric of the American system of government. It is rather odd that we use so freely the word "crisis" without really understanding what it means.

I think the Chinese found an interesting approach in their understanding of the word. In their language the ideogram "crisis" is derived from two ideograms meaning "danger" and "opportunity". For the Chinese a crisis occurs when one is immobilized because he cannot make a decision in a time of opportunity.

I wonder, using this definition, if all citizens at any moment are not facing a crisis in their country. But more than this, I am sure you would agree with me that this is undoubtedly the most critical moment we as Americans have ever faced. We are faced with danger. But we are also afforded the opportunity for decision. It is about this challenge which I should like to talk briefly today.

You know, in what now seems almost time and age, many of us grew up on the dazzling spectacle of the Four Horsemen of Notre Dame. I can still recall Bill Stern calling out their names: Miller, Stuhldreher, Crowley, and Layden. Their image and impact upon our time was almost as great as the Four Horsemen of the Apocalypse whom they came to replace. You all remember those men. But you also remember the Four Horsemen of Scripture etched vividly and dramatically in *Revelations*. Those Four Horsemen were: War, Strife, Famine, and Pestilence.

I submit that this generation is facing another spectacle of Four Horsemen.

These Four Horsemen are not so colorful as those who brought cheers to the stadium at South Bend, but they are equally as ominous as those that hauled the New Testament. I call them the Four Horsemen of the New Apocalypse: *Crime, Poverty, Anarchy and Indifference.*

These horsemen of crisis ride roughshod over the land today without abatement. Their destructive powers present each of us with the greatest moment of challenge this country has ever known. Where America goes and how it shall live will be determined by what is done with these Horsemen of the New Apocalypse.

To me, the First Horseman of the New

Apocalypse appears to be the haunting specter of crime in the United States.

Statistics give some bare but dramatic testimony to its existence. For instance, at a time when the nation's population increased by 10% over the last seven years crime was increasing by 88%.

One out of every forty-seven people who walk our city streets today will be the victim of a major crime this year. There is no end in sight. As Mr. J. Edgar Hoover stated in his appearance before the House Appropriations Committee this year:

"The crime problem confronting the nation today is more intense than at any time in our history."

When you stop to consider the sickening statistic that only one crime in eight results in conviction and punishment, is it any wonder that the man who violates the law is encouraged to try again?

55% of the 18,000 federal offenders released to society in 1963 were re-arrested for major crimes within 30 months of their release from prison. The FBI reported that in 1966 alone 41,733 repeaters were arrested and that over one-half of these criminals had been the recipients of leniency in the form of parole probation, suspended sentence or conditional release on one or more occasions.

Consider the case of a 19-year-old alleged housebreaker who was arrested by Washington, D.C. police in May of 1967. A review of his record revealed that he was, at the time of his arrest last year, free on bond in six unrelated criminal cases which had occurred during the previous 10 months. These other six charges against this 19-year-old man ranged from armed robbery to larceny from the mails.

I repeat, is it any wonder that this man tried again?

Then there was the young hoodlum, who already at the age of 17, had what law enforcement officers described as an "awesome history of arrests for crimes of violence since the age of 13", who in 1963 viciously assaulted and robbed the wife of a former Congressman. He threatened to kill his victim, but was caught and sentenced to an eight year prison term as a youthful offender. Then about a year and a half ago, shortly after he was released after serving just part of that eight year sentence, this same man, now age 20 was arrested for the vicious rape and knife-point robbery of a 42-year-old woman. At the time of that attack he was being sought for an additional assault on a young mother, and was a suspect in several other assault cases in the area.

Through a series of maneuvers and delays, for which our nation's courts have now become world famous, this man has still not been tried for these latest charges.

In the period of a few years we have seen riots and lawlessness erupt within our communities. This violence tends to rend forever the fabric of our national life and irretrievably polarize various segments of our society.

Two weeks ago last night the Senate passed the Safe Streets and Crime Control Act of 1968. I voted for that measure. I did so because of a deep concern that our law enforcement personnel must be given every dollar which they need to help in their battle against crime. By means of this bill the Senate tried to straighten out some of the legal quicksand which the Supreme Court has made out of our Constitution. But more than this, I think the Senate acted wisely and expressed the concern of each of you when it committed Federal assistance to a program of cooperation with local law enforcement agencies. That commitment is in the form of financial assistance to these embattled agencies. In a short time that financial assistance will begin to cost the Federal Government one billion dollars per year.

This is the cost of crime today. But that cost is expressed only in terms of dollars. We can never measure the heartache and suffering which it has sown in our land. Crime is not just Mr. Hoover's problem. It is not just the problem of the policeman on the beat in downtown Denver late at night. It is not just the problem of the State Highway Trooper who stops a speeding car on the lonely stretches of Highway 36 not knowing whether he is encountering a drunk or an escaped killer. Crime is your problem. It is my problem. It is time that we did something besides talk about it because all the words in the world will not blow it away. Crime stares each of us and our families right square in the face and so far the grim Horseman of Crime wears a mocking smile of contentment.

Who can vanquish this force? The citizen on the street corner helping his fellow man. The citizen in the jury box insisting that the rights of both the innocent and the victim are being properly protected. The citizen in the polling place whose vote demands a change from the present state of chaos to an atmosphere of respect for law and order. If the journey of a thousand miles begins with a first step, it is clear that the time has now caught up with us when that first step must be taken.

More laws will not change the direction the whirlwind is taking us. As Jefferson once observed, "The execution of the laws is more important than the making of them". If the Horseman of Crime is to be cast into the dust of time it will take the demands of each of us to insure the proper execution of the laws by removing those who refuse to do their duty and replacing them with those who can. Only you can make the difference.

The Second Horseman of the New Apocalypse seems to me to be Poverty. Here I am not speaking of classifying the poor as Negro, Spanish-American, Indian, or Anglo. What I am talking about, however, is the fact that the poor have been exploited far too long for political or other purposes. We know that the resentment and frustration of the poor will soon know no bounds. At a time of rising expectation these members of our society were the most hopeful and optimistic. But false promises have only made the reality of their emptiness all the more tragic. It is simply irresponsible to promise for an indefinite period virtually unlimited increases in Federal spending. As one candidate for the Presidency has observed, "One thing worse than not keeping a promise is making a promise that cannot be kept."

The hopes of the poor are not served by ambitious Members in Congress who insist on introducing one welfare bill after another. Their efforts at political chicanery insure piling program upon program until it makes a crazy patchwork pattern of no comprehensible design. In fiscal year 1968, for example, a total of $24.6 billion in Federal aid was appropriated for the poor. Much of this money was matched and increased by local and state funds, but let's face it—too little of it went to the poor. Because of the confused administration of these programs, too much of the money went to social workers, to politicians, and to bureaucrats. Too much of that money is spent simply in trying to deal with the many other agencies which have concurrent jurisdiction in the particular area.

It's hard to justify an expenditure, for example, of $300,000 of your money to teach farm workers and others how to form picket lines and boycott stores. It is equally difficult to justify spending $2.4 million for Public Relations in the Office of Economic Opportunity to counter some of the justified criticism brought against it by aroused and concerned citizens.

But, if you are indignant, as well you should be, think of those who wait day after day in the ghetto for some material reality to the illusive promises which continue to flow their way—promises of opulence without obligation. While they wait, life continues to disintegrate, bitterness rots their ambition, and moral strength is sapped by disenchantment. In Washington, the failure of welfare programs, brings only requests for newer and bigger ones to be piled on top of the failures in the Federal Bureaucracy. There is no end to new justifications for continued failure. There is no end to imaginative excuses to escape reality while the grim Horseman of Poverty wears a mocking smile of contentment.

The exploitation of the terrified, confused people of mud-soaked Resurrection City, U.S.A., is perhaps the final achievement of the Horseman of Poverty. He knows its end. (He also senses the outrage and indifference which its failure will proclaim among those American citizens who say with silent, smugness, "I told you so.") But, as the commercial tells us, "The Beat goes on" and the disintegration among the poor continues.

Somehow, if at all, the Horseman of Poverty will only be vanquished by people caring about people; by the helping hand of mutual regard and concern which stretches across races and ghettos; and by people realizing that dollars alone cannot destroy poverty. That effort can only be achieved where there is a will to achieve which corresponds to the opportunity echoed in the phrase of Mike Todd, "I was broke, but never poor."

In the final moment of truth, if the grim specter of poverty is to be unhorsed at this critical hour it will require the combined efforts of all of us and not merely Federal dollars alone. And, in addition, it will call for concrete examples of self-help among all of those able to work.

The Third Horseman of my vision of the New Apocalypse which threatens to ravage our land is Anarchy. The bitterness and hate which is so rife in this country today has once again found expression in the madness of an assassin. For most of us, however, there must be a pervading sense of unreality about this whole atmosphere which threatens to engulf us.

You and I, through education, dedication to public service, commitment to business and profession, and fidelity to family and country, have sought to add a measure of decency to the country which was entrusted to us by preceding generations. But today we recognize as never before the truth in Aldous Huxley's statement that "the thin precarious crust of decency is all that separates any civilization, however impressive, from the hells of anarchy or systematic tyranny which lie in wait beneath the surface". The grim Horseman of Anarchy knows that when any generation tires or becomes incapable of creating that "thin precarious crust of decency" it will be his turn to range unchallenged through a land empty of promise and hope. The birth—or death—of freedom in America today lies silently waiting in the balance.

Abroad we are shocked to witness the total immobilization of French society created by students, workers and the Communist Party. The students have continued their demonstrations this week as in previous weeks in Belgrade, London, Rome, Prague, and most of the other European capitals. At home we have been torn apart from within by student demonstrations from East to West. And fluttering about these student demonstrations like moths attracted to light are those socialistic prophets of the New Left who are in a violent hurry to get your pot in order to cook your goose. Our cities are rocked by black anger and white fright which mirrors the joys, the frustrations, and the bewilderment of the uptight life in urban America.

These contradictory emotions have once again erupted in riots this spring, creating a Never-Summer Range of heartache within our land. I was in Washington on April fourth, fifth, and sixth when the riots blew up in our great Capital. It has always been

a beautiful city, and you cannot realize how heartsick it makes me, and it made hundreds of thousands of others of all races, to see this beautiful city, the symbol of our great love of freedom in this country, going up in smoke and flames. Every American was made sick by the spectacle of people gleefully looting the stores and carrying out television sets and holding them up, laughingly, to the camera, while the police who had been ordered to do nothing stood by and watched. Too often, the forgotten American was that small merchant who lost his life's savings and an entire lifetime of work in the looting and burning that took place.

It seems inconceivable to me that our Attorney General who was given complete responsibility by President Johnson in February of this year for the peace and safety in our streets fails to realize the essential nature and explosive destruction of a riot. Potentially, death is as much present in every riot as it is in an armed robbery. But the firebrands like Stokely Carmichael continue to sweep through our cities breeding their hate and violence without so much as a slap on the wrist by the Chief Law Enforcement Officer of the country. For an Administration that has suddenly discovered that priorities should exist in fiscal matters, it seems incredible to me that they are incapable or unwilling to reorient this country's domestic and social priorities as well. Perhaps they are immobilized by the truth of H.L. Mencken's statement, "Injustice is relatively easy to bear; what stings is justice."

Well, I say, it is a time for equal enforcement of the laws for all Americans. It is a time for justice to sting wherever there is continued injustice.

While the riots continue and exploitation of the poor continues to gut creative effort, our nation's colleges and universities are beginning to erupt in violence across the land. Despite the apologies from those liberal thinkers who have both feet planted so firmly in the air, there is a deep unrest in our academic world which speaks of an even more frightening violent sense of confusion. Do not ask the father who is helping his son to get a college education what the university life means today. He knows that while his boy is getting a liberal education, the father is getting an education in liberality. But here in Colorado we have seen what happens when firm reasonable effort is exerted to control and correct these academic abuses. We have seen these student malcontents lose their appeal with their contemporaries and return quickly underneath the moss-covered rocks from which they came. Recently, J. Edgar Hoover characterized these New Left malcontents in his testimony before the House Appropriations Committee this way:

"The mood of this movement, which is best typified by its primary spokesman, the Students for a Democratic Society, is a mood of disillusionment, pessimism, and alienation. At the center of the movement is an almost passionate desire to destroy, to alienate, to tear down. If anything definite can be said about the Students for a Democratic Society it is that it can be called anarchistic."

How we meet the challenge in this crisis—this moment of decision in the midst of opportunity—will determine whether the Horseman of Anarchy continues to ravage our Republic. Whether we can inspire and sacrifice in our individual capacity as citizens—whether the academic community can bring back the heartbeat of humanism in its curriculum—and whether our political leaders are capable of honesty and dedication to the American dream—these are the questions which only time and each of us can determine. We have seen the savage violence of the alternative which assassins provide. (It seems to me that this is a time to wrest freedom from the anarchy which threatens to consume it. This is a time to assure that freedom is forever etched in the American Dream.)

The last Horseman of the New Apocalypse is Indifference. The latter needs less explanation than the other three. But he is nonetheless waiting in the wings to open the floodgates of chaos in this land. If our citizens, knowing of the present challenge, remain somehow aloof and uncommitted at this critical hour the eventual triumph of indifference shall be assured.

As members of this great and patriotic organization, you have known and continuously seek to reaffirm your belief in this great political experiment which washed ashore two hundred years ago. Each of us, however, must guard against standing mute and uncommitted any longer. Concerned America has too long been buttoned up in a little starched coat of patriotic indifference. Too often patriotism has been more pretense than passion. It has become fossilized by a feeling of complacency reinforced by the happy conviction that we are not as other men.

We know the Harpies are calling our young men and women to the shores of rocky desolation and destruction. We must shake ourselves free from phlegmatic patriotism if we are to assure this country's existence. Vague incantations of patriotism which never felt the warmth of the heart will not save us now.

If our sense of patriotism is challenged and the need for law and order is clearly defined then I am sure we would agree with Lincoln "there is no grievance that is a fit object of redress by mob law." Can we not transform, however, our sense of patriotism and reverence for law and order by agreeing through commitment in our daily lives with these words of Lincoln:

"Let reverence for the laws be breathed by every American Mother to the lisping babe that prattles on her lap. Let it be taught in schools, in seminaries, and in colleges. Let it be written in primers, spelling books and in almanacs. Let it be preached from the pulpit, proclaimed in legislative halls, and enforced in our courts of justice. And, in short, let it become the *political religion* of the Nation, and let the old and the young, the rich and poor, the grave and the gay, of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars."

Too often, I believe, our young people see patriotism as a callous indifference rather than a committed concern to the future of our country. It's up to us to breathe some fire and meaning into this word "patriotism" if it is to become a virtue rather than a comfortable pretense.

Today, as at every moment in our history, we stand on the hinge of history. Certainly, we are bolted to the collective wisdom and pretense of the past from which we cannot escape. Yet, we are capable of swinging towards that kind of future which we may wish for ourselves, our families, and our country. It seems to me now more important than ever that we must remain sensitive to the legitimate needs of our citizens. Sensitivity to these legitimate needs will keep indifference from rusting the hinge of initiative so desperately needed at this moment in our country. And, sensitiveness to the needs and promises of some of our citizens will insure the fulfillment of the American promise for all her citizens.

This hinge of history, about which I speak, also carries with it the opportunity to bolt out, once and for all, the Four Horsemen of the New Apocalypse: Crime, Poverty, Anarchy and Indifference.

Clearly, we are in a true moment of crisis in the sense that I have offered today—that is, that we hang suspended between danger and opportunity. The danger is clear. The opportunity is clear. But, the decision this country is about to take is not clear. The choice is yours, and mine, and our willingness to assume the burden of patriotism will determine the answer to the question: "Which way America?"

NEED FOR NATIONAL SYSTEM OF GUN CONTROL IS EVIDENT—ASSASSINATIONS, SMUGGLING OF PISTOLS INTO ATLANTA PRISON CITED

Mr. RANDOLPH. Mr. President, the United States needs strong and effective gun control laws governing the full range of lethal weapons. The hour is overdue for the people of our Nation and for the Congress to realistically face this critical issue and to act affirmatively.

Today's press reports that Harold W. Glassen, of Michigan, president of the National Rifle Association, charges that Americans "are behaving like children in the emotional aftermath of the Kennedy slaying, and are reacting as the German people did in the 1930's to the Nazi propaganda mill." And he is alleged to have accused gun-control proponents of "a syndicated attempt to deceive the public into abrogating the constitutional right to keep and bear arms."

The National Rifle Association executive's charges, allegations, and castigations are unimpressive. It is not indulging in "syndication" or "deception" to make the efforts necessary to keep assassins like those of Dr. Martin Luther King, Jr., and Senator Robert F. Kennedy from coming easily into possession of the firearms used in their murderous attacks.

Incidentally, Mr. President, the press also reports today that a prison spokesman revealed in Atlanta that two guns were smuggled through a visitors' restroom pipeline to four convicts who held 21 hostages in Atlanta Federal Penitentiary for 28 hours until their grievances were published. Arrested by the FBI and charged with taking the .22 caliber and .32 caliber pistols into the prison was the 25-year-old alleged fiancee of one of the four inmates. This, of course, is another classic example of guns in the hands of the wrong people.

There is no logical reason for such persons to be permitted to purchase and hold guns without some type of effective check. Gun tragedies continue to mount and people continue to be wantonly killed, injured, robbed, and threatened at gunpoint.

The need for a national system of gun control is evident. We cannot ignore the facts. Each year 6,500 murders are committed with firearms; 43,000 aggravated assaults and 60,000 robberies are committed with firearms. Each day 50 lives are snuffed out by firearms. Since the turn of the century more persons have died in civilian life from firearms than in all our wars.

Probably no other civilized nation has as little control as the United States over the sale and holding of firearms. Countries throughout the world have effective registration systems while ours is a patchwork which largely depends on the degree of effectiveness of laws of the States and their subdivisions.

We are not in the days of the "Old

West"—the frontier days. Ours is a fast moving and changing and complex society. There are constant temptations, frustrations, pressures, and antagonisms. Many persons are not competent to have possession of firearms, but we cannot keep firearms from them unless we have a system of controls. Guns cannot be kept out of criminal hands unless there are regulations governing the purchase of ownership of firearms and/or their registration. Every citizen will agree that criminals, addicts, and mental incompetents must be precluded from possessing guns. The question is how to achieve this objective. It is not being accomplished adequately under present laws.

Those who advocate stricter gun controls do not contend that this will be the cureall for murders and crimes of violence. Just as the problem of crime in the United States has many fronts, the solutions and the attacks on crime must come from many sides. But we do know that countries with far more rigid firearms laws witness substantially fewer crimes of violence. That law-enforcement officers at all levels emphasize that the availability of guns and the lack of effective controls are critical elements in the upward trend in crime. Responsible gun control laws will significantly aid our law-enforcement officers and will save thousands of lives.

The argument is made that the criminal will find ways to obtain a gun. This may happen in some cases. No system of laws gives assurance of absolute control. The point is, however, that effective gun controls will reduce the chances of a criminal procuring firearms.

I am a cosponsor of so-called gun control measures which recently have been introduced in the Senate. These proposals encompass varying degrees of firearms control. None of the proposals is pointed toward penalizing the law-abiding citizen. The worthy common objective of these measures is to provide protection for the public. They are in the public interest. I would like to have pointed out wherein any of these proposed measures will disarm any law-abiding citizen. Will they prevent any law-abiding citizen from purchasing a firearm? No. Whether there is a system of compulsory registration or registration and permit-issuance, a person with a record of good citizenship will be able to purchase and own firearms for the protection of home and property and for sporting purposes, such as hunting and target shooting. There is no provision here to deny the right of the law-abiding and competent citizen to have firearms. I think this point must be fully understood and I think this point must be stressed. Additionally, we are not seeking to override any States which have effective gun control laws. State laws that are as strong as the Federal law will not be set aside.

Mr. President, last week, Congress took the final step in approving a limited gun control measure, prohibiting the mail-order sale of handguns to non-State residents and containing other provisions with regard to all firearms. I supported that measure and I supported the unsuccessful amendment to extend the mail order restrictions to rifles and shotguns. This first step was meaningful, but it was not enough. There must be an augmentation of the legislation approved by the Senate in mid-May and by the House of Representatives last week.

Mr. President, the public wants responsible and effective gun control laws. Congress must act resolutely in fulfilling a critical need. Commonsense and the public interest demand affirmative action.

THE MUSICAL TOUR OF SAMMAMISH HIGH SCHOOL STUDENTS

Mr. MAGNUSON. Mr. President, rerently I discussed the proposed musical tour of a group of Sammamish High School students from my State and the problems they faced in securing the needed funds for their 3-week tour of Denmark, Norway, Sweden, Holland, and Germany.

I am most pleased to report that these 108 students departed by bus for Vancouver, B.C., on June 6. There they boarded a plane for their first performances in Scandinavia. The cost of this tour was about $68,000, and although the drive for funds fell some $8,000 short, I am most pleased that all students made the trip and, hopefully, those who appreciate the importance of exchanges of our youth as I do will make up the deficit before their return.

Significantly, Mr. President, the date of the students' departure was June 6, and they paid moving tribute to the death of Senator Robert F. Kennedy prior to departure.

Dave Suffia, writing in the Seattle Times, put it thusly:

> The strains of the Lord's Prayer lifted in the Sammamish High School gymnasium today in tribute to Senator Robert F. Kennedy as 108 students paused before leaving on a tour of Northern Europe.
>
> The students left for a three-week musical tour of Denmark, Norway, Sweden, Holland, and Germany.
>
> The hymn was recorded to be sent to Senator Kennedy's family.

Mr. President, in this period when much of the world is watching the United States, the visit of these 108 young people from my State to the five mentioned European countries can have an immeasurable effect toward understanding.

I commend the students, their individual teachers, their school district, and the thousands who have made contributions so that the trip might be possible.

RESOLUTIONS ADOPTED BY NATIONAL SCHOOL BOARDS ASSOCIATION

Mr. MORSE. Mr. President, the National School Boards Association in its 1968 delegate assembly, March 30 to April 2, 1968, adopted a series of resolutions and a statement of beliefs and policies.

It is my view that this statement and the resolutions are of high significance. I therefore wish to bring them to the attention of the Senate, and ask unanimous consent that they be printed in the RECORD.

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

BELIEFS AND POLICIES OF THE NATIONAL SCHOOL BOARDS ASSOCIATION (AS ADOPTED BY NSBA DELEGATE ASSEMBLY, MARCH 30–APRIL 2, 1968)

INTRODUCTORY STATEMENT

The public school boards of America, united in their several state school boards associations, and federated into the National School Boards Association, believe the "education is the bulwark of freedom" and that our universal system of free public education is literally the nation's first line of defense and the greatest constructive force in the possession of the American people for the preservation of their freedoms and the advancement of the democratic way of life.

They hold that public schools will keep America strong and free if America's public will keep the schools free and strong; and, firm in this conviction, have agreed upon a statement of these policies with regard to public education.

I. CONTROL AND SUPPORT OF PUBLIC SCHOOLS

Public schools are the responsibility of the states. Local school boards are created by state action and share with state education agencies the task of providing educational services to children and adults. It is the task of both state and local agencies to seek equality of educational opportunity for all and to distribute the costs equitably. In order that these goals may be achieved, the National School Boards Association supports the following principles:

a. The retention of local and state controls depends upon the imagination and positive spirit with which local and state agencies deal with the problems and needs of the people in their jurisdiction.

b. School district organization should be unified to encompass grades one through twelve and also kindergartens and junior colleges in communities which desire them.

c. In order to discharge the responsibility of providing good educational opportunities, local school boards must control the funds used to operate the schools. They should, therefore, possess fiscal independence.

d. The American tradition of the separation of church and state should be vigorously safeguarded. To this end the Association advocates that funds raised by general taxation for educational purposes should be administered by public officials and should not be used to support any privately operated schools. The Association recognizes and upholds the right of any group to establish and maintain schools financed by its own supporters with such governmental supervision as will assure a minimum standard of instruction and adherence to the Constitution and Laws of the United States.

e. Concerted efforts must be made by each state to equalize the financial support of public education to the end that every taxpayer, individual, and corporation shall contribute its just proportionate share.

f. Local districts should contribute a required minimum amount of financial support to the schools before they are eligible to receive additional funds from state or other sources.

g. Financial support from each state to its local school districts should be designed to equalize educational opportunities and to sustain a steadily improving minimum foundation of education.

h. Funds from federal or other sources outside the state, intended for the assistance of public education, should be administered by the state educators agency through local school boards in accordance with state policy and without restrictions other than simple accounting of receipts and disbursements.

i. NSBA recognizes that the retention of state and local control of education will depend upon strong and effective state and

local public school agencies. Therefore, NSBA strongly recommends and supports the strengthening of such agencies in each state.

j. Local school boards play a significant role in shaping the programs in the local community under the provisions of Acts of Congress Programs dealing with education which may be operative in the community should be established and operate within the framework of the public school's authority, and should be designed to maintain high professional standards and to avoid the proliferation of educational systems in the community.

II. RESPONSIBILITIES OF LOCAL SCHOOL BOARDS

The National School Boards Association believes that the responsibilities of local school boards include: a legal responsibility for the control of public schools as the only agencies in their communities with this responsibility; a civic responsibility as the controlling agencies providing a basically essential service to the life of the communities; a social responsibility toward all who look to the schools as centers of growth and development for children, youth, and adults; an economic responsibility since there is a direct relationship between good schools and business prosperity; a moral and ethical responsibility to function courageously and impartially to assure the greatest good to the greatest number at all times. In the strong conviction that the American system of public school education will best meet the needs of the citizenry if all local school boards throughout the United States recognize and meet their full responsibilities, the Association supports the following principles:

a. School boards should function in a nonpartisan, broadly representative, team-spirited manner. Every member of a school board should represent open-mindedly the entire school district, and, in consequence, must let his consideration for the entire district take precedence over every form of partisanship and special interest—political, racial, religious, geographic, economic, social, civic, or other.

b. School boards should adopt clearly defined written policies, based on a thorough understanding of the educational process. In formulating the policies they should consult individuals and groups affected by the policies, and, since changing conditions bring changing needs, should periodically review policies. They should recognize that while school boards are policy making bodies, they properly delegate the execution of policy to employed professional administrators.

c. School boards should recognize that public schools belong to all the people, are supported by the people, and are designed to carry out the wishes of the people for the education of children, youth and adults. They should conduct board business in open session and endeavor by every possible means to inform the public concerning the schools.

d. School boards should enlist citizen groups to assist and counsel them, making certain that three principles are followed: (1) citizen groups should be broadly representative; (2) recommendations should be based on research and facts; (3) recommendations should be submitted to school boards which alone have the authority to act upon them.

e. School boards should plan and maintain a flexible program for the future, based on surveys and studies of population trends, possible economic changes, changing community attitudes, developments in education, and all factors which could affect their school systems.

f. School boards should work to maintain and improve the professional status of the teaching profession, and encourage young people of high caliber to enter the teaching profession.

g. School boards should employ professional and nonprofessional personnel with competence and personal qualifications which command community respect. Appropriate to the importance of their role in the communities, all personnel should be adequately compensated to assure their economic security and their working conditions should permit them to effectively exercise their skills and duties.

h. School boards, concerned with a steady erosion in the effectiveness of state and local governments, should recognize and respond to their opportunities and responsibilities to reverse this trend as it affects public education. These opportunities and responsibilities include: a maximum utilization of all existing powers and resources of local school boards to develop a public education system equal to the demands of this complex age; the support of the enactment of legislation to extend those powers and resources as may be required to meet that objective; the development of a satisfactory method of utilizing the knowledge and experience of professional personnel in the formation of educational policies; and the support of appropriate measures to strengthen state education agencies.

i. School boards should become an integral part of the planning and development of local community programs which affect the welfare of their communities and the environment within which children are reared.

III. THE EDUCATIONAL PROGRAM

The National School Boards Association believes that public schools exist for the purpose of providing the best possible education for children, youth, and adults. It believes that our schools should develop responsible American citizens, self-reliant and independent persons equipped with the knowledge and skills essential to functioning at whatever level of activity individual talents permit, and with characters imbued with the highest moral and spiritual values. The NSBA urges each local school board to exercise its legal responsibilities, prerogatives, and discretion in the fullest measure to design, initiate, and operate educational programs which will adequately serve national needs, state goals, and local expectations in an era of rapid technological and social change. To this end, the National School Boards Association advocates that:

a. Curricular offerings should be broad enough to make available to each student an educational opportunity which takes into consideration his needs, ability, and cultural and socio-economic background.

b. Adequate student counseling and guidance services should be provided.

c. Local school boards must accept a leadership role in removing the barriers which prevent educationally deprived children, irrespective of their race, ethnic backgrounds, or socio-economic status, from full access to the educational opportunities provided at public expense.

d. Every effort should be made to facilitate, and encourage the completion by all students of at least a high school or other appropriate twelve-year program.

e. Factual materials relating to both sides of controversial issues of local, state, national, and international importance should be presented in classrooms, unless such presentation is forbidded by law. School administrators and teaching personnel should be required to exert their most conscientious efforts to present such facts objectively and impartially and local school boards should establish policies which will protect such efforts against unjust reprisal.

f. Students should be systematically informed, appropriate to their age levels, about the free public school system as one of the important institutions of our society and about the basic principles upon which this institution is founded.

g. All attempts to infringe upon the authority of school boards in the selection and adoption of textbooks and other instructional materials shall be resisted. However, school boards should be encouraged to give members of their staffs opportunities to indicate the needed and desirable instructional materials.

h. Facilities and programs for teaching adults the skills and cultural subjects they desire should be provided by local school boards.

i. Public school facilities should be used as community centers for the integration of the American community and the encouragement of family participation in wholesome character building activities conducive to good citizenship. The Association should urge state associations to initiate legislation whenever necessary to authorize the wider use of public school facilities for community purposes under provisions giving local boards authority to determine, regulate, and maintain such programs.

j. Constant evaluation of the effectiveness of our educational system should be vigorously encouraged at all levels. An assessment program conducted on a national level is one means of studying the state of American education. Any such study should be so administered and interpreted as to recognize the concern of local school boards of the danger inherent in using the results of any single national assessment as the basis for decision on the national level in the allocation of resources for meeting specific educational needs.

IV. RELATIONSHIPS WITH STATE SCHOOL BOARD ASSOCIATIONS

The National School Boards Association is committed to the principles of working with member state and territorial associations to strengthen the effectiveness of local boards through education, collective action, and self help. The Association, therefore, supports the following principles:

a. School board members should be encouraged to attend meetings sponsored by the Association and state and territorial associations. The expense of supporting school board associations and attending meetings should be recognized as a legitimate charge against district funds.

b. The Association recognizes that it is the right and duty of each individual state to express to its representatives in the Congress of the United States its own position with regard to educational issues regardless of any stand which may have been adopted by the Delegate Assembly of the Association.

V. RELATIONSHIPS WITH OTHER GROUPS

Professional personnel

The National School Boards Association believes that it is a fundamental principle of democracy that policy decisions are made only by those who are directly accountable to the electorate. It is the prime obligation of education to provide the opportunity for each student to achieve his greatest potential. These premises merge and coincide in the public school system, a governmental process and an educational function.

School boards should recognize the great contributions to overall planning that can come from the knowledge and experience of classroom teachers, administrators, and other professional personnel and should give careful consideration to plans, suggestions, and recommendations of these professional people in the area of teaching conditions, needs, and personnel problems.

In determining general policies relating to the operation of the schools, handling of personnel problems, and the general welfare of all professional personnel, each local school board should set up satisfactory procedures for communication with all professional personnel. Such procedures should recognize that the function of the professional practice of teaching requires that individual teachers have and exercise full freedom of association, expression, organization, and designation of representatives of their own choosing for the purpose of conferring

with school boards concerning the terms and conditions of their employment.

Strikes, sanctions, boycotts, or other concerted actions which interfere with the orderly functioning of the public school system are improper procedures to be used by public school employees. These conflicts in employee-employer relations can be avoided or minimized if school boards and teacher organizations each respect the legitimate role of the other and recognize that neither has any legal or moral right to engage in acts or practices which jeopardize the right of students to receive an education.

Non-professional personnel

School boards should establish and use free channels of communications with non-professional as well as with professional personnel so that decisions affecting their interest and welfare may be made only after careful board consideration has been given to their views, recommendations, needs, and grievances.

Other groups

In order to provide an improved school system, the National School Boards Association and state associations of school boards, while maintaining complete independence, should support other groups working to achieve the same goals. The Association, therefore, advocates that full and active cooperation be maintained with all lay and professional groups which are sincerely working for the advancement of public education.

VI. NATIONAL LEGISLATION

Public education in the United States has been reserved by the Federal Constitution as a state function. The several states have, in turn, delegated the authority for local determination of educational programs to lay boards of education. By this means of involving citizens' interest in and responsibility for the local schools, the heritage of free public education has been preserved and extended by succeeding generations.

There are nation-wide concerns in education which transcend the boundaries of local school districts and the state. Among these concerns are the needs of national defense, the continued growth of the national economy, the elimination of widespread disparity in educational opportunities for all children, and the intelligent participation in the democratic process by all citizens. As it has in other areas of national concern, the Congress has enacted legislation designed to promote the national interests in education.

NSBA recognizes that this federal involvement in supporting state and local educational programs is now an established practice. In order, therefore, to safeguard the basic principle of local autonomy for public schools, NSBA believes that local, state and federal relationships should be encompassed within the following:

a. The organization of a committee on education composed of representatives of agencies which have an important role in the establishment of public educational policy. The committee would concern itself with nationwide goals in education and would transmit its findings and suggestions to the President and Congress, as well as to the state legislatures and the general public.

b. The U.S. Office of Education serving the functions of (1) a clearing house for national education information; (2) appraising the educational scene and reporting its findings to interested agencies; (3) entering into educational research programs with qualified profit and nonprofit organizations and with safeguards against Federal control of curriculum in American Schools; (4) offering consultative services to the states; (5) coordinating international educational activities in which the U.S. Government is interested; and (6) coordinating educational programs of all federal agencies.

c. The support of a continuation of legislation which provides money to local school districts, through state education agencies, in cases where the local tax base is reduced as a result of the U.S. ownership of property and/or student attendance resulting from U.S. Governmental operations, installations or tax-exempt public housing projects.

d. The principle that federal funds appropriated for public educational purposes should:

1. Include as a first priority, substantial federal financial support to locally-controlled public school programs for economically or culturally deprived children, wherever they may be educated;

2. Insure equitable methods of distribution to local public school districts uniformly applied throughout the United States;

3. Include funds in the form of general aid;

4. Include funds for public school construction; and

5. Be administered without federal control, through the United States Office of Education and the appropriate state agency in accordance with the state policy.

e. The concept that the Federal Government should adopt a plan of revenue sharing and transfer of funds to the states for distribution to local governments.

RESOLUTIONS ADOPTED BY THE NSBA DELEGATE ASSEMBLY—DETROIT, MICH.

In a smooth-running series of three business meetings, Delegate Assembly members at NSBA's 28th Annual Convention passed 25 Resolutions that covered a wide range of topics important in today's education scene. Here is the complete text of the Resolutions as passed in final form:

1. COPYRIGHT LAW REVISION

The National School Boards Association is concerned with proposed limitations on the use of copyrighted materials, particularly those restricting individualized uses of new educational technology by students. NSBA recommends that, with the exception of the following three aspects of the proposed bill, the basic revision of the copyright law, as passed by the U.S. House of Representatives, be approved by Congress. The Association further recommends that a National Study Commission, broadly representative of the public interest, be appointed to specifically study and make recommendations on these three aspects: (1) individual uses of new technologies by students; (2) uses of computers; and (3) duration of copyright. In addition, NSBA recommends that during the period of the National Commission's study, a moratorium should be granted which would give local public school systems a limited copyright exemption pertaining to nonprofit educational uses and the utilization of information retrieval systems.

2. EDUCATION OF THE HANDICAPPED

The National School Boards Association recommends that the new USOE Bureau for the Education of the Handicapped provide for utilization of persons who have local school board experience to serve as consultants in formulating the operating policies that will govern its programs. NSBA recommends that additional funds be appropriated to meet the needs of and to provide adequate facilities for the physical, emotional or mentally retarded handicapped.

3. MANPOWER DEVELOPMENT AND TRAINING

The National School Boards Association supports the basic objectives of the Manpower Development and Training Act. NSBA recommends that administration of the classroom portion of the program remain under the supervision of the U.S. Office of Education. The Association further recommends that local school boards encourage involvement of their school districts in this program.

4. VOCATIONAL AND TECHNICAL EDUCATION

The National School Boards Association recommends that the Vocational Education Act of 1963 be amended to provide increased authorizations and appropriations for the training and education necessary to meet labor force demands. These increased authorizations and appropriations should be channeled through a single state grant which includes all funding needed for such programs, both those with direct responsibility for vocational education as well as those having implications for vocational education. The funds from the single state grant should be allocated to local public school districts to provide a total program of vocational education based upon locally determined needs.

The National School Boards Association recommends that the single vocational education grant be administered by the state in accordance with a master State Vocational Education Plan. Such a master State Vocational Education Plan should be developed in a manner which will provide local school districts with maximum flexibility for keeping vocational education courses current with changing labor requirements, providing vocational training for non-college bound students, and implementing programs such as the comprehensive high school. The Association urges the states to make use of this Act through the public school facilities in order that every person will have access to that degree of skill training required to make him an employable citizen. State educational agencies and large city school boards must provide lifetime occupational education opportunities, beginning at the earliest appropriate age, through the public school facilities.

5. EDUCATIONAL AND INSTRUCTIONAL TV

The National School Boards Association encourages the judicious use of all worthwhile media and methods in the educational process. Educational and instructional TV should be viewed as additional tools of great potential worth to the teacher and student in striving to keep pace with the rapidly expanding responsibilities of education. The National School Boards Association urges state and local school boards to study the applicability of these media to their local needs; to seek sources of funding for these purposes; and to seek reservation of an adequate number of channels for public educational purposes.

6. MID-DECADE CENSUS

The National School Boards Association supports the proposal for a complete mid-decade census enumeration of population, employment and housing in the year 1975 and every ten years thereafter in order to provide a nationwide census every five years.

7. COMPREHENSIVE URBAN PLANNING

The National School Boards Association offers its services to assist in research done by Congressional educational committees and governmental agencies in the development of plans and programs affecting the educational systems of the metropolitan areas of the United States.

NSBA further recommends that local school districts collectively be consulted in the development by federal, state, inter-state and municipal planning bodies, as well as their respective agencies, of any projected plans affecting the educational system or systems within a particular metropolitan area.

The National School Boards Association also recommends the inclusion within all Federal legislation and administration regulations of provisions to insure that planning costs incurred by local school districts are included as a reimbursable cost in the administration of such programs.

8. VOLUNTARY COUNCIL OF GOVERNMENTS

The National School Boards Association recommends that every effort feasibly pos-

sible be made to insure the appointment on each Voluntary Council of Governments' governing board of elected or appointed local school board members representing each major school district within the geographic area encompassed by the Voluntary Council of Governments.

9. SCHOOL CURRICULA

Contributions made by all ethnic and racial groups to our nation's growth and development should be included in all school curricula. The National School Boards Association affirms that each school district has the responsibility to adopt a curriculum program designed to portray a realistic picture of the contributions made by all ethnic and racial groups in the development of our nation.

NSBA further recommends that the intent of this policy be reviewed by the curriculum council within a local school district as it prepares for the selection of educational materials.

10. CORPORATION OF PUBLIC BROADCASTING

The National School Boards Association recommends that the 15-man board of directors of the Corporation of Public Broadcasting include leaders in the field of education and that at least three directors be persons who are nationally recognized for their contributions to education and who have had experience serving presently or formerly as members of local boards of education.

11. COMMUNITY JUNIOR COLLEGES

The National School Boards Association recognizes the Community Junior College movement as a vital and integral part of public education which is rapidly growing throughout the nation. The concept and philosophy of the Community Junior College must be recognized and understood by all concerned with public school education. The increase in the demand for people with professional abilities and occupational skills and the increase in the number of people wanting such abilities and skills, renders the need for continuous study, planning and retraining as an obvious necessity. The Community Junior College provides a means of meeting these demands. The establishment of control of the Community Junior College in a manner that the Community Junior College will relate to community needs therefore is a fundamental necessity. In the gerat majority of states this can best be accomplished by the maintenance of independent community junior college districts.

12. PRESERVICE AND INSERVICE TRAINING GRANTS

The National School Boards Association recommends that the Education Professions Act of 1967 be amended to allow interested local school boards, state school boards associations and NSBA to obtain preservice and inservice training grants to improve boardsmanship under this Act.

13. ADVANCE FUNDING OF FEDERAL PROGRAMS

The National School Boards Association highly commends the Congress for enacting the advance funding concept. NSBA feels that it provides a practical solution to problems caused by an incompatibility in the timing of federal payments to local school districts. The Association strongly recommends that Congress implement this concept of advance funding of school programs by the passage during 1968 of an adequate level of appropriations which cover both the 1969 and 1970 fiscal years. This timely action by Congress will insure that local school boards can receive by January 1969, and each year thereafter, a firm commitment as to the amount of federal funds they will receive for the school year which will commence the following September.

14. FINANCIAL ASSISTANCE FOR ELEMENTARY AND SECONDARY EDUCATION

The National School Boards Association believes that the primary importance which American citizens attach to elementary and secondary education is accurately reflected by their broad public support during recent years of rapid increases in local and state taxation rates for the support of public schools. NSBA further believes that the unprecedented financial needs of public schools in general and the big cities with special crises situations in particular, demand vastly increased federal funds for education.

The Association recommends that Congress substantially enlarge the amount of federal funds allocated for elementary and secondary education purposes, including the assignment of a higher national priority. To achieve this objective, NSBA stands ready to support, if necessary, an appropriate increase in existing federal tax rates for the support of education.

The National School Boards Association specifically recommends that ESEA Title I allocations to local school districts be drastically increased so that fiscal year 1970 allocations are twice the fiscal year 1968 figure.

15. STATE SCHOOL SUPPORT LAWS

Recognizing that only through proper financing of education can democracy survive, modern industry thrive and public education provide an optimal educational opportunity for all:

A. The National School Boards Association urges state school board associations to initiate and support, in cooperation with other responsible state-wide groups, continuous study and action programs to improve state laws related to the twofold task of raising and distributing tax revenue for public education. The solutions evolved should reflect concern for:

1. Programs designed to meet the educational needs of all public school children;

2. State aid formulas which compensate for such factors as:

(a) the disparity among school districts in resources available for public education;

(b) the disparity among school districts in the cost of providing comparable programs;

(c) the higher cost of educating those children with exceptional needs of all kinds wherever found;

3. Achievement of an appropriate intergovernmental sharing of the cost of public education based on need, effort and resources;

4. Development of an equitable, efficient tax system which balances the progressive and regressive factors in the various methods of taxation, in order to provide adequate revenue for education without inequitable tax burdens.

B. The National School Boards Association Delegate Assembly requests the National School Boards Association Board of Directors to seek funds and devise means to assist state school board associations in their leadership role by:

1. Developing and facilitating the exchange of research, information and ideas;

2. Conducting at the national level educational finance studies of the problems enumerated above;

3. Enlisting the aid of other nation-wide organizations in seeking viable solutions to the problems of financing education;

4. Recommending further action based on these studies to the 1969 National School Boards Association Delegate Assembly.

16. ADULT BASIC EDUCATION

The National School Boards Association supports the basic objectives of the Adult Education Act. Federal support of adult basic education is appropriate because of the mobility of the "students" and their direct importance to the national economy. NSBA recommends that the Adult Education Act be administered through the public school system and that adult basic education be defined as education for persons who have not completed high school.

17. SCHOOL CONSTRUCTION

The National School Boards Association believes the primary responsibility for construction of public school facilities lies with state and local school districts; however, since school construction needs in many parts of the country exceed available financial resources and result in a significant deterrent to the effective implementation of educational programs under federal, state and local impetus, NSBA recommends that federal funds be authorized and appropriated for such capital expenditures when military spending at the present level is reduced, with the stipulation that the planning and location of these physical facilities remain a local and state decision. Consistent with state law, title to these facilities should be held by local public school districts.

NSBA further recommends that such funding encourage the design and development of multipurpose school buildings to achieve greater community involvement in education, even higher building usage, and a longer useful lifespan for these facilities.

In expectation of significantly increased appropriations for capital expenditures in the future, the Association urges that allocation of additional ESEA Title I funds be authorized for capital expenditures now. NSBA further recommends that the Elementary and Secondary Education Act be amended to provide advance planning assistance to local school districts for long range planning of future school construction and modernization and the advance acquisition of future school sites.

18. JUDICIAL DETERMINATION OF FEDERAL AID TO PRIVATE SCHOOLS

The National School Boards Association has serious concern about the uncertainties of utilizing public funds for non-public school purposes. NSBA therefore strongly urges Congress to establish the means whereby the constitutional question of utilizing public funds for non-public educational programs can be resolved.

19. TEACHERS FOR EDUCATIONALLY DEPRIVED CHILDREN

The National School Boards Association is deeply concerned with the great problems of educationally deprived children. It urges colleges and universities and federal, state and local educational agencies to take all feasible steps to accomplish such objectives as providing student loans for prospective teachers of these children, making available special teacher-training programs in institutions of higher learning, and offering suitable inducements to attract teachers of educationally deprived children.

20. PUBLIC HOUSING AMENDMENT TO THE FEDERALLY-AFFECTED AREAS PROGRAM

The National School Boards Association recommends that the Federally-Affected Areas Program be amended to provide an annual payment of $1,000 per low-rent public housing unit to the local school districts which have tax-exempt public housing dwelling units within their boundaries. The Association recommends that these payments, in lieu of local property taxes, be based on the number of low-rent public housing dwelling units which were occupied during a major portion of the preceding year and that they be in addition to existing federal, state and local financial support for local public education. These unrestricted additional funds should be allocated to local school districts in a manner which will enable them to provide new or improved educational services for any of the persons residing within their disadvantaged areas.

NSBA further recommends that the P. L. 815 and 874 programs be continued on a permanent, fully funded basis.

21. RECIPROCITY OF TEACHER CERTIFICATION AMONG STATES

The National School Boards Association urges the chief state school officers to study the feasibility of reciprocity of teacher certification and its merits and disadvantages to individual states.

22. EXTENSION OF THE YEARS OF EDUCATION

The National School Boards Association recommends that local school districts conduct pilot programs of early childhood education, with provisions for evaluation, follow-up and appropriate involvement of other community agencies, and, further, that local school districts experiment with various organizational patterns of education in an effort to embrace all organized public efforts in education within a cohesive whole.

NSBA further urges state departments of education to study and consider the best ways to organize, administer and finance a system of public schools extending two years below the traditional first grade and two years beyond the traditional twelfth grade, as appropriate to their individual states.

23. SCHOOL BOARD REPRESENTATION ON NATIONAL ADVISORY BODIES

The National School Boards Association recommends that the federal government provide for representation by members of local boards of education on national advisory bodies which directly or indirectly involve public elementary and secondary schools.

NSBA further urges that provisions be made for substantial participation and involvement by local boards of education in the formulation of national guidelines and regulations which affect the local public schools.

24. U.S. OFFICE OF EDUCATION—REGIONAL OFFICES

The National School Boards Association recommends that there be a clear delineation of the channels of communication, the decision-making authority and the appeals procedure as they pertain to relationships between and among the U.S. Office of Education, its regional offices, the state departments of education and local boards of education.

NSBA further recommends that, wherever possible, educational functions and authority be vested in state departments of education.

25. SUMMER YOUTH PROGRAMS

The National School Boards Association strongly advocates the use of public school facilities during summer months, when the schools are not in regular session, to make school playgrounds and gymnasiums, shops, swimming pools and other school facilities available to the young people who need constructive opportunities for education, play and recreation.

NSBA recommends that local school districts and other public and private agencies cooperate with the President's Council on Youth Opportunity in its effort to provide jobs, education, training and recreation.

NSBA further recommends that other public and private agencies join with local citizens to provide additional funds for these summer programs.

"WHO OWNS THE GAME?"—PART II

Mr. HANSEN. Mr. President, last month the Conservation News printed part I of an article entitled "Who Owns the Game?" written by Ernest Swift. This publication is a weekly newsletter, presented as an educational feature of the National Wildlife Federation of Washington, D.C.

The article asked some important questions about the role of the Federal Government in the jurisdiction over resident game and fish within the boundaries of the lands owned by the Federal Government.

The issue of who has the authority to regulate these resident species of wildlife has become a growing controversy between the States and the Federal Government.

Presently pending before Congress are two bills, S. 2951 and S. 3212, which would clarify this jurisdictional responsibility.

Part I of the Conservation News article was printed in the RECORD at my request on May 27, 1968, on page 15103.

I now ask unanimous consent that part II of the three-part article entitled "Who Owns the Game?" be printed in the RECORD.

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

WHO OWNS THE GAME?—PART II

In the first part of this three-part series (Ed. Note: See May 15, 1968 issue), we briefly discussed the following questions:

1. Can the Federal government, as a landowner, now assume (in the face of tradition and previous legal opinions and decisions) jurisdiction over resident game and fish within the boundaries of the lands owned by the Federal government in the several states?

2. If this assumption is given legal status by the U.S. Supreme Court in review of the pending case of the State of New Mexico vs. the U.S. Department of the Interior, will it eventually lead to all landowners, private or otherwise, being given title to the game and fish residing on their lands as is now the prevailing doctrine in Europe?

3. What powers would the States have left with which to carry on recreational and other types of resource programs which are subsidiary to the management of fish and wildlife?

4. What would be the impact on the present tourist business which has been developed on the traditions of public ownership of wildlife and, in many states, public ownership of water?

History records a long discussion of these matters. A convention to protect the fur seal on the high seas was called in 1911, and a treaty was signed by the United States, Great Britain, Japan and Russia. Similar treaties have followed, some of them rather recently, to provide protection for whales, halibut, salmon and other deep sea life.

An early U.S. Supreme Court case—Lacoste vs. Department of Conservation of the State of Louisiana, states: "By right of ownership, and in the exercise of police powers, a state may regulate the taking of wild animals within its borders, their subsequent use, and the property rights that may be acquired in them."

One of the first, if not the first, attempts by the Federal government to control wildlife within the boundaries of the U.S. was the passage of the Weeks-McLean Act of 1913. This Act declared: "All migratory game and insectivorous birds to be within the custody and protection of the government of the United States and forbade their destruction or capture contrary to regulations prescribed by the Secretary of Agriculture." This Act was declared unconstitutional by the U.S. Supreme Court as an invasion of the rights of the States.

As a result there followed the Convention of 1916 between the United States and Great Britain providing for the protection by the U.S. and Canada of migratory game birds, migratory insectivorous and migratory nongame birds. This treaty was carried out as in the case of oceanic fishing under the powers of the U.S. Constitution.

In 1918, with the Treaty duly signed, the U.S. Congress proceeded to pass the Migratory Bird Treaty Act which authorized the Secretary of Agriculture, subject to the approval of the President, to promulgate regulations for the protection of all migratory birds covered by the Convention. Mexico signed a similar treaty in 1936.

Again the authority of the Federal government was challenged in the case of Missouri vs. Holland but, on the basis of the Constitutional Treaty powers, the U.S. Supreme Court confirmed the Migratory Bird Treaty Act of 1918.

In 1919 a movement was started by H. S. Graves, Chief of the U.S. Forest Service, along with F. E. Olmsted and Gifford Pinchot, to bring about, under the jurisdiction of the Federal government, the control of timber cutting on private lands. This led to a bitter fight, with forest industry on one side and the Forest Service and some private backers on the other. The proposal never became law, and there were members of the Forest Service who were not in sympathy with the idea. This caused some deep rifts within the Service. However, it ultimately brought about vastly better forest fire protection through the Clark-McNary Act and improved forest management as a result thereof. Although this incident is not closely allied with game management, it shows a trend of thinking that has periodically cropped up.

Hunt vs. United States (1928), more commonly known as the Kiabab Case, involved the killing of deer by the Forest Service on the Grand Canyon National Forest Game Preserve which in reality was an overlay of the Kiabab National Forest. The issue was the destruction of the natural reproduction and forage plants as well as thousands of deer dying from insufficient forage. Deer were ordered killed under the direction of the Secretary of Agriculture, and Arizona officials threatened the arrest and prosecution of anyone killing, possessing or transporting deer. Three persons were arrested. In a suit by the Federal government the lower court found in favor of the Secretary of Agriculture. In an appeal, the U.S. Supreme Court in essence ruled that the Federal government could protect its own property from destructive overbrowsing by deer, but it did not say that there could be a general open season to licensed hunters to kill deer in violation of the State's laws. This meant that only regular employees of the government could participate in the killing; and also that deer shipped beyond the boundaries of the refuge should be marked so as to show that they had been killed under the authority of the U.S. officials within the limits of the reserve.

To some people all this may sound like legal and technical niceties but, nevertheless, it preserved the integrity of the state in the general management of game, the issuance of hunting licenses, etc. Crop and tree damage still is something of a moot question even at the state level on private lands. Some states pay for crop damage by wildlife, and some state courts have gone so far as to say that when there is no recourse the landowner can protect his property from wildlife damage.

Nor can the Federal government gain much comfort from citing the Pisgah National Forest Case in North Carolina. When that National Forest was established, the State of North Carolina ceded all rights and title to the land, as well as complete jurisdiction of the wildlife to the Federal government.

Presumably on the basis of the Court's decision in the Pisgah case and during the general era of expanding government activity along with the CCC camps, the then Secretary of Agriculture, Henry Wallace, attempted to impose similar regulations on all national forests under general order G–20–A. This caused a general uprising among the states and was one of the main reasons which caused the states to forget petty differences and combine their strength in the International Association of Game, Fish and Conservation Commissioners. Seth Gordon, then President of the International led the fight, and a good one it was.

The order was subsequently withdrawn and for the time being Federal powers, so far as an imposition of the state's rights to manage their own wildlife resources, was dropped. But it has never completely died. (Part III of this series will discuss the variety of

attitudes now apparent and their effect on conservation programs in general.)

ERNEST SWIFT.

AID ASSISTANCE TO BRAZIL

Mr. McINTYRE. Mr. President, I believe we are all pleased when we learn that U.S. assistance to foreign countries is directly and materially contributing to their development.

That U.S. assistance is contributing to the advancement of the people of Brazil is most gratifying to learn. I read this in Mr. James Fowler's defense of the AID program there.

Brazil has been one of the largest recipients of U.S. assistance. Our program there is a most important program—assistance to the largest country in South America, and one who has contributed to the cause of democracy in two world wars and in the Dominican crisis. One only has to see the military cemeteries in Italy near Monte Cassino to realize the number of Brazilian boys who gave their lives fighting for our cause which they made theirs.

Mr. President, I ask unanimous consent to have printed in the RECORD the dispatch in the Baltimore Sun of May 26, 1968, by Nathan Miller, reporting on Mr. Fowler's assertions that our aid is helping Brazil, in the hope that this will present a balanced picture of the situation.

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

AID OFFICIAL DENIES CHARGE OF FUNDS WASTED IN BRAZIL

(By Nathan Miller)

WASHINGTON, May 25.—The embattled Agency for International Development today defended its program in Brazil against charges by the Government Accounting Office that more than $100,000,000 in funds had been fumbled away.

James Fowler, deputy United States coordinator of the Alliance for Progress, said the GAO report conveys "the obviously inaccurate impression" that the AID program in Brazil is "inefficient, ineffective and wasteful.

"The facts are otherwise," he contended in a statement.

INADEQUATE STUDIES CITED

Surveying eleven development projects—about one sixth of the loan commitments to Brazil from 1963 to 1966—the GAO accused AID of ignoring the effect of Brazil's severe inflation and of failing to make adequate technical and economic studies before making the commitments.

The watchdog agency's report was issued amid clear signs that the Administration's $2,500,000,000 foreign aid bill is in deep trouble in Congress with cuts approaching the billion-dollar level in prospect.

Some observers warn that the possibility of defeat for the program in the House cannot be overlooked.

LOANS GUARANTEED

Fowler said ten of the eleven criticized projects are still continuing and are contributing "directly and materially to the development of Brazil.

"Some initial, but not unexpected, implementation problems have long since been overcome."

He also emphasized that each project is on a loan, not a grant basis, with every loan guaranteed by the Brazilian Government. There has been no loss of United States funds in any of them, he added.

While Fowler acknowledged that there have been problems with a synthetic rubber plant built in poverty-stricken northeast Brazil with $3,400,000 in AID funds that was bitterly criticized by the GAO, he said the Brazilian Government is meeting the principal and interest payments on the loan.

NO MARKET STUDY

The GAO had pointed out that AID had lent the plant an additional $1,100,000 to get it into production without a market study to determine whether the product could be sold.

Several American correspondents based in Brazil had written of the problems facing the project long before it attracted the interest of congressional investigators, but their reports were brushed off by AID officials.

"This loan was a calculated risk among others taken in 1962 to show United States faith in the future of Brazil under the prevailing volatile circumstances then prevailing in this particularly depressed area," Fowler contended.

REFORMS MADE

He said that AID's participation represented only 10 per cent of the total financing involved.

Referring to a malaria eradication program that came under fire by the GAO, the official said that following the start of it "certain operational deficiencies became apparent" and AID suspended disbursements until satisfactory reforms were made.

"A current appraisal of this program indicates it is now working well and a sharp reduction in the incidence of malaria has been achieved," Fowler added.

"About half of Brazil's population which lives in malarious areas is now protected and it is anticipated that all malarious areas will be under spraying coverage by the end of 1968," it was stated.

CONGRESSIONAL DELAY THREATENS NEEDED CONSERVATION MEASURES

Mr. METCALF. Mr. President, two recent editorials have come to my attention urging congressional action on the conservation and water resource projects which we have started and on which time is running out as we draw closer to the adjournment of the 90th Congress.

The first, published in the Sacramento Bee of May 29, concerns the proposed Redwood National Park and expresses concisely the fears of most conservationists—that delay on the part of Congress to act on the pending legislation setting the boundaries of the proposed park would allow another timbering season to pass, and with it many of the park quality redwoods within this proposed boundary.

The second, published in the Christian Science Monitor of May 10, reflects concern over the delay in the authorization of President Johnson's proposed National Water Commission. I favor, as does this editor, the formation of such a commission to undertake an organized and thorough study of the use of the Nation's water resources. In many parts of the country, problems of pollution and drought are critical and require immediate attention if further economic losses are to be avoided.

Mr. President, I ask unanimous consent that these two editorials be printed in the RECORD.

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

[From the Sacramento (Calif.) Bee, May 29, 1968]

ADVANCES ARE MADE FOR CONSERVATION

The victories scored by conservationists in Congress recently—while not final by any means—are highly significant and satisfying. They pave the way for ultimate success in providing the nation with some of the most important additions to the national parks and beaches program in this century.

Foremost among them is the proposed national redwoods park which by all odds should be the No. 1 priority in any conservationist's campaign. The House Interior Committee completed hearings on the redwoods legislation with promising hopes a bill can be agreed upon in Congress this year.

Then the House followed this with a convincing 336 to 13 vote approving legislation to double the amount of parks and recreation money to be available to the federal government during the next five years. The money would come from the federal offshore tidelands oil revenue.

This is of extreme importance in connection with the redwoods bill. Whatever size park is arranged and whatever manner of land or state property exchanges are made the wherewithal to finance the park is of first necessity.

With an economy-minded Congress being pressured to cut in so many areas, there was fear the redwoods park would go by the boards this year. And each timbering season that goes by leaves fewer and fewer prime redwoods for a national park worthy of the name.

Time rapidly is running out in the fight to set up such a redwoods park in Northern California. It therefore is necessary to continue the appeal to the Congress to continue the action it has started.

The tidelands oil measure not only would help start the redwoods park but it also would provide other benefits to California where outdoor recreation is one of the most important products. Such needed expansion projects as at Pt. Reyes National Seashore and the Whiskeytown-Shasta Recreation Area would get some added financial help.

There may yet be a day for celebration by conservationists if the Congress does not relent.

[From the Christian Science Monitor, May 10, 1968]

WATER HUSBANDRY

Events point to the timeliness of President Johnson's recommendation to Congress this spring that a National Water Commission be formed. This marks the third year he has proposed the commission, to undertake a five-year study of interbasin transfers of water, reduction of water pollution, and technological advances such as desalting and water modification.

A recent report by the National Audubon Society shows the Great Lakes states still lagging in antipollution measures. Details are appalling: five feet of sludge coating the bottom of Grand Calumet River flowing into Lake Michigan, most of Lake Erie wholly unsafe for swimming, wildlife destroyed by oil wastes.

In New England, conservationists are urging Massachusetts legislators to protect 300,000 acres of swamp and marshland from improper development. Not only are such areas vital to the ecology of nature, but they reduce flooding like that which occurred in the region in March.

Southern Florida is in the midst of a drought, as it was in 1967 and 1965. With much of the region's water diverted by flood control channels to use by growers and the Miami district, the Everglades is drying up—threatening to wipe out the subtropical wildlife and to cause a water shortage for the human population.

Hangup for the National Water Commis-

sion bill appears to be the disagreement of Colorado River basin states to the Central Arizona Project. But such interstate disputes, further roiled by the views of conservationists, argue the more strongly for an objective study of the economic and social implications of the use of America's valuable water resources.

SCIENCE EDUCATION

Mr. MORSE. Mr. President, my attention was called recently to an article published in the February 1968 issue of the publication of the National Science Teachers' Association, the Science Teacher. In it are to be found many valuable insights incorporated in articles written by the discipline.

The particular article which I feel warrants the consideration of Senators is entitled "Productivity Interaction: Basis for Science Education, in the 21st Century." It was written by Donald W. Stotler, who is supervisor of science in the Portland public schools. Mr. Stotler has set forth, I think, many of the considerations which have a wider implication than the audience to which they were originially addressed. These are considerations which are of concern to legislators and to the public.

I was particularly impressed by the manner in which the author has given recognition to the importance in our society of incorporating into science and education, the values which traditionally we have associated with the liberal arts. The ethical questions that are raised demand answers and the mechanism provided may very well serve to carry such answers into the hearts and minds of the children.

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:

PRODUCTIVITY INTERACTION: BASIS FOR SCIENCE EDUCATION IN THE 21ST CENTURY

(By Donald W. Stotler)

When we consider science education in the 21st century, it is well to contemplate five "explosions" and five "implosions" now under way as a result of science.

FIVE "EXPLOSIONS"

1. *Population.* Is the fittest organism necessarily the one that is becoming dominant the fastest? The histories of such organisms as dinosaurs and foraminifera give us a firm "no." Those organisms most fit to survive are apparently those most nearly organized for reorganization. This criterion hardly describes mankind at the present, but this could be changed.

2. *Knowledge.* The knowledge explosion demands that a way be devised for all mankind to continuously renew its knowledge, making education a life-long pursuit for each human being.

3. *Transportation.* The variety of travel and the accessibility of all locations is fast increasing while the cost is decreasing. This requires a shift from present schooling to learning centers open year round as families migrate in pursuit of cultural variety.

4. *Communication.* This explosion heralds the possibility that by the 21st century each person will have facilities available to carry on a meaningful dialogue with any other person. Educational continuity can be provided to learners, wherever they travel, by a computerized learning network among all learning centers.

5. *Materials.* Already much industry thrives on the manufacture and distribution of materials that aren't necessary for survival. The day is approaching when almost anyone can obtain almost anything with a minimum of effort. What will we do when we really don't *have* to do anything? The importance of recreation, education, and research will increase vastly. All institutions will probably be redirected into these three functions.

FIVE "IMPLOSIONS"

1. *Disciplines.* It is the nature of science that its problems first became divided into parts for purposes of more manageable research. However, as research progresses, the need arises to relate the parts. Therefore, in science's earlier stages it was to be expected that new disciplines—such as physics, chemistry, and biology—would first explode in variety and seem distinct. Quite as naturally there is now an implosion of fields, such as geophysics and biochemistry. This makes education as unified pursuit more and more feasible.

2. *Methods.* While there are many methods for approaching problems, the measuring and testing approach of science is being applied to more and more phenomena. While all phenomena may not yield to this approach, the full press is on and many more successes will be forthcoming. This also helps unify the educational pursuit.

3. *Nations.* Businesses and industries are forming more and more international combines. Research in some areas is becoming so expensive that several nations are cooperating to make it possible. All this has educational significance because it becomes less profitable to destroy by warfare another country's resources to the extent which it also destroys some of your own research resources and materials. The increased hordes of people engaged in international travel also make it more difficult to wage war—especially the modern unwarned attack. All this gives education the greater edge in the "race between education and catastrophe."

4. *Institutions.* If loose bricks in a barrel were rolled along the floor, the result would be considerably more abrasive than if their edges were removed. If these bricks had different labels, each for a separate institution such as school, library, park, youth center, and community center, they would give an idea of how our present institutions have become too rigid and abrasive in their functions. The implosion toward multipurpose functions is already being manifested, however, in educational parks and in combines of school, public library, and community center. This sort of development is parallel to the shopping center in the enterprise world.

5. *Values.* As more people learn their science by "sciencing" at their level, they will acquire without need of lecture the values intrinsic to science method, such as honest reporting and idea sharing. They will acquire these values for the same reason that scientists have acquired them. They are pragmatically sound—they work to the advantage of the individual and the total enterprise.

Humaneness is another such value, though far less clearly defined. Under what conditions is it humane to induce cancer into a monkey on the premise that the findings, although fatal to the monkey, may help man conquer cancer? There is a need for a Golden Rule for humaneness. The fact that the idea of "treating other people as you would be treated" arose independently in several different cultures attests pragmatically to its usefulness in the human arena. "Reverence for life" extends the idea to the treating of all life as you would be treated. However, what of such factors as water and air pollution?

A Golden Rule involving the whole environment is needed. Since the observer-observed interaction lies at the heart of modern relativity theory, it may offer a clue. Since productivity in ideas and materials is perhaps the emerging value as we look to the 21st century, it should also be considered. Productivity in this sense is the process of creating new alternatives.

In these terms we may postulate a new Golden Rule—the *productivity interaction.* It states that *at each decision point the observer acts in such a way that both he and the observed are more productive.* An illustration would be a camper who left the campsite a better place than he found it. He would have been renewed and made more productive by the camp experience, and in the process he would have made the campsite a more productive site for others.

INSTITUTIONAL RECOMBINATION

If something like the productivity interaction is to be implemented by the time the 21st century begins, all observers must be provided continuous, convenient lifelong opportunities to self-educate and increase in productivity—all this while being a mobile part of a highly mobile population. Moreover, for the observer to succeed in the productivity interaction, the environment—especially man's institutions—must be highly flexible and subject to productive change. In a sense the observer can only be free to the extent that the observed is free; man's freedom consists, in the words of Robert Frost, of "lying loose in the harness."

My model of institutional recombination would involve four institutions, all directed toward recreation, education, and research: the community center, cultural center, research center, and vocational center. Although the community center is focal, it will be considered last.

1. *Cultural center.* The purpose of these centers would be to give anyone from the populace who has a special interest in a field, whether science, art, or history, the tools and facilities to try to interest all the rest of the populace in his field. In science a good example is the Oregon Museum of Science and Industry, which has a membership of 12,000, provides inservice credit experiences for 4,000 teachers and classes for 4,900 students a year, and is headquarters for many science- and technology-related groups. It is a participation center for learners of all ages and also provides many field services.

2. *Research center.* Most colleges and universities already devote more than half their funds to research. Moreover research is now being applied in virtually all areas of education. In our recombination, the time spent on formal instruction would slowly diminish, while the opportunities for work experience and internship opportunities with researchers for learners of all ages would increase. Science fair exhibits would tend to be replaced with proposals for research with judges evaluating them as if they were scientists' proposals for funding. Winners would be able to carry out their research with funding. Also just as the many hands and eyes of amateur bird watchers have systematically fed useful data to professionals, so would the amateur operate in all areas of needed observation.

3. *Vocational center.* The obsolescence rate for jobs is so fast that vocational training in separate schools is becoming out of the question. The proposed vocational center would not offer vocational education but rather serve as a clearinghouse. As the 40-hour week approaches a 20-hour week, the worker might still be employed for 40 hours but spend half of that time (1) in a learning center helping with his own or other learners' education or (2) arranging field trips and job experience explorations for learners to his place of work. The vocational center would keep the two-way traffic unsnarled between learning centers and employment centers. This is the productivity interaction in action, for while the employee is educating himself to greater productivity, he is enhancing his enterprise and the general environment.

4. *Community center.* This center would itself be a combination of five formerly separate institutions: (1) public park, (2) public library, (3) public schools, (4) youth center, and (5) community center. It would need to be open year round and probably all hours day and night in order to service highly migratory learners of all ages whenever they might choose to participate.

The community center would be leisurely and aesthetic. It would offer *primary* education (corresponding to the present public school years) to about 200 youth and *secondary* education (all other learning from birth till death) for those people who live or are employed in the geographic area from which these 200 youth are drawn.

The main way that secondary education would be maintained is through serving as consultants to those gaining their primary education. To keep the ratio at any one time at about one adult to each five youth, the center would be easily accessible as to distance and varied means of transportation and offer challenging experiences relating to all phases of life.

Those gaining primary education need not attend on successive days, but rather attend a minimum number of days which they are free to select in consultation with their parents. This time gap complication would be further accentuated by the fact that learners often attend several different centers per year as they and their parents migrate for reasons of cultural variety and to develop the skill of maintaining education continuity while moving through new environments. Continuity would be maintained with the aid of an international, combined computer-television hook-up. Learners, which includes everyone, could carry on conversations with the computer or other people using their own voices. The experimental basis for this is being developed even now.

Before the learner leaves one center, the nearest center in the vicinity of his next destination would be selected. When he arrives, a positively oriented record of what he *can do* would be available to regular staff members and volunteer consultants alike. It would also recommend for him an environmental situation that would maintain learning continuity with his last situation. The learner could alter this situation, since self-learning under mature guidance directed toward the productivity interaction would be the basic curriculum.

CALIFORNIA: THE LIVING FRONTIER

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the RECORD a partial text of remarks I made before the Friends of the Bancroft Library of the University of California, at Berkeley, on Sunday, May 19, 1968.

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

CALIFORNIA: THE LIVING FRONTIER

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL before the Friends of Bancroft Library, University of California at Berkeley, May 19, 1968)

Frontiers are said to be ever-vanishing, continually tamed, consumed and sudivided. It is rare they are self-perpetuating But a frontier which continually moves ahead remains eternally new—no longer a barrier but an aiming point for new achievement.

This is the evolution of California. From her rough beginnings as a wild and wooly outpost of the nether slope of the United States, she has become a leading and progressive force in our own American civilization and throughout the world.

Millard Fillmore was President when our State came into the Union. His early biographer has recounted Fillmore's act with an apology: "In the absence of social restraint no community stood in greater need of a firm and regular government strictly enforced."

In her early struggles, it seemed impossible that California would ever be tamed. For the details we need look no further. Herbert Howe Bancroft's "History of the Western States" described these rough beginnings in trenchant strokes. But Herbert Bancroft also had vision, and he loved California. Her history became his life's work. For more than 20 years, he and an army of assistants scoured America and Europe to accumulate documents, shedding light on the State's past. Although some have criticized his unorthodox methodology, his careful detail on every aspect of early California history established his 39 volume work as a great landmark for succeeding generations of historians.

Bancroft wanted to tell history as it was, and to make it live in the minds of future Californians. Weaving a tapestry of adventure and conquest, exploits and dreams, he breathed life into our heritage, and to the transformation of the California frontier.

He laid bare the roots of California civilization. His collection, representing the finest of its kind in the world has become available in this Library to the scrutiny of research now and in the years to come.

He was not alone in this work. Among his contemporaries were Charles Christian Kuchel, my great uncle, and his colleague, Emil Dresel, who captured the towns and mining camps of the early days. Their lithograph prints have always been a great joy to all my family and a means of keeping fresh the early spirit of our State. The largest and finest collection of Kuchel-Dresel prints is now included in the Bancroft Collection. This Library tells the story of a tremendous growth, perhaps unequaled in any other time in human remembrance. I am joyously proud that these prints have taken their place in the telling of this great and moving episode in the early days of our state.

A library is a very special institution—a free community where all opinions and commentary are welcome. Through the interdependence of ideas and events, it is more than a link to the past. It represents an entire chain from the past to our own age and on beyond us. Today, we need more than ever to know where we've been, as we plunge at ever-increasing speed into the even more complicated times ahead. A library is a builder of perspective, a treasury of continuity, and a springboard into the days and years to come.

The spirit carried across the prairies and around the horn found in California fertile soil for growth and invention. Vision was in the land—in the mighty mountains. Vision was coursing through the rivers and valleys, and pushing forth from the earth. This vision was of a community growing toward a boundless horizon. The capacity to move forward has become our hallmark.

One American philosopher has compared a changing society to a tree. To the youth who has known a mighty oak all his life, it seems permanent and immutable. But the older man, remembering the oak in its own youth, sees constant change. He sees movement from the least rustling of the wind in its leaves and branches. A healthy society, like the oak, is an arena of constant movement. To the youth, the solid oak is a measure of majesty, a challenge. To the mature man, it is a wonder of growth whose conservation is a prime goal of life.

A growing society must move—it cannot remain rigid, lest it perish. Failure to meet new conditions has been the downfall of empires from the ancient Babylon to the cloud kingdom of Oaxaca in neighboring Mexico. Nowhere in western civilization has the ability to grow with the times been more evident than here in California.

From the wild and wooly beginnings in the days of a doubtful Millard Fillmore, we have become the nation's most populous state. We enjoy high industrial productivity alongside high incomes. Were we an independent republic, as some of our forebears proposed, our gross national product would be the fourth largest in the free world, rivaled only by Japan on the Pacific Basin.

To a large extent, our growth has been sustained by an insistence on keeping alive the frontier tradition—now removed from the mine and the wheatfields to the electron, to the laser beam and to outer space. The genius of California has been to transfer the lessons of earlier physical struggles to the infinite horizons of the human mind. Each advance in science has enriched our lives and sustained our high standard of living. The citizens of Alameda County, where the secrets of the atom were first unveiled, were historically the first recipients of nuclear-generated power. The high development of the aerospace industry has brought expanding employment and new business to communities throughout the state. This is the direct result of close partnership between the academic world and the industrial community. To us, the continuation of this growth relationship is essential.

As a matter of fact, I doubt that we could stop it, even if we wished to, unless we abandoned education, and burned all the books. The academic community, spurred on by industry, has produced thousands of profoundly qualified men of science, who have, at a constantly accelerating pace, uncovered more of nature's secrets. There has been far more material advance during the years which span this Library, than in many centuries before. Scientific discoveries have come so fast that they have outrun man's capacity to cope with them.

The moral behavior of the human race has not kept pace with its ingenuity. The new technology of power furnishes a prime example. Nuclear energy can be used either for good or for evil, to uplift or to obliterate mankind. It is being used today to create vast quantities of electricity, and to cure long-dread diseases. It is also available in a moment's notice to serve the cause of wholesale death.

We need to improve our understanding of humanity around us, at the same time that men of science bring our human race new powers. We must proceed with deliberate wisdom to turn the marvelous discoveries of nature to the benefit of mankind.

How can a library help us to understand and cope with scientific advance?

The library represents the fund of knowledge, and culture, the fund of humanity which is there for the asking, the passive pool of water to which the thirsty may turn and partake. It is not the force of propaganda, it is not an activist dogma.

It contains the lessons of history, both good and bad. We should use it more. Our quest must be to apply man's enormous discoveries for man's good rather than his downfall. If we fail to profit from the lessons of history as portrayed in Bancroft and in libraries around the world, technology will then become the master, if not the destroyer, of this planet.

Today, we celebrate one-hundred years of a great historical Library in a great University. We celebrate the primacy given learning in the history of our state. This is as it should be. But we must not allow this occasion to signify complacency of self-congratulations. We look back to the past. But we know, too, that the past is prologue. The job of sustaining a widening horizon of public information has merely begun. But the task of learning how to be better, rather than how to be richer, assumes a newer importance in the nuclear age.

There is a challenging frontier ahead. The high technology of our State's industrial plant is dependent on a steady flow of

trained and self-reliant citizens. Our advanced space, aeronautics, and electronics industries cannot function without trained staff. Even though we invest more money in research and development than all of Western Europe combined, even though we have a system of higher education that is the envy of the entire world, we are still unable to meet all of our needs for alert, educated human beings.

We are still dependent today, as in the past, on a flow of trained people coming to California. But our plant has grown apace. So has the level of our technology. We have surpassed the sophistication of other industrial systems. The sources of the high knowledge we require are shrinking. By the end of the 1970's we will need, in addition to those we will be able to train in California, an estimated five million skilled workers and technicians.

Where are we going to get these people? They will not be so readily available in other parts of the United States. We are going to have to find them here in our state. In my view, this is correct—not merely for our economy, but for the health of our society.

For those who possess the advantages of education, there is opportunity. There is a growing stream of information to help us understand our changing world. Data is no longer a mere luxury but a necessity, as our daily problems become more complex. But what of our urban poor who cannot use these tools? What of the frustration of youth in the Mexican barrio, in Hunter's Point or Watts to whom many meanings of our modern society are lost?

There is a growing gap between those able to increase their understanding fast enough to keep pace with the changing world and those condemned to increasing exclusion from the world of knowledge. If we are to find the technicians of tomorrow, we ought to seek no farther than those who have been cruelly disenfranchised in the communications revolution. Prudent economics suggests this course, a sense of responsible democracy demands it.

By helping young men and women to help themselves through learning, we can provide a large portion of the brain power we will need for California's future—we can also repair a tragic wound in our body politic.

If we are to continue the rate of growth and move toward our continually expanding frontier, we will ever be dependent on the power of knowledge. Its self-sustaining virtues must reinforce the girders of a sound society. We are taking some action now in the United States Senate, even under our present tight financial restrictions, to move in this direction.

Last year, I joined with a group of my distinguished colleagues from the southwestern states in introducing a bill, now law, to provide federal support to state and local education programs taught in the native tongue of Spanish-speaking Americans. The Bilingual Education Act recognizes a historical fact. Since the Treaty of Guadalupe Hidalgo, one hundred and two years ago, which brought the Territory of California into the United States, there has been a native Spanish-speaking culture in our nation existing side-by-side with that of English. Indeed, the first Constitution of California provided for official proceedings of the legislative branch and the courts to be in Spanish as well as English. This Law recognizes that the transfer from another tongue to English poses a major educational hurdle. By providing for initial academic training in the mother tongue, we hope to be able to smooth the path for hundred of thousands of native Spanish-speaking citizens in our country to richer and more abundant lives.

In a related effort, I introduced late last year, together with my distinguished colleague from Indiana, the so-called "Cooperative Education Act" to provide support for college work-study programs. This is a program of student self-help. It provides a means for a student to space his learning experience by alternating periods of work and study. It allows him to earn the funds to finance his education. But, more important, it provides many invaluable insights into the problems of work experience that enrich his academic effort and provide an important link between the classroom and productive later life. I am hopeful that this bill will soon become law. The cooperative education idea has already proved enormously valuable in community colleges in California and throughout the nation. Lately we have found that it can provide a vital social bridge for students who need to be brought into the mainstream of American life.

The President of Wilberforce University, in Ohio, the nation's oldest Negro university, recently testified that cooperative education programs have reinvigorated and given new hope to Negro students seeking to move out of racial isolation. In the past, Negro college students in the border states have confined their goals to so-called "prestige" employment in the ministery or teaching. Today, by virtue of the alternation between work experience and a periodic return to academic institutions, there are new possibilities for students who would otherwise hesitate to vault in one jump the hurdles of segregation. There is a new desire and opportunity to become engineers, accountants, and businessmen. The student body at Wilberforce has tripled. The capability of these long-established Negro institutions to provide a meaningful bridge to modern society has greatly expanded.

These are efforts to expand the horizon of knowledge and put it into greater public service. A public response is needed if we are to keep alive the vision of democratic political life we cherish for California, and beyond that, for the nation.

As a legislator, I know full well the risks of writing law in a society dependent on free interaction of human forces. Law must respond to public need and find a public response. This in turn requires understanding.

Emerson wrote:

"The wise know that foolish legislation is a rope of sand which perishes in the twisting; that the state must follow and not lead the character and progress of the citizen; the strongest usurper is quickly got rid of; and they only who build on ideas, build for eternity."

The law follows the will of the people. So must it be written lest we lose our sense of balance. Our ability to grow, and, finally, our freedom. It is clear now that we must provide equal opportunity in our society—not only as a matter of right but of survival.

The Bancroft Collection and the work of this Library have kept alive the memory of the frontiers we have passed. Our growth depends upon a continuing response to the ever-expanding range of problems presented to us. We, all of us, student, teacher, public servant and citizen must join forces to this end.

One of the most inspiring of the early professors of this University, the great geologist Joseph Le Conte, traced out 70 years ago the trail we must follow. He envisioned this University as worthy of a broad challenge. I paraphrase him now: Let our institutions ever remain thoroughly human, distinctly growing, and forever Californian and free.

OPERATION HELP

Mr. McINTYRE. Mr. President, although the Nation's attention is centered on the Poor People's Campaign and Resurrection City here in Washington, I think it would be both nearsighted and unfortunate if we were to overlook programs which have been created so that these people will come to have a more meaningful and productive role in our Nation.

One such program is Operation Help, an antipoverty program sponsored by the Hillsboro County Community Action Referral Service in Milford, N.H.

Under the directorship of Gale F. Hennessey, Operation Help has since January 1967, handled over 1,000 individual cases providing a variety of services for low-income families in an area which encompasses the second largest city in my State and 29 other towns.

The success of Operation Help is outlined in an article in the Office of Economic Opportunity Bulletin, "Rural Communities of May 1968." In fact, this program has met with such acclaim from all sectors of the community and the State that several other community action programs in New Hampshire are following in the footsteps of Operation Help in establishing similar programs. If this should succeed—and I strongly hope that it does—then, as the article concludes:

1968 will be a productive year for the State of New Hampshire.

However, not only will 1968 be a productive year for New Hampshire in its efforts to eliminate poverty, but also these programs will illustrate the results which can be achieved when all sections of the community, State, and Nation join together to combat poverty.

I ask unanimous consent that the article on Operation Help be printed in the RECORD.

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

"OPERATION HELP" FIGHTS NEW HAMPSHIRE POVERTY

The Hillsboro County Community Action Referral Service, known as Operation Help, is a pretty good example of what's happening in the fight against poverty in New Hampshire.

Approximately 15 months ago, the CAP in Hillsboro County was a simple referral agency. Today it is a multifaceted organization not only referring the poor to the existing agencies that can help them, but accompanying them to those agencies and following up each case to a satisfactory conclusion.

The Hillsboro Community Action Committee launched 'Operation Help' in January 1967. The immediate goal was to effectively serve the more than 6,000 low-income families in an area that includes Nashua, the State's second largest city, and 29 towns varying in population from 8,000 to less than 40.

'Operation Help' has 11 workers—Director Gale Hennessey, three referral agents trained in social work, psychology, or field experience, a secretary, and six low-income specially trained neighborhood aides.

The main office is in Milford, the geographic and population center of the county. There is a field office in Nashua and office space in 27 of the 29 little towns throughout the county.

EVERYONE COOPERATES

Local governments, organizations and private individuals in all the towns, whatever the size, have extended the fullest cooperation and have set aside office space for the

referral agents in a variety of places such as town halls, selectmen's offices, fire stations, Grange Halls, libraries, and even the basement of a private home.

The referral agents make their rounds to the 27 towns, holding office hours in the morning, and saving the afternoon for personal visits to the families in their homes. Experience has shown them that the personal visit is the ultimate in outreach, in that it demonstrates genuine concern to help solve problems.

Support for the program has come from public and private welfare agencies and organizations. The American Legion, New Hampshire Department of Welfare, Community Council, Heart Association, Crippled Children, Goodwill Industries, Lions Club, and the Children's Aid Society are among the many who participate in the project.

In its first year, 'Operation Help' handled 1,048 individual cases, and, according to Director Gale Hennessey, found some assistance for every case brought to its attention.

WHAT ARE THE PROBLEMS

Problems range from adoption, alcoholism, need for surplus food, dental care, home management, and tutoring, to the maze of difficulties resulting from substandard housing.

Many of the families are one-time welfare recipients who for some reason are no longer eligible. No one is turned away. Even though the program is aimed at low-income families, middle-income folk seeking information on such subjects as employment, clinics, Medicare and Social Security, victims of moral, emotional or intellectual poverty, come to 'OH' for assistance.

Not everything is day to day routine. By cooperating with a summer camping program established by the State Technical Assistance Office, 'OH' recruited more than 40 needy youngsters from the county and secured through private contributions the money necessary for two weeks of summer camp for them. More than 20 business and fraternal organizations contributed funds.

'OH' has passed the 100 mark in recruiting youngsters for the various Neighborhood Youth Corps programs and has enrolled them in both the Hillsboro County and Manchester Neighborhood Youth Corps.

The program has received wide acclaim in New Hampshire—so much so, several other CAPs in New Hampshire are following its lead in establishing similar programs. If they succeed, 1968 will be a productive year for the State of New Hampshire.

USDA FIGHTS MALNUTRITION WITH NEW, HIGH-PROTEIN FOODS

Mr. METCALF. Mr. President, hunger and malnutrition are major problems in many parts of the world. But while the effects of hunger can be easily detected, the results of malnutrition cannot.

Over an extended period of time, malnutrition retards man's physical and mental development and lowers his resistance to disease. Because much of this is caused by protein deficiencies, scientists in the U.S. Department of Agriculture's Agricultural Research Service are developing better ways to grow high-protein crops and to fortify foods during processing.

Breeding high-protein varieties of cereal crops is a prime objective: these foods are the major source of protein for humans.

ARS and Montana State University scientists are working with new wheat varieties that combine high yield with high protein content. In other studies, ARS scientists are attempting to cross a wild oat species with cultivated domestic varieties. The wild species has a high protein content, high kernel weight, and high disease resistance—all traits that scientists are trying to breed into commercial varieties.

Other efforts are being directed toward converting vegetable proteins into appetizing food mixtures. Through this research, ARS develops new formulas for nutritious food blends, as well as new processes for fortifying cereal grains with lysine and other essential amino acids.

CSM, a new formulated food blend composed primarily of corn, soybeans, and milk, can be used in soups, beverages, gruels, and porridges. It has a pleasing flavor, is rich in protein, stores well, and may be easily prepared.

Wheat is the chief cereal component of another high-protein food blend made from low-cost byproducts of the milling industry. Since wheat can be grown in most parts of the world, it is hoped that developing nations will use this new formula in making food blends from wheat grown on their own land.

A process for making soy flour by hand has also been developed by ARS for use in countries where mechanical processing capabilities are limited. The soy flour, about 40 percent protein and 20 percent fat, can be used as an ingredient in beverages, soups, and various cooked dishes.

Tempeh, a traditional Indonesian dish made by fermenting soybeans, is both tasty and nutritious. ARS scientists have made it even more versatile by developing a simple and uniform process for making it not only from soybeans but also from wheat and rice. Whether deep-fried, baked, or used in a soup, these tempehs provide good sources of energy. They are easy to transport and store and can be made in the home.

While developing these and other new foods, ARS scientists have been busy testing new ways to enrich or fortify more conventional dishes. A good example is Wurld wheat, which is made by stripping off the outer layers of bran to produce a white, whole-kernel food. Wurld wheat is especially well adapted to enrichment with such soluble nutrients as lysine.

Likewise, two of the world's most important oilseed crops—cottonseed and peanuts—look promising as a means for boosting the protein content of breads and pastries. Advanced research with both of these crops has produced edible flours with protein qualities essentially equivalent to those of the original oilseeds.

But, despite these advances, it is estimated that the world's protein deficit in 1970 will be about 12 percent of total world needs. We must continue, then, to look for new ways of finding protein and to make more efficient use of sources we already have.

THE POOR PEOPLE'S GOALS

Mr. BROOKE. Mr. President, I ask unanimous consent to have printed in the RECORD a list of the goals of the Poor People's Campaign as it appeared in the Washington Post this morning.

The members of the campaign are requesting specific actions on the part of both Congress and the administration; they have asked the assistance of the affected departments and agencies in achieving passage of legislation.

I believe that this list of goals will prove a useful focus for all Members of Congress concerned with the elimination of poverty and hunger in America and anxious to secure the right of all Americans to full participation in our society.

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

TEXT OF DEMANDS TO COMBAT POVERTY

(NOTE.—The Poor People's Campaign yesterday issued a full listing of its demands for action by Federal agencies and Congress to combat poverty. The listing specifies those demands that it believes should be met immediately and those that should be acted on during the 1969 fiscal year, which begins July 1. The leaders indicated they would consider ending the Campaign if the demands marked with asterisks were met and some progress was made on the remainder.)

I. FEDERAL AGENCIES

Department of Agriculture—Immediate

1. Action on food programs, including specifically:

* a. Food program in all 1000 neediest counties which will have full participation of the poor.

* b. Issuance of free food stamps to no-income and extremely low-income families, a scaling down of food stamp prices generally and an equitable distribution of amounts of food based on need rather than income.

* c. Emergency distribution of supplementary food in those counties among the 256 hunger counties, cited by the Citizens Board of Inquiry, whose present food programs fail to reach substantial numbers of the poor.

* d. Immediate expansion of the quantity of commodities distributed and substantial improvement of the quality and variety of food given under the Commodity Distribution Program to insure a balanced and nutritious diet to recipients.

* e. Substantial increase in the number of free and reduced price school lunches to needy children.

2. The Department should prepare specific guidelines and a timetable for implementation to be agreed upon by Poor People's Campaign representatives for ending discrimination in key farm programs, particularly Stabilization and Conservation Service, Farmers Home Administration and Federal Extension Service.

For Fiscal Year 1969

1. Request and strongly fight for appropriations under the Food Stamp and Commodity Distribution Programs sufficient to provide food for the 10.7 million persons determined by the Department to have seriously inadequate diets.

2. Establish a continuing structure for involvement of the poor in planning and evaluating programs affecting them.

3. Double the request for and fight for appropriations for increased cooperatives among rural Mexican-American, Indian and Negro poor and establish a specific timetable and guidelines for establishing cooperatives among these groups.

4. Devise a plan to revise the present acreage diversion policy and to provide more equitable distribution of funds to aid poor farmers.

Office of Economic Opportunity—Immediate

* 1. OEO should immediately devise a plan whereby a specific number of promising subprofessionals at local levels can be brought up to the local, regional and national OEO staffs: OEO should establish a program analogous to the Federal Management Intern Program for poor people and subprofessionals

who have demonstrated skill in working with the poor. OEO should commit a specific percentage of consultant slots to the poor.

* 2. OEO, in consultation with a delegation of representatives from the Poor People's Campaign, should devise specific guidelines for citizen participation and a simple appeals procedure and forum for all variety of complaints.

3. OEO should immediately establish a stronger rural development staff and program with a technical assistance staff for rural areas which lack trained professional personnel to institute and design programs. Such staffs should be available to come into communities and help the poor start programs and train local people to run them.

* 4. OEO should fight for the supplemental appropriation bill for summer jobs and Head Start.

5. OEO should fight for the full requested funding of its program for the coming fiscal year without any further eroding of the rights of the poor.

For Fiscal Year 1969

1. OEO should set up a permanent "ombudsman" for the poor for continuous policing of its programs by those affected.

2. OEO must devise a budget for the following fiscal year (FY 1970) adequate to wage a serious battle against poverty rather than the present inadequate scrimmage.

Health, Education and Welfare—Immediate

1. HEW should endorse and fight for legislation pending in this session of Congress that would relieve some of the worst aspects of the welfare system. It should fight particularly for the repeal of the "freeze" and compulsory work requirements of the 1967 Amendments to the Social Security Act, for mandatory provisions for support of families with unemployed fathers, and a Federal national minimum standard of welfare benefits.

*2. HEW should act now to end by administrative decision state "man-in-the-house" rules and require states to continue to make full assistance payments during appeals from decisions to reduce or terminate payments.

*3. In the light of the recent Supreme Court decision, HEW should abolish freedom-of-choice desegregation plans and adopt clear guidelines in consultation with representatives of the Poor People's Campaign which would require and result in the eradication of the dual school systems in the southern states by the fall of 1968.

4. HEW should devise a specific plan whereby school districts receiving Federal funds are required to provide for participation of poor people in the design, development, operation and evaluation of education programs. To enable such participation to be effective, school districts must be required to make per-pupil expenditure and pupil achievement data available to local citizens. If legislation is needed to do any of this, then the administration should propose it in the Congress.

*5. HEW must come up with a specific action program for bringing adequate and essential health services to the poor and for radically reducing the level of deaths among poor infants and their mothers.

For Fiscal Year 1969

1. HEW should devise a comprehensive and specific plan and timetable for abolishing northern school segregation.

2. HEW should devise a structure for specific numbers of the poor to participate in decision-making on programs which affect their interests.

3. HEW should implement more experimental income maintenance programs in rural areas and on Indian reservations.

Department of Labor—Immediate

*1. The Secretary of Labor should endorse and fight for passage of a job bill this session of Congress which will substantially increase employment opportunities for the poor in both private and public sectors, such as the Clark Emergency Employment Act.

*2. The Secretary must revise the operational guidelines and structure of the existing programs of the Department, in consultation with the poor, to insure full participation of the poor in the decision-making process as well as in employment opportunities at all levels, particularly manpower training, the Concentrated Employment Program and the Employment Service. Specific numbers of the poor to be agreed upon should participate in program planning and implementation.

For Fiscal Year 1969

1. The Department should establish a plan and timetable for vigorous enforcement of fair employment regulations. In particular, ways should be found for employment of specific numbers of poor and the minority groups in employment service commissions in each state.

2. More vigorous contract compliance should be implemented to end discrimination.

3. Devise a comprehensive jobs package to eradicate unemployment.

Department of Justice

*1. Greatly increase numbers of school suits against northern school districts.

2. Greatly increase number of employment suits to end discrimination.

**Housing and Urban Development—Immediate*

1. Devise a specific structure and guidelines for inclusion of specific percentages of poor people in the planning process of programs designed to help them, particularly model cities.

*2. Specifically fight for passage of the pending housing bill in this session of Congress and insure that a majority of houses to be built under this legislation shall be for low-income groups. HUD must also support the amendment to the bill which requires that poor people be employed in the planning and construction of low-income housing to the greatest extent feasible. HUD must design machinery that will bring poor people and contractors together in the business of supplying housing.

3. Devise guidelines which will relocate persons who have been displaced for urban renewal programs until adequate housing is secured.

4. Devise a specific recruitment program for Mexican-Americans in policymaking decisions both in the Southwest and in Washington.

For Fiscal Year 1969

1. Draw up a plan for establishment of new communities with housing and job opportunities for the poor in rural areas.

2. Devise specific guidelines for enforcement of the new Fair Housing Act of 1968 in consultation with representatives from the Poor People's Campaign.

Department of State

*Establish an interagency committee consisting of representatives of the poor and the Departments of State, Justice and Interior to study the question of legal ownership of the disputed lands under the Treaty of Guadalupe-Hidalgo.

Department of Interior

*1. Devise a model school system for Indian children in the communities where they live, with full community control and full Federal responsibility for provision of adequate resources for such a system.

*2. Devise a specific plan for creating jobs and housing on Indian reservations, and adequate assistance for Indians wishing to relocate in the cities.

LEGISLATIVE PRIORITIES

*1. Passage of a jobs bill (the Clark Emergency Employment Bill) providing for employment in private and public sectors.

*2. Passage of the pending housing bill.

*3. Repeal of the "freeze" and compulsory work requirements of the 1967 Social Security Act enactment of mandatory provision for support of families with unemployed fathers and of a Federal minimum standard of welfare.

4. Passage of the collective-bargaining legislation for farm workers.

5. Maintain level of appropriations requested for school lunch and breakfast programs, poverty program, Elementary and Secondary Education Act, and other social programs which affect the poor.

6. Take adequate legislative steps to supplement the ability of the Secretary of Agriculture to provide food for every hungry person by greatly increasing the appropriation for the food stamp and commodity programs, and retention of the Javits Amendment on Section 32 to free $227 million for food programs this fiscal year.

For Fiscal Year 1969

1. Pass legislation providing a guaranteed annual income as a matter of right for those who cannot or should not work.

2. Pass legislation adequate to insure that every American citizen will have a decent job at decent wages and a decent house at reasonable cost.

HUMAN RIGHTS YEAR DECLARED FOR DISTRICT BY MAYOR WASHINGTON

Mr. PROXMIRE. Mr. President, as a member of the Subcommittee on the District of Columbia Appropriations, it is very gratifying to see that the Mayor of Washington, Hon. Walter E. Washington, has declared 1968 as Human Rights Year in the District.

In his proclamation of May 1, 1968, the Mayor adds his own and the District of Columbia's support for the principles embodied in the Universal Declaration of Human Rights of the United Nations and in the human rights conventions, which, tragically, remain unratified by the U.S. Senate.

In the proclamation, the Mayor calls for the citizens of the District to become involved in furthering the cause of the rights of all men "in order that each of us may grow in our understanding of the inherent dignity and the equal and inalienable rights of each member of the human family."

Mr. President, these words of the distinguished Mayor of the Nation's Capital are as welcome as they are inspiring. I trust that the Senate will take due notice of these words of a man whose own life is an example of respect for the rights of all men under the rule of law. I hope that his voice added to those of many other outstanding Americans will bring the Senate to swift ratification of all the Human Rights Conventions.

Mr. President, I ask unanimous consent that the text of Mayor Washington's statement and proclamation be printed in the RECORD.

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

STATEMENT BY MAYOR WALTER E. WASHINGTON, PROCLAMATION OF HUMAN RIGHTS YEAR IN THE DISTRICT OF COLUMBIA

We are gathered here to proclaim this to be human rights year in the District of Columbia.

Ambassador Harriman, Chairman of the President's Commission for the observance of

human rights year, recently wrote me urging my cooperation in carrying out in the District of Columbia the human rights year program launched by the President in his proclamation of October 11, 1967. The marvelous cooperation of our citizens and community leaders in recent weeks in dealing with the problems facing this city have held out great promise that we can move together to make ours a much better community.

Yet recent events have shown that our city, our country, and our world have a long way to go to fulfill the United Nation's universal declaration of human rights. Yesterday, in marking the tragic death of Senator Kennedy, I said:

"The death of Senator Robert Francis Kennedy is a tragic loss to the people of the Nation's Capital.

Senator Kennedy demonstrated a deep concern for the people of this community. Let us now rededicate ourselves to his concerns for justice, peace and a good life for all."

Here was a man who passionately fought for the principles to which we dedicate ourselves today. Yet, perhaps because of his devotion to this worthiest of causes, he was denied the most precious right of all, the right to live.

The President has eloquently decried the violence in our land which tears at the fabric of our society. Democracy rests on nonviolence. Democracy requires that important issues be debated, and that the people be allowed to exercise a choice as to who will govern them.

I would hope that all the agencies of the District Government, as well as all the people of this city in their churches, schools, and homes, will respond to the tragedy of these days by striving honestly to understand our city's very real human problems, and, in dedication to an orderly process of change, commit ourselves to the eradication of injustice and human misery.

"HUMAN RIGHTS YEAR" 1968, BY THE COMMISSIONER OF THE DISTRICT OF COLUMBIA

A PROCLAMATION

Whereas, people in many parts of the world will be observing this year; and

Whereas, the Universal Declaration of Human Rights gives voice to the aspirations of all peoples for equality under God and for their rights and responsibilities in self-governing societies; and

Whereas, the Universal Declaration of Human Rights reflects many of the provisions of the first ten amendments to the Constitution of the United States, which are known as the Bill of Rights:

Now, therefore, I, the Commissioner of the District of Columbia, do hereby proclaim 1968, as "Human Rights Year," and urge our citizens to observe this year by studying the Universal Declaration of Human Rights of the United Nations in order that each of us may grow in our understanding of the inherent dignity and the equal and inalienable rights of each member of the human family.

We further urge, that in gratitude for the liberties we enjoy, we work to advance universal freedom and justice and stand ready to uphold the rights of others which are inextricably linked with our own.

IRRIGATION MOVES INTO THE 21ST CENTURY

Mr. MUNDT. Mr. President, the availability of sufficient water over the years has been crucial in such agriculture States as South Dakota. Time was when the farmers of South Dakota and the rest of the country were forced to depend entirely on the vagaries of nature. Not so any longer.

Modern technology, developed as a result of research in such fields as weather modification, the various methods of impounding water, and advancements in irrigation, has changed the picture.

Now underway in South Dakota is a space age symposium on irrigation. Technicians from various government agencies are gathering together to present the latest in scientific advances in this important field.

One of the most informative addresses was delivered by Floyd E. Dominy, Commissioner of Reclamation. Because of its wide application and the storehouse of facts it contains, I ask unanimous consent that it be printed in the RECORD.

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

IRRIGATION MOVES INTO THE 21ST CENTURY

(Address by Commissioner of Reclamation Floyd E. Dominy, Department of the Interior, Before the Symposium on "Space Age Irrigation," Huron, South Dakota, June 13, 1968)

At 4 minutes and 15 seconds after 10 o'clock on the morning of November 20, 1967, an event occurred which has deep significance in our lives today and tomorrow. At that moment in history, the Census Bureau recorded the arrival of our Nation's newest citizen, bringing the population of the United States to 200 million.

This milestone in our Nation's growth is of particular importance to those of us in public service today. We—and I include particularly the younger crop of civil and civic servants from whom future leadership must come—must not only meet the immediate needs of 200 million Americans, we must also look to the future in solving the many complex problems arising from the soaring population.

These problems are not purely a matter of food and water supply. They relate to our total way of life, the high standard of living we enjoy and the increasing amount of leisure time resulting from reduced work hours and increased longevity. Modern science and technology have been good to us, but every benefit brings a balancing problem.

The implications of future national growth are incisive and the inherent problems are challenging. We must look ahead and plan for the needs of perhaps as many as 400 million people by the turn of the century. This could mean as many as an additional 13 persons per square mile right here in South Dakota.

Here in South Dakota, in one of the great States of the Missouri River Basin, I need not, perhaps, emphasize the importance of planning nor stress what development of water resources can mean to a region. In a little over two decades since we began construction on the Missouri River Basin Project, the Bureau of Reclamation has constructed 30 major dams. These hold more than 10 million acre-feet of water for irrigation and to otherwise meet the social and economic needs throughout the vast Basin lands.

We have built 2,000 miles of irrigation canals and laterals to bring water to thirsty lands. In 1967, Reclamation irrigation developments on the Missouri River Basin Project brought water to 338,000 acres of farm lands. The gross value of the crops grown on these lands in 1967 totaled $32 million.

These achievements have served as catalysts for economic and social growth in the Basin States. Irrigation has provided increases of aggregate incomes for the region, as well as markets for the goods and services from other areas of the country. Irrigation has stabilized and enhanced the productivity of natural and human resources in the Basin. But South Dakota has thus far enjoyed very little of the real fruits of this labor. You have three major reservoir storage projects on the main stem of the Missouri, but you are just now on the verge of significant development that is bringing water to the land and to the cities and towns.

The Bureau has completed or is in the process of completing feasibility reports for ten areas which could increase irrigation within the State by nearly 400 percent. These areas have about 560,000 irrigable acres.

The largest irrigation development under consideration in South Dakota and the one which is of primary interest to the participants in this symposium, is, of course, the Oahe Unit of the Missouri River Basin Project. We have completed feasibility reports for the 495,000-acre Unit as well as a supplemental report on an initial stage of 190,000 acres. I am hopeful that authorizing legislation will be favorably considered by the 90th Congress before it adjourns or, if not, certainly early in the next Congress next year.

The broad outlines of the initial stage of the Oahe Unit are necessarily based on the engineering concepts of planning, design, and operation technology as we know them today. However, the paradox of long-range planning is that we must consider irrigation developments such as Oahe in terms of their functional adequacy over an extended period, as long as 100 years from now. This is the essential precept of Reclamation water resources engineering. Our basic premise also requires that the beneficiaries of our developments, who must repay the costs of construction, are assured that the project works built today will perform satisfactorily and economically well into the 21st century.

This challenge of planning irrigation developments today for tomorrow's use is central to your deliberations at this Symposium on Space Age Irrigation.

The many technical innovations that are resulting from the extra-territorial research of the Space Age are opening new frontiers for other areas of research and development. Space Age research is becoming increasingly valuable in land and water resources development. It is giving us a new perspective of our planet. In particular, radar and infrared devices and other technological tools which scientists call remote-sensing devices are providing new insight into our planetary resources.

As one example, astronauts from the Gemini space capsule, using cameras as remote-sensing devices, were able to obtain photographs which were unprecedented in detail and scope. Such unique views of the earth included the photographs of the waters off the Persian Gulf, where the apparent ocean depths to about 120 feet were delineated, and the photographs of the mouth of the Colorado River which showed the heavy sediment buildup of the delta.

As a scientist of the Department of the Interior recently said of future satellite investigations, "We are on the brink of discoveries and developments that fire the imagination. They may well prove to be more significant to coming generations than the voyages of Columbus."

In the Bureau of Reclamation, we are extending our horizons in Space Age technology and in developing the expertise needed to utilize such new techniques and the instruments as they become available in the future. As part of the Department of the Interior's Earth Resources Observation Satellite Program, known as the EROS program, we have established in our Chief Engineer's office in Denver, a committee of engineers to study applications of remote-sensing techniques to our work and to recommend these techniques for use in our water resources developments.

The future information for these applications will come from the EROS satellite of the National Aeronautics and Space Administration. The satellite will be designed and orbited for the sole purpose of obtaining resource data.

A wide array of known problem areas may

be opened to us for study and solution as the remote-sensing techniques are developed and become available to us. These techniques may prove invaluable in improving snow survey forecasting of seasonal runoff from snowpacks and storms for reservoir operations. By better evaluation of the factors affecting runoff, we should improve the operation of many water resources projects throughout the West. Valuable input to research in this area is being contributed by your own State University.

We expect that with these new techniques we may also obtain detailed and more accurate temperature and evaporation surveys of lakes and thus determine the effect of evaporation reduction measures. Other potential benefits stemming from remote-sensing techniques include obtaining more accurate data on cropping patterns, density of vegetative cover, soil moisture conditions, reservoir and canal seepage, and other data pertaining to evaluation of water storage, transportation and management on irrigation projects.

In considering these new techniques for water conservation and use in the next century and the many variables in technological development which may affect the future, we can expect that certain fundamentals of irrigated agriculture operations which are basic today will remain essential a hundred years from now.

One vital area of management which is fundamental to successful operations is recognition of the importance of proper use of water in irrigation. Thus, in Reclamation, the objective of our research program in this area is to assure that the right amount of water gets to the crops at the right time.

The farm system of the future, as I envisage it, will take full advantage of the sensing equipment now in use in our water use study. Soil moisture-sensing devices would be installed at selected sites in the field to determine when water is needed and how much should be applied. Electronic controls will activate the values controlling water for the system. The electronic controls will deliver water in sequence, and shut down the system when the moisture levels are restored. The extension of these control systems will reach back progressively to open or close gates at the storage reservoirs.

The automated system might be for sprinkler irrigation, which is developing very rapidly in the Western United States, or for surface or root zone application. The Agricultural Research Service is giving particular attention to development of automated on-farm systems as is your State University.

Another important aspect of the irrigation projects of the future which will facilitate flexibility of service to the farmer is the extensive use of pipe in irrigation distribution systems. Many, if not most of the smaller laterals of the future will be in pipe. We may expect that as much as 90 percent of future distribution systems will be in pipe.

Some advantages are obvious. First of all, covered systems should reduce the annual toll of unwary youngsters who drown in open ditches. Pipe is water tight, and there are virtually no losses of water in its conveyance to the land. Pipe eliminates the need for chemicals now used to control the growth of weeds along open ditches. Pipelines can take the direct and shortest route rather than following contours as required by open ditches. Pipe also eliminates many miles of project roads and thus reduces the acreage of land in road right-of-way and the cost of road maintenance. Such systems will reduce right-of-way requirements and permit many more acres to be put to productive purposes. As farm operations can be carried on over pipelines, it is possible to eliminate farm severance, thus increasing the efficiency of farm operations. With closed conduit conveyance systems, there are other tangible and intangible benefits such as removing hazards to human and animal life. They will help preserve the environment and minimize pollution from drainage water which can carry pesticides and herbicides back into the systems.

So strongly do I feel about the importance of conserving water in its transit to irrigated lands that I have established a Bureau-wide policy that our project planners must consider fully the lining or placing in pipe of all constructed waterways for the conveyance and distribution of project water supplies. When the recommendations do not call for lining or pipe, the planners must fully justify their position.

Because of these many advantages of pipe, we are now carrying out extensive research in the use of pipe on today's and tomorrow's Reclamation projects. Our research embraces all facets of closed conduits including pipe manufactured of promising new materials. One new type is a reinforced plastic mortar pressure pipe, a product of Space Age research and development. We have installed a half-mile test section of the pipe in California; tests conducted on the pipe so far offer singular promise for its future usefulness in Reclamation project development.

A vital part of irrigation development is drainage, particularly subsurface drainage which controls the water table beneath the surface of the irrigated land. Pipe will continue to be essential in the subsurface drainage of irrigated land. The Oahe Unit sharply points up this need. The Unit's lands lie on an old lake bed formed during the recession of a glacier and will require extensive subsurface drainage for successful irrigated agriculture. Under the initial phase of the Unit's development some 3,000 miles of pipe drains would be required. More than 3,000 miles of drain pipe would be installed under the ultimate phase of the Unit's development. New materials and techniques for installing the required drainage system are being explored.

Although pipe facilities will be essential to the automated farm distribution system of the future, it is obvious that many of the main canals or arteries—the conveyance features which bring the water from the storage system to the distribution system—will, because of their size, continue to be open channels. Future mass movement of water in interbasin exchanges and of conveyance of water over great distances will particularly rely on open channel features. Efficient mass transfer of water through open channel systems requires automatic and remote control of the channel structures to control water flow, another coming feature of the push-button era.

The bold concept of mass transfer of water from areas of surplus to areas of need, which may well characterize 21st century water resource development, is typified in our current studies of the proposed importation of surplus water of the Mississippi to west Texas and eastern New Mexico. As estimated by Texas and New Mexico State agencies, water needs to primary delivery points total about 16 million acre-feet for projected conditions by the year 2020. The sizable water deliveries and great distances contemplated are indicative of the challenging opportunities for new automatic controls for mass movement of water.

We have a group of engineers in our Denver office carrying out research and adaptations of new devices in automatic controls of open channels for these and other large projects of the future. We expect this research will be particularly useful in movement of water over long distances on the Oahe Unit and on the Garrison Diversion Unit in North Dakota.

The open channel main canals of individual irrigation systems of the future will be fully lined and fully equipped with automatic or remote controls. On many of our present-day projects we now have single automatic controls on check structures, pumping plants, diversion dams, and bifurcation works. One more recent innovation is installation of an extensive remotely controlled canal system on the Coachella Canal in California. We expect that the systems of the future will be more sophisticated and responsive to demand and changing requirements.

Similarly, the storage systems of the future will have a network of sensing devices at the source of water supply and a reporting system which would channel information on snowpack, precipitation, streamflow, and other meteorological and hydrological data into a center which would serve all water user interests in a river basin or a tributary basin. Our research in weather modification, one phase of which is to obtain greater snowfall in the high mountains, will be geared in with this system as well.

Information from this center on watershed conditions and forecasts of weather conditions would be made available to the project's operating headquarters. The headquarters would be equipped with computers to process the data and reduce it to information that could be used for the most efficient use and operation of the project. The immediate availability of such information would permit operations which would not only avoid wasting water, but also give an early warning of excessive flows which could result in damaging floods.

But none of these computerized, push-button systems will replace the human element. The increasing complexities of water resources management and the technological innovations will call for professional managers of a high degree of competency, dedication, and vision.

The most pervasive need will be creative managers, men of vision and imagination who recognize the need for and are willing to call upon interdisciplinary technology to improve efficiency and economy in the enterprises which they direct. These administrators must be particularly sensitive to the changing needs of project development and the relationship of their undertakings to national aspirations and resource objectives. I believe forums such as this symposium serve an important function in reminding us of this need for managerial expertise in irrigation development for the future.

There is another human element involved in any look into the future. That is the challenge that is already with us from our decaying inner cities and the mounting problems of the poor and untrained who continue to flock to the metropolitan centers.

The strength of a country is measured not so much by the number of smokestacks as by the opportunities for and achievement of its people. The big cities and their industrial might did not, alone, make America great. The initial impetus was in the use of our natural resources, the opening of new land, new farms, an opportunity for people to take roots and get a real stake in their country.

That trend, unfortunately, is changing. Now the pattern is for little farms to become big ones and the small farming communities are becoming ghost towns. We are faced now with demands for millions and billions of dollars for urban renewal and to care for the poor and untrained who have flocked to the cities in the desperate hope of improving their lot. The danger is that instead of halting the decay of our inner cities, this influx may hasten their deterioration into ghettos such as the immigrants to this country fled Europe to escape.

Reclamation, by its purpose and the very nature of its operation, as well as by legal limitation of the size of land ownerships which we serve, has consistently created new wealth productivity, new farming and employment opportunities, new openings in the service and food processing industries.

The transition from dryfarm to irrigated agriculture on the Columbia Basin Project in Washington State, for example, has meant an increase from about 600 farms in 1948

to 2,500 farms in 1963. The number of small businesses increased from 970 to 1,828 in the same period and the population supported on the project increased from 25,000 to 72,000.

Wouldn't it be worthwhile to consider the expediting of Reclamation work to continue to create such opportunities? Wouldn't it be worthwhile to bring to fruition, the idea of a string of satellite cities and towns strung through the area to be irrigated by the Garrison Diversion, the Oahe, and the Midstate Project in Nebraska, to name but a few to be constructed in the next several years?

Every Reclamation project has created new job opportunities, population has increased, and urban and rural economies have been benefited by the new wealth productivity.

Consequently, as we look ahead into the 21st century we must consider not only the push-button operations of a mechanized society but the human element as well. There is a challenge in this future for the ambitious, the mentally alert and the skilled who are needed to become the leaders of tomorrow. But there is also a golden opportunity to extend a helping hand to the thousands who are losing themselves in the despair of entrapment in the decaying core our our inner cities.

To find opportunities for them elsewhere will be a service to them and to the national and community leaders who are striving desperately against the tidal wave of untrained poor as they seek to rebuild the cities into attractive, law abiding, economically stable communities.

REGULATION OF INTERSTATE TRAFFIC IN LONG GUNS

Mr. McINTYRE. Mr. President, as one of the few Members of the Senate who supported the strengthening provisions of title IV of the omnibus crime control bill last month, providing controls over the interstate sales of rifles and shotguns, I am pleased to be able to cosponsor the bill introduced by the Senator from Connecticut [Mr. DODD], the proposal of President Johnson to regulate interstate traffic in long guns and ammunition.

Someone once said that America's strange lack of controls over deadly weapons prevents us from being called a truly civilized society. John Fitzgerald Kennedy, Martin Luther King, and Robert F. Kennedy's tragic murders all bear witness to the truth of that statement. So indeed do the assassinations of Malcolm X and George Lincoln Rockwell. So too do the staggering statistics of policemen shot in the line of duty, storekeepers killed during robberies, and innocent bystanders killed by wild shots.

My position in the past on these matters has been consistent. I have supported all of those measures designed to so regulate interstate traffic in firearms that the individual States would be able to enforce their own laws. I have opposed suggestions—none of which ever were represented by legislation before Congress—which would give the National Government a greater role in firearms regulation through registration.

I believe that the time has long been overdue for a reexamination of my past position on even tighter national controls. In many ways, the brutal murder of our former colleague from New York last week has brought this issue into a new perspective. At this time, I find myself thinking that perhaps the only possible solution can come about from a combination of the controls over interstate sales contemplated by President Johnson's proposal, plus some system—preferably administered by the States—for the registration of firearms and the issuance of permits for their use.

We can no longer delude ourselves into thinking of this as a purely local problem. The murders which took place in Dallas, in Memphis, and Los Angeles were not only crimes against the people of those cities, they were crimes against the entire civilized world. The Federal Government now has a clear obligation to act, and I want to make it clear that I may be counted on the side of those who would rather take action to protect our citizens from murder by firearms than on the side of those who feel that doing nothing will somehow provide the better solution.

In short, Mr. President, when I try to balance the misinformed and demagogic arguments for inaction against the continuing killings every day of American citizens, I have had enough. It is time to face up to our responsibilities and pass the sort of laws which we all know are needed.

DEATH OF ROBERT M. HITT

Mr. HOLLINGS. Mr. President, on June 3, Charleston and the entire State of South Carolina suffered a great loss in the death of Robert M. Hitt, Jr., editor of the Charleston Evening Post.

Robert Hitt, better known as "Red," began his newspaper career at the age of 5 on the Bamberg Herald which was owned by his father. He was an alumnus of my alma mater, The Citadel, South Carolina's military college. Although his achievements in the field of journalism are legendary, he will live in the minds of all who knew him not as a journalist but as a great man.

He was a man of great warmth, great humor, great personal integrity, and courage. His reputation was widespread as a man who enjoyed a laugh and laughing with others. Although he never refrained from expressing a view, his view was always based on logic and commonsense and expressed with compassion. He was always ready to be a friend and consequently his friends were legion. He was a warm, thoughtful human being and he will be missed.

I ask unanimous consent that several editorials concerning Mr. Hitt be printed in the RECORD.

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

[From the Columbia (S.C.) State, June 5, 1968]

FINAL DEADLINE

From the time he labored as a gangling, red-headed lad in his father's newspaper shop at Bamberg, Robert Melvin Hitt Jr. was destined for a life in journalism.

Newspapering tugged at him through high school and at The Citadel, where his facile pen began attracting attention both on and off the campus. But newspaper jobs were scarce when he was graduated in 1935, and it was a year later before he signed on with the *News and Courier* at Charleston as a cub reporter.

From there on out, "Red" Hitt was in his own briar patch—whether reporting, editing, or writing delightful columns such as those he turned out (while sports editor) under the heading "Hitt's Runs and Errors."

He really hit his stride when he became editor of the *Charleston Evening Post*, enlarging his interests and influence in civic affairs while continuing to make friends for himself and for the Charleston newspapers. His unfailing good humor, his *basso profundo* voice (it was likened to the sound of distant thunder) and his profound knowledge of newspapering brought him recognition in both state and national journalistic circles.

But that deep bass voice was stilled last week when he fell victim to a brain hemorrhage. Early Tuesday morning he died, leaving not only a bereaved family but also hosts of sorrowing friends in newspaper shops across the length and breadth of the land.

They, including those of *The State*, will remember "Red" Hitt not so much as the competent craftsman but as the lovable individual who never met a stranger nor made an enemy.

[From the Orangeburg (S.C.) Times & Democrat, June 5, 1968]

ROBERT M. HITT JR.

In the untimely death of Robert Melvin Hitt Jr., 54, editor of The Charleston Evening Post, South Carolina and the newspapers of the state have lost a man who exemplified all that journalism is or should be.

Mr. Hitt, a native of Bamberg and son of a veteran newspaper man, died early Tuesday morning after suffering a cerebral hemorrhage several days ago.

He was a graduate of the Bamberg High School and earned an A.B. degree from The Citadel in 1935, the military college later granting him an honorary Lld. degree in 1962.

He began his career as a newspaperman with The News and Courier in 1936, becoming sports editor in 1938. In 1943, he was moved over to The Evening Post as news editor, promoted to managing editor in 1945, and held the post of editor from 1953 until his death.

Known to his countless friends as "Red" Hitt, his editorials were sincere, hard-hitting and just. His was a quick and agile mind, one able to see to the root of a matter through the glitter in which it might be presented.

For that reason, "Red" Hitt was in great demand as an after-dinner speaker. He had a slow delivery, almost a drawl, and he had a dry, sometimes cutting but never vicious wit, one that soon had his listeners convulsed with laughter. But he was far from a comedian. He never spoke without delivering a worthwhile message. Those who heard him were both entertained and informed, perhaps enthused, by his words.

He held the high esteem and respect of everyone in the newspaper world as an excellent writer and representative of the "working press" as well as in his editorial achievements.

Married, he was an understanding and devoted father and husband, a worker and vestryman in his church, and endowed in the social graces which made him president of the Country Club of Charleston in 1947, and commodore of the Carolina Yacht Club in 1948.

The Times and Democrat joins the other newspapers in and out of South Carolina in extending sympathy to Mrs. Hitt and their five children and the staff of The Evening Post and The News and Courier, where also he will be sorely missed.

[From the Greenville (S.C.) News, June 5, 1968]

R. M. "RED" HITT, THE MAN WHO

Seldom has the South Carolina press suffered such a severe blow as was dealt it by the untimely death of Robert M. Hitt, Jr., editor of the Charleston Evening Post.

At age 53, Mr. Hitt was at the height of his great intellectual powers and his ability to sway others with the charm of his unique

personality. The loss is shared by the whole state, by the cause of good citizenship, better government and more pleasant communities.

Because of his highly developed and perfectly-timed sense of humor and his ability to win a crowd instantly and hold it as long as it suited him, Mr. Hitt was much in demand as an after-dinner speaker. He had a nationwide reputation.

"Red" Hitt was the "man who:" Was relentless in his search for the truth in the news, but used compassion in printing it.

Was forthright in his editorial expressions, but always constructive and never critical for the sake of mere criticism.

Was possessed of the sharpest natural wit we ever enjoyed off the professional stage, and used its keen edge to good effect. But he never hurled barbs that hurt, and he preferred to be the butt of his own jokes.

Was known by thousands over the country, admired by all who ever encountered him, had hundreds of friends in professional journalism organizations, but never changed basically from the son of a country newspaper editor who started work in a printing shop as a boy.

Rose to heights in his career and in community life, but never lost the enthusiasm of The Citadel cadet he was more than 30 years ago. He served many organizations, but never pushed for personal recognition.

Could render the report of the nominating committee and evoke more laughter than the "speaker of the evening," while in the next moment pointing out in his deep, rumbling voice the easy solution to a serious problem.

Trained many young journalists, speaking to them in their classes and working with them in his offices, and left a lasting impression on them.

Could discipline a reporter, or a subordinate editor, in a manner he would never forget—without hurting his feelings.

Could receive through connections in his church, which he loved and served, money to buy a gift for a resident of an old ladies' home—and choose a bottle of wine and deliver it with a personal visit.

Was not content merely to write about community problems, but involved himself in their solutions.

Mr. Hitt was all of these things, and more, the devoted husband and father of a fine family and an active churchman. But his greatest contribution, and the most important to him, was, first to better newspapers and, second, receiving and returning the love of his friends.

We pass this way but once, and to encounter just one "Red" Hitt along the way is to be highly privileged.

[From the Charleston (S.C.) Evening Post, June 5, 1968]

RED LEFT US TOO SOON

(By Warren Koon)

It might have been 10 years ago and Red Hitt was already an accomplished and established speaker, one whose wit and tuba-note voice commanded after dinner delivery invitations.

But this was the time when he and I had been invited to a West Ashley function for civic improvement. The request for him to speak had come from the club chairman who felt both of us had something to say to uplift the ideals of the club and the area.

When Red and I arrived at the appointed site, on time, we met the chairman and went into the hall. About six or seven people were sitting in an area designed to seat 200 or so, waiting expectantly.

The program was delayed about 15 minutes while Red regaled the host with stories. Some he made up, some were hilarious versions of incidents of nonfiction. With Red, one could never be sure.

Finally, the red-faced chairman spoke, explaining to the audience, which was unnecessary, about the poor attendance while apologizing to Red. He introduced Red with still another apology for poor attendance.

"No apology necessary," Red said, his voice resounding as if he was addressing a joint session of the congress. "Gather around closer, gentlemen. I've spoken to as few as three people and as many as a thousand. It doesn't make any difference. I'm going to tell you all I know on the subject.

The six or seven relaxed, laughed and for an hour, Red talked to them in his deep, brotherly tone, fascinating the few as he did the multitudes. It is one of the things I will remember always about Red Hitt.

Others have written down the facts of his career. I remember other things better. I knew Red Hitt (Some of us liked to call him Melvin, his middle name) for 17 years. The first time I met him was in 1951 when I was editing, for a brief time a twice-weekly newspaper in the upstate. I was the editor and the reportorial staff, as well as photographer and editorial writer.

Fortunately, that year, my paper won three prizes for news coverage and makeup in the annual awards presentations to the state's weekly papers. Red Hitt was the master of ceremonies at the banquet and the third time I went up for an award, Red Hitt told the audience, "This guy either is related to the judges or has something on the ball."

That same night, in elbow-to-elbow conversation in the middle of the cocktail party following the banquet, Red Hitt wondered if I would like to work for him. He was then managing editor of the Evening Post. I came down to Charleston to discuss a job, decided against it but took one on the telephone from Red Hitt and Ernest Cutts four years later, in early 1955. It was and is an association never severed.

I remember most Red's deliberate misuse of the English language, a language he knew as well as Webster in reality. He used mispronunciations and slang for effect, almost as a trademark. One of his best, delivered resonately in genteel company, was about dinner: "No," he would say, "I ain't et yet."

He punctuated sentences with words like "aghast", delivered with a long, sheep-baa "A" as in "aaa-ghast", and other innovations to force his audience into rapt attention. He joked about his speech "file" by pretending boredom at an invitation he had accepted and saying, resignedly, "Guess I'll pull out Speech No. 138 from the file. That's my 'Freedom of The Press' talk, first delivered in 1945."

Red played golf with a painful religious fervor, a game he had to learn in tortuous steps. For some 10 years, he joined us at the Golf Writers of America tournament in Myrtle Beach, forging friendships with sportswriters from every part of the country. As a matter of fact, almost the first words my friends always said upon the annual greeting were, "Where's Red?"

He was a gifted individual who felt it his duty to circulate in all groups often telling me "the editor of the Evening Post should make friends for himself and the paper." His flamboyance was matched by a deep understanding of any situation, from international crises to a petty misunderstanding among reporters. He usually brought a Solomon solution to each of them.

We played together, we talked and rode places together, as he did with many employes and superiors. It didn't make much difference to Red, because he enjoyed the company of almost any type.

On the golf course, we was an expert needler but the needled loved him for it.

Despite the verbiage of the full-blown, factual accomplishments of his life, I remember Red as a human being who was a virtuoso in capturing people to his side. He left us much too soon, which explains in a few words how much I thought of him.

STRIKES IN THE MICHIGAN CONSTRUCTION INDUSTRY

Mr. GRIFFIN. Mr. President, the current recordbreaking Detroit newspaper strike, now in its eighth month, has already inflicted incalculable harm on thousands of workers, many Detroit area businesses and the public at large.

Mr. President, this newspaper strike is more than enough for one city to withstand. But Detroit and much of Michigan is also faced with another strike of far-reaching proportions.

On Tuesday, April 30, 1968, strikes by carpenters, bricklayers and operating engineers idled some 45,000 Detroit area construction workers. In addition, approximately 20,000 out-State Michigan workers are also idled. These strikes are now in their fifth week.

Mr. President, I would not advocate that any group—whether labor or management—be denied the right to assert its demands and put forth its proposals in the course of collective bargaining. But, unfortunately, too often these days, parties embroiled in labor disputes are ignoring the public's interest.

In a statement dated May 2, 1968, the President's Cabinet Committee on Price Stability expressed grave concern that wage increases in the construction industry might be negotiated this year which would seriously imperil efforts to maintain price stability.

This Committee, which includes the Secretaries of Treasury, Commerce, and Labor, the Director of the Bureau of the Budget and the Chairman of the Council of Economic Advisers, stated:

The size of construction settlements has been accelerating since 1964 and has consistently exceeded settlements in the rest of the economy. Construction settlements last year exceeded 7 percent, about a third larger than the all-economy average of 5½ percent. And many current wage demands go far beyond last year's large settlements. They threaten to harm the economy seriously and to raise sharply the cost of homes, factories, stores, schools, hospitals and other public construction. The Committee foresees no productivity gain that can begin to offset such large wage increases.

The demands made by the building trades unions in the current Detroit and outstate Michigan negotiations provide evidence that the Committee's concern is well founded.

According to reports, demands made by the various unions range from three to 10 times greater than the 6-percent offer generally made by the various employers. The percentage increases demanded, which range from 18 to 59 percent, are in sharp contrast to the old anti-inflation guidepost of 3.2 percent.

The impact which wage increases of such proportions may have can be illustrated by a few examples. It has been estimated that if all of the union's most recent wage demands were granted, the price of a home which sells now for $10,000 would be increased to about $11,250. And the price of a $20,000 home would be increased to about $22,000.

Even higher increases in the construction cost of public housing could be expected because it has been established by the Department of Labor that wage costs

represent a higher percentage of the total costs of public housing as compared to private housing.

The current strikes have virtually shut down the construction of homes, apartments, stores and shopping centers in Michigan's Wayne, Oakland, Macomb, and Washtenaw Counties and in other areas.

The effects of such a complete shutdown on the economy of Detroit—and the State of Michigan—are obvious. Just as real—and as dangerous—are other potential effects of these strikes.

The inflationary potential of wage increases which are not offset by corresponding productivity gains is great. Wage-price developments in the important construction sector of our economy can quickly spread inflation throughout the economy by raising costs elsewhere and by intensifying demands in other industries.

Certainly, Detroit—and Michigan—are major factors in the national economy. The results of the current strikes will obviously have a significant impact on the national pattern for settlement of contract negotiations this year.

In fact, the significance of the current strikes may be even greater than would normally be expected. The Federal Mediation and Conciliation Board reports that out of a total number of 82 current construction strikes in our country, 41—or 50 percent—are located in the State of Michigan.

The question is thus squarely before the parties to the current building trade strikes in the State of Michigan—will the settlements precipitate another upward spiral of costs and prices in our economy in these critical times—or will the settlements fairly reflect the needs of the public as well as the parties?

I join with the Cabinet Committee, the large number of prospective homeowners, and the public at large in urging the parties to "exercise the most rigorous restraint in these wage and price determinations this year."

Particularly in view of the clear and present danger of runaway inflation, I call upon the parties to exercise economic statesmanship and settle their dispute promptly on a basis that recognizes the overriding public interest.

A PLEA FOR MODERATION

Mr. HOLLINGS. Mr. President, my hometown newspaper, the Charleston News & Courier, publishes a daily column entitled "Doing the Charleston," written by Mr. Frank Gilbreth under the pseudonym of Ashley Cooper. On June 6, Mr. Gilbreth, who I am sure is well known to the Members of this body, authored a column concerning the death of Senator Robert F. Kennedy.

It was not an easy column to write. It required great courage, for in part Mr. Gilbreth was being critical of members of his own profession. Second, while everyone abhors the assassination of Senator Kennedy, not many are willing to delve into some of the underlying causes. I think the last paragraph of the column is particularly pertinent, in that Mr. Gilbreth calls for the one thing essential to the subsiding of political hatred in this country—moderation. I ask unanimous consent that the entire article be printed in the RECORD, together with a biography of Mr. Gilbreth, so that all Senators may become better acquainted with this talented journalist.

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

DOING THE CHARLESTON

(By Ashley Cooper)

Is it only a coincidence that the four big assassinations or assassination-attempts in U.S. modern history have all been against liberals?

Certainly that question is something for all of us to ponder. The four targets were President Franklin D. Roosevelt, (Mayor Cermak of Chicago was killed), President Kennedy, Dr. Martin Luther King and Sen. Robert Kennedy. (A case could also be made for Huey Long and President Truman.)

What causes some mentally-disturbed, pathetic wretch to get a gun and decide to kill a public figure?

The answer must be that, somehow or other, the wretch has taken literally—and believed every single bit—the abuse that he has heard or read against certain public figures.

All information media—plus irresponsible word-of-mouth hatemongers—must share part of the blame for the credence of abuse. Certainly the accepted editorial technique in newspapers around the world is to overstate alleged faults of the "enemy."

What the "conservative press" said about Franklin Roosevelt scarcely bears repeating. But today, the very newspapers which once vilified Roosevelt now say that he really wasn't so bad after all, particularly when measured by such villains as Bobby Kennedy and Adam Clayton Powell.

Bobby Kennedy and Dr. Spock have been the main targets lately of those who think Eisenhower was a communist and that Earl Warren should be impeached.

Bobby wanted to stop the war in Vietnam—a viewpoint that some people think is not only un-American but un-Christian. He also wanted social legislation to help the underprivileged—and some people fear that they will personally suffer if others are helped.

Insofar as one segment of the press is concerned, Bobby was a ruthless, a self-seeking, a rat-toothed traitor. Yes, this segment argued, the guy wanted to sell out his country in the Vietnam situation. He made believe that he liked Negroes, so as to get their vote. Although he was 42 years old, he had the nerve to wear his hair on the long side, solely to capture the youth vote. Although he was rich as Croesus, he pretended that his social conscience caused his heart to bleed for poor people. Just a few months ago, he "blackmailed" President Johnson, by indicating that if Johnson didn't change his position on Vietnam, Bobby would run for President himself. Then, opportunistically, he finally entered the race after Johnson had pulled out. And, finally, he tried to bludgeon McCarthy into getting out of the race. Ruthless!

So that's the kind of stuff that some information media have been preaching, and it's no wonder that there are some nuts who think that it is their patriotic duty to become martyrs, and simply eliminate "traitors" like Bobby and his brother Jack.

The opposite side of the Bobby coin, of course, is that here is a rich man's son who, instead of becoming a leech on society like Tommy Manville, decided to dedicate his life to public service, which is the service of his country.

Which viewpoint do you believe? Must we always see our public figures as all good or all bad? Isn't there something in between?

We fall into the same trap, too, in thinking of foreign nations. They're either slit-eyed yellow-bellied, sneak-attacking, near-sighted, industrial-copycatting torturers, as the Japanese were pictured 25 years ago. Or they're our brave Japanese allies, now standing as a bulwark against communism in Asia, as we picture them today.

Whereas Russia, of course, has gone the opposite route from brave ally to sneaky torturer, in those 25 years.

Yes, this is a plea for moderation. Why stir up hate against a public figure, when the man who's doing the stirring probably has some doubt in his heart whether history will prove him right. If some writers really and truly believe what they have said about certain public figures, those writers themselves should feel duty-bound to become assassins, in the name of patriotism.

BIOGRAPHY OF FRANK B. GILBRETH

Frank B. Gilbreth, born in Plainfield, New Jersey, March 17, 1911. He attended St. John's College in Annapolis, Maryland and graduated from the University of Michigan in 1933 serving as Editor of the college newspaper, *The Michigan Daily*.

He worked as a reporter for the *New York Herald Tribune* under the late Stanley Walker, famous City Editor. He worked as a reporter in Charleston from 1934 to 1936, then in Raleigh, North Carolina where he was in charge of the Associated Press Bureau. He joined the Naval Reserve as a Lt/JG in 1942 shortly after the attack at Pearl Harbor. He participated in three invasions in the Philippines, was awarded two air medals and the Bronze Star and was promoted to Lt. Commander.

In 1947 Gilbreth returned to Charleston as Assistant Managing Editor of the *News and Courier*. He became Assistant Publisher in 1965 and Vice President of the *News and Courier* and *Charleston Evening Post*. He has served on the Board of Directors of the United Fund and Chairman of the Advisory Committee of the YWCA.

In 1949 he and his sister, Ernestine Gilbreth Carey, collaborated in writing *Cheaper by the Dozen*, a story about their childhood in the "efficiency household" of their parents. The parents were Frank B. Gilberth, a time study expert, who originated "Motion Study" at the turn of the century and Lillian M. Gilbreth who became a prominent educator and management consultant. There were a dozen Gilbreth children and Frank and Ernestine wrote humorously about the timesaving efficiency methods utilized by the parents in rearing the brood. The book became an immediate success, heading the best seller list, and going through 39 printings. *Belles on Their Toes*, a sequel was also a best seller. Both were made into movies by Twentieth Century Fox.

Additional books by Frank Gilbreth: *I'm a Lucky Guy—Held's Angels—Innside Nantucket—Of Whales and Women—How to be a Father—Loblolly—He's My Boy.*

For years he has written the Ashley Cooper Column, "Doing the Charleston" for the *News and Courier*. He compiled the dictionary of Charlestonese, a comic dictionary of the Charleston accent and wrote a dictionary of Bostonese for *Life Magazine* at the time John F. Kennedy and Henry Cabot Lodge were campaigning for the Presidency and Vice Presidency respectfully. More than 100,000 copies of the Charleston dictionary have been sold and all profits were donated to the Good Cheer Fund, a Christmas charity of the newspaper.

He married Elizabeth Cauthen of Charleston in 1934. They had one child, Betsy. After his first wife died he married Mary Manigault of Charleston in 1955. They have two children, Edward and Rebecca.

VIETNAM

Mr. CASE. Mr. President, the June issue of the Ripon Forum includes a great editorial by the senior Senator from Kentucky [Mr. COOPER] entitled "Viet-

nam: The Talks and the Lessons." As one who derives much benefit from his perceptive and judicious contributions to the deliberations of the Senate and of the Committee on Foreign Relations, I commend this statement of his to the scrutiny of Senators, and ask unanimous consent that it be printed in the RECORD.

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

VIETNAM: THE TALKS AND THE LESSONS

(By JOHN SHERMAN COOPER)

(NOTE.—Senator COOPER of Kentucky is a member of the Senate Foreign Relations Committee, a former Ambassador to India, delegate to the United Nations, and adviser to Secretary of State Dean Acheson.)

Last month's report of casualties, the greatest we and our North Vietnamese opponents has suffered to date, bitterly contrasts with the hopes that lie in the discussions now under way in Paris. This paradox of continued war in Vietnam, with its casualties and cost, while the world watches and hopes for peace to come about in Paris, is what we must expect for the months to come. The process of negotiation will very likely be long, complicated and frustrating, like the three negotiations we have previously conducted with Asian Communists in Korea, Indo-China and Laos. In each negotiation, in the end, hostilities did cease and a political settlement was achieved. Assuming that a cessation of bombing is agreed to and negotiations begin, we have reason to expect that there will be a solution to the war in Vietnam. The important question is whether the peace will be durable and in what ways our future foreign policy will be affected by the outcome of negotiations.

The Korean talks began on July 10, 1951, and did not end until two years later on July 27, 1953. Fifteen open sessions were held in Geneva and 575 meetings in Panmunjom, and hundreds of unrecorded private meetings. That portion of the Geneva Conference concerning Indo-China began on April 26, 1954, and ended on the 21st of July 1954, after over 30 meetings. The Laos conference began on May 16, 1961, ending over a year later after 87 meetings were held. I think it is clear from these three conferences that we cannot expect a speedy resolution of the issues that we are now being discussed by the negotiators from the United States and North Vietnam. The leaders and the people of this country must be aware of what the issues are and what we can achieve through negotiations.

If the opening statements of both Xuan Thuy, the leader of the North Vietnamese delegation, and Mr. Averell Harriman are carefully examined, we can see in outline the basic problems that are at issue. Both the statements of North Vietnam and the United States I believe to be consistent expressions of the respective viewpoints. The manner of expression and rhetoric are of course different, reflecting ideological and cultural differences. But it is vital to understand what the essential differences are in order to come to a solution.

First, the historical perspectives and philosophical understandings of the purposes of the conflict held by the two parties—the U.S. and North Vietnam—are at odds. To the North Vietnamese, the United States is aggressing on the soil of Vietnam. As they view it, the Vietnamese are not attacking American soil. They are not launching attacks on Hawaii and California. The North Vietnamese dismiss the United States' contention that it is because of the aggression on South Vietnam by North Vietnam that the United States has had to bring its troops to safeguard the freedom of South Vietnam in accord with its commitment to the Saigon government. The North Vietnamese expressed their view on May 13 in the following way:

"In fact, Vietnam is a unified country of some thousand year old history, the Vietnamese are a diligent people who deeply love freedom and peace and are endowed with a tradition of heroic and undaunted struggle against foreign aggression. Vietnam is one, the Vietnamese nation is one. It is the United States that has, from the other shore of the Pacific, brought its expeditionary troops to South Vietnam to invade it and prevent the re-unification of Vietnam. The Vietnamese people are thus forced to struggle against U.S. aggression for national salvation."

Mr. Harriman stated the objectives of the United States Administration:

"Our objective in Vietnam can be stated succinctly and simply—to preserve the right of the South Vietnamese people to determine their own future without outside interference or coercion . . . North Vietnamese military and subversive forces have no right to be in South Vietnam."

This is the basic difference: North Vietnam does not recognize the existence of two separate Vietnams. The United States does not recognize on its part the claim of North Vietnam that the division of Vietnam is without legality. In essence, what the negotiations will decide is whether there will be in time a unified Vietnam or whether there will continue to be a divided Vietnam. The issues of de-escalation of hostilities, such international peace-keeping arrangements as may be set up and such political and economic agreements as may be made for the future will be shaped and conditioned by how the basic issue of whether there shall be one Vietnam or two Vietnams is finally resolved. Whether a settlement of the war in Vietnam will be lasting will depend upon how the United States decides to exercise its role of world leadership.

SELF-IMPOSED LIMITS

And it is upon the nature of our world leadership—our foreign policy after the Vietnamese settlement—that I would like to focus my attention. The agonizing and bitter experience of Vietnam has had disturbing effects upon the United States and people throughout the world. We have learned that having more power—more military force and economic strength—than any other nation in the world cannot of itself shape the world as we would like to have it. This inability is largely due to the principles and traditions of the kind of nation we have become—a nation that believes in the rule of law and the settlement of disputes through reason—a nation that is reluctant to use violent means except in an act of self-defense. We have discovered in Vietnam that despite all our might, our power is limited. We have discovered that the limitation of power is largely self-imposed. We have come to recognize that, unless the United States is directly threatened by an enemy whose objective is the destruction of the United States, we will not use our power in ways that would assure military victory through all-out war that would lead to the complete destruction of the enemy. Therefore, the first lesson we have learned from Vietnam is the limitation of our great power.

MORE TROOPS NEEDED?

The implications of involvement in conflicts anywhere in the world cannot be isolated to that area. The implications of action even in the most remote corners of the globe can affect our relations with other countries in serious and damaging ways. Actions taken 11,000 miles away can, as we are so painfully aware, affect the domestic affairs and tranquility of our own country. So a second lesson we have learned from Vietnam is that acts of intervention—particularly military intervention—must be considered in the light of our overall domestic and international priorities. Clearly, one effect of our tragic involvement in Vietnam has been that we have failed to consider with a balanced perspective the problems that most demand our attention. Because of Vietnam, the problems of our cities, of our minority groups, of education and health, not to mention important security alliances, have not received the attention they deserve. Of this need to reassess our national priorities we have become aware—hopefully not too late.

Of course, troubled conditions in Southeast Asia and in other regions of the world could confront the United States with new dilemmas of the kind we faced in Vietnam. Already, in Thailand and Laos and Cambodia there are serious problems of insurgency. And for the past few years, the American military presence and/or influence in these countries' affairs has grown, largely as a result of the war in Vietnam. The United States will be faced, and I believe in the very near future, with the necessity to make decisions whether to send more troops, more military equipment and more economic aid, so that these countries may meet the challenges made by insurgent groups supported by outside forces. In Thailand, for example, in 1960 after 10 years of assistance, the U.S. had only 500 advisors; in 1962, 8,000; in 1965, 25,000—we now have 47,000 men based in Thailand. It is my hope that new decisions to send additional troops will not be made without careful attention to our national priorities and with full consultation with the Congress and the full awareness of the people of the United States.

A third lesson we have learned from Vietnam is that unless the government of a nation we are trying to help has the will and capacity to meet the aspirations of its people and their demands for greater justice, no amount of military assistance to these governments will be able to achieve the goal of creating a strong and stable country. There are many responsible leaders who have maintained that our security was never importantly threatened in Vietnam, and that no matter what the outcome of the conflict between the governments of Hanoi and Saigon, American security interests would not have suffered. On the other hand, there are many who believed with the Administration and continue to believe that American security is very much involved in the outcome of the struggle in Vietnam. We are all aware of the gradual and almost imperceptible way in which the United States became more deeply involved in Vietnam. In the early stages of our involvement, United States security interests were not importantly involved. Because of the growing scale of our involvement—an involvement whose larger implications we did not conceive of—our security interests in time became an issue of overwhelming importance.

In view of the problem that such involvements as Vietnam create, the Tonkin Gulf hearings held by the Senate during the past year served a constructive purpose. What the Senate Foreign Relations Committee was attempting to do in its hearings was not to place blame; rather it attempted to discover if orderly and workable decision-making procedures could be identified and institutionalized, so that those who have the responsibility to make basic decisions concerning the security of the United States can have the time, the understanding and the full knowledge of the facts of a situation required to make a fully deliberate and rational decision as to whether involvement is in the overall interests of the United States. The need for effective decision-making procedures is the fourth lesson we have learned from Vietnam.

CREATIVE DIPLOMACY

Finally, I believe it has become clear that we have placed too much stress upon the use of military force as a means to organize the peace. It will, of course, continue to be necessary to maintain our pre-eminent military strength. In the future, there will undoubtedly be occasions when the forces of the United States will have no other recourse but to fight in order to defend its basic security interests. We must find new ways

usefully to assist the creative and positive social and political forces in the emerging nations. A greater emphasis on creative diplomacy than is now the case—on international organizations, on economic assistance and on the interchange of the business, trade, technical and cultural activities of nations—would do more, in my view, to promote durable peace than a continued reliance and emphasis on military security arrangements so dominant during the past ten years. So this is a fifth lesson of Vietnam: that we must make greater efforts to use peaceful means of organizing the peace than we have in the past. We must do so without weakening our ability to defend ourselves if necessary. The two objectives are not incompatible, but the two objectives must be used with wisdom and a full understanding of the purposes and inherent capabilities of the two approaches.

The war in Vietnam has shaken the foundations. It has been a bitter experience, full of loss and tragedy, yet it offers the United States and the world a great opportunity. Because neither the United States nor its opponent has been able to impose its will through force, the nations and peoples involved have been forced to ask where we have failed and what we must do in order to succeed. I have always had confidence in the purposes of our nation, and I continue to believe these purposes are just. Our failure in Vietnam has not been one of our national integrity. Let us be grateful rather than despondent, for the harsh and bitter experience of Vietnam has given the people and leaders of the United States the opportunity to reexamine our principles, to reorder our priorities with reason and justice, and as a result, I believe we will be able to unite and strengthen our country and reestablish our position of moral leadership in the world.

EAST EUROPEAN TRADE OPPORTUNITIES

Mr. MONDALE. Mr. President, the international trade concerns of the United States are many and varied. Much of the talk in Congress centers on balance-of-payments concerns and protectionist measures. I think it important that Congress this year not overlook the crucial importance of East-West trade opportunities both in the interest of a response to the events in Eastern Europe and a response to American trade difficulties.

An editorial and an article appearing in the Washington Post recently discuss the failure of the United States to respond to changes in Eastern Europe and to take advantage of increased trade opportunities. I ask unanimous consent that an editorial entitled "Return to Glassboro" from the Washington Post of June 8, 1968, and an article entitled "United States Blind to Red Trade Opportunity" from the Washington Post of June 10, 1968, be inserted in the RECORD.

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

[From the Washington Post, June 8, 1968]

RETURN TO GLASSBORO

The President's return to Glassboro, where he met with Premier Kosygin a year ago, was more than an exercise in nostalgia. It allowed him to restate his major interest in cooperation with the Soviet Union—an interest he has tried earnestly to spare from the inroads of Vietnam. One does not have to accept Mr. Johnson's self-professed "optimism" about the Soviet-American outlook in order to appreciate his efforts to improve it. Perhaps next year Glassboro could invite Mr. Kosygin to give the commencement address.

Mr. Johnson's review centered on Executive initiatives. Yet obviously, a substantial range of American policy requires a congressional mandate and it is here that American performance has been noticeably remiss. A case in point is East-West trade. Not only has Congress sewn in restrictions, centering on Vietnam; it has refused the President selective authority to halt tariff discrimination.

So dispirited is the Administration, however, that it has not even resubmitted its request for that authority. Instead, it is standing by, albeit helpfully, while Senator Mondale tries to pilot through a "sense of Congress" resolution favoring East-West trade. The resolution has the useful but limited purpose of keeping the issue alive—chiefly by whetting appetites for prospective trading profits—until Congress's Vietnam fever subsides.

It is to be regretted that Mr. Johnson, at Glassboro, did not address himself to East Europe, particularly Czechoslovakia. The omission will tend to confirm a harmful and widespread impression that, to cooperate with the Soviet Union, the United States is refraining from support of the new liberal regime in Prague. To explain its feeble response to the Czech transformation, the Administration has gotten into the habit of pointing with a helpless shrug at Congress. It would do better to show more of an enterprising spirit toward East Europe on its own.

[From the Washington Post, June 10, 1968]

UNITED STATES BLIND TO RED TRADE OPPORTUNITY

(By Murray Seeger)

President Johnson's recent trade message to Congress was more notable for what it didn't contain than for what it did say.

On the positive side, Mr. Johnson refused to be stampeded by the heavy protectionist mood of Congress and rejected requests for new taxes on foreign imports.

But, on the negative side, he bowed to the cold political facts of today and made no new bid to loosen the chains that bind American trade relations with eastern Europe and the Soviet Union.

For 20 years, the United States and the trading nations of Western Europe have been watching the Iron Curtain for the appearance of cracks big enough to accommodate commercial trading.

Those rents are now there for all to see except those members of Congress whose reaction to Communism is as automatic as the fire house dog's response to an alarm.

At first there was only Yugoslavia and Titoism. Now there is Rumania and Czechoslovakia and a new era of national Communism. Opportunities for restoring normal commercial relations between east and west are developing rapidly for those prepared for change.

But the biggest trading nation of all—the United States—is not ready. Instead of moving forward to a new era, this country is moving sideways and backward, guided by Congressmen more concerned about short range politics than long range national interests.

The attitude of Congress has been to tie the President's hands so that he cannot negotiate and deal with the Eastern bloc countries the way he would like to.

In a landmark speech on Oct. 7, 1966, Mr. Johnson said: "Our task is to achieve a reconciliation with the East—a shift from the narrow concept of coexistence to the broader vision of peaceful engagement . . . we seek healthy economic and cultural relations with the Communist states."

The record since that date has been one of erecting road administration can use their power only with Yugoslavia and Poland. Goods from other Eastern nations must enter the American market on a high tariff schedule written in 1930.

The President in 1966 extended the power of the Export-Import Bank to guarantee commercial credits to Poland, Hungary, Bulgaria and Czechoslovakia in addition to Yugoslavia.

But early this year Congress wrote a law barring bank credits to any nation supplying goods to North Vietnam. Only Yugoslavia has passed that test.

As a result individual American businessmen seeking trade opportunities in Eastern Europe find that the countries cannot sell enough goods in this country to earn dollars and that they cannot get the kind of loan guarantees routinely given for overseas deals in other countries.

Trade between American companies and eastern Europe is growing despite the handicaps imposed by Congress. The administration is encouraging the companies to move into the newly opened markets, but the effort is risky and limited.

The businessman who does business with the curtain countries runs the risk of being attacked by such right wing groups as the Young Americans for Freedom who forced the Firestone Tire and Rubber Co. to back out of a deal in Romania and embargoed by the International Longshoremen's Assn. The YAF and ILA have little in common except a knee-jerk reaction to anything labeled communism.

Sen. Walter F. Mondale (D-Minn.) has moved into this subject with a resolution to put Congress on record in favor of peaceful East-West trade and a bill that would grant special tariff concessions to Czechoslovakia.

In the present mood of Congress neither item is likely to be passed. Mondale, however, has been able to air the subject through his power as a subcommittee chairman to call hearings.

The majority of Congress still sees Communism as a monolithic power directed from Moscow bent on destruction of the free world. In this Neanderthalic view, ordinary commercial trade is equated with foreign aid.

In dealing with Communist nations, according to this argument, the goods purchased from us would enable the Soviets and their allies to devote a larger portion of their economies to building war machines.

This argument is foolish—the Soviets have become a formidable world power without much trade from the West and will continue to devote the resources it chooses to maintain its strength.

In the meantime, the failure of Communist economics to satisfy the desires of the Eastern European nations becomes more apparent every day. The desire to catch up with the western consumer economies is one of the most compelling forces in the Communist nations.

The United States should be in a position to encourage these instincts and to promote the concept of nationalism which is breaking up the old satellite system. This would best serve our security interests by reducing the threat of Communist expansion in Europe, improve our trade and balance of payments accounts and provides more demands for the economy and jobs for American workers.

PRINCIPLES OF GOOD CITIZENSHIP

Mr. ERVIN. Mr. President, recently I received a copy of a winning essay by a high school student in Asheville, N.C., who won the award for the 1968 essay contest sponsored by the Asheville Civitan Club. The winning essay was written by Stanford Kent Clontz and entitled, "Principles of Good Citizenship Which Must Be Exemplified in My Life as a Youth of Today and an Adult of Tomorrow."

I found this essay particularly interesting against the background of the recent student rebellion with its apparent confusion about the meaning and value

of principles and responsibility. It is very reassuring to have such a young member of the present student generation express so wisely the need for youth to uphold the intangibles of our democracy which seem to have been lost in the rebellion on the campuses. In his essay, this high school student tells his generation that the intangibles which hold our society together begin with the principles of good citizenship which a youth must cherish if he expects to survive as an adult.

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

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

PRINCIPLES OF GOOD CITIZENSHIP WHICH MUST BE EXEMPLIFIED IN MY LIFE AS A YOUTH OF TODAY AND AN ADULT OF TOMORROW

(Presented to Asheville Civitan Club by Stanford Kent Clontz, Clyde A. Erwin High School, Asheville, N.C.)

An individual's most prized possessions are often the intangibles. Citizenship in the United States of America falls into this category. The colonists who established this great democracy obtained their citizenship through bloodshed. Many immigrants have later secured theirs through years of hardship and perseverance. I did nothing of this nature to earn my citizenship; it is my birthright. I have an obligation, however, to preserve this valuable heritage for my posterity. There are certain principles of good citizenship that I must observe as a youth of today and continue to cherish as an adult of tomorrow. Preeminent among these are respect for other people, appreciation of the American way of life, and personal involvement in democracy.

My high school is an excellent place for me to exercise respect for others. It is necessary for me to respect their private property, as well as the school property that belongs to all of us. I must regard their rights and privileges and obey the rules that are intended to protect them. Class discussions offer me an opportunity to show consideration for the opinions of other students. This attitude that I cultivate in high school will be demonstrated as I mature. As an adult, I shall be expected to obey our nation's laws, which are made for the protection of all Americans. There will be many times when I shall disagree with my neighbor on political issues; yet I shall be expected to respect his opinions.

Not only must I respect the rights of my fellow students, but I must also recognize and appreciate the authority of the administration and teachers. The inability of some citizens to accept authority has become one of the most serious problems of our nation. In a democracy, the acceptance of authority has to be acquired through self-discipline. Co-operation with school officials will enable me later to respect the positions of my governmental leaders, even though I reserve the right to disagree with their policies.

While I am obtaining an education at the expense of the taxpayers of this country, I must develop an appreciation of the American way of life. A person who does not appreciate the sacrifices that have been made throughout history in defense of freedom cannot possibly be a citizen with determination to carry out the tasks of the future. Each generation must struggle to preserve our democracy. This preservation is not accomplished through demonstrations and protests, but rather through understanding of and adherence to democratic processes.

An appreciation of the American way of life is of special importance today, since there are certain factions who wish to eliminate the free enterprise system, constitutional government, and many of the principles upon which our country was founded. An example of this destructive tendency is the "guaranteed income" proposal that has gained national attention in recent months. This is a plan that the federal government guarantee every family a certain income and pay the difference between the family's earnings and the established income. The supporters of the proposal are offering no way to encourage the underprivileged to become productive citizens, but are merely advocating a dole that would discourage individual initiative. This plan is very similar to the doctrines of Karl Marx, who said, "From each according to his ability; to each according to his need." Fortunately, Congress and many state legislatures are now considering vocational training and other more constructive methods of creating better economic conditions. No specific legislation has been introduced to establish the "guaranteed income," and it is highly improbable that any such legislation will be enacted during this session of Congress. The proponents of this idea, however, are making a determined effort to gain support for it. Such proposals as this should cause all Americans to attempt to find methods to solve our social problems without resorting to socialism.

We are also faced with some very radical citizens who are attempting to overthrow constitutional government. During the summer of 1967, our nation witnessed a vast amount of destruction by people who have not learned the principles of good citizenship. Those who engaged in this anarchy could have written letters to their public officials, circulated petitions in favor of their proposals, and challenged in court laws that they thought violated their constitutional rights. Instead, they decided to follow a few irresponsible rabble rousers who encouraged them to express their grievances through burning and looting. Since there are those who advocate anarchy, civil disobedience, and mob rule, I must learn today what I can do to protect law and order, absolute necessities in a civilized society.

Before I reach adulthood, I must become involved in democracy so that I can sensibly and beneficially exercise my rights and responsibilities as a mature citizen. Since such privileges as voting, holding public office, and serving on juries are reserved for adults, it is impossible for high school students to participate extensively in public affairs. However, I must become involved in the democratic processes in my school and in youth organizations to be qualified to accept the greater responsibilities I shall later assume. As a youth of today, I can become informed about public issues, discuss these issues with other interested people, and attend such functions as political rallies, where I can learn more about the American political system.

Because there are ways for young Americans to become involved in democracy, we must seriously consider the necessity of citizens engaging more actively in public affairs. One of the biggest problems with the American political system is that since many people erroneously believe all politicians are deceitful, the respectable person is often hesitant to take an active part in political affairs. The fanatic is active in politics because he can use the political arena to display his intolerance of the ideas of others. However, the rational person who could offer constructive ideas is often timid about becoming involved in a political controversy. The corruptionist is always watching political developments, waiting for an opportunity to make personal gains at the expense of his countrymen, while the honest person often avoids politics because he considers such activity to be below his own moral standards. I can help to correct this situation by participating in activities sponsored by my political party, as well as in church and civic functions.

Today I am preparing, along with my peers, to face the responsibilities that will be ours tomorrow. The problems that face us today will not disappear. They will have to be solved. Many of them will become more complex. The future will bring new problems. As an adult, I shall have the responsibility to help solve them. I shall be expected to do my part in creating a better society. The knowledge and training I receive and the attitudes I develop in my school and community activities today will prepare me for my duties of tomorrow. I can uphold and exemplify the principles of good citizenship by maintaining respect for others; by understanding, appreciating, and attempting to preserve the American way of life; and by participating enthusiastically in the democratic government of the United States.

THE CASE FOR SENTENCE REVIEW

Mr. HRUSKA. Mr. President, it has been almost a year since the Senate unanimously passed and sent to the House of Representatives S. 1540, to provide for the appellate review of sentences. The bill is pending in the House Judiciary Committee; however, no action on it has yet been taken. It is my sincere hope that the House will consider the bill this session.

Since 1960, I have introduced a number of bills on this subject. During the interval between the time I first introduced such measure and Senate passage, much thought, change, and revision were given to the bill by judges, the Judicial Conference, the American Bar Association, legal scholars, and others.

Although my bill on sentencing does not receive the attention as do my bills for the control of firearms, nevertheless, in the total consideration of crime and rehabilitation, it is an important measure. This importance was recently pointed up in an article written by Thomas R. Brooks entitled "The Case for Sentence Review," which appeared in the June 1968 issue of the Kiwanis magazine.

The article points out the American Prison Association has "concluded that disparity in sentencing is an important cause of mass rioting." This should not be unexpected when situations exist, such as those described by Mr. Brooks. He relates that an inmate of a penal institution—"married, with a fine family and no past record—serving a 20-year sentence for embezzlement" was incarcerated in the "same penitentiary with a previously convicted embezzler who is serving only 117 days for stealing $24,000 to cover gambling debts." Other examples of such disparity are mentioned in the article, and they point up that, on occasion, judges do make mistakes in sentencing.

It is not the intent of my bill to solve, at one step, all of the problems in the determination of proper sentences, but to provide an additional significant tool for improving the sentencing process. As the article so clearly states:

Regularized opportunity for sentence review would offset the element of happenstance in our judicial system.

Mr. President, the principle of appellate review of sentences is supported by the Department of Justice, the Judicial Conference of the United States, and the American Bar Association.

Many of the reasons for such broad-

based support are explained excellently in Mr. Brooks' article, and I recommend it for reading by all Members of the Congress.

Mr. President, I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

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

THE CASE FOR SENTENCE REVIEW

(By Thomas R. Brooks)

As everyone knows, the Constitution of the United States guarantees certain rights to every person accused of a crime. To "establish justice" we go to great lengths to protect these rights of the individual before and during his trial. Yet, as US Circuit Court of Appeals Judge Simon E. Sobeloff points out, "the mantle of protection suddenly falls away when the defendant stands in the dock convicted and awaiting sentence. The law then sharply changes its attitude from anxious solicitude to almost complete indifference, and leaves the defendant's fate in the hands of a single man, the trial judge."

What happens in this moment of truth for the guilty defendant is sometimes a shameful miscarriage of justice. Compare, for example, the sentences imposed on two men convicted of the same crime at the same time in the same city—but in two different federal courtrooms.

Frank Romero was asked to rise before sentence was passed upon him. As the judge looked at the wiry, compact figure before him, he reviewed the facts of the case with compassion. Romero had been found guilty of cashing a government check that did not belong to him. At the time he was out of work and financially hard pressed. His only prior police record consisted of a drunk charge and a non-support charge. The judge gave Romero thirty days.

In front of a different judge Richard Harris was also convicted of cashing a government check that wasn't his. Far from being a hardened criminal, Harris too had been out of work and needed money for his sick wife's doctor's bills. Yet he was sentenced to fifteen years in a federal penitentiary.

Such disparity in sentencing is a national disgrace. Yet no matter how harsh or unfair the sentence may be, there is usually no appeal. American appellate courts in the federal system and in most states cannot as a practicality modify a trial judge's sentence unless it is unlawful—that is, if it exceeds statutory maximums. (Only once in its 179-year history has the US Supreme Court struck down a jail sentence under the Eighth Amendment's bar on "cruel and unusual punishments." In 1910 it found unduly harsh a sentence of a heavy fine and fifteen years for filing false entries in the public record.)

A defendant may appeal his conviction on many grounds and the appellate courts will review the trial record painstakingly to assure that all findings of fact are supported by hard evidence. But, "it is shocking that the United States is the only country in the free world where not only can a single man sentence without explaining why, but also there is no regular channel for review of his work," concludes the American Bar Association's Advisory Committee on Sentencing and Review.

University of Virginia law professor Peter W. Low, the committee's reporter, adds: "We vest in the sentencing judge an enormous discretion—sentences may range from five years to life. But we typically do not justify it. We don't even tell the defendant *why* he is getting ten years instead of twenty or five." An evasion of income taxes, a common white-collar crime, may draw a sentence of one hour in the custody of a US marshal or five years in the penitentiary and a $10,000 fine, depending entirely upon the judge's mood or whim—and he doesn't have to jusitify his decision.

Most judges do an excellent job, but they are human. They have emotions and prejudices and they respond to external pressures. Some are rigid authoritarians who "throw the book" at all criminals; others do so only for particularly distasteful crimes, such as drug peddling or sex offenses. Still others are apt to be excessively lenient.

A recent study in the Detroit Recorder's Court (sample cases were taken equally from the decisions of ten judges) revealed that over a twenty-month period one judge imposed prison terms upon 79 per cent of the defendants he sentenced for one crime, while another imposed prison sentences on 30 per cent of his defendants for the same crime. One judge consistently imposed prison sentences that were twice as long as those of the most lenient judge. Those who imposed the most severe sentences for certain crimes were most liberal in sentencing for other offenses.

Since judges vary so in their sentencing practices, lawyers often "shop around" for one known to be "soft" on their client's particular crime. This mires courts in endless, costly delays as lawyers jockey for favored judges, and in isolated cases they may even bribe court clerks for the "right" assignment on behalf of their client. Besides interfering with the orderly scheduling of cases, the practice clearly subverts justice.

Admittedly, it is difficult to feel sympathetic toward men convicted of reprehensible crimes. Most people would agree with the judge who felt that a 51-year-old man convicted on fourteen counts based on possession and sale of marijuana and heroin deserved a stiff penalty. When, however, the judge piled sentence upon sentence for a total of fifty-two years—the man was a first offender—this was too much for the Tenth Circuit Court of Appeals. The court opined that the sentence was "greater than should have been imposed," but regretfully noted that it was "powerless" to reduce it.

A man given such a term is going to be embittered. His bitterness can infect an entire prison population, nullifying the reform purpose of sentencing and causing serious disciplinary problems in the correctional institution.

Baltimore Supreme Bench Judge J. Gilbert Prendergast reported meeting two prisoners serving time for participating jointly in the same armed robbery. Tried by different judges, one was given five years, the other twenty. "The first inmate," Judge Prendergast said, "is a model prisoner, the other a real headache for the superintendent and guards." The American Prison Association study of prison riots has concluded that disparity in sentencing is an important cause of mass prison rioting.

How would you feel if you were James Franklyn—married, with a fine family and no past record—and were serving a twenty-year sentence for embezzlement in the same penitentiary with a previously convicted embezzler who is serving only 117 days for stealing $24,000 to cover gambing debts?

Or consider Jack Anderson, a debt-ridden young Californian who robbed a bank of $5000 at gunpoint and then turned himself in and pleaded guilty at his trial. Although he had never before been in trouble and the average sentence for bank robbery at the time was less than thirteen years, he was sentenced to forty years in prison. Another young man who robbed a bank of a similar amount was serving ninety-eight days.

Such astonishing inequities in the the dispensation of justice are not the result solely of the sentencing practices of our judges, of course. The federal criminal code, according to Director of the Bureau of Prisons Myrl E. Alexander, is "so inconsistent in its penalty structure as to be almost incoherent." For example, armed robbery of a bank is punishable by a fine, probation, or any term of imprisonment from one day to twenty-five years; but robbery of a post office at gunpoint, even if the haul is just a 6-cent stamp, presents the sentencing judge with a single choice: probation or twenty-five years.

State laws are equally irrational. In California, for instance, a boy who breaks into a car and rifles the glove compartment can get up to fifteen years; for stealing the car he gets no more than ten years. A person convicted of first-degree murder in Colorado need serve only ten years before becoming eligible for parole; convicted of second- or third-degree murder, he may be forced to serve fifteen years.

What is needed, say reform advocates, is a rational sentencing structure that frees judges from having to adhere to the widely—and wildly—differing sentence requirements as spelled out in the lawbooks. Penal codes have recently been revised or are being revised in eighteen states. Most jurisdictions considering reform are moving in the direction suggested by the American Law Institute's Model Penal Code, which would classify all serious crimes into three degrees of felony carrying fixed maximum sentences of five years, ten years, and life.

Penal reform is no guarantee against miscarriage of justice in sentencing, however. Inordinately lengthy sentences may be imposed under even the best of criminal codes. Thus the Bar Association's Advisory Committee has recommended the automatic review of a sentence whenever the trial itself comes under review by a higher state or federal court.

Thirteen states and all US Military courts already provide statutory authority to review some or all sentences, and a bill has been introduced in Congress by Nebraska's Senator Roman Hruska to adopt this procedure for federal courts. This bill carries the support of the Department of Justice and the Judicial Conference of the United States. Under the proposals of the Advisory Committee and the Hruska bill, judges also would be required to state their reasons for giving a sentence, thus providing a basis for effective and sensible review by a higher court should the sentence be appealed.

Basically, there are two ways of handling sentence review—by means of relatively informal special courts and judicial panels or through the regular appellate courts, where hearings take place in a courtroom and where there is a greater reliance on legal briefs. Either method can be tailored to fit the legal practices and traditions of the different states that do not yet have sentence review. The important thing is to establish sentence review as a right.

There are two major objections to the review of sentences. The first is a matter of principle. Argues one judge, "Sentencing is a discretionary matter involving judgment and not a question of law." The appellate courts, he claims, should handle only questions of law.

Professor Peter Low of the Bar Association's Advisory Committee and other proponents of sentence review disagree strongly. "Lawbooks are full of instances where appellate courts have reviewed the exercise of discretion by a trial judge," Low points out, citing as examples the amount of damages awarded in civil suits and the punishment in contempt cases. "Both involve judgment, and are not wholly matters of law. The appellate courts don't hesitate to intervene there when a judge goes wrong. No more and no less is needed where sentencing is involved."

The other objection arises from the fear that appellate courts or judges on appeal panels may be inundated by irresponsible appeals. "What's a convict got to lose by

appealing his sentence?" opponents of sentence review ask.

The fact is that higher courts in those states with sentence review statutes have not been flooded with appeals. In Massachusetts, where sentence review has been in effect for twenty-five years, a three-judge panel has heard an average of three hundred appeals a year and sat only fifteen days a year from 1960 to 1965—not an unduly excessive workload. In states that don't now have review, appeals may run higher in the first year after it is adopted. In Connecticut, for example, there were 275 applications for review in 1958, the first year; in 1959 there were only sixty-five.

Moreover, Paul C. Reardon, associate justice of the Massachusetts Supreme Judicial Court, noted "a leveling effect on sentences generally." Reversals are now less frequent in Massachusetts than in the past. Judges take greater care in imposing sentences, and as a result make fewer errors in judgment. The Bar Association's Advisory Committee, in fact, believes that sentence review may actually lessen the present appeals load. It is estimated that as much as 40 to 50 per cent of appellate court time is spent in reviewing convictions that would not have been appealed in the first place had a reasonable sentence been pronounced.

Judge Stanley A. Weigel, who has served the U.S. District Court for the Northern District of California since 1962, sums up the problem: "No matter how carefully he studies the pre-sentence reports, the defendant before him, and the sentencing alternatives open to him, no judge is immune from making an occasional—and serious—mistake. Every judge, therefore, either because of excessive harshness or undue leniency, at some time makes an inadvertent contribution to unjustified disparity in sentencing." Regularized opportunity for sentence review would offset that element of happenstance in our judicial system.

Supreme Court Justice Potter Stewart expressed the case for sentence review succinctly when he declared, "Justice is measured in many ways, but to a convicted criminal its surest measure lies in the fairness of the sentence he receives."

LETTER FROM PFC. ROBERT E. MENTZER, JR., KILLED IN ACTION

Mr. BREWSTER. Mr. President, I would like to place in the RECORD a letter from Pfc. Robert E. Mentzer, Jr., to his family. Private first class Mentzer entrusted the letter to a friend, and it was only to be given to his family in the event of his death. Private first class Mentzer served in the 1st Battalion, 7th Marine Regiment, 1st Marine Division. He was killed in action in Vietnam. Private Mentzer's pride in his country and the patriotism which he expressed in his letter are exemplary, and are worthy of the attention and recognition of this body.

Mr. President, I ask unanimous consent that Private Mentzer's letter be printed in the RECORD.

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

JANUARY 15, 1968.

HI FAMILY:

Well it's a sunny day today, warm and bright. It's hard to write this letter but somewhere, sometime we will all be together again, in a much better and cleaner world with no hate or wars among peoples. But if I was to do it all over again I would do the same things. It's the way I am and I'm proud to serve my country. So don't cry because in a few short years we will all be together again, one big happy family. And remember where ever you go and what ever you three do I'll always be with you.

I remember when Dad you said, that there's no reason to weep, or mourn when somebody who loves dies because he or she goes to a better place. If you three can remember that I'd feel like a man. I would feel like a person who really had a purpose in life. And when you think of me remember only the good times.

All my love and God Bless you Three,

BOBBY.

S. 1035—EMPLOYEE PRIVACY AND TWENTIETH CENTURY WITCHCRAFT: THE LIE DETECTOR

Mr. ERVIN. Mr. President, this morning the House Post Office and Civil Service Subcommittee began hearings on S. 1035, a bill to protect the constitutional rights of employees of the executive branch of the Government and to prohibit unwarranted governmental invasions of their privacy.

Mr. John Macy, Chairman of the Civil Service Commission, told the House today what he tried to tell the Senate for 2 years, that there is no need for this legislation; that the Civil Service Commission and the departments and agencies can protect employees.

As this body overwhelmingly indicated when it passed S. 1035 by a vote of 79 to 4 on September 13, there is an urgent need for this bill, not next year, but today. Many injustices will remain even after this measure is enacted, but we should start by ending the specific practices prohibited in S. 1035.

Mr. President, it is clearly the duty of Congress to protect the liberties of these American citizens from the tyrannies of the executive branch. Members of the Senate fulfilled their responsibility without yielding to the blandishments of the administration and the sometimes illegal lobbying of representatives of individual agencies.

We can only hope now that Members of the other body will see that there is an opportunity to vote on S. 1035 before Congress adjourns.

One section of that bill makes it illegal to require or request, or attempt to require or request, any civilian employee or any person applying for employment in the executive branch "to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters." The Senate amended this to make certain exceptions for the two security agencies.

Last November, I explained the necessity for such a law in comments before the Greensboro, N.C., Bar Association. In view of Mr. Macy's testimony before the House today on this subject, I ask unanimous consent to have printed in the RECORD at this point the text of my remarks.

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

TWENTIETH CENTURY WITCHCRAFT: THE LIE DETECTOR

(Address by U.S. Senator SAM J. ERVIN, Jr., before the Greensboro, N.C., Bar Association, November 16, 1967)

I want to discuss with you tonight the constitutionality of the Federal Government's use of the polygraph on American citizens.

Throughout human history, from the dawn of civilization, men have sought to distinguish the real from the unreal, fact from fiction, truth from lies. As Cicero wrote "Our minds possess by nature an insatiable desire to know the truth."

It is to this end that men and societies have applied vast resources of intellect and strength to developing institutions and devices for divining the truth.

As lawyers, we are well aware of the ancient function of the jury to find the facts, to distinguish truth from untruth. And we know the dangers to a client's liberty of false evidence. We have seen the daily invention of new ingenious scientific and laboratory methods of judicial proof. So we are familiar with the laws of probability.

As citizens and as members of a profession which has a duty and obligation to pursue the truth and to facilitate other men's search for it, we have a special interest in some of the ways Federal officials seek truth.

The poet Keats said:

"Beauty is truth, truth beauty,
That is all—
Ye know on earth, and all ye need to know."

But man's search for truth is not always beautiful. In some agencies of the Federal Government, and elsewhere, man's desire to know all the truth from employees and applicants can be downright ugly.

I want to read you some typical complaints from law-abiding Americans who have encountered this device.

Received from an applicant at the National Security Agency:

"When I graduated from college in 1965, I applied at National Security Agency. I went to 2 days of testing, which apparently I passed because the interviewer seemed pleased and he told me that they could always find a place for someone with my type of degree.

"About one month later, I reported for a polygraph test at an office on Wisconsin Avenue in the District or just over the District line in Maryland. I talked with the polygraph operator, a young man around 25 years of age. He explained how the machine worked, etc. He ran through some of the questions before he attached the wires to me. Some of the questions I can remember are—

" 'When was the first time you had sexual relations with a woman?'

" 'How many times have you had sexual intercourse?'

" 'Have you ever engaged in homosexual activities?'

" 'Have you ever engaged in sexual activities with an animal?'

" 'When was the first time you had intercourse with your wife?'

" 'Did you have intercourse with her before you were married? How many times?'

"He also asked questions about my parents, Communist activities, etc. I remember that I thought this thing was pretty outrageous, but the operator assured me that he asked everybody the same questions and he has heard all the answers before, it just didn't mean a thing to him. I wondered how he could ever get away with asking a girl those kind of questions.

"When I was finished, I felt as though I had been in a 15 round championship boxing match. I felt exhausted. I made up my mind then and there that I wouldn't take the job even if they wanted me to take it. Also, I concluded that I would never again apply for

a job with the Government, especially where they make you take one of these tests."

Received from a Foreign Service Officer:

"I am now a Foreign Service Officer with the State Department and have been most favorably impressed with the Department's security measures.

"However, some years ago I was considered for employment by the CIA and in this connection had to take a polygraph test. I have never experienced a more humiliating situation, nor one which so totally violated both the legal and moral rights of the individual. In particular, I objected to the manner in which the person administering the test posed questions, drew subjective inferences and put my own moral beliefs up for justification. Suffice it to say that after a short time I was not a 'cooperative' subject, and the administrator said he couldn't make any sense from the polygraph and called in his superior, the 'deputy chief.'

"The deputy chief began in patronizing, reassuring tones to convince me that all he wanted was that I tell the truth. I then made a statement to the effect that I had gone to a Quaker school in Philadelphia, that I had been brought up at home and in school with certain moral beliefs and principles, that I had come to Washington from my University at the invitation of the CIA to apply for a position, not to have my statements of a personal and serious nature questioned not only as to their truth but by implication as to their correctness, and that I strongly objected to the way this test was being administered.

"The deputy chief gave me a wise smile and leaning forward said, 'Would you prefer that we used the thumb screws?'(!) I was shocked at this type of reasoning, and responded that I hardly thought it was a question of either polygraph or the thumb scrcews.

"This incident almost ended the deep desire I had for service in the American government, but fortunately I turned to the Foreign Service. But if it happened to me it must have happened and be happening to hundreds of other applicants for various Federal positions."

Received from the wife of an applicant at General Services Administration:

Her husband applied to the General Services Administration for a position as Operating Engineer. General Services Administration advised him that there was such a position open in the Public Building Services of the National Security Agency at Fort Meade, Maryland. During an interview at the National Security Agency he was advised that the position required security clearance and was called upon to furnish normal security type information about himself. He provided all papers and information required.

Her husband was then directed to report to the National Security Agency for a polygraph test.

Many questions were asked of him before the polygraph was applied. The questions were of such a nature that he became angry, incised and emotionally upset. He was in this state when the polygraph was actually applied.

None of the questions asked were concerned with his loyalty to the United States, his religious beliefs or political affiliation. A number of questions asked pertained to his sex habits. Mr. ——— told his wife following the test that he felt too humiliated and so degraded by the questions and the manner in which they were placed by the operator that he didn't care whether or not he secured the position. He told his wife that if truth in answering the questions was the criteria he was fully confident he did pass the test. The polygraph operator told him at the time of testing that he, the operator, would determine the outcome of the test.

In an attempt to be 100% sure that an applicant or employee is not lying, officials of some agencies strap him to a lie-detector machine—a polygraph. They hook up wires and tubes to him which are supposed to register his respiration, blood pressure and pulse rate. Electrodes are attached to his hand to measure the 'galvanic skin response'—the flow of electric current across his skin as sweating increases. When the subject is asked a series of questions, his physiological responses are recorded on a moving sheet of graph paper by three pens. This explains the name of this instrument, since "polygraph" was the Greek word for "many writings."

USE OF POLYGRAPHS INCREASING

This is no minor problem, for the use of the polygraph is increasing. From an investigative tool in law enforcement work, its use has been extended for other purposes into private and public employment. Although it was developed in 1921, only in the last 15 years have employers come to rely on the polygraph to test the honesty of employees already on the payroll. When labor unions began complaining that a man's failure to pass a polygraph was not a just cause for dismissal, many employers began using polygraphs to screen applicants instead, on the ground that these people had no way of challenging the instrument or the findings.

According to a recent estimate, approximately 3,000 polygraph operators are giving between two hundred thousand (200,000) and three hundred thousand (300,000) tests yearly in the United States.

In the Federal Government alone, a House Government Operations Subcommittee, under the chairmanship of John Moss, found that 19 agencies gave 19,000 lie-detector tests in 1963. These figures did not include around 9,000 tests administered by the Central Intelligence Agency and the National Securtiy Agency.

Proponents of polygraphs justify their use because of some findings and assumptions that: lying leads to conflict; conflict causes fear and anxiety; this emotional and mental state causes physical changes that can be accurately recorded and measured by the polygraph; and the operator by studying these reactions, can tell whether the subject is being deceptive or truthful.

The truth of the matter is, as the House Government Operations Committee recently reported:

"There is no 'lie detector,' neither machine nor human. People have been deceived by a myth that a metal box can detect truth or falsehood."

NORTH CAROLINA RULING

The Supreme Court of North Carolina in *State* v. *Foye*, 254 N. C. 704 (1961) listed a number of reasons for failure of the courts in this country to accept lie-detector evidence as a reliable and accurate means of ascertaining truth or deception. It found these were overwhelming obstacles to acceptance of the polygraph, the court said, "notwithstanding its recognized utility in the field of discovery and investigation for uncovering clues and obtaining confessions."

In an article in the American Bar Association Journal several years ago, Professors Inbau and Reid defended the use of the polygraph. They frankly admitted, however, that only about 20 per cent of the individuals who hold themselves out as examiners possess the training and skill required for competency in this field.

The attempt to transfer this investigative aid of law enforcement to the field of job suitability screening raises serious due process questions.

In standard criminal investigation, the polygraph examiner sets up a control question, in which he measures the subject's "guilt" response to a pecadillo, usually from childhood. This establishes a level of susceptibility against which can be measured the subject's response to the question at issue, which is the commission of a specific crime. In job suitability screening, there is no question at issue. All the questions are control questions and, thus, the examiner is measuring general sensitivity rather than specific guilt.

This is one reason the polygraph is an inappropriate tool for general suitability appraisal. Job applicants who fail the polygraph test may not be more "guilty" than those who pass, but only more sensitive. "Nervous" responses are more likely to be given by sensitive introspective, vigorously honest persons. There is no correlation between these personality traits and the probability that the applicant might be corruptive. Some unreliable applicants might also give a "nervous" response, others not.

The whole process smacks of twentieth century witchcraft. Does the flesh of the applicant burn when a hot iron is applied to it? When tightly bound and thrown into a pond, does the applicant sink or float? When strapped in a chair with electrodes and other gadgets attached, does the rate of respiration and blood pressure of the applicant rise? Does the salt of his pores induce increased electrical conductivity? Are we reduced to alchemy as a technique of screening applicants for highly sensitive positions in the Federal bureaucracy?

The burden of proof should be on those who assert the efficacy of polygraph in predicting the behavior of prospective government employees.

There have been practically no efforts to compile this proof. Congressional hearings and reports as well as the professional literature on the subject show that there are neither statistics nor facts to prove the value of the polygraph in personnel work.

Nevertheless, even more sophisticated devices are being planned. For instance, we recently discovered that under government research contract, primarily through the Defense Department funds, private companies have developed a lie detector in the form of an innocent looking office chair—"a wiggle seat." This, of course, is to get aorund all of those opponents who say an applicant's body and mind react when all those electrodes are attached to him.

An article in the Science News Letter describes this device: "When an individual is seated in the chair, the forces exerted by the pumping action of his heart are sensed, changed from mechanical to electrical energy, then broadcast to remote recording instruments. An individual weighing less than 140 pounds will not generate a satisfactory signal. Since the chair so closely resembles an ordinary chair, the heart data can be obtained without the conscious knowledge of the subject."

A commercial brochure on the chair proclaims: "Nothing intrudes on the serenity of the setting. The patient does not see, much less 'wear' an electrode—straps and wires are prominent only by their absence. He or she remains fully clothed throughout the brief examination. . . . Mere hand contact with the arm electrodes is sufficient to obtain a good record. . . . A microphone in the dorsal position senses vibro- and phono-cardiographic information."

While the medical uses of such instruments can be of great value, their potential for denial of basic rights to unsuspecting applicants and employees cannot be overestimated.

Legislatures in six states and several city councils have already outlawed lie detectors in the employment relations; in some instances, unions have forced their elimination through collective bargaining.

FBI Director Hoover, fortunately for our security, does not use them for personnel work.

The Warren Commission report stated:

". . . In evaluating the polygraph, due consideration must be given to the fact that a physiological response may be caused by factors other than deception, such as fear, anx-

iety, neurosis, dislike and other emotions. There are no valid statistics as to the reliability of the polygraph. . . ."

Why then, do administrators have such blind faith in these devices? In my opinion, it is directly related to the role of science and technology in our society—to the cult of "the expert." There is an increasing belief that anything scientific must be more reliable and rational than the judgment of men. Unfortunately, this is true not only of officials who favor the lie-detector machine, it is also true of the average person who is subjected to it. Officials have admitted that its greatest use is in scaring the individual into admitting his transgressions.

There is a growing belief that the machine can bridge that credibility gap which must exist wherever fallible men choose between truth and untruth.

But I submit that this gap is a risk which must be taken in a free society. We cannot afford to dismiss the human element in decision-making where basic liberties are at stake.

There are workable alternatives to lie detectors. At the disposal of the Federal Government is a great investigative apparatus for checking references, background and qualification of applicants. Vast sums are spent training personnel specialists how to evaluate an individual's understanding of his role in an organization or agency.

Which brings me to the second point I want to make about the polygraphs.

Even if they could be proved 100% reliable and valid, there is no necessity for these infringements of freedom and invasions of privacy; but even if there were a necessity for them, I believe every citizen should answer with William Pitt:

"Necessity is the plea for every infringement of human liberty. It is the argument of tyrants; it is the creed of slaves."

Why should an applicant or employee have to describe his religious beliefs and practices? As long as his record shows that his conduct is socially and legally acceptable, why should he have to tell a prospective Federal employer about his sexual attitudes and conduct; or whether he loved his mother; or whether he fights with his wife?

Is there not a part of his personality, of his private life, which can and should be immune from governmental trespass?

By questionable means, we are perhaps seeking truthful answers to questions which should not be asked. I think we should ask ourselves whether, by sanctioning these privacy invasions, we are not triffling with the great constitutional truths which buttress our society. I believe we are.

Regrettably, it would appear that we have come far from the nature of the truths which we once thought important; but in the case of the polygraph, we have come not very far at all from the ancient methods of seeking the truth. It is not too far from the ancient trial of ordeal by fire or water to the concept of the "wiggle seat." Nor is there much difference between the polygraph and the old deception test used by the Indians. They thought that fear inhibited the secretion of saliva. To test his credibility, an accused was given rice to chew. If he could spit it out he was considered innocent; but if it stuck to his gums he was judged guilty.

What do polygraph techniques do to the concepts underlying the Fourth and Fifth Amendments? To the principles that there shall be no search and seizure without warrant, and that no man should be compelled to incriminate himself? Is there anything more destructive to our system of government than attempting to seize a man's innermost thoughts; compelling him to confess his beliefs, his religious practices, his every sin; requiring him to bare his soul to a machine in order to hold a job?

Hardened criminals are safeguarded in this area of the law, yet an applicant for Federal employment is not.

In the employment process, however, it is to the First Amendment that this twentieth century witchcraft does the most violence. That Amendment guarantees a citizen freedom from interference with his freedom of expression in his thoughts and beliefs. And it includes not only his right to express them but his right to keep silent about them. This is a crucial issue in a free society.

To condition a citizen's employment and his future job prospects on his submission to the pumping of his mind, his thoughts, and beliefs about personal matters unrelated to his duties, is to exercise a form of tyranny and control over his mind which is alien to a society of free men. It is to force conformity of his thought, speech and action to whatever subjective standards for conduct and thought might be held by a polygraph operator, or his company, or an agency official. It is to weaken the fabric of our entire society.

I submit that the Constitution can and does protect us from such incursions on our liberties.

EMPLOYMENT AS A PRIVILEGE

To say that employment is a privilege is to avoid the issue. For, as the Supreme Court has said, it does not matter whether or not there is a constitutional right to employment. The means and procedures employed by government should not be arbitrary.

CONSENT

Nor does it help to reply that a person "consents" to such an invasion of his liberty. Where the full force of government is behind the request, where he knows that great computer and data systems of government will retain forever his refusal to reply, or his answers to the queries, there is no free consent.

CONFIDENTIALITY OF RECORDS

Proponents argue that the records are confidential. It is no secret that his employment records, with all of the medical and security data, follow a man throughout his career. They are officially transmitted through the subterranean passages of our complex bureaucracy.

It was to prevent the practice of such tyrannies on Federal employees that I introduced my bill, S. 1035.

This bill is premised on the belief that just because he goes to work for government, the individual does not surrender his basic rights and liberties as a citizen. Nor does he surrender his right to a proper respect by his government for his privacy and other rights. S. 1035 is designed to prohibit unwarranted governmental invasions of employee privacy and is sponsored by 55 members of the Senate. I am happy to report that it was approved by the Senate on September 13 by a vote of 79 to 4.

Section (f) of S. 1035 makes it unlawful for any officer of any Executive department or agency to require or request, or attempt to require or request, any civilian employee serving in the department or agency, or any person applying for employment in the Executive branch of the United States Government "to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters."

This measure is now pending in a Subcommittee of the House Post Office and Civil Service Committee under the Chairmanship of Congressman David Henderson. I am hopeful that the Congress will enact it promptly

It is time we put a rein on the Federal Government's use of twentieth century witchcraft to find the truth. It is time the Federal Government was told what truths it should be seeking.

Mr. ERVIN. Mr. President, I also ask unanimous consent to have printed in the RECORD three editorials in support of S. 1035, which appeared in the Wall Street Journal, the Charleston, S.C., News & Courier, and the New Orleans, La., Times Picayune.

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

[From the Charleston (S.C.) News & Courier, June 2, 1968]

CIVIL SERVANTS' RIGHTS

As citizens of a free country, civil service workers have a right to freedom from harassment for unofficial reasons. We commend what we see reported as a "one-man crusade" undertaken by Sen. Sam Ervin (D–NC) against illegal and immoral pressures on federal workers.

Sen. Ervin says public employes are asked embarrassing questions for obscure reasons and plied with threats for failure to participate in savings bonds drives, community chest fund raisings and similar undertakings.

In our own area we have seen the check-off system applied to soldiers, sailors and airmen when fund campaigns roll around. Some commands seem to attack the fund raising problem in the same manner as generals planning a campaign against an enemy. Organization is inevitable if a campaign is to succeed, we do not doubt, but neither brass hats nor bureaucrats should get away with orders to subordinates on how much to give to charity.

[From the Wall Street Journal, May 15, 1968]

EVEN CRIMINALS HAVE IT BETTER

Although Senator Sam Ervin's "bill of rights" for Government employes, designed to protect them from violations of the rights and privacy enjoyed by other citizens, passed the Senate almost eight months ago, the House shows few signs of taking the measure up.

Now there might be some excuse for this House inaction if offending Federal agencies, seeing the handwriting on the wall represented by the North Carolina Democrat's bill, had begun to improve those personnel practices the measure proposes to correct. However, many employes plainly still are at the mercy of what Senator Ervin terms callous decisions and techniques.

For example, the bill would prohibit the coercion of Federal employes in U.S. Savings Bond campaigns and charity drives. No sooner had the Senate passed it than a new flood of complaints reached the Senate Constitutional Rights subcommittee from employes and servicemen; they said they were being high-pressured into bond-buying and charity contributions.

The bill also prohibits requests or requirements that employes back the nomination or election of anyone to public office through personal endeavor, financial contributions or any other thing of value. No sooner had it been passed than there was a new crop of complaints from employes that they were being intimidated by superiors to buy tickets to political dinners and similar functions.

Also, bureaucratic snooping in the form of psychiatric examinations, questions on employes' sex lives, religious beliefs and other personal matters unrelated to job requirements or performance is continuing.

More is at stake, as Senator Ervin observes, "than a correction of a few Civil Service practices affecting employe rights." The question is whether law will govern the basic rights of almost three million citizens and their families, or whether they must continue to depend on a tangled, conflicting mass of administrative rules, orders and oral policy decisions.

Noting that at present Federal employes get fair treatment only at the discretion of supervisors, President Francis Speth of the American Federation of Government Employes observes that "due process is accorded

as a matter of right to criminals whereas it is not so accorded" to Federal workers. When even criminals have it better, the Senate-passed "bill of rights" deserves something more than a House committee pigeonhole.

[From the New Orleans (La.) Times-Picayune, May 27, 1968]

"BIG BROTHER" IN PERSONAL LIVES

Agreement by the House Civil Service and Manpower Subcommittee to open hearings on a bill passed last year by the Senate to eliminate unwarranted federal meddling into the private lives of government employes and job applicants is welcome news. Less so is a report of proposed legislation that allegedly would require "big brother" clearances for employes of private firms with federal contracts.

Sen. Sam Ervin (D-N.C.), sort of a one-man crusader in the field, and his Subcommittee on Constitutional Rights, gathered reams of testimony about federal investigators' snooping into personal matters totally irrelevant to national security or the work of an agency.

Some examples cited before committeemen seem to betray a prurient interest into the sex life of personnel or applicants, while others are downright ridiculous. One question the Air Force assertedly poses to determine if some of its unskilled employes might qualify as carpenters, painters, plumbers or mechanics is: "Who is the composer of 'Madam Butterfly'?" Now really!

Then there were reports of investigators' quizzing secretarial aspirants on whether they believe in the second coming of Christ, what they dream about and things even more personal and embarrassing. One prober asked a neighbor of a man seeking a federal job how the applicant treated his adopted children and it turned out neither the neighbor nor the youngsters knew they were adopted.

The committeemen heard other reports of subtle threats that the personnel files would list as unpatriotic those (including some war veterans) who refused to join in savings bond drivers. Seems a strong "bill of rights" for federal employes—and maybe now for workers of firms under government contract—is needed to protect the freedom of the individual and right of privacy.

THE WORLD MAY BE JUST A LITTLE BIT SAFER TODAY

Mr. MOSS. Mr. President, the road to world peace is not a six-lane superhighway without stop lights or detours. It is a torturous, difficult path, with many setbacks and roadblocks. But if we are to achieve world peace we must patiently overcome every obstacle, and we must persist in our course despite temporary setbacks. At the same time, we can take renewed inspiration from each landmark we pass.

Yesterday, a significant landmark was passed on the road to peace. The General Assembly of the United Nations gave its approval to the Treaty on Nonproliferation of Nuclear Weapons.

The idea of nonproliferation is not a perfect solution to the problem of nuclear war. But this is not a perfect world, and people and nations are not perfect. The treaty is a good idea. It represents the best work of reasonable men of good will. It is a step toward peace in a world which shakes too much with heavy steps toward war.

President Johnson went to the United Nations yesterday to address the world body after the favorable vote on the treaty. He reviewed the history of the treaty, which he, himself, initiated 4 years ago, and noted the many problems that still lie before us in the quest for peace.

But he ended on an appropriately optimistic note:

My fellow citizens of the world, what we have achieved here today few men would have dared to even hope for a decade ago.

I believe we can all share the President's feeling of achievement and hope.

FIREARMS CONTROL

Mr. TYDINGS. Mr. President, I have had occasion to speak in the past few days about firearms control and the National Rifle Association.

Yesterday, Mr. Harold W. Glassen, president of the National Rifle Association, held a press conference. In the interest of fairness, I ask unanimous consent that Mr. Glassen's statements be printed in the RECORD. They do not require comment; they stand on their own.

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

STATEMENT BY HAROLD W. GLASSEN, PRESIDENT OF THE NATIONAL RIFLE ASSOCIATION

I am Harold W. Glassen, President of the National Rifle Association.

Today, we are witnessing an almost unbelievable phenomenon in America.

We see Americans behaving like children, parroting nonsense, accepting unproved theory as fact, and reacting as the German people did in the 1930's as the Goebels propaganda mill drilled lies into their subconsciousness and dictated their every move.

We are witnessing the strange and masochistic spectacle of tens of thousands of normally proud and level-headed Americans begging the federal government to take from them by force of law one of their basic civil rights, the right to keep and bear arms.

We are seeing a mass attempt—a syndicated attempt—to deceive the American population into believing it should abrogate the Second Amendment to the Constitution.

We read every day, in ediorials and editorially-slanted news stories, that not only do Americans not have the right to keep and bear arms, but that they should be aggressive in demanding that Congress strike down this right forever. We read it until we can't see straight.

We read in the Christian Science Monitor that what this newspaper calls gun control laws have the editorial backing of 93 percent of all newspaper circulation. I believe this, for that's practically all I see splashed across the front pages.

We read the Washington Post editorial page demanding that the American people write their Congressman in support of such gun laws—and laying out a form letter to guide them on what to say.

Well, speaking personally and for substantially all of our one million members of the NRA, I'm getting angry at this treatment. I'm sick of being called a spokesman for what the press calls "nation's most powerful lobby"—a "powerful lobby" that is constantly attacked in all but 7 percent of our national newspaper circulation.

Our newspapers today are embroiled in a struggle in which they contend that the First Amendment to the Constitution should not be infringed. They are involved in a dispute with the Courts concerning the reporting of court trials, and whether such reporting may have an effect on the outcome of such trials.

I call upon these newspapers, who are defending their civil rights under the Constitution, to give fair treatment in reporting our struggle to protect the civil rights of all Americans under the Constitution.

I want the American people to know that there are two sides to this gun control story. I want Congress to know as it makes the final decision on gun control legislation that there are millions upon millions of American hunters and sportsmen and farmers and housewives and workers and businessmen who do not want their rights trampled and thrown aside. I want them to know that there are millions of Americans who won't stand by mutely while a few metropolitan newspapers shove an undesirable and restrictive law down their throats and lay the groundwork for the ultimate move to prohibit completely private ownership of arms in the United States.

For make no mistake about it—there is a step-by-step move afoot to accomplish the ultimate deprivation of the American right to keep and bear arms.

We were told five years ago that the gun control legislation then being proposed would not interfere with the rights of sportsmen and other private citizens to keep and bear arms for legitimate pursuits.

We have been assured, time and time again by those in high places that legislation to impose restrictions on mail order sales of firearms was the final objective, and that there would not be a subsequent attempt to add further restrictions.

We have been told that there was no intention to propose a requirement for national registration of firearms.

And we were accused of misrepresentation when we warned that registration was a possibility, and of being downright irresponsible when we suggested that some of those same people in high places were considering registration of firearms seriously.

We were told that the recommendation of the President's Crime Commission to establish a system of national registration would not be adopted. Well, who's right now?

The National Rifle Association voiced the suspicion that control of interstate sales of firearms might be only the "first step" toward such measures as registration. And we were right.

Several bills have been introduced in the last few days to accomplish national registration of firearms, and pressure is being applied on Congress to rush this measure through to completion. This is the "second step" which we feared.

Now, today, we saw the "third step" instituted in the form of a bill in the Senate to require a license for the purchase or ownership of firearms.

Do we have to say more? Do we have any reason to believe there will not be a fourth and final step in what appears plainly a plan to disarm American citizens? Do we have any reason to trust those who have assured us that their aims fell short of this mark?

I don't think so, and I warn the American people that if Congress is lured into accepting this reassurance, the ultimate is inevitable, and there will no longer be private ownership of guns in the near future.

The pattern is clear. Only yesterday, one of the most militant of the anti-gun spokesmen, James V. Bennett, President of the National Council for a Responsible Firearms Policy, let the cat out of the bag, and called for the end of private gun ownership in America.

Mr. Bennett is quoted by the Associated Press as preferring a law as tight as that in Japan, where all firearms are denied to anyone except law enforcement officials and a few other closely screened individuals.

What is to prevent this from happening? Where, in the proposal advanced today to require licensing, is there protection for the American citizen's right to possess a firearm? Although I have not studied the language of the proposal, I am informed that it is so vaguely worded that the standards under which licensing would operate leave much to

the discretion of their administrators. It is my understanding that the wording of the standards is not spelled out in any fashion that would be acceptable to me or to any other sportsman.

The National Rifle Association has fought long and hard for practical and sensible gun laws aimed in the right direction—toward the criminal, the juvenile, the mental misfit, the dope addict, the habitual drunkard. NRA does not want these people to have guns.

But we would not, at the same time, deny the right to those who do not fall into these categories, and we would clearly define these categories so as to include only those who should be included. We would protect the rights of millions of Americans who are perfectly capable of using a gun safely, and who prefer to exercise their right to own one.

If those who support registration and licensing for all firearms also believed in those rights they would aim their restrictions in the direction of misuse of firearms, and not take the "shotgun" approach to complete prohibition for all.

We are asked to believe that the peoples of other nations are better off because they have extremely restrictive gun laws and, in some cases, absolute prohibition of private gun ownership. We are also told that such laws work, and dry up the supplies of guns. We deny this, and maintain that only legitimate citizens would suffer from such laws, and that criminals would pay no attention to them.

Scripps-Howard recently reported, for instance, that in Great Britain, where practically no one owns a gun, an amnesty was declared in 1961, and again in 1965, during which those who possessed guns illegally could turn them in without being prosecuted. In 1961, some 70,000 guns were turned in; four years later, more than 40,000 were turned in. That's approximately 110,000 guns held illegally in a nation which prohibits private gun ownership, except under certain conditions!

Once again, I warn the American people that that is where we're headed if the laws now in Congress should pass. Legitimate gun ownership would be a thing of the past, and only criminals would have guns.

POSTMASTER GENERAL W. MARVIN WATSON'S ELOQUENT ADDRESS AT THE NATIONAL PRESS CLUB

Mr. DODD. Mr. President, I rise to salute Mr. W. Marvin Watson, Postmaster General of the United States, for the eloquent address, on a number of important current issues, which he gave at the National Press Club yesterday.

While Mr. Watson's cogent remarks are important in their entirety, I am especially heartened by the section which deals with the control of firearms.

In Mr. Watson's own words:

. . . if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.

I am here today to tell you that the Post Office Department intends to carry out its responsibility.

In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.

Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "Firearms."

If the shipment is not so labeled it will not be accepted in the mails.

I have also ordered that all postmasters shall not make delivery of any firearms without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This regulation will be effective immediately.

I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agencies.

In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.

. . . I fully realize that guns do not kill or threaten . . . men do.

I fully realize that neither these new regulations nor, indeed; any laws will of themselves solve the problem of sick minds or violence in our streets.

But it is a beginning.

I applaud the Postmaster General for taking this important first step, for it demonstrates quite clearly that the executive branch of the Government is joining the legislative branch in attempting to effect a responsible firearms policy.

Mr. President, I ask unanimous consent that Mr. Watson's entire address be printed in the RECORD.

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

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON, AT THE NATIONAL PRESS CLUB, WASHINGTON, D.C., JUNE 12, 1968

One of the most serious challenges to our democratic process is the growing tide of violence threatening every American. It is a violence that could construct a Berlin Wall of fear between those who aspire to political office and the American people.

Weapons fired from the darkness of sick minds can not only kill an individual but also destroy our hopes of making this nation a finer, freer place where the human spirit can flourish and all men reach their full potential.

Each of us must do what he can to reverse this dangerous and frightening trend.

And each of us must do so in a way that will not compromise or modify the freedom we now enjoy.

Last February, the President asked the Congress for the most comprehensive crime control legislation in our history—legislation that would strike a heavy blow against crime while at the same time maintaining our tradition of local control. Again, just last month, in a letter to Senator Mansfield, the President said that ". . . the key to effective crime control is effective law enforcement—at the local level."

Thus, while we must find ways of dealing with crime and with the instruments of crime, we must also be careful not to endanger our system of federalism—a system based on divided but equal responsibilities at all levels of government.

Certainly, if each level of government carries out its responsibilities, the problem of combating crime and violence will be much diminished.

I am here today to tell you that the Post Office Department intends to carry out its responsibility.

In accordance with our duty, I have concluded that shipment of firearms through the mails under existing procedures seriously interferes with enforcement of state and local laws designed to control firearms. The national interest demands that activities of the postal service shall not hinder effective enforcement of State and local gun control laws.

Therefore, I have today issued regulations that all firearms shipped through the mails be clearly labeled with the word: "Firearms."

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I have also ordered that all postmasters shall not make delivery of any firearms without first notifying the chief law enforcement official of the community that delivery of a firearm is to be made.

This regulation will be effective immediately.

I have also ordered that sawed-off shotguns and short-barreled rifles be barred from the mails as concealable weapons. This means they cannot be sent through the mails except to authorized recipients such as military officers or law enforcement agents.

In this way—though we are not restricting the shipment of the larger weapons—we are doing what we can under the law to assure that they do not flow into the hands of irresponsible persons.

This will enable local law enforcement authorities, in those many states and local jurisdictions having gun control laws, to take action if there is a violation of their laws.

We all recognize that the passage of arms is also accomplished by means other than government mails. Many weapons are sent through private express carriers. The Post Office Department cannot direct these private businesses to follow our lead. However, we recognize that these public firms are as interested in the good of this country as any private citizen.

For that reason, I have sent the following wire to these businesses and transportation organizations this morning. It reads, quote:

"I have today ordered the Post Office Department to require all shippers to clearly identify firearms with a label. Before delivery of such a package, our Postmasters will notify local law enforcement officials of the name of the recipient. It is my hope that you will freely join with us in this endeavor. The Post Office Department stands ready to assist you in this in any way you desire. I personally will be available to meet with your representatives." Unquote

I fully realize that guns do not kill or threaten . . . men do.

I fully realize that neither these new regulations nor, indeed, any laws will of themselves solve the problem of sick minds or violence in our streets.

But it is a beginning. And I think we must recognize that this step plus the crime proposals made last February by the President are part of a broad program—a program of housing, education, health and jobs that not only treats the symptoms of tension in our society, but also attacks and can defeat those causes.

I think it is self-evident that a society in which social and economic justice has been achieved is a society that will produce less tension, less sickness and less violence. All government agencies are working toward that end. This is particularly applicable to the Post Office Department which is the largest civilian employer among government agencies.

I take particular pride in my association with 711,660 fellow employees. In my 44 days in office, I have travelled some 15,000 miles and seen 30 different postal facilities and I am told that I have met over 8,500 employees. This was done for two purposes—first, to get to know the system and those who make it work; and, second, to search out ways to do the job better and at less cost.

I think both aims have been to some de-

gree achieved. Certainly I am more convinced than ever that the Post Office is an often overlooked cornerstone of democracy—an organization which by its daily delivery of mail affects every home and every business. And I am convinced that our people are doing a good job of delivering over 82 billion pieces of mail this year.

But I am equally convinced that we must give them further assistance, both in modernization of machinery and in modernization of our employee programs. This is particularly important in the Post Office—for, as the largest civilian department of government, everything we do has an effect on the nation as a whole.

Therefore, I have pledged myself to these fine people and to these programs for a better post office. Today, I am pleased to be able to announce a new Plan of Action that will enhance our goal of full equality of opportunity for all.

Effective today, I am ordering an advanced program to aid the disadvantaged—and thus aid our land as well. This is not a hastily conceived program. It is one we have worked on intensively during my six and one half weeks as Postmaster General.

The Plan of Action is designed to pinpoint responsibility for action to carry out the President's program and my own; it is designed to require explanations if qualified minority members are passed over for employment or promotion; it is designed to assure regular and detailed reports on the status of equal employment in every post office and postal installation.

It is direct and specific.

It is a Plan of Action that will work.

It is a Plan of Action which keeps the Post Office Department in the forefront of aiding the less advantaged.

I hope you will clearly understand that we are not suddenly creating equality or social justice.

Rather, we are improving on the very good program we already have—a program which has served as a guidepost for many other government agencies.

What we are doing now is adding to this program and strengthening it. This is in keeping with our postal policies which date back to the last century.

The first Negro lady postmaster in the United States, Minnie M. Cox, was appointed back in 1896 at Indianola, Mississippi. Some years later when elements of that city attempted to make things unpleasant, President Teddy Roosevelt shut down the post office until her safe return was guaranteed.

We have all come a long way since then, both as a government and as a people.

In the post office, we guarantee social and economic justice, not by shutting down post offices, but by opening them up as wide as we can.

To understand what we have done and what we propose to do, six facts are necessary:

First fact.—we are the largest single civilian employer of minority group workers in the world. Our workforce includes over 150,000 minority group members, mostly Negroes, who constitute almost 22 per cent of our total employment.

Second fact.—we employ and recruit not on the basis of race or religion or color, but ability.

Third fact.—our minority group employees are of proven high quality. Minority group members now hold the Postmasterships of the three largest post offices in the United States—in New York, Chicago, and Los Angeles.

Fourth fact.—all the trends in minority group employment in our Department are upward.

In virtually every major city in America, our percentage of minority group employment exceeds the percentage of minority people in the city's population.

Fifth fact.—we insist that those who contract with the Department also provide equal employment opportunity. Our contract compliance program is sternly enforced. So far, enforcement of regulations requiring contractors to follow equal opportunity job policies has resulted in the hiring of 13,000 minority group employees in many fields outside the Post Office. More importantly, it has helped break down long standing patterns of discrimination in numerous key industries.

Sixth fact—we are now starting new programs to search out talent where it may be hidden, and to find ways of telling members of minority groups that they are wanted and they are welcome in the postal service.

One of the finest of these new programs has a bureaucratic name, but a human intent.

It is called the Concentrated Employment Program.

Translated into English that means we are testing a way of finding postal work for the so-called hard-core unemployable. Right now such a test is being conducted in San Francisco for 200 persons recruited from the ghetto areas.

Another project along this line will begin shortly in Oakland, California, and others will follow.

Under the concentrated employment program, each worker receives two weeks of preappointment orientation with a small salary from the Labor Department. When he begins on-the-job training with the Postal Service, the appointee must attend two hours of school each work day outside working hours for a maximum period of one year, or earlier if he passes the Civil Service examination.

We are also providing training in 70 locations for veterans about to be discharged and we are making special efforts to hire recent service veterans.

In addition, our summer employment program is aimed primarily at young people from families with income at the poverty level.

Thus, the door is open.

We should be proud and satisfied.

And to a large degree we are.

But we are not completely satisfied.

We think we can do better.

It is for that reason that I approved this morning our Equal Employment Opportunity Plan of Action.

The Plan has one basic philosophy—that old patterns will not just fade away. They must be attacked.

So we are moving forward aggressively.

Today, I am informing every postal employee that no discrimination of any kind will be tolerated. Together, we will push hard, both where we have already broken through, and where new breakthroughs are needed.

Our new plan of action—based on our philosophy of equality for all people—translates into hard hitting programs which fight discrimination and strike against poverty.

First, I have designated a special high level task force to survey postal installations and assure that equal opportunity fully and truly exists in promotions as well as hiring. These top personnel will travel over the nation and will effectively assure that our plans become fact.

Second, I am intensifying our contract compliance program. We are hiring 23 additional Contract Compliance Examiners to make sure all our contractors are meeting the requirements of President Johnson's Executive Order on contractor employment.

Third, since there is a post office in every city and almost every village, town, and hamlet, it is our responsibility to assure that national leadership in racial justice is also brought home at the local level.

Therefore, I am asking all our postmasters to contribute their influence and abilities to improving equal opportunity in their communities. I am also encouraging them to aid as community leaders in helping to eliminate racial or cultural bias from local school systems and housing arrangements.

Postmasters are local leaders. Since elimination of racial, social, and economic injustice is one of our major problems, these are the areas where their leadership can be most helpful.

Since big cities crystallize this problem, I have designated postmasters of all 4,859 first-class post offices as deputy equal employment opportunity officers. They will have special responsibilities, and they will report directly to our Equal Opportunity division in Washington.

We intend to take full advantage of our postmasters' places as leaders in their communities. As a Federal Agency, it is our responsibility to work in accordance with President Johnson's policy of education, jobs and housing for all people without regard to race or any other irrelevant consideration.

Fourth, I have issued an order to begin pre-supervisory training on a large scale to all candidates who are eligible for promotion to postal supervisors. I have also directed that maximum encouragement be given to minority group employees to take the next nationwide supervisory promotion examination. This will be given in the fall, and a special handbook will be provided for all who wish to prepare for a supervisory examination.

I will require all post offices to cooperate with all employee organizations or community groups who are willing to help employees prepare for the supervisory examination.

In the same vein, post offices will also cooperate with groups preparing job seekers for the civil service test leading to postal employment. And we will now step up our efforts to recruit in the neighborhoods—efforts which have been successful in our test programs.

Finally, we will take a number of detailed and quite specific steps to make our Plan of Action a meaningful weapon in the war against poverty and discrimination.

This war is perhaps the most challenging that has ever faced America. I intend to wage it with intensified effort.

For this war touches the very essence of America. As President Johnson said, "We shall either find the means to open employment to all of our workers—to find decent housing for all of our citizens—to provide a good education for all of our American children—or we shall see the American promise spoiled for each of them."

The American promise has for 200 years served as a light pointing the way.

Today I have described two steps to protect that promise and that light.

I have done all that I can within the law to support local and State law enforcement agencies in their effort to control and regulate the possession of firearms, and ban certain lethal weapons from unrestricted passage through the mail. I hope that Congress acts soon on effective gun control legislation. Meanwhile, this is an interim measure that I believe will assist in achieving that goal.

And I have taken a number of major steps to assure that the Post Office Department serves the nation, not only as an effective channel of communication, but also as an instrument of social justice.

May I end by promising to you, that this great Department of government will do everything possible to serve the American people and advance the American dream.

SENATOR GRUENING RECEIVES HONORARY DOCTOR OF HUMANITIES DEGREE

Mr. McGOVERN. Mr. President, our good friend and colleague from Alaska

[Mr. GRUENING] has received the honorary degree of doctor of humanities from Wilmington College in Ohio. The citation accompanying the degree highlights some of the contributions he has made to date to our society, correctly affirming that ERNEST mixes successfully the wisdom of maturity with "the boundless energy of youthful idealism."

Perhaps more than any previous time in our Nation's history this mixture is needed because the solutions of pre-1960 are not necessarily those for today and tomorrow.

The Wilmington College citation observes that ERNEST GRUENING by caring about his fellow man not only in Alaska but all over the world provides proof that "one man's impact on society can be significant." Indeed, he is "an activist unwilling to bypass the challenges of a restless society" who "fights for equality for all Americans" because he believes "every person has the right to quality of life."

The Senator from Alaska [Mr. GRUENING] is honored for his work on behalf of the humanities, self-determination in Vietnam, the solving of the population explosion, and for being a "public servant in every sense."

I am pleased to bring to the attention of the Senate this honor accorded our colleague by Wilmington College, a private coeducational college of liberal arts established in 1863 by the Society of Friends. The president of the college is Dr. James M. Read, former Deputy U.N. High Commissioner for Refugees in Geneva. The college is nationally known for its work-study program.

Mr. President, I ask unanimous consent that the full text of the citation be printed in the RECORD at the conclusion of my remarks.

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

WILMINGTON COLLEGE,
Wilmington, Ohio.

ERNEST GRUENING

Ernest Gruening of Alaska brings great credit to his state and his nation and to the Senate of the United States, in which he serves.

Son of a distinguished ophthalmologist and otologist, he graduated from Harvard College and from the Harvard Medical School. From there he moved on to a career as newspaper and magazine editor, author, government official, Governor of Alaska and "general practitioner" in the public service.

Born February 6, 1887, he fills the pages of his life with the humane concern for his fellow man which has brought him respect and honor from the Government of Mexico and such distinguished Americans as John F. Kennedy, who observed that "his keen mind and vast knowledge of Alaskan and international affairs are greatly needed in the United States Senate".

An activist unwilling to bypass the challenges of a restless society, he fights for equality for all Americans. Believing that every person has the right to quality of life, he has focused worldwide attention on the problems of an exploding population.

Aware that others have the right to self-determination, as history teaches, he raised his voice in opposition to the conflict in Viet Nam before most citizens were aware of the nuances of that struggle.

Strengthened by his own knowledge of the value of the humanities, he pioneered in the Senate of the United States legislation for the creation of the National Council on the Humanities and the National Endowment for the Humanities.

Public servant in every sense, he mixes successfully the wisdom of maturity with the boundless energy of youthful idealism.

A conscience for mankind, he exemplifies the good of mankind, providing proof that, by caring, one man's impact on society can be significant.

Wilmington College is happy to confer upon Senator Gruening the honorary degree of Doctor of Humanities.

Office of the President,
JUNE 9, 1968.

COST TO THE DISTRICT OF COLUMBIA FOR POOR PEOPLE'S CAMPAIGN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a letter addressed to me under date of June 11 by Mr. D. P. Herman, Budget Office, District of Columbia, containing an estimate of the cost to the District of Columbia for the Poor People's Campaign through June 1, 1968.

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., June 11, 1968.

HON. ROBERT C. BYRD,
Chairman, Subcommittee on Appropriations for the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BYRD: The estimated costs to the District of Columbia for the Poor People's Campaign thru June 1, 1968, is as follows:

Agency or department	Total costs week ending June 1	Prior reported costs	Total costs through June 1, 1968
General Administration		$100	$100
Metropolitan Washington Council of Governments		1,217	1,217
Corporation Counsel	$183	3,161	3,344
Metropolitan Police	20,030	47,521	67,551
Fire Department	2,524	4,160	6,684
District of Columbia Bail Agency	11		11
Corrections	85	31	116
Licenses and Inspections	62	275	337
National Park Service, National Capital Region	5,091	6,984	12,075
Public Health	12,838	15,925	28,763
Public Welfare	109	505	614
Highways and Traffic	526	1,599	2,125
Motor Vehicles	10	2	12
Sanitary Engineering	1,398	2,423	3,821
Washington Aqueduct Division	112	475	587
Grand total	42,979	[1] 84,378	127,357

[1] This is $584 greater than reported earlier—$50 telephone for Police Department, $534 for pay increases for National Park Service Police.

No attempt has been made to pro-rate the cost of the Executive Office or the City Council for the Poor People's Campaign.

This is the second report relative to the cost of the Poor People's Campaign. Similar reports will be submitted weekly to you. Further, a final report following the Poor People's Campaign will be prepared for you and for other levels of authority.

If this Office can say or do more concerning any of this please let me know.

Sincerely yours,

D. P. HERMAN,
Budget Officer, D.C.

CRIME AND THE MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert the following news stories in the RECORD:

From the Washington Evening Star of June 11, 1968:

An article entitled "Student Association Pledges Support for June 19 Rally";

A story entitled "Riot Cases Appraisal: Judge Cites 'Lack of Fear' "; and

An editorial entitled "Judicial Travesty."

From the Washington Evening Star of June 12, 1968:

An article entitled "Poor People Clarify Demands"; and

A story entitled "Sounds of Discontent Mount at Tent City; More Leaving."

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

[From the Evening Star, June 11, 1968]

STUDENT ASSOCIATION PLEDGES SUPPORT FOR JUNE 19 RALLY

The National Student Association today called for a "new youth commitment" to fight poverty in America and pledged massive support for the Poor People's June 19 demonstration here, predicting that "at least 25,000" students will be on hand.

The statement issued by seven student leaders came as the first major announcement of support for the Southern Christian Leadership Conference's climactic one-day protest.

With only eight days remaining, SCLC still was struggling to maintain cohesion within the Poor People's Campaign.

Bayard Rustin, architect of the 1963 March on Washington and a leading figure for many years in the civil rights movement, stepped down as national coordinator of the June 19 protest late last week in a dispute with SCLC over policy and authority. Sterling Tucker, head of the Washington Urban League, then took the post, conceding he faced enormous problems in meeting the march date.

TELEPHONE CAMPAIGN

"We support the Poor People's March and urge students to join the mobilization on Washington on June 19 . . .," NSA's statement said, adding that a marathon telephone campaign was underway to turn out the students.

The statement was signed by: Sam Brown, youth coordinator for Sen. Eugene McCarthy; Edward Schwartz, president of NSA; David Bush, chairman of Campus Young Democrats; Richard Gilbert, youth campus campaign staff for Vice President Hubert H. Humphrey; Robert Harris, youth coordinator for Gov. Nelson Rockefeller; Mrs. Susan Oliver, a staff member of the former Kennedy Youth Action Committee, and Craig Tregillus, a staff member of the Campus Americans for Democratic Action.

The student leaders emphasized, however, that they were not speaking as representatives of the presidential candidates.

More than 100 names, identified as student body presidents of various colleges, were on the statement also.

The statement said members of the national group, which claims a membership of 2 million, will keep their collective eye on candidates for office at "every level of government" this summer and fall.

STUDENT POWER

Those who oppose measures to alleviate poverty, they said, will "feel the full brunt of student power against them . . ."

The NSA statement was issued because the statement said, of widespread indifference to proposals of the President's riot commission, because of "cries for law and order without corresponding demands for justice and equality within our cities," and because of the assassinations of Dr. Martin Luther King Jr. and Sen. Robert F. Kennedy.

These factors, the statement added, "have made it clear to us that efforts to achieve change in this country have reached a critical stage."

The Rev. Ralph David Abernathy yesterday told campaigners in Resurrection City that today would bring an announcement of new and "more meaningful" plans of action.

And last night at a rally at the Vermont Avenue Baptist Church, Abernathy, appearing more tired than at any time in recent weeks, said, "We're not going to let anyone run us out of Resurrection City—we are staying, permit or no permit."

PERMIT TO EXPIRE

The federal permit permitting SCLC to occupy the campsite along the Reflecting Pool—which again today had been churned into a vast bog by the rain—expires June 16.

Abernathy said at one point yesterday that he has been going through the formality of applying for an extension.

As problems of leadership, logistics and objectives continued to plague SCLC, the Rev. James Bevel, a top campaign aide, told the group of 500 to 600 at the rally, "we've got about 500 people at Resurrection City. . . ."

This was the lowest population estimate yet to come from an SCLC official. Abernathy yesterday said vaguely that there were "more than 500" in the campsite.

Highest estimates have been from 2,200 to 2,400, but the steady battering by rain and other problems have steadily reduced the population.

SCLC has refused to concede that the campaign is in trouble. "We ain't going no place on the 16th." Bevel reiterated last night, "not because we're mean but because we can't afford to leave this nation in the hands of some sick pathological killers . . . We can't let them make sick decisions about nothing."

RIFT CONTINUES

Abernathy, alluding to the permit date in response to a question said, "I am sure this country would not seek to run out poor people. It would only infuriate those forces that would take to violence. . . ."

The ethnic factionalism that has been a consistent problem also continues in evidence.

Rudolfo Corky Gonzales, one of the leaders of the Mexican-American group—which still has not moved into the campsite—said yesterday that unless some of SCLC's "vague" objectives are spelled out, "we may have to do something on our own."

Gonzales also noted that of the original Spanish-speaking contingent of about 450, only some 150 still were in town. The Indian contingent has shrunk from about 100 to 40 as many have left for Washington state to demonstrate in a fishing rights controversy there.

Reies Lopez Tijerina, also one of the top leaders of the Mexican-American group, said Secretary of State Dean Rusk has agreed to meet Thursday with a delegation to discuss grievances focusing on the 1848 Treaty of Guadalupe Hidalgo with Mexico.

The Tijerina forces claim that Spanish-speaking citizens have been illegally deprived of land owned in the Southwest through centuries-old Spanish land grants.

Tijerina also said he would announce later today a schedule of demonstrations, apparently continuing to operate autonomously.

The Rev. Jesse Jackson, speaking at the meeting last night, alluded to the factional disputes.

"We have had a difficult time getting established. The administration of the city has not been easy. . . . Rather than see Resurrection City as a mud hole in Washington, you must see it as an idea in history whose time has come and it will not be denied."

[From the Evening Star, June 11, 1968]

RIOT CASES APPRAISAL: JUDGE CITES "LACK OF FEAR"

(By Donald Hirzel)

A judge in the Court of General Sessions said yesterday that April rioting here resulted from an "apparent breakdown, lack of respect, or lack of fear of officers of the law."

Judge Alfred Burka also said individuals tend to obey that law but the public apparently has come to accept group violation of the law.

In speaking of the lack of fear on the part of rioters, Burka said: "It seems that the public has come to believe that what is done in a group is all right, although the same act committed by an individual would be punished."

He made the comments while conducting the second group sentencing of persons arrested during the riot. The first was conducted last week.

Yesterday, one man was sentenced to a straight jail term with work release and eight others were given suspended sentences.

DIDN'T EXPECT ARREST

As in the group sentencing last week, most of the defendants said they had no thought of being arrested, and the few who did were willing to take their chances because everybody else was looting.

Burka asked each of the defendants if he would have gone on the street if he thought he might be arrested or shot, and all said that under those circumstances they would have stayed home. Yesterday's responses were the same as those expressed last week.

Also, as in last week's cases, the defendants held jobs (one was a student) and lacked serious arrest records.

The man receiving a 36-day jail term with work release, which means he will work during the day and spend his nights in jail, was Edgar Winston, 36, of the 700 block of Somerset Street NW. He pleaded guilty to attempted burglary 2 (looting) and petty larceny.

He was arrested on April 4, the first night of rioting, released the next day and then rearrested for a curfew violation.

OTHERS GIVEN SENTENCES

Others sentenced were: Phillip S. Miller, 25, of the 5000 block of 10th Street NE, who received a suspended 360-day sentence for unlawful entry and petit larceny. He was placed on probation for two years.

Stanley B. Roberts, 21, of the 200 block of Oakwood Street SE received a suspended 360-day term for receiving stolen property and was placed on probation for two years.

Richard O'Neal, 36, of the 1100 block of G Street NE, received a suspended 720-day sentence for unlawful entry and attempted petit larceny, placed on probation for two years.

William B. Thomas, 19 of the 1100 block of K Street NE received a suspended 720-day sentence for unlawful entry and attempted petit larceny. He was placed on probation for two years.

George Daniel, 27, of the 4100 block of New Hampshire Ave. NW, received a suspended 360-day term for attempted burglary 2 and petit larceny and was fined $100 to be paid within a year. He was placed on unsupervised probation for one year.

Reginald Pitt, 18, of the 5500 block of 8th Street NW, a high school student, was given a suspended 360-day jail term and placed on probation for two years for attempted burglary 2 and petit larceny.

Robert Spearman, 50, of the 1200 block of Bolbrook Terrace NE, received a suspended 180-day sentence and placed on unsupervised probation for unlawful entry. An earlier charge of burglary 2 was dismissed.

Charles M. Little Jr., 32, of the 1900 block of T Street SE, was given a suspended 180-day jail term and placed on probation for one year after pleading guilty to petit larceny.

[From the Evening Star, June 11, 1968]

JUDICIAL TRAVESTY

The Supreme Court has just come forward with a powerful argument in support of the proposition that President Johnson should sign the newly enacted crime bill.

In a ruling which displays an amazing disregard for the right of the public—if there is any such right—to be protected against criminals, a majority of the justices have voted to overturn the *third* murder conviction of a Washington man, Eddie M. Harrison.

Harrison's first conviction was reversed by the Court of Appeals because his lawyer was not in fact a member of the bar. The second conviction was reversed by the Court of Appeals on the ground that a confession used as evidence was obtained in violation of the Mallory Rule—the requirement that a suspect be arraigned without unnecessary delay. At the second trial, however, Harrison, while properly represented by counsel, took the stand and gave an explanation of the killing which implicated him. He was found guilty by the jury.

At the third trial the confession, of course, was not used. But Harrison's own testimony at the second trial was read to the jury, and he again was convicted. The Court of Appeals affirmed. But the Supreme Court, without ascertaining whether, in fact, the Mallory Rule had been violated, reversed.

This brought outraged protests from the three dissenters. Justice Black thought the majority's reasoning was wholly illogical and completely unreasonable. He agreed with Justice White that "holdings like this" make it far more difficult to protect society "against those who have made it impossible to live today in safety."

Justice Harlan said "there is no suggestion that the testimony in question, given on the stand with the advice of counsel, was somehow unreliable."

Justice White said this decision "has emanated from the court's fuzzy ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." He went on to say that "criminal trials will simply become less effective in protecting society," and he pointed out that by the time of the third trial "prosecution witnesses were dead or unavailable." This will be even more true of a fourth trial—if there is one. There may not be a fourth trial, however. For the prosecution, discouraged by its encounters with judge-made roadblocks, may decide simply to release Harrison—a chilling prospect for this community.

What does all of this have to do with the new crime bill? Simply this: That legislation modifies the Mallory Rule to permit questioning of a criminal suspect for a period of up to six hours. It also undertakes to modify other Supreme Court decisions, to permit wiretapping and electronic eavesdropping in certain types of cases, restricts the sale of hand guns, and authorizes major financial assistance to police departments.

If the President's repeated calls for a war on crime mean anything, he will sign this bill.

[From the Washington (D.C.) Evening Star, June 12, 1968]

POOR PEOPLE CLARIFY DEMANDS

(By James Welsh)

A scaled-down list of demands, with action on food programs given top priority, was announced today by leaders of the Poor People's Campaign.

Clarification of the demands, together with

the efforts of the Urban League's Sterling Tucker in trying to mobilize the June 19 "Solidarity Day" march here, represent an attempt to put new life and purpose into the sagging campaign.

PROTEST IS FIRST STEP

From here on, said the Rev. Ralph David Abernathy, head of the Southern Christian Leadership Conference, the thrust of the campaign "will be to bring a great deal of system into the demonstrations."

The first step, in line with SCLC's emphasis on combatting hunger among the nation's poor, will be to lead residents of Resurrection City in concerted demonstrations at the Agriculture Department beginning today.

Abernathy appeared at a press briefing, along with the Rev. Andrew Young of the SCLC, and Marian Wright, chief lobbyist for the Poor People's Campaign.

From an originally broad list of nearly 100 generalized demands, Miss Wright ticked off 20 demands, most of which she said could be achieved by administrative decision, and three major pieces of legislation, as priority items.

MAJOR DEMANDS

Then, of the 20 administrative demands, she listed 15 as those the SCLC most wants to see achieved by June 19. They concern the Departments of Agriculture, Labor, Health, Education and Welfare, and Housing and Urban Development, and the Office of Economic Opportunity.

The three major legislative demands are these:

1. Passage of the jobs bill sponsored by Sen. Joseph S. Clark, D-Pa., to provide 2.4 million jobs in both the public and private sectors of the economy over the next four years. Chances for this bill have appeared slim.

2. Passage of the administration's omnibus housing bill, originally aimed at wiping out substandard housing in the nation by providing 6 million new housing units over the next 10 years. The Senate has passed a version of this bill, to provide 1.2 million new or rehabilitated housing units for lower-income families over the next three years. Final congressional action on this measure appears promising.

3. Repeal of the "freeze" and compulsory work requirements of the 1967 Social Security Act amendments pertaining to welfare families. Chances of repeal are not promising.

Abernathy said the Poor People's Campaign goals will be to achieve the administrative demands for the June 19 march, then to concentrate on the legislative demands.

"We will move, agency by agency, to get some achievements by June 19," he said. "On that day we will have our march, with no civil disobedience. Then we will move on to our legislative priorities."

SCLC leaders appear confident they will receive at least a one-week extension of their permit to occupy Resurrection City. The current permit expires this Sunday, three days before the Solidarity Day march.

Meanwhile, Tucker, march coordinator, also held a press conference, during which he expressed the belief the march "will provide for Americans what may be the last chance" for a nonviolent demonstration against poverty.

He announced approval of Bishop Paul Moore and the Rev. Channing Phillips as co-chairmen of the Solidarity Day March. He said he is negotiating with Mayor John V. Lindsay of New York for the designation of up to 1,200 policemen and firemen as marshals for the march, in line with what was done for the March on Washington in 1963.

Tucker also announced that a public meeting in support of the campaign will be held this evening at 8 o'clock at Turner Memorial Methodist Church, 600 I St. NW.

As before, Tucker declined to speculate on the number of people he expects to come to Washington for the march. He said he expects to have an estimate by Friday.

No speakers have been lined up yet for the June 19 program, Tucker said. Preliminary plans call for assembly of the marchers, beginning at 5 a.m. on the grounds of the Washington Monument and the Sylvan Theater, with professional entertainment to take place from 10 a.m. to noon.

Following that, he said, the demonstrators will move down Independence Avenue to the Lincoln Memorial for a "very serious program" of speeches and prayer, with the events to conclude by 4:30 p.m. and demonstrators going home after that.

SUCCESSOR TO RUSTIN

Tucker is a replacement for Bayard Rustin, veteran civil rights leader, whom Abernathy had designated as coordinator for the march in May. Last week, following publicized differences between Rustin and SCLC leaders, Rustin announced he was bowing out from the June 19 effort.

Rustin had stipulated his own list of demands, very much a curtailed version of the nearly 100 demands SCLC leaders had presented to the administration and Congress in late May.

CHURCH SUPPORT URGED

The Greater Washington Council of Churches has urged more than 800 clergymen of the metropolitan area to support Tucker and the objectives of the campaign.

A letter to the ministers from Dr. Charles L. Warren, executive director of the church council, pledged the council to join the 350 local ministers of the Negro Baptist Ministers' Conference and their congregations in support of the campaign. The Negro group went on record backing the "Solidarity Day" earlier this week.

Warren told the clergy in his letter: "The Poor People's Campaign thus far has made a significant impact upon our government officials and the nation. The need now is for every American to identify with the poor in eliminating the indecencies that beset a large segment of the American people."

Today, in their press briefing, SCLC leaders conceded there had been confusion and also diffusion of purpose in their efforts in Washington so far.

"We will be trying for more purpose in our demonstrations, and will attempt to have them linked more to our demands," Miss Wright said.

The young lobbyist added: "The big issue in this campaign is going to be food."

For a nation with surplus food commodities to allow millions of people to go hungry is "a disgrace," she said, adding that correction of the problem could be achieved by mostly new administrative policies within the Department of Agriculture.

PRIORITY DEMANDS

The newly announced priority demands are as follows:

Department of Agriculture

1. Food programs in all 1,000 neediest counties which will have full participation of the poor.

2. Issuance of free food stamps to no-income and extremely low-income families, a scaling down of food stamp prices generally and an equitable distribution on amounts of food based on need rather than income.

3. Emergency distribution of supplementary food in those counties among the 256 hunger counties cited by the Citizens Board of Inquiry whose present food programs fail to reach a substantial number of poor.

4. Immediate expansion of the quantity of commodities distributed and substantial improvement of the quality and variety of the food given under the Commodity Distribution Program to ensure a balanced and nutritious diet to recipients.

5. Substantial increase in the number of free and reduced price school lunches for needy children.

Office of Economic Opportunity

1. Establishment of a plan whereby a specific number of promising sub-professionals at local levels can be brought up to the local, regional and national OEO staff. OEO should establish a program analogous to the Federal Management Intern program for poor people and subprofessionals who have demonstrated skill in working for the poor, SCLC said.

2. Specific guidelines for citizen participation and simple appeals procedure and forum for all variety of complaints.

3. Passage of the supplemental appropriations bill for summer jobs and the Head Start program, to cost $100 million.

Health, Education, and Welfare

1. An end to state "man-in-the-house" rules.

2. Abolition of freedom-of-choice school desegregation plans.

3. A specific action program for bringing adequate and essential health services to the poor and for radically reducing the level of death among poor infants and their mothers.

Labor Department

1. Endorsement of a jobs bill this session of Congress.

2. Review of operational guidelines, in consultation with the poor, to ensure full participation of the poor in the decisionmaking processes as well as in employment opportunities at all levels.

Housing and Urban Development

1. Guidelines for inclusion of specific percentages of poor people in the planning process of programs designed to help them, particularly Model Cities.

2. Endorsement of the pending administration housing bill in this session of Congress.

Justice Department

1. Greatly increased numbers of school suits against Northern school districts.

2. Greatly increased numbers of employment suits to end discrimination.

State Department

1. Establishment of an interagency committee consisting of representatives of the poor and the Departments of State, Justice and Interior to study the question of legal ownership of lands under the Treaty of Guadalupe-Hidalgo.

Interior Department

1. Establishment of a Model School system for Indian children in the communities where they live.

2. Establishment of a plan for creating jobs and housing on Indian reservations.

Legislative priorities

1. Passage of the Clark emergency employment bill for employment in private and public sectors.

2. Passage of the administration's pending housing bill.

3. Repeal of the "freeze" and compulsory work requirements of the 1967 Social Security Act amendments for welfare families.

SOUNDS OF DISCONTENT MOUNT AT TENT CITY—MORE LEAVING

Sounds of discontent mounted in Resurrection City again last night as drenching rains soaked the shanties of the Poor People's Campaign encampment and churned up new expanses of mud.

Complaints of several campaigners announcing departures this morning had a familiar ring:

Lack of leadership, disrespectful treatment by camp marshals, poor and monotonous food, and a general falling off of purpose in the campaign as a whole.

FIGHTS BREAK OUT

There was a report of robberies in the tents. A number of fights breaking out in the camp last night brought an "emergency message" over the tent city intercom at one point pleading for peace. A pay incentive was offered to encourage work.

And in Milwaukee, United Press International quoted the Rev. James Groppi, the white militant priest, as calling Resurrection City a "tactical error."

He said the demonstrators' major confrontation has been "with Mother Nature—mud, food and survival." He said it would have been better to house campaign delegates within Washington's black community, because "we're going to need the black community in Washington."

Groppi said he would like to see "a little more dramatic confrontation with the (governmental) structure. Right now, there is very little action." He added he thought it would come, however: "Half of the battle of the revolution is learning how to wait."

One member of the group leaving camp, John Duehart from Oregon, who a few days ago had been describing the "new social order" the march hoped to achieve, said last night, "I've had so much I'm boiling over with it."

He complained that marshals and leaders didn't care "what the average person thinks."

Percy White of Raleigh, N.C., who said his duties at camp revolved around food distribution and taking care of personal problems among marchers from the Deep South, charged that marshals had their pick of tinned food while others had to make do with sandwiches and cornflakes.

White said workers like himself got no help from the marshals and other "special people." He said efforts to improve cooperation between citizens and marshals had failed, because as soon as top leaders left the camp, marshals assumed a dictatorial manner.

Another complaint is that the Southern Christian Leadership Conference is not providing help for those arrested during a protest at the Longworth House Office Building.

DENIAL OF HELP CHARGED

Two of those arrested, Peter Collins of New York, and Don W. Penn of Washington, both charged with unlawful assembly, said SCLC had provided no legal help and no support of any kind, although they were going to trial "for SCLC," as they put it.

Complainers were unanimous in support of the top leaders, the Rev. Ralph David Abernathy and the Rev. James Bevel, but felt things had broken down in the leadership rank below these men.

Others in a crowd entering the discussion by those leaving dismissed the complaints as nit picking.

But in the "emergency message to the citizens of Resurrection City" at 12:45 a.m., the unidentified spokesman said over the loudspeakers that a "shakeup of the security forces" would be the subject of a special meeting of the city council today.

DOZEN TENTS ENTERED

One sore spot is a robbery-vandalism raid reported on Monday night when about a dozen tents alongside the Reflecting Pool were broken into and portable radios, clocks and other effects of residents who had gone to a rally were stolen.

Campaign leader Hosea Williams announced yesterday that pay would be available for the able-bodied who would pitch in to help lay down walkways in the camp.

Williams indicated that normally work at camp was regarded as a "tax payment," since no other taxes are assessed. But he said some residents have been complaining of having no pocket money and that the pay incentive would be offered.

Work calls apparently have brought little response from some camp residents. A volunteer plumber contributing his skill laying a sewer line Monday made repeated unsuccessful requests for help from the demonstrators.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair, with the understanding that the recess will not extend beyond 12 o'clock noon today.

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

At 11 o'clock and 39 minutes a.m., the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 11 o'clock and 55 minutes a.m., when called to order by the Acting President pro tempore.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

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

CONTROL OVER SONIC BOOMS FROM SUPERSONIC TRANSPORTS

Mr. CASE. Mr. President, advocates of the supersonic transport—SST—hope these planes will be in commercial service in 3 years or less.

Yet while these aircraft, flying faster than the speed of sound, will provide incredibly rapid travel, they also will drag sonic booms continuously in their wakes. The boom apparently will be at least as noisy and certainly more destructive than a thunderclap.

In one recent incident, an F–105 Thunderchief jet is reported to have broken the sound barrier over the Air Force Academy in Colorado. According to newspaper stories, the resultant boom shattered 300 windows and injured 15 persons with flying glass.

Initial tests indicate that sonic booms can also crack plaster, loosen nails, shake bric-a-brac from walls, and damage geological formations. In addition, they may hold danger for weak buildings and mountains laden with snow and ice.

Of course, the boom—which proponents of the SST describe as a "20th-century sound"—will be an affront to the eardrums. In tests made in Oklahoma City in 1964, 27 percent of the residents of that community said they could not tolerate eight booms a day, even though the times of the tests were known in advance and there always was the assurance that ultimately the experimentation would end. According to a Government report, acceptance of the boom in Oklahoma City fell from 90 percent during the early weeks of the program to around 75 percent in the final weeks, seemingly bearing out the National Academy of Science's view "that public annoyance—with the boom—tends to cumulate over time, even among those people whose basic attitudes toward the SST are favorable."

In the Oklahoma City program, no tests were made at night, leaving unanswered the important question as to how sonic booms affect sleeping people. Also, it is uncertain how the boom will affect persons with physical ailments such as heart disease and surgeons in the midst of delicate operations. This is certainly not the extent of the questions to be answered.

Despite this almost total lack of information, the 1,200-mile-an-hour Anglo-French SST, the Concorde, may be ready for commercial service by 1971. Although there have been delays in development, the 1,800-mile-an-hour American SST may be in commercial use by 1974 or 1975. Seventy-four Concordes already are on order and it is estimated that the American SST fleet will number from 200 to 1,200 planes.

But the crucial question as to whether overland flights at supersonic speeds will be banned remains unanswered. While the Federal Aviation Administration, chief developer of the U.S. SST, apparently has authority to impose such a ban, it has not done so. Indeed, its position on the subject has been ambivalent.

For example, in a letter to me last October 6, Maj. Gen. J. C. Maxwell, head of the SST project for FAA, stated:

> We realize that the sonic boom may prohibit overland operations of the SST unless the boom is held within acceptable limits. Government agencies and the SST manufacturers have and are conducting extensive research to lessen the effects of the sonic boom and to determine sonic boom acceptability. Until such tests are completed and criteria are established, we cannot say whether the SST—or any civil supersonic transport—will be permitted to operate supersonically over populated land areas.

And in a letter to me dated October 27, 1967, General Maxwell's office said:

> Although we have conducted many tests on the effects of sonic boom, as of now we do not know if supersonic commercial flights will be permissible over populated areas. It is for this reason that the decisions on the SST program have been based on the assumption that the SST will be restricted to flight routes over the oceans and other unpopulated areas.

However, General Maxwell also has been quoted as saying:

> The public will have to learn to accept sonic boom to a degree.

These statements are hardly reassuring to millions of Americans who will have to live with the sonic booms if the FAA decides, for example, that permitting overland flights at supersonic speeds is vital to the economic feasibility of the project. Many, I'm sure, wonder whether the FAA would consign us to a Dr. Strangelove world in which we all would have to "learn to love the boom."

Restricting supersonic flights to "unpopulated areas" or over "the oceans" would not be satisfactory. The National Park Service has cited a number of instances in which sonic booms were suspected of having caused damage to archeological artifacts or geologic formations. For example, the Park Service believes that a sonic boom caused much of an overhanging cliff to fall and demolish a prehistoric cliff dwelling in Canyon del Muerto, in the Canyon de Chelly Nation-

al Monument, Ariz., in August, 1966. In another instance in 1966, according to the Park Service, approximately 10 to 15 tons of dirt and rock were found to have fallen from one of the formations near the bottom of the Navajo Loop Trail in Bryce Canyon National Park, Utah. In this case, "three exceptionally sharp" sonic booms are suspected, the Park Service stated.

Last autumn, the Wilderness Society, concerned that sonic booms would shatter the "silence and peace" of wilderness areas, urged that commercial and private aircraft creating such blasts be prohibited over all land areas. Some critics of the SST program have raised a question why even overwater flights of supersonically operated SST's should be permitted. This is a further area where the effects of the boom have been wholly unexplored.

While the FAA ties its decision on over land supersonic flights to the outcome of further research into lessening the boom, a recent National Academy of Sciences report concludes that no "dramatic" reductions in sonic boom intensities are on the technological horizon, and that much more research remains to be done. In a letter to me last August 18, the U.S. Air Force stated categorically:

> At the present time, there is no known method of dissipating the pressure wave that is produced when an aircraft exceeds the speed of sound.

Yes in 3 years or less the commercial supersonic age may come crashing into our lives with no protection for the public.

The question of protecting the public, and how best to do it, must be decided before, not after, the SST's begin adding to an already noisy environment. As Interior Secretary Udall stated in January 1967:

> I think that we are going to make a serious mistake if we don't appraise this (the sonic boom) in advance. I would hate to see us do what we have with so many other decisions that have been made, to go booming ahead . . . and then find out later that we have caused a serious deterioration in the overall-environment.

Sweden, Switzerland, and West Germany have taken, or are in the process of taking, steps to curb supersonic flights over their countries. In my judgment the United States should show no less foresight and should move promptly and effectively to deal with this problem in advance of its occurrence.

In order to bring about such a result, I have introduced legislation (S. 3399) which, first, bans all nonmilitary flights at supersonic speeds over the United States and its territories and possessions indefinitely; second, provides for a comprehensive, 2-year investigation of the sonic boom and its effects by the FAA in consultation with seven other departments and agencies; and, third, leaves it up to Congress to determine whether to continue the prohibition against supersonic overflights.

The issue of supersonic overflights is too important to be left to a single appointed Federal official, or a single Federal agency. In a matter affecting most, if not all, of the Nation, Congress—and Congress alone—must make the final decision. Congress has a duty to see to it that scientific advances, no matter how desirable or spectacular, do not create more problems than they solve.

At this stage, at least, I believe that only those directly concerned with development of the American SST and perhaps the relatively small percentage who will use it would consider the supersonic transport an unqualified good. Even in the administration there is no unanimity of support for the project. Secretary Udall, for example, has established a special committee of distinguished scientists to advise him on the effects of the intrusion on the environment of the sonic boom.

And in a little-noticed report issued last December by an Independent Study Board established by the Commerce Department, the following appeared:

> The supersonic transport plan, unless the sonic boom problem can be solved, will potentially provide benefits to a small percentage of the total population and earn profits for some firms, but at the expense of transferring to the general public heavy costs of further deterioration in environmental quality.

The report went on to say:

> Regional and national objectives can best be served if a major effort is made to shift the emphasis in science and technology programs away from mere technical feasibility toward social priorities.

Amen. We want technological and physical progress, but we want it on acceptable terms. This point cannot be stressed too greatly. Faster airplanes, large airports, more freeways and new high-rise buildings, among other things, are desirable or not depending upon their consistency with sound planning and environmental goals that are in the public's interest.

I hope the Senate Aviation Subcommittee, which has jurisdiction in the field of aircraft noise, including sonic boom, will schedule hearings on my bill before the end of this congressional session. With the commercial supersonic age and its "20th-century sound" almost upon us, it is not only timely to do so, it is urgent.

Mr. President, the response to my bill has been wide and overwhelmingly favorable. Among the many letters I have received is one from Dr. DeWitt Stetten, Jr., dean of the Rutgers Medical School at New Brunswick, N.J. I ask unanimous consent that the letter and several articles and editorials be printed in the RECORD.

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

RUTGERS, THE STATE UNIVERSITY,
New Brunswick, N.J., May 13, 1968.

Hon. CLIFFORD P. CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: As a dues paying member of the Citizens League Against the Sonic Boom, and as the Dean of Rutgers Medical School, I am particularly proud and pleased that it should have been a Senator from New Jersey who introduced Bill S. 3399, "Regulation of Sonic Booms."

The devastating effect of sonic booms was first brought to my attention when I visited Oklahoma City some years ago during a period when the effects of repeated sonic boom were being tested on that population. Every morning and every evening a military supersonic plane flew over the city, shattering windows, morale, sleep, and conversation. After one month of this exposure it is my understanding that the population was found not to have accommodated to this additional stress.

A couple of years ago, at a meeting of the National Research Council, I listened to a report from the chairman of its Committee on Pollution, Dr. Athelstan Spilhaus, then of the engineering faculty of the University of Minnesota. This committee concerned itself chiefly with the reduction of pollution by chemical and radioactive agents which were already in our atmosphere, our soil and our water supply. I raised the question from the floor at that time as to whether sonic booms could not be construed as a pollutant of our environment and one against which there was yet time to legislate. I was assured from the podium that commercial supersonic aviation was definitely on its way and there was nothing that this august body could do about it.

I am very happy to learn from your recent actions that there is something to be done to spare us this additional trauma in what are already trauma-filled times. I agree absolutely with the press release from your office dated Sunday, April 28, 1968, and hope that you will be successful in converting S. 3399 into the law of the land.

Very truly yours,
DEWITT STETTEN, Jr., M.D., Ph. D.,
Dean.

[From the New York Times, May 16, 1968]

BANNING SONIC BOOMS

Senator Clifford Case introduced an important little bill the other day to ban sonic booms by aircraft flying over the United States pending further study of their effects. While technical and budgetary difficulties have slowed development of an American supersonic aircraft, the British and French are progressing with their joint-venture model. It is important to have some protection on the law books before the booms come crashing down on the nation's ears.

Sonic booms are conceded to be highly disruptive sounds, more annoying to some people than to others. They follow an aircraft as waves follow an ocean steamer, in a wide, rippling wake. Continuing tests reveal that booms might crack plaster, break windows and have harmful effects on people with certain physical ailments. Extensive testing in Oklahoma City some years ago showed that a significant portion of the population could not tolerate multiple booms.

Developers of the American S.S.T. say they "assume" it will fly at supersonic speed only over water but this is too important an issue to be left to anyone's assumption. Senator Case's bill deserves public hearings and positive Congressional action.

[From the Newark (N.J.) News, Apr. 30, 1968]

WHOSE SKIES?

The National Academy of Sciences has concluded there is little hope that design changes can bring much reduction in sonic booms from airliners. The Federal Aviation Administration's contribution to the subject is that "the public will have to learn to accept sonic boom to a degree."

These complacent assumptions that the public must submit to noise and nuisance in the name of progress are challenged by Sen. Case, who has introduced a bill banning commercial supersonic flights over the United States until Congress specifically authorizes them.

The supersonic transport will enhance airline profits by utilizing fewer planes to carry more passengers, and it will get travelers to their destinations faster. For these benefits, to be enjoyed by a minority, many more mil-

lions on the ground may have to pay in shattered nerves, cracked plaster and broken windows.

Sen. Case also raises questions about the effect of the boom on persons with heart ailments, on surgeons performing delicate operations, on mountains laden with snow or loose rocks and on ancient geological formations. His idea is that before these monsters are let loose somebody ought to find out how much damage they may cause.

His intervention springs from the old-fashioned notion that in every conflict of interest the comfort and convenience of the majority ought to be given first consideration. His conclusion is that in a matter so profoundly affecting the quality of human life Congress, not an administrative agency, should make the decision. Only those who insist that every scientific achievement is an unqualified good will disagree.

[From the Newark (N.J.) News, June 4, 1968]

SONIC BOOM

Civilians who have suffered, or are apprehensive about, the effects of sonic booms from aircraft have gotten little sympathy from the aviation industry or the government. The National Academy of Sciences recently concluded there is scant hope that design changes can bring much relief and the Federal Aviation Agency complacently observes that "the public will have to learn to accept sonic boom to a degree."

The public will, therefore, take ironic cognizance of what happened at Colorado Springs. A low-flying F-105 Thunderchief, one of four jets from McConnell Air Force Base in Kansas, shattered more than 200 windows at the Air Force Academy. A dozen officers and civilians were cut by flying glass, the latest victims of scientific progress. Now the Air Force knows how the rest of us feel about the fallout from supersonic flight.

The incident could help generate support for Sen. Case's bill that would ban commercial supersonic flights over the United States until, after investigating their impact on human health, Congress specifically authorizes them. Even so, the bill's prospect remain dim as long as so many believe it's perfectly all right to subordinate the health and safety of the many on the ground to the convenience of a few in the air.

[From the Record, Hackensack (N.J.) June 4, 1968]

SST REPORTING

Sen. Case was saying the other day that Congress ought to investigate the planning for the supersonic transport plane (SST), and it is hard to think of a better place to start than the Air Force Academy. There seems to be a question whether the sonic boom which goes clattering across the countryside under a plane in supersonic flight might be a bit of an inconvenience.

Well, an F-105 Thunderchief went through the sonic barrier in a pass over the academy one day last week. Four buildings were damaged. Windows were shattered. Fifteen persons were cut by flying glass. The damage was estimated at $50,000.

That was one little old sonic boom. Congress could start its investigation—and end it—right here. We taxpayers are ponying up the money for the research and development on the SST.

Who needs it?

[From the Trenton (N.J.) Evening Times, June 11, 1968]

NOISE AND HEALTH

Big-city is doubly polluted—by fumes and dirt, and by noise. The latter kind of pollution will be the subject of a two-day National Conference on Noise as a Public Health Hazard, opening in Washington Thursday, June 13.

As the name of the conference suggests, noise can be injurious as well as merely annoying. Exposure to certain kinds of noise is said to produce hearing loss, damage to the nervous system, and interference with the depth of sleep.

One issue which belongs on the agenda of any such conference is the effect on people of the artificial thunderclaps caused by aircraft breaking the sound barrier.

New Jersey's Senator Clifford P. Case has introduced a bill to ban overland flights at supersonic speeds by nonmilitary planes "until all aspects of the sonic boom have been investigated and Congress has decided whether such flights should be permitted."

Sonic booms have caused cracked plaster, tumbling bric-a-brac and broken windows—most recently, ironically, at the U.S. Air Force Academy. "Yet to be answered," said Senator Case, "are such questions as the effect of the boom on persons with heart ailments, on surgeons in the midst of delicate operations, on sleeping people, on weak buildings, on mountains laden with snow or loose rocks and on ancient geological formations."

Senator Case's effort is extremely worthwhile, and the National Conference on Noise as a Public Health Hazard would perform a useful service by strongly endorsing it.

[From the Camden (N.J.) Courier-Post, May 17, 1968]

PUT UP WITH SONIC BOOM?

Sonic booms may get louder and more frequent as jet aircraft progress sweeps the United States—unless someone puts a stop to them.

New Jersey's Sen. Clifford Case is for doing that. He thinks something can be done about the supersonic noise, that we don't have to put up with it, and that people needn't necessarily accept such disadvantages just to gain the benefits of progress.

Case has introduced legislation calling for a federal ban on supersonic jet airline flights over the U.S. until Congress decides whether sonic booms are safe. The measure would ban the supersonic flights and provide for a two-year program of intensive scientific investigation into all aspects of the boom.

Case's determination to do something about it is timely, for already six major U.S. airline companies have ordered a total of 38 of the supersonic jets, which are capable of flying 1,200 miles an hour.

Congress should be aware, Case believes, of the penalties we may have to pay for permitting supersonic airliners, trailed by their thunderous sonic booms, to fly overland, particularly over heavily populated areas.

It isn't a narrow matter. The sonic boom which moves in the trail of a plane flying faster than the speed of sound radiates across an area of up to 80 miles wide, Case notes. Tests have shown that as many as 20 million persons may be boomed by a cross-country supersonic flight. And in addition to the affront to the ears, this means cracked plaster, broken windows, and tumbling bric-a-brac.

Unknown factors involve effects upon persons with heart ailments, on surgeons in the midst of delicate operations, on sleeping people, on weak buildings, on mountains laden with snow or loose rocks, and on ancient geological formations.

Maybe there isn't much hope that design changes can bring much reduction in sonic booms. Some experts even say the public will have to learn to accept sonic booms to a degree.

But this isn't necessarily so—even in the name of progress—and Case is challenging the notion. Millions of people on the ground needn't be inconvenienced just so a few people in the air can travel faster.

[From Business Week, Nov. 4, 1967]

A LITTLE LESS NOISE, PLEASE

The U.S. is now committed to support the supersonic transport—a 1,800-mph airplane to compete with the British-French Concorde. Last month the Senate soundly defeated a move to delay the Administration-backed SST, which Boeing will build.

But a government policy decision, though it may be right in its general conclusion, can fail to meet the test of public benefit through its execution. This could turn out to be so with the SST, because the government is being gingerly and indecisive in handling the stickiest issue of all: sonic boom. The supersonic planes will be a noisy nuisance—even dangerous—to anyone in their 50-mile wide wake of continuous, thunderous sound.

Boeing and the airlines say the SST will be profitable even if the plane is banned from flying supersonically over populated areas. But, as Senator William Proxmire points out, there will be a tremendous buildup of economic pressure to fly the SST everywhere, even if there is a land ban initially. Boeing estimates that by 1990, if there is a ban on flight over land, it will lose sales totaling $28-billion.

The airlines face economic pressures, too. They are planning a relatively small surcharge for SST flights. If the SST is restricted, however, they would probably raise fares to recoup higher operating costs. This would cut into passenger demand, reducing the number and profitability of SST flights.

It is hard to avoid concern that once the SST is built, Boeing and the airlines will feel they have a big foot in the door to unlimited SST flight. Boeing has sought to romanticize sonic boom by calling it a "20th Century sound." But the plain fact is that, even though the noise may not be lethal, it will make 20th Century life even more intolerable than it already is.

This is the time for the Federal Aviation Agency decisively to ban the boom. It should make clear to Boeing and the airlines that the SST boom will not be permitted over populated areas and that their plans should be made knowing that the plane will fly over water routes only. The FAA will have to hold forcefully to this position in years to come. The public needs stronger protection against sonic boom.

[From the New York Times, Aug. 3, 1967]

SUPERSONIC NOISE POLLUTION

The latest discoveries about sonic boom—"le bang" as the French term it expressively—provide scant comfort for enthusiasts of supersonic commercial air transports. In the new United States Government study, for example, the data indicate that this type of noise pollution is extremely hard for people to get used to. Even after hearing many sonic booms, people tend to resent them. And in France, the shock wave of a supersonic flight has been indicted as the factor behind the collapse of an old Breton farmhouse in which three people were killed and a fourth seriously injured.

Further research will undoubtedly turn up additional useful information, but by now the results of several years' investigation of this phenomenon are beginning to fall into a pattern. In a world where everyone was healthy and vigorous, where all buildings were relatively new and well constructed, sonic booms would be just one more source of annoyance and frayed nerves among the many such "blessings" modern civilization and technology have produced. But in the real world—where any large community has many sick and infirm people and many old and poorly constructed buildings—sonic booms, especially if repeated frequently, pose appreciable hazards to the more fragile human beings and structures.

In the case of military planes required for national defense, that cost is probably bearable. But there is no such justification for sonic booms to serve the relative handful of people who are in such a hurry that they must fly at 2,000 miles an hour rather than at a "mere" subsonic 600 miles an hour. Using the criterion of the greatest good for the greatest number, the case for prohibiting regular commercial supersonic flights over

populated areas seems overwhelming until some effective cure for "le bang" is discovered. And for those who believe people on ships also have rights, the wisdom of allowing such regular flights even over the oceans will seem questionable at best.

[From the Washington Post, Mar. 16, 1968]

THE BIG QUESTION: WHOM TO BOOM?

(By David Hoffman)

To fly or not to fly supersonic transports over the U.S. mainland is a question of importance to Congressmen, conservationists, insomniacs and airplane builders. It is, moreover, a question that can be answered now.

Instead of answering that question—Should a subsonic speed limit be posted across the whole of the Nation?—the Johnson Administration is ducking it. Not until the SST is a *fait accompli* and flying will the Administration decide whom to boom—shipboard passengers or Americans at home.

Behind the Administration's decision is a harsh but simple fact: At this point, the citizens of no U.S. city would vote to subject themselves to repetitive sonic booms, nor would any representative jury of scientists and public servants vote to expose perhaps 150 million Americans to the noise that domestic SST fleets are certain to generate.

In noise test after noise test sponsored by the Federal Aviation Administration, one conclusion keeps emerging: To the recipient, a sonic boom is a boom is a boom. Human guinea pigs care not whether the noise resembles a rifle shot or a thunder clap.

Since the intensity and not the quality of a boom determines its noxiousness, we can now give a cross-section of America a real test of SST noise.

FAA knows, roughly, the intensity (if not the precise pitch and chord structure) of an SST's predicted boom. By varying the speed, weight and altitude of Century-series fighters, the Air Force could lay down any number of SST-strength booms or louder booms, or softer booms. But on whom?

We know the number of SSTs the Boeing Co. expects to build—about 1200 if the airplane is allowed to fly overland at supersonic speeds. From that we can calculate SST flight frequency along a given airway in some future year.

We know that at least one such airway must be constructed atop the Great Circle route between New York and Los Angeles. Underneath that airway lies Peoria, Ill., which might be called the "typical en route city."

We know airlines must keep their SST fleets airborne day and night in order to keep the cash flowing. Thus we can predict the number of nighttime booms to be inflicted on a sleeping city.

Ground rules for a realistic test to determine the intensity for an "acceptable" SST boom immediately become clear—with one exception. No one must warn the Peorians of the forthcoming experiment.

As previous tests have proven, a warning would stimulate crank complainers, such as the Oklahoma lady who claimed a boom broke her brassiere strap.

Though simple to construct, cheap to conduct and sociologically desirable, such a realistic noise test is politically out of the question.

Within two years, however, Pan American World Airways should receive the first of eight supersonic Concords it ordered five years ago. As matters now stand, Pan Am is free to fly that airplane, supersonically, day and night, at any altitude, between New York and Los Angeles.

How much to disturb Americans is obviously a political question, one that seemingly should be answered by Congress or the Administration. Yet as matters now stand, Where Pan Am operates its Concord fleet will be determined by public relations and the marketplace.

Each agency of the Federal Government steadfastly maintains that under existing law it now lacks power to control aircraft noise, including the sonic boom. To cure such alleged impotence, the Department of Transportation has sponsored a bill giving itself authority to set and enforce noise standards.

For most of two sessions, the bill has languished on Capitol Hill even as British and French engineers cut the metal for the two Concord prototypes, assembled their aircraft and rolled them from the factory.

Forty-one world airlines have ordered 194 SSTs to date, and many of the lines operate primarily overland. No Congressman has yet tasted the luxury of a two-hour flight from New York to Los Angeles, nor have subcontractors tooled up to produce SST components.

In short, from this point on, pressure to permit overland supersonic flights will build, not lessen. The one-year slippage in our SST's production timetable affords time to decide how loud a boom, if any, Americans should be asked to tolerate. If that decision is postponed another chance to exert human control over technology may be lost through happenstance.

EXECUTIVE SESSION—INTERNATIONAL GRAINS ARRANGEMENT OF 1967, EXECUTIVE A, 90TH CONGRESS, SECOND SESSION

The ACTING PRESIDENT pro tempore. Under the order of yesterday, the Senate will now go into executive session and, as in Committee of the Whole, consider the International Grains Arrangement of 1967 (Ex. A, 90th Cong., second session).

The question is on agreeing to the resolution of ratification. On this question, debate is limited to 2½ hours, to be equally divided and controlled by the Senator from Alabama [Mr. SPARKMAN] and the minority leader, or any Senators they may designate. The vote will take place at 2:30 p.m.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally against both sides.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so 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 ACTING PRESIDENT pro tempore. Without objection it is so ordered.

Mr. MANSFIELD. Mr. President, I yield 5 minutes or more to the distinguished Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, I support the approval of the International Grains Arrangement of 1967.

I have a particular interest in the extension of the wheat agreement and also the new part of this arrangement, since in 1949 it was my privilege to propose the first International Wheat Agreement, before the Congress of Nations, assembled in Washington, D.C. That has been renewed from time to time for a period of years, and now the time has come when the President has asked that the International Wheat Arrangement again be approved by Congress, and included this time is the Food Aid Convention, which I think makes the whole thing much more desirable.

There is opposition to renewing the International Wheat Agreement part of this arrangement. The international traders are very much opposed to it, and at least one farm organization, I believe, is opposing it rather strenuously. However, I believe that most of the wheat organizations—virtually all of them—are supporting it, as are the wheatgrowers in general; and I note that many Senators from the wheat States are strongly supporting approval of this arrangement.

I know that our international traders perform a very useful function in world trade. They do build business. They make money at it, too. And they would make more, perhaps, if they were not handicapped by any rules and regulations. Some of them seem to think that so far as American agriculture is concerned, the law of supply and demand should be all that is needed to govern the production and distribution of our commodities. I cannot go along with that theory.

When it comes to deciding what we are going to do in this respect, and it appears that the wheatgrowers in overwhelming majority feel that this arrangement will be to their advantage, I have no difficulty in making up my mind to support their position, because American agriculture needs all the support it can get. Since the wheatgrowers are in favor of this arrangement, or renewing it for another term of years, then I am going to support them; and I recommend that the Senate approve the International Grains Arrangement of 1967.

I thank the Senator from Montana for yielding time to me.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Who yields time?

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally to both sides.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPARKMAN. 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. SPARKMAN. Mr. President, I yield 10 minutes to the distinguished Senator from Louisiana [Mr. ELLENDER].

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 10 minutes.

Mr. ELLENDER. Mr. President, I am very sorry that I was unable to be in the Chamber all of the time this measure was being debated.

This agreement is no radical departure from the past. The so-called wheat agreements have been on the statute books since 1949. To say the least, it has helped the importing as well as the exporting countries considerably. It has been extremely helpful in stabilizing wheat prices. I do not know of any substantial opposition that was engendered

in the past when it came to adoption of the wheat agreements the many times they were before the Senate.

The proposal before the Senate today does not differ materially from the old wheat agreements. One difference is that the minimum and maximum prices included in the convention are based on U.S. gulf port prices rather than Canadian prices. In contrast to the older wheat agreements, we find that the minimum price would be about 20 cents higher per bushel than the last wheat agreement we had on the statute books. The second difference is that importing countries also agree to buy from nonmember countries within the price range established by the convention.

The arrangement will doubtless stave off cutthroat competition. The countries which produce wheat for export, as well as those that buy wheat, will be assured of all the wheat they need. The prices are more or less fixed, and this, as I said, will doubtless do much to stabilize world wheat prices.

Another feature of the convention—its second part—is that cooperation from other wheat-exporting countries is assured in assisting us to help those nations short of food.

Two years ago, in the case of India, the United States furnished about 80 percent of the requirements for that country. The second part of the convention envisions bringing in countries which produce wheat for export so that they can assist the United States in providing food to help the countries which lack it.

Under this arrangement, the countries have already agreed to furnish a certain amount of wheat, and a certain amount of grain. As I understand it, from the promises made by countries which produce an excess of corn and other feed grains, as well as wheat, they have agreed to furnish about 57 percent of the amount of food necessary to assist nations short on food. So, the United States, instead of putting up 80 percent of the grain necessary for India, will probably put up not more than 40 percent to 42 percent.

It is my belief that this arrangement should be adopted if for no other reason than its second provision. In the past we have provided millions of tons of food we had in excess of our requirements. As a matter of fact, we carried the whole burden.

The purpose of the second portion of the arrangement is to interest other countries which produce above their domestic requirements to assist us in making food available to countries in need of it.

For that reason alone, it would seem to me it would be a good idea to adopt the arrangement. The continuation of the original wheat agreements, in my opinion, is necessary because if we do not have some kind of understanding with the countries of the world which overproduce wheat, we will find ourselves engaged in a cutthroat, competitive war.

It strikes me that it would be detrimental to the wheat growers of the United States should that occur.

I am very hopeful that the Senate will adopt this arrangement.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Page 3 of the report states that the United States has three objectives with respect to grains. The third one is the establishment of a multilateral sharing of the world's food aid burden.

Mr. ELLENDER. That is the second portion I have been talking about.

Mr. LAUSCHE. The Senator from Louisiana and the Senator from Ohio are in accord, then, that the other grain-producing and food-producing nations of the world should begin to share a greater part of the burden in feeding the poorer countries.

Mr. ELLENDER. That is correct. As I said, that is the objective of the second portion of the convention.

Mr. LAUSCHE. Yes. But why I am disturbed by what has been done is the fact that this convention does not bring aid to the United States, so that the burden of the United States in providing the cost of food will be lessened.

Is it the Senator's understanding that the nations who will participate in the next 3 years will be giving more than they gave in the past?

Mr. ELLENDER. In the past, they gave little or nothing. Two years ago, as I just said, in the case of India, we furnished about 80 percent of the wheat grain that was delivered to India, in order to relieve starvation there. Under this convention, the promises which have already been made by the signers of the convention, as I said, are for contributions in the aggregate of about 56 percent or 57 percent of the amount necessary.

Mr. LAUSCHE. I believe it is 58 percent.

Mr. ELLENDER. One of the objections I had at first—and my good friend from Alabama [Mr. SPARKMAN] will recall it—was that I thought the 42 or 43 percent that we were going to furnish was a little high. I thought if we would furnish one-third of the requirements, it should be satisfactory. But, somehow, we could not get the other countries to furnish more than 56 to 57 percent, as I said.

Mr. LAUSCHE. But the facts are that the other countries which will provide 58 percent will be giving no more than they have in the past.

Mr. ELLENDER. They will be giving more.

Mr. LAUSCHE. Japan is the only one.

Mr. ELLENDER. That is right.

Mr. LAUSCHE. Japan will give more, but not in food. It will provide money.

Mr. ELLENDER. I was going to say that, in addition to the food requirements, many countries will probably furnish cash to buy food. But, as I view the second portion of this convention, it is going to make it possible for us to get assistance from many other countries to help in feeding the underprivileged.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. MORSE. Mr. President, I yield myself 10 minutes. I wish to speak in favor of approving the International Grains Arrangement.

I make this statement as one who is impressed by the fact that real experts on the subject—the organizations of wheatgrowers of this Nation, and several other farm organizations as well—are giving their strong support. When their leaders say that this arrangement is good, both for our country's wheatgrowers and for the country as a whole, I am impressed.

As a member of the Foreign Relations Committee, I have followed the hearings on this agreement very closely. I attended some of them. I want to say I am impressed by the agricultural authorities in the Senate who support this agreement. Let me mention a few of them. During my years in the Senate, I have followed closely the advice of the Senator from Kansas [Mr. CARLSON], the Senator from Vermont [Mr. AIKEN], the Senator from North Dakota [Mr. YOUNG], and the chairman of the Senate Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], whom the Senate has just heard speak in support of this agreement. Earlier, Senators CARLSON, AIKEN, and YOUNG of North Dakota had spoken in support of the agreement.

I have heard nothing yet in this debate that in any way answers the strong argument that these agricultural leaders in the Senate have made for this agreement.

Last week, I met with the board of directors of the Oregon Wheat League. the same evening I sat at Dufur, Oreg., and listened to the members of the Oregon Wheat League and other agricultural leaders. There was unanimity among them in support of the agreement.

The support for this arrangement, however, is not unanimous. I have recently received two telegrams from my State in opposition to the agreement. The first I received from Gerald E. Tucker, Board of Trade Building, Portland, Oreg. The second was from Thomas F. Hunt, president of the Pacific Northwest Grain Export Association, Portland, Oreg.

I ask unanimous consent that those two telegrams be inserted in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. MORSE. I also received a supporting telegram from Kenneth D. Naden, National Council of Farmer Cooperatives. I ask unanimous consent that it and other supporting messages and telegrams be inserted in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. MORSE. Mr. President, at the hearings on this arrangement that we held not long ago, a statement was made by Mr. Allen Tom, a farmer from Oregon who came here as official spokesman for the National Association of Wheat Growers, Western Wheat Associates, and Great Plains Wheat, Inc., the three big associations of wheatgrowers in the United States.

This farmer had some practical remarks, which I would like to quote:

I want to point out that the wheat growers believe in farm programs. We think that the

Agricultural Act of 1965 is the best program that has ever been devised that fits into a modern economic structure. And the International Grains Arrangement, as far as we are concerned, is just another part of our overall farm program package.

Now, as far as I can see, the days are gone where people simply trade with each other. The days are gone when trade is determined by simple comparative advantages. This was brought out in Geneva. Managed markets are the rule today, and I can think of hardly a nation that refrains from imposing controls and trade restrictions. We do. And the IGA, I think, will be a harmonizer as far as world trade is concerned.

Also, I am impressed by the food aid provisions of the new International Grains Arrangement.

For the first time ever, on a regular and continuing basis, developed countries—importing and exporting alike—under the arrangement will be committed to a 4.5-million-ton annual program of food aid to developing countries. This will be carried out under the arrangement's Food Aid Convention.

A Food Aid Committee, with representatives from the contributing countries would be established, with the primary function of reviewing overall functions of the convention—especially its effects on food production in the recipient countries.

The United States will supply 42 percent—about 1.9 million tons of the food aid. The European Common Market's share is 23 percent—about 1 million tons. Canada will supply about 11 percent; Australia, the United Kingdom, and Japan will supply about 5 percent each.

Contributions can be in the form of wheat, coarse grains suitable for human consumption, or the cash equivalent.

I want to stress the cash equivalent, because this arrangement, for the first time, will bring into a contributing status a good many countries which are not grain producers but which, under the agreement, recognize that they, too, have a responsibility to come to the assistance of solving the grain problem that confronts the world.

Contributing countries may specify the recipients of their donations, or they may channel them through an international organization such as the world food program of the United Nations.

In my judgment, this represents a practical approach toward getting nations to share in meeting world hunger problems.

That is one of the strongest features of this arrangement, and those of us who recognize it and who have been working in the Senate for this kind of international cooperation have an opportunity today to vote for the principle we have been talking about so often in the Senate.

I want to say something about the cost factor that is involved insofar as our wheatgrowers are concerned. The record in our hearing on this matter sets forth the fact that wheatgrowers in our country today are receiving less per bushel for wheat than they received in 1936. We know what has happened to the cost of production of wheat. We know, for example, that mechanical combines cost all the way from three to five times as much as they did in 1936. We know that is true of all the other expensive machinery that is necessary to equip an efficient wheat-producing ranch. That is why there is great resentment in the Wheat Belt of the country on the part of the producers of wheat, for they feel they are receiving sorry and shoddy treatment as far as the agricultural program of this country is concerned.

I need not remind the Senate again this afternoon of the relationship of bread to life. We had better listen to the food experts. We had better take note of what their testimony is. Their great concern is whether this Nation will be able to produce enough wheat to meet the food needs of our population in the years 2000 to 2025. That is just tomorrow in terms of historic time.

Furthermore, we talk a great deal about peace. One of the greatest weapons for peace that we have is food. Mr. President, instead of talking about reduction of food production in the United States, we ought to see to it that every acre of land that is tillable for the production of food is tilled and used for food production as one of the great instrumentalities for promoting peace around the world.

Food, Mr. President, happens to be one of the greatest weapons that we can use in bringing about that long awaited day of peace in the world.

So it is pointed out in the hearings; it was pointed out by the Senator from Kansas [Mr. CARLSON] in his able argument in support of the arrangement; and it was pointed out by the wheat producers at the meeting which I attended last week, that this will result in 20 cents, and probably 23 cents per bushel more for the wheat producers than they are now receiving for wheat.

Mr. President, because of these features of the arrangement, because of the record made in our hearings, and because of the recognized expertise of Senators FRANK CARLSON, GEORGE AIKEN, MILT YOUNG, and ALLEN ELLENDER, all of whom support this arrangement, I submit that the overwhelming proof is in support of the arrangement, and I hope the Senate will approve it today.

EXHIBIT 1

PORTLAND, OREG.
June 7, 1968.

Senator WAYNE MORSE,
Senate Office Building
Washington, D.C.:

Respectfully request reconsideration of your stand on the IGA it is my feeling it will not stabilize or strengthen world wheat prices nor broaden food assistance efforts. It will not eliminate barrier to U.S. exports in Western Europe which was the chief target of negotiations. Two successive bumper world crops present a grave risk to U.S. exports in the absence of significant production controls. Outside United States there are not provisions assuring others will cooperate in controlling production especially Soviet Union which produces not less than a fourth of the world wheat. Wheat acreage sharply increasing around world while U.S. wheat producers face second successive acreage cut. It is reported to me that Ambassador Roth conceded IGA is a balanced agreement not related to other Kennedy round agreements and can be judged on its own merits. I feel it is not in the best interest of Oregonians.

GERALD E. TUCKER,

PACIFIC NORTHWEST GRAIN EXPORT ASSOCIATION,
Portland, Oreg., June 7, 1968.

Senate WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

Majority of membership of this association strongly oppose ratification of international grains agreement for following reasons:

1. IGA will not reduce or avoid barriers to U.S. exports in Western Europe which were chief target of negotiations.

2. Effort to raise prices now above levels which have produced two successive bumper world crops poses grave risk to U.S. exports in absence of any significant production controls outside United States.

3. IGA has no provisions assuring others will cooperate in controlling burgeoning production. Instead wheat producers face second successive acreage cut. Soviet Union which produces fourth to third of world wheat is not bound by IGA minimum price or food requirements so free to undercut cooperators.

4. IGA provides strong precedent for similar agreements sought by less developed countries which would undercut U.S. cotton oilseed and oilseed products exports.

5. Ambassador Roth has conceded IGA is a balanced agreement not related to other Kennedy round agreements and therefore can be judged on its own merits.

6. Senate Rejection would not end prospects for price stabilization but would indicate United States will not support incentive price arrangements without assured cooperation from other producers.

Respectfully request your support and urge use your influence to oppose ratification.

THOMAS F. HUNT,
President.

EXHIBIT 2

WASHINGTON, D.C.,
June 3, 1968.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.:

We reiterate our appeal of January 28th that you support ratification of the International Grains Arrangement. Disorderly international marketing in wheat trade threatens opportunity for long range harmonization of national farm policies which is essential to health growth in world agricultural trade. Expanded trade opportunities are vital to U.S. farm exports and favorable trade balance. Food aid convention portion of IGA is also of great significance in building a strong multilateral world food aid program with benefits to U.S. in allowing us to deal with our own farm policy problems with more assurance of what will happen on the international scene.

KENNETH D. NADEN,
National Council of Farmer Cooperative.

PENDLETON, OREG.,
May 17, 1968.

Senator WAYNE MORSE,
Senate Office Building, Washington, D.C.:

Tried contact you Washington, D.C., office copy of wire to Ad Hoc Committee for your information.

Oregon Wheat Commission in full support of Senate ratification on International Grains Arrangement, Oregon Wheat Growers League also urges early ratification of agreement, as does National Associate of Wheat Growers. This treaty benefits U.S. producers and entire Nation by improving balance of payments through increased volume of world agriculture, trade will assist level of world wheat prices thereby lowering government subsidy costs will help prevent world price wars by providing guidelines for range of maximum and minimum prices in world price wars by providing guidelines for range of maximum and minimum prices in world wheat trade

without International Grains Arrangements, U.S. very vulnerable to chaotic conditions developing when over 60 percent of U.S. wheat exported. Wheat growers urge favorable report of Ad Hoc Committee to help stabilize U.S. wheat industry.

FLOYD ROOT,
Chairman, Oregon Wheat Commission.

PENDLETON GRAIN GROWERS, INC.,
Pendleton, Oreg., May 17, 1968.

HON. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We believe the International Grains arrangement is a sound and constructive program in the world's trade and use of wheat under today's conditions.

Past agreements have contributed to reasonable stability of world prices and have encouraged cooperation between world producers and consumers. This is of significant importance to our wheat producers who are so heavily dependent on export markets for wheat.

We urge favorable action on the new International Grains arrangement.

Sincerely,

JAMES HILL, Jr.,
Secretary.

NORTH PACIFIC GRAIN GROWERS, INC.,
Portland, Oreg., May 21, 1968.

HON. WAYNE L. MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Following thorough consideration our Board of Directors recommends prompt ratification of the International Grains Arrangement. We contend that the U.S. must maintain a leading role in stabilizing and supporting international wheat prices. The I.G.A. should prove to be a useful tool in raising international prices to the ultimate benefit of the U.S. wheat producer as well as the U.S. taxpayer.

The Food Aid section of the Agreement represents a significant step in assuring that more well-developed nations in the world accept their responsibility in feeding and assisting under-developed countries. The U.S. has shouldered more than her share of this burden since World War II. The Food Aid section of the I.G.A. should provide a framework within which all countries can accept their proper share of responsibility and interdependence.

We recommend prompt ratification so the pact will go into operation coincident with the expiration of the International Wheat Agreement on July 31st. This will preserve order in international commerce and demonstrate good faith on the part of the United States.

Sincerely,

WILLIAM L. BELL,
President.

Mr. DIRKSEN. Mr. President, I yield 15 minutes to the distinguished Senator from Indiana.

Mr. HARTKE. Mr. President, I am opposed to the International Grain Arrangement. It does not help the American farmer, including the Indiana soft wheat farmer, nor does it help the American economy, the American balance of payments, nor the international economy as a whole. In the absence of effective sanctions, it will encourage foreign producers to increase production and further flood the international markets. Those nations with storage facilities, mainly the United States of America, will be forced to bail out the international market by keeping American wheat in storage at the expense of the American taxpayer.

The prices of American wheat are not going to be affected by an international price, primarily because they are largely shaped by our domestic foreign policy and our Public Law 480 program. This agreement does not affect those prices, nor will it increase American sales abroad. In fact, those sales will probably decrease.

I am not satisfied with the provisions of the International Grain Agreement as presently outlined. It seems to me to present a case of voting between the lesser of two evils: First, an agreement which bypasses the original negotiation intention to break down the nontariff barriers; or, second, no agreement at all.

I have spoken out on many occasions as to my desire to see these nontariff barriers broken down—the so-called viable import quotas, weight restrictions, and others. Yet for all the work of our negotiators, and especially in this case where they pursuaded the buyers to pay a higher price for wheat, this has not even begun.

Another problem with the agreement is the burden that it places, with higher prices, on the lesser developed nations. True, for the first time we have an agreement that the other nations—producing nations—will help us in food aid. However, once these nations have precious dollars to spare to buy wheat they buy at a higher price.

Wheat is a big business in Indiana and we want to sell as much on the world market as we produce. Let me show by example what a big business it is:

In Indiana, the production of soft wheat in 1965 was more than 36 million bushels; in 1966, more than 44 million bushels; in 1967, more than 48 million bushels, for a total dollar value of almost $63 million.

We have the usual guarantees by the administration that "if the agreement works as it should all will be better in the long run."

Mr. President, we have heard this before. In the United States-Canadian automotive agreement we heard this and our favorable balance of trade in the automotive industry has been cut in half. Someone benefited, but it was not the U.S. automotive workers.

Mr. President, I have before me a news release published by an organization called Lerch & Co., Inc., saying that the Indiana farmers' drive to boost exports is in danger.

Under a Washington dateline, they quote from a statement made by Ambassador William Roth, in which he asked that the American selling price system for benzenoid chemicals be eliminated.

I also see, after reading through the news release, that this corporation or agent, whoever they may be, who say they are authorized to be a lobbyist, do have a great interest, but not in America, because it shows Lerch & Co., Inc., 1522 K Street NW., Washington, D.C., is registered with the Department of Justice under the provisions of 22 United States Code, sections 611 et seq. as an agent of the Swiss Union of Commerce and Industry.

So I can understand why they are so interested in this international agreement. But their interest has nothing whatsoever to do with America.

At least three sets of economic factors argue against ratification of the Wheat Trade Convention:

First, the proposed minimum price is not economically feasible. It will likely be an incentive for production. It can be maintained only at a high cost for the United States.

Second, price stabilization is said to be a central objective of the Wheat Trade Convention. It will not be a satisfactory price-stabilizing device.

Third, there will likely be incentives for participants to avoid the minimum price provisions. The Wheat Trade Convention has no sanctions to thwart such avoidance.

1. MINIMUM PRICE: INFEASIBLE

The level of the minimum wheat price is critical to the United States. A minimum price at the proper level below the long-run average can prevent disastrously low prices in response to extraordinarily high production. To be an effective tool the minimum must be at the threshold of disaster, else it can become a price guarantee and a production incentive. Of course, no one can say with certainty whether any given price level will in the future draw out more wheat. However, a look at past relationships helps gage future prospects.

Unmistakably, the proposed minimum price is above recent wheat price levels. It exceeds the 1956–67 average price, the average price under the 1959 International Wheat Agreement, and the average price under the 1962 International Wheat Agreement. To be sure, there have been times in the past couple decades when price has exceeded the proposed minimum. In 1963–64 and in 1966–67 the annual average price was the highest in recent history—7 cents above the proposed level.

In this context, even the minimum appears to be high. At no time in recent history has an annual average price approached the midpoint of the proposed price range.

Price levels within the range encompassed by the proposal have been an incentive to production. While prices have not often exceeded the proposed minimum, in each of the two times they have moved appreciably over that level world wheat acreage has increased substantially in the following year. This follows a longer run pattern of increase in world wheat area in response to price increases. Wheat area also declines in response to price decreases.

Wheat prices since 1963–64 have elicited a world wheat acreage well above the level of the 1950's and early 1960's. World area devoted to wheat production since 1963–64 has the capacity to produce sufficient supplies to drive the price well below the proposed minimum. Wheat production in 1965–66 and 1967–68 had this impact even though some exporting countries were replenishing stocks which had been depleted by previous poor crops. With favorable weather and improved cultural practices, much greater output can be expected from the present world area devoted to wheat.

Weather is a critical factor in esti-

mating future supply response. Obviously, future weather is only conjecture. However, it is instructive to note that the high level of production in the last 2 years has been produced in spite of a 1966–67 weather record of drought in South America, a wet planting season in Western Europe, and a late frost in the United States. The near-record 1967–68 crop survived unfavorable weather in the U.S.S.R. and drought in Australia and Canada.

Technology and cultural practices are other critical factors in estimating supply response. They have fostered the output record of the past 2 years. But their role is just beginning. Improved wheat strains, more fertilizer, and other improved cultural practices are only starting their sweep of the lesser developed countries. Virtually every country has a program of varietal improvement, cultural improvement, and fertilizer intensification. Results of such programs no doubt will be seen in the next few years. Experts say their impact will be profound. The Mexican record is a vivid example. Had the 1967 average yield attained in Mexico prevailed throughout all South America, the area would have produced 107 percent more wheat. Had the Mexican average yield prevailed in Asia, it would have produced 159 percent more wheat. Had the Mexican average yield prevailed in Africa, the continent would have produced 196 percent more wheat. These three areas combined would have added more than 80 million tons to the 1967–68 world wheat supply had they attained the average rate of production of Mexico. Experts now have little doubt that such can be achieved, given the incentive to produce. Higher world prices are surely in the direction of such an incentive. Just as surely, such production would generate another burdensome wheat surplus.

Given the incentive for both wheat area and yield implied by the proposed price minimum, it is doubtful that the minimum can be maintained without supply control measures of acreage restriction or wheat stockpiling. The Wheat Convention has no provisions for these measures. In the past, the United States has borne the cost of supply control through both acreage restriction and stockpiling. From 1953 through 1964 U.S. acreage trended downward, primarily because of acreage controls. Meanwhile, wheat acreage of other major wheat exporters increased. The United States was also protecting the market by stockpiling wheat during this period. By 1962, U.S. stocks amounted to 71 percent of the stockpile of major wheat exporters. In response to favorable trade brought on by extremely unfavorable weather in major wheat producing areas in 1963-64 and again in 1965–66, plus aggressive sales and food aid disposal, the U.S. share of the exporters' stockpile declined to about a third in 1966–67. It is expected to again increase by the end of the 1967–68 crop year.

In this connection, it is interesting to reflect on the International Wheat Council's summary of the world wheat situation of the past two decades. The council defines three phases. The first, including the post World War II period of 1945–51, was characterized by low production and supplies, and favorable export prices. The second phase was highlighted by the "embarrassing surpluses" developed from 1952 to 1961. Canada and the United States kept the pressure on wheat prices from becoming disastrous by accumulating a $500 to $1,000 million stockpile in the late 1950's. Only the United States made serious efforts to curtail production. The third phase included a marked expansion in commercial trade, chiefly through the impetus of huge purchases by the U.S.S.R. in 1963–64 and 1965–66, and purchases by mainland China at the rate of 5 million tons per year. The Council also notes that production control and supply management in the United States contributed substantially to price strength in this period.

The International Wheat Council concluded in 1966 that the underlying tendency toward imbalance of supply and demand may still be present. Recent USDA projections of world grain production reinforce the likelihood of imbalance. These projections forecast plentiful supplies and "excess" U.S. grain acres in the foreseeable future. The council concluded that the prospect of burdensome wheat surpluses may not be realized because, "firstly, it is an important aim of wheat policy in the United States, where a substantial part of the earlier surplus was held, to avoid the accumulation of heavy stocks on this scale again, and a reflection of this policy is to be seen in the recent decision to reduce the allotted acreage for the 1968 crop by 13 percent." Once again the United States is expected to pay the cost of maintaining world wheat prices. In the absence of any alternative price-maintenance provisions in the wheat convention, there is no reason to expect the future to be different. Hence, the price of U.S. admission to the IGA is likely to be the cost of restricting wheat acreage and/or maintaining surplus world wheat stocks.

The cost of wheat price maintenance probably will accrue primarily to the domestic wheat economy. But a charge may also be exacted from the feed grain economy. There are two bases for such a possibility. The wheat convention may set a precedent for a similar feed grain arrangement. Despite lack of U.S. enthusiasm, there are indications that a preliminary accord for a "feed grains arrangement" discussion was reached in the closing hours of the wheat negotiations. But perhaps of greater importance for the domestic feed grain economy is the possibility of substitution of feed grain on idle wheat acres. If the United States chooses to maintain wheat prices through wheat acreage restriction, as policy now appears to be pointed, there will be pressure to shift wheat land into feed grain. Such a possibility would at best be an uneconomic utilization of land resources, and at worst require an additional cost in further restrictions on present feed grain producers and/or the maintenance of substantial stocks of surplus feed grains.

In fact, it has been reported to us that Indiana should go out of the wheat production business in its entirety and should devote its wheat acres to feed grain production. In other words, Indiana wheat farmers are supposed to end their existence as such.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. HARTKE. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

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

Mr. HARTKE. Mr. President, I shall now discuss the unsuitability of the International Grain Arrangement as a price stabilizing device.

2. UNSUITABILITY AS A PRICE STABILIZING DEVICE

International Wheat Agreements have in the past been ratified by Congress on the grounds that they were devices to stabilize world wheat prices. The central purpose of the IGA is said to be price stabilization. In assessing its suitability for this objective, it is instructive to first consider the basis of price stabilizing schemes.

Agreements among seller and buyer nations are sometimes made to set minimum and maximum commodity prices. These agreements are usually made in regard to commodities which normally have widely fluctuating prices from one year to the next. Such wide fluctuations are often due to erratic supply shifts—such as those attributable to weather—in relation to a relatively fixed demand. One effect of the fluctuations is that in some years suppliers must sell at extremely low prices. In other years buyers must pay extremely high prices. This price behavior is accompanied by equal fluctuations in the economic well-being of buyers and sellers. Since the fluctuations are largely unpredictable, they make planning difficult because the proportion of available resources to be earned from or devoted to the commodity is uncertain. Consequently, it may be in the best interests of both the buyer and the seller to stabilize prices. Stabilization is often achieved by negotiating a minimum price below which buyers agree to not pay in the years of burdensome supply and a maximum price above which sellers agree to not charge in years of short supply.

In this scheme, it is obvious that the price level around which year-to-year prices fluctuate must be near the midpoint between the negotiated minimum and maximum. If the maximum is too low, such that it is invoked for a greater volume than the minimum, it operates to the detriment of the sellers as a price depressant, and may discourage production to the extent that it depresses the average price level below the long-run equilibrium. If the minimum is too high, such that it is invoked for a greater volume than the maximum, it operates to the detriment of buyers as a price lifter, and may stimulate production to the extent that it raises the average price level above the long-run equilibrium. Hence, if the maximum is too low the agreement will fail under pressure from exporters. If the minimum is too high, it will fail under pressure from exporters.

It has been shown in the previous section that the proposed minimum price is

above past price levels. There is little basis for belief that price levels in the near future would be higher. Thus, the proposed minimum is at or above the equilibrium price. It is hard to envision how this can lead to a workable arrangement. If prices can be stable, under the agreement, it will likely be due to efforts to maintain the minimum rather than to dampening of fluctuations about the equilibrium level.

This possibility has further implications for allocation of economic resources. In a true price-stabilizing scheme, the free movement of prices allocates the flow of wheat at all times except when it trades at the maximum or minimum. If the commodity consistently trades at the minimum, a scheme of market shares and allocation must be provided to guide its flow in order to prevent inequities among wheat exporters. Without such an allocation, flows are likely to be capricious and arbitrary with respect to needs and resources. Suffice it to say, the wheat convention has no such mechanism.

3. NO SANCTIONS AT THE MAXIMUM AND MINIMUM

In a price stabilizing mechanism, the primary burden of maintaining both the maximum and minimum price is on the seller. In a short crop year, when demand presses against supply, sellers must resist the temptation to accept more than the agreed maximum price. The temptation may come from someone outside the agreement or from a buyer within the agreement who chooses to bypass the accord to obtain greater supply. In a surplus crop year, when supply presses against demand, sellers must resist the temptation to sell below the minimum to clear their stocks. Since other sellers are undercutting the minimum price outside the agreement, and since buyers both within and without the agreement would presumably increase their purchases at a lower price, this temptation may be difficult to resist—particularly for a country in need of foreign exchange. The proposed IGA has no sanctions to enforce price compliance under these conditions.

There may also be problems with respect to delivery at the maximum and minimum. When the maximum price is reached, sellers may be inclined not to deliver to buyers in the agreement if they can sell for a higher price outside the accord. When the minimum price is reached, buyers may be inclined not to accept delivery from sellers in the agreement if they can buy at a lower price outside the accord. The proposed IGA has no sanctions to enforce delivery or acceptance under these conditions.

Absence of price and delivery sanctions would not likely be a problem in a price stabilizing scheme where the maximum and minimum were seldom reached and where parties to the accord realized benefits of price stabilization. If the price range does not equitably bound the equilibrium price level, it will be difficult to realize stabilization benefits for all participants. As such, sanctions would be necessary if the IGA were to be workable. Without sanctions there will likely be noncompliance. If noncompliance can be tolerated, it is reasonable to ask: Why be constrained as a party to the agreement?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARTKE. I ask unanimous consent that I may proceed for 5 additional minutes.

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

THE FOOD AID CONVENTION

Mr. HARTKE. Mr. President, the food aid portion of the IGA is built on a generally acceptable premise: assistance to lesser developed countries. Subscriptions of food aid to the convention potentially add 1.874 million metric ton of food aid to lesser developed countries. Subscriptions of the United States and Canada must be subtracted from the total subscription since these two countries already contribute more than their IGA commitment. Unfortunately, the Food Aid Convention is a worthy leanto on an unsound structure. Since it is one part of the total IGA, it must be evaluated from the perspective of the total impact of the IGA on the lesser developed countries. The basic issue, of course, is assistance to peoples who are beginning their journey toward economic development.

In total, the effect of the IGA will be to encumber the less developed countries by increasing the total cost of their wheat imports. It is difficult to precisely gage the added cost, because it will depend on productivity gains in specific countries, shifts among crops, food aid outside the IGA, and so on. Some idea of the magnitude of the increased cost can be gained by calculating costs which would have prevailed in the last couple of years had the proposed IGA been in effect.

In 1966–67, lesser developed countries imported 25.9 million metric ton of wheat—table 1. Had the IGA been in effect and had it been successful in raising price by the increase in the minimum, the dollar cost of commercial imports would have been $79.34 million higher. In addition, the cost of imports under assistance programs of exporting governments would have been raised by $115.62 million excluding donations. Total evaluation of imports would have been raised by $194.96 million.

Clearly, some Government-assisted exports in addition to food donations should not be classified as claimants on domestic resources. Perhaps, all sales for local currency and some of the credit sales should not be so classified. Probably all barter sales do represent claims on domestic resources. In all likelihood, then, the increased cost of wheat imports to lesser developed countries under Government-assisted programs would have been between $15.19 million and $66.67 million. Adding commercial imports, total cost to lesser developed countries of a 23-cents-a-bushel increase in wheat price in 1966–67 would have been between $99.53 million and $146.01 million. The additional 1.874 million tons of Food Aid Convention wheat, ever if it were pure donation, would hardly be a bargain. It would have "cost" between $1.37 and $2.12 per bushel.

Suppose now that the proposed wheat convention had been operating in 1966–67, but had not achieved full "success." Suppose the price level had increased only 10 cents per bushel. Such a development would have increased the cost of commercial imports to lesser developed countries by $39.50 million—table 1. The total cost of imports would have been increased between $41.11 million and $63.50 million—again depending on assumptions of the real cost of Government-assisted exports. Assuming the 1.874 million tons of Food Aid Convention wheat was a net donation, it would have "cost" between $0.60 and $0.92 per bushel. Even at this minimal degree of wheat convention achievement on price level, the food aid would have been something less than charity.

For further reflection, these computations may also be reviewed for 1965–66—table 1. At the 23-cents-per-bushel level of success, the IGA would have cost the lesser developed countries between $49.80 million and $96.22 million. At the more limited 10-cents-per-bushel price rise, the cost to the lesser developed countries would have been between $21.65 million and $41.89 million. Again, the IGA would have been something less than a gift to developing nations.

If shipments to mainland China are excluded from the computation, the results are as shown in table 2. The difference in values between the computations with mainland China included is due to the omission of Canada's credit sales to China. There is little reason to consider these as other than commercial exports under a peculiar credit arrangement.

One more computation of the cost of the proposed IGA to the lesser developed countries' may be instructive. The International wheat council projects total annual exports to lesser developed countries' in the next few years to be at the rate of 31 million tons—table 3. During both the 1956–57, 1960–61, 1961–62, 1965–66 periods government-assisted exports accounted for 66 percent of total export to lesser developed countries. During 1965–67 donations accounted for 15 percent of Government assistance. Since Public Law 480 sales for local currency are due to be eliminated, it is likely that most world food aid will be in the form of donations or credit sales. If total donations and assistance in the next few years run at the rate of the recent past, the projected 31 million tons of wheat imports would consist of 10.5 million tons commercial, 17.4 million tons credit assistance, and 3.1 million tons donations. A 10-cent-per-bushel price rise would cost the lesser developed countries $38.7 million on commercial imports and $63.8 million on credit assisted imports, for a total of $102.5 million. If the IGA achieved a full 23-cent-per-bushel price increase, the cost to importing lesser developed countries would be $89 million on commercial and $146.8 million on credit assisted imports, for a total of $235.8 million.

Obviously, some assumptions must be made to apply the conjectured impact of these cost possibilities. The most critical are: First, commercial sales to lesser developed countries at the higher price under the proposed IGA are the same

as they would be under a lower price. In fact, commercial sales to lesser developed countries may decline if price increases significantly, since a greater burden would be placed on foreign exchange reserves. Second, Government assistance remains unchanged at the higher price. In fact, exporters view "food aid" as a place to dump wheat stocks accumulated to drain surpluses produced at a higher price, food aid may increase. Alternatively: Any net increase in food aid under the IGA does not shrink commercial markets, but increases the net transfer of wheat to lesser developed countries.

Despite the fact that food aid under the IGA is meant to be nondisruptive of commercial transactions, it appears reasonable to expect that increased food aid may substitute for some sales. This has happened in the past. For example, it has been estimated that there was an elasticity of response between Public Law 480 shipments and commercial wheat exports to India during 1952–63 of .65. Increased Public Law 480 shipments were associated with decreased commercial imports.

Even if lesser developed countries food substituted food aid for commercial imports, they would find the IGA a costly development. In the extreme, suppose that the new food aid subscriptions entirely substituted for commercial wheat imports. Suppose further that the 1.874 million tons was entirely a donation. In this case, commercial imports projected by the International Wheat Council would fall to 8.6 million tons, donations would rise to 5 million tons, and credit assistance would remain at 17.4 million tons.

The assumed 1.874 million ton decline in commercial imports would save the lesser developed countries $115.1 million—1956–67 price level assumed. A 10 cents-per-bushel price rise would generate an increase in cost of commercial imports of $31.6 million, and an increase in cost of assisted imports of $63.8 million. The total cost decrease could be $19.7 million. A 23 cents-per-bushel price rise would generate a commercial import cost increase of $72.6 million. Coupled with the $146.8 million cost increase on credit assisted imports, the wheat bill could rise by $104.3 million. The 1.874 million tons of assumed donations would then actually "cost" $1.52 per bushel. Thus, even under the extreme assumption of proposed food aid being entirely a donation substituting directly for commercial imports, cost of wheat imports to lesser developed countries would likely increase.

Mr. President, in summary, this agreement is not in the best interests of the United States. It really is not in the best interests of the less-developed nations, and I am sorry to report that it appears that our negotiators at Geneva are more interested in propaganda victories than they are in producing a convention or an agreement which could be real progress in the field of international free trade.

Mr. DIRKSEN. Mr. President, I yield 10 minutes to the distinguished Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, this International Grains Arrangement has had a rather strange and interesting path through the subcommittee through the main committee meetings, and finally reaching the floor, as it has. The fact of the matter is that the subcommittee appointed to look into this matter split three to three on the question of voting this treaty to the main committee. Then, by some means last week, when the full committee meeting was held, with perhaps a quorum—I was on the subcommittee, but I did not attend the full committee meeting that day—for some reason the subcommittee members who were there said they would now report the treaty favorably to the full committee, and the full committee, as I understand it, by voice vote, recommended it to the floor of the Senate.

I am not so sure what the reason is for the precipitate action in connection with this treaty, but I personally have come to the conclusion that it is a treaty which in the long run will not be for the best interest of the grain producers of this country.

Four of us on the committee joined in the preparation and filing of minority views on the Wheat Trade Convention. These minority views are not printed in the same document as the majority views or the so-called committee report because permission to print the minority views was not obtained until after the committee report had been filed.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the minority views on the Wheat Trade Convention as filed and ordered printed on June 11, 1968.

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

MINORITY VIEWS ON THE WHEAT TRADE CONVENTION

In our opinion the Wheat Trade Convention, a part of the International Grains Arrangement of 1967, should not be ratified. The WTC is, in a sense, a restrictive cartel and would result in (1) a reduction in U.S. wheat exports; (2) lower, not higher, incomes for U.S. wheat producers; and (3) an unfortunate precedent for future international trade negotiations.

Implementation of the Wheat Trade Convention would reduce U.S. wheat exports.—There are no trade expansion features in the WTC. During the Kennedy round negotiations, advocates of an international commodity agreement for wheat often gave assurances that such an agreement would contain share of the market guarantees which would provide access for the United States at a percent of the market equal to our current share. There are no such assurances in this agreement.

Instead, the agreement could eliminate international competition for wheat markets by setting a price range with minimum price indicators approximately 23 cents above the minimum price in the old International Wheat Agreement. If the WTC went into effect, minimum price indicators would most likely be above world market wheat prices.

If the Wheat Trade Convention were ratified, the U.S. Government apparently would be required to do one of two things in order to comply with the minimum price indicators:

(1) Drastically curtail U.S. wheat production in an effort to force domestic prices above the minimum.

(2) Apply an export tax to raise U.S. export prices above domestic levels.

If the United States should attempt to implement the minimum price provisions, we would be in danger of losing competitive advantages in the world wheat market and restricting the volume of exports. This would be especially true if other exporting countries did not comply with the minimum indicators as scrupulously as the United States. Experience under the old International Wheat Agreement indicates that this would happen. It also should be noted that the WTC establishes minimum price indicators in terms of U.S. gulf port prices. The minimum prices for the ports of other exporting nations would be computed and could be calculated in a manner to give them a competitive advantage.

A world wheat price artificially determined in this manner could also quickly induce increased production of wheat in other countries even when that production is less efficient than that of the United States. This would not only apply to such wheat exporting countries as Canada, Australia, and Argentina. It could also stimulate production in such countries as Mexico, Spain, Greece, and Turkey. We know from sad experience in the United States that increasing guaranteed support prices is a powerful stimulus to expanded production of agricultural commodities.

The United States now has a superabundant supply of wheat, and our farmers have the capacity to expand production still further. The WTC would tie the hands of American exporters at a time when our national goal should be the export of 1 billion bushels of wheat each year.

Achievement of this export goal would make a material contribution to an improvement in the U.S. balance of payments. The reduction in U.S. exports which would be brought about by the WTC would aggravate our balance-of-payments position.

The Wheat Trade Convention would result in lower, not higher, incomes for U.S. wheat producers.—Domestic demand for wheat is relatively inelastic. If export markets are reduced, wheat growers will sell less wheat, not more.

Fewer bushels of U.S. wheat sold in the export market mean more wheat thrown back on our domestic market. This would depress prices to U.S. farmers. The WTC would mean lower—not higher—wheat prices to our farmers.

Ratification of the WTC would establish an unfortunate precedent for future international trade negotiations.—Political allocation of markets and international supply-management are contrary to the interests of this Nation. The problems which they create have been demonstrated by the operation of the International Coffee Agreement.

The Wheat Trade Convention places no limits on the import duties which foreign nations may impose on U.S. wheat. On the contrary, by treating wheat separately by special convention, it legitimizes the excessively protectionist policies of the European Economic Community and removes any contractual obligation on the Community's part to refrain from increasing import restrictrictions as it sees fit.

We believe that the Wheat Trade Convention is an attempt to becloud the fact that the agricultural trade objectives of the Kennedy round of international trade and tariff negotiations, as set forth by the Congress in the Trade Expansion Act of 1962, have not been achieved. It has been argued that the advantages to be gained from the companion Food Aid Convention would justify selling out U.S. farmers and exporters by ratifying the WTC. We reject this contention. Food aid which would be provided under the FAC does not exceed current levels being provided by the signatory nations. For the United States the FAC contains a $200 million price tag. This amount has been included in the 1969 budget of the Department of Agriculture and is specified on page 1698 of the report of the Committee

on Appropriations on the USDA appropriation bill.

We believe that the Senate's refusal to ratify the Wheat Trade Convention will make clear to the world that the United States intends vigorously to pursue expanded wheat markets throughout the world. This is what U.S. wheat farmers want. This is what the U.S. wheat trade wants. This is the best route to expanding world trade, not only for wheat but for all commodities.

BOURKE B. HICKENLOOPER.
JOHN J. WILLIAMS.
FRANK J. LAUSCHE.
THOMAS J. DODD.

Mr. HICKENLOOPER. Mr. President, it has been said here repeatedly by various proponents of the International Grains Arrangement that the major wheat producer associations support this arrangement and the Wheat Trade Convention.

I respectfully submit that the largest farm organization of all, which has more wheat producer members than any other organization, is strongly opposed to this arrangement and convention. The American Farm Bureau Federation has more wheat producer members than any other organization, throughout the United States, and the American Farm Bureau Federation, and its member State federations in all the States including the great wheat States of Kansas, Nebraska, Colorado, North and South Dakota, are all very strongly opposed to this being approved by the Senate.

While some smaller farm groups may have been sold a bill of goods by the administration, even these groups indicate very great disappointment with its content, for it is a mighty poor showing for American agriculture from the Kennedy round. These smaller groups appear to be in support of the arrangement and the convention only because they believe the agreements may be better than nothilng at all.

Mr. President, the American Farm Bureau Federation, the Greater North Dakota Association, and the many other organizations and individuals opposed to this International Grains Arrangement and the Wheat Trade Convention—and I concur in this belief—believe that the arrangement and the convention are in fact worse than nothing.

The Greater North Dakota Association testified in opposition to this Wheat Trade Convention.

The Greater North Dakota Association is composed of 3,500 North Dakota farmers and businessmen. Vernon C. Lee, manager of the agricultural department of the association and a partner in an 800-acre family farm, testified on behalf of the association's agricultural committee, made up of farmers and agribusiness-leaders from all over North Dakota.

It is not true that more organizations support this convention than oppose it. The convention is opposed by the American Farm Bureau Federation, by the Greater North Dakota Association, by the the Grain and Feed Dealers National Association, by the National Grain Trade Council, by the North American Export Grain Association, by the U.S. Chamber of Commerce, by the International Economic Policy Association, by the National Soybean Processors Association, by the Water Transport Association, by the American Cotton Shippers Association, and by many other local associations and individuals.

I believe these organizations and individuals, and others who have testified or otherwise indicated opposition to or concern about the treaty before the Senate, are correct in their conclusion that approval of this International Grains Arrangement, including the Wheat Trade Convention, would definitely not be in the best interests of American agriculture, and would not be in our national interests in either the short run or long term.

Perhaps the most telling arguments against the International Grains Arrangement and the Wheat Trade Convention are contained in the majority report of the Senate Foreign Relations Committee.

The majority report itself rebuts the contention of proponents that it is but an extension of the previous International Wheat Agreement. On page 5 of the report, the majority admits:

> Under the new convention, exporting nations *as a group* agree to supply specified percentages of the wheat requirements of importing nations within a range of prices established for the major types of wheat constituting the bulk of that grain moving in international trade.

Other statements in the majority report's summary of the provisions of the Wheat Trade Convention make it even more clear that this is not just simply an extension of the previous and expired International Wheat Agreement, but is really a new animal.

As the majority report itself points out, the convention provides clear supply management regulation on a worldwide basis, an international committee determining just how much our farmers can produce for export purposes.

On page 3, the majority report states:

> Although the arrangement does not contain specific provisions for supply-management and export sales restraint, the new consultative procedures provide an opportunity for exporting nations to reach agreement on the means for withholding supplies from the market to maintain an acceptable price level, and a sharing of the burden of sales restraint.

The administration contends, as stated in the majority report on page 7, that the United States has the right, under the arrangement and convention, "to price wheat below minimums set out in the convention if it is found, as a last resort, to be necessary to do so," in order to remain competitive.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. DIRKSEN. I yield 5 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 additional minutes.

Mr. HICKENLOOPER. Mr. President, the United States would be bound by this agreement, it would have not any opportunity to withdraw except on giving notice in protest to Wheat Council decisions, it would continue to be bound by those decisions to the end of the crop year, it has no other "right" to not abide by the convention and the Council's decisions, as I understand this highly technical convention, except in the same sense that a person has a right to breach a contract or commit a crime if that person is prepared to accept the legal and moral consequences of his action. If we are entering the treaty in the sense that we can violate it, then what good is it and why enter it? Mr. President, I do not think we should enter any treaty unless we are convinced it is in our national interests, and once entering it we should be prepared to abide by it until such time as it is terminated by mutual consent of parties or is renegotiated. We certainly do not want our word treated as lightly as is that of the Soviet Union; our credibility gap at home and abroad is already too great

Mr. President, I ask unanimous consent to have printed in the RECORD the following items:

A memorandum on the subject, "Summary of the International Grains Arrangement and the Reasons Why It Is Disadvantageous to the United States."

An editorial entitled, "Time To Renegotiate," published in the Journal of Commerce, New York, N.Y., issue of May 1, 1968.

An editorial entitled "Export Tax Seen Likely on U.S. Wheat," published in the Journal of Commerce of January 30, 1968.

An article entitled "Fears of Export Duties Spur Wheat Downturn," published in the Journal of Commerce of January 31, 1968.

An article entitled "World Wheat Supply Is Facing Cloudy Outlook," published in the Journal of Commerce of May 21, 1968.

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

SUMMARY OF THE INTERNATIONAL GRAINS ARRANGEMENT AND THE REASONS WHY IT IS DISADVANTAGEOUS TO THE UNITED STATES

The International Grains Arrangement is in two parts; a Wheat Trade Convention and a Food Aid Convention.

The Wheat Trade Convention provides for an increase in the minimum prices over those in the International Wheat Agreement by approximately $.23 per bushel; for fixed differentials for the different classes and qualities of wheat; and for the shifting of the base for price comparison from Fort William-Port Arthur to U.S. Gulf ports. The Food Aid Convention provides that the participating countries shall contribute annually a total of 4.5 million metric tons of grain or a cash equivalent to developing countries of their choice.

The Grains Arrangement would be disadvantageous to the United States for the following reasons:

1. The Food Aid Convention establishes a useful precedent but is not in any way compensatory for the disadvantages to the United States in the Wheat Trade Convention. Its benefits have been overstated. No new contributions would be required from the United States or Canada, which together account for more than half the total commitment.

Since the commitment could be met in grains or cash, many other countries could fulfill their food aid obligations without increasing their total aid commitments. For example, the EEC countries could shift some of the grant aid they are now supplying African countries in such a fashion as to have it counted as a cash grant in response to their commitment under the Food Aid Convention. Finally, the food aid benefits

less developed countries would receive would be substantially offset by the higher prices they will have to pay for commercial purchases as a result of the Wheat Trade Convention.

2. Despite repeated statements by Administration spokesmen that improvement of prospects for agricultural trade was indispensable to a successful Kennedy Round negotiation, this agreement would not remove any of the impediments to commercial grain trade. It would not require the Common Market or the U.K. to alter protectionist policies. It would not guarantee access for U.S. wheat or food grains in any market. It would do nothing to remove barriers or guarantee access.

3. Higher minimum wheat prices would encourage new investments in wheat production abroad and thus new competition for U.S. wheat exports. Higher minimum prices also would retard the growth of wheat consumption in less developed countries where prices influence purchases. It would certainly make it difficult for the United States to move these countries from concessional to commercial sales. It would reduce, not improve, prospects for the United States expanding its commercial wheat sales.

4. The price range under IWA straddled the long-term equilibrium price. It was intended to stabilize prices—or such was the theory. The new agreement is an attempt to keep prices *above* long-term equilibrium at all times. (See *Economic Report of the President*, February 1968, page 193, last paragraph.)

5. U.S. sales could suffer from competition from nonmembers (for example, the Soviet Union) not bound to observe the new minimum price. Importing countries have not yet agreed to the share of their total requirements to be purchased within the agreement. As much as 20% of their needs may be reserved for purchases outside the agreement. If the Soviet Union elects not to become a member, it would be able to undersell signatory countries in at least 20% of world markets.

6. There is no adequate machinery provided to assure that importing or exporting countries would abide by the provisions of the agreement. Past experience does not make one expect that in times of difficulty they would in fact do so.

7. The proposed arrangement imposes no obligation on other exporting countries to cooperate in limiting the buildup of surplus production. In the absence of such an agreement and adequate machinery to enforce it, the United States would likely become the residual supplier, building and maintaining surpluses, and becoming increasingly reliant on concessional sales while others make cash sales.

8. The proposed agreement in itself would not improve producer prices. If it were implemented now our government would be required to impose an export tax to prevent wheat trading in this country below the new minimum from entering export markets.

[From the Journal of Commerce, May 1, 1968]

TIME TO RENEGOTIATE

A vigorous controversy has developed in the Senate Foreign Relations Committee over ratification of the International Grains Agreement, which is proposed as a means of raising wheat prices in world markets, the income realized by American farmers and of generally bettering the U.S. national balance of payments position.

The U.S. Department of Agriculture, some wheat growers, the Farmers Union and the National Grange are the main backers of ratification. They maintain the new agreement is a great improvement over the International Wheat Agreement, first ratified by the Senate in 1949 and then prolonged by short-term extensions, the most recent having been made in 1966.

The new agreement provides for higher minimum and maximum prices than the IWA. In terms of the minimum prices, it is about 20 cents higher per bushel. Maximum prices would be at 40 cents above the minima for each type of wheat. The price relationships were agreed upon in the cereals phase of the Kennedy Round negotiations in Geneva.

A key feature of the new agreement is provision for a new Prices Review Committee which would convene whenever one price or more threatens to drop below the minimum of the IGA range. This committee would have the authority to make adjustments. It would have to agree in all cases, or minimum prices would not be fully effective. Thus provision has also been made for a certain amount of flexibility. USDA is apparently convinced that it is sufficient.

But, as our readers are well aware, not everyone else in the trade feels likewise. The American Farm Bureau Federation, which includes a great many wheat growers in its membership, and a formidable array of grain and feed dealers oppose the whole proposition, and we think for good reason.

The higher prices sought via IGA would be achieved at considerable cost. Wheat consumption in less-developed countries would be restricted. Wheat production in other higher-cost countries would be stimulated. Neither of these developments offer any real prospect for increasing U.S. commercial sales of wheat.

Ironically enough, even U.S. wheat producers would probably not benefit from the higher prices, for it is already widely assumed that exporters would be assessed export taxes designed to keep the prices above the lower U.S. level. If so, they would be unable to pass the higher (supported) world price back to the producers.

In terms of wheat it is plain that the United States did not get from the Geneva negotiations what it had hoped to get, namely, better access to the hard currency markets.

The crux of the matter is that the United States has the machinery for limiting production and for storing large quantities of grain for the purpose of withholding it from the market, but most other countries do not. Hence, this country could find itself losing valuable export markets to European farmers, or perhaps even to those of the Ukraine (the Soviet Union is not presently in the agreement).

If other countries seriously want to develop an international agreement to limit production and increase prices, it is only right that the U.S. should have better guarantees of an improved share of the important hard currency markets. U.S. agricultural efficiency is still increasing at a startling rate—far faster than the productivity rates abroad. Consequently, foreigners would have much to gain from U.S. production restraint.

The traditional advantage of the U.S. in world markets is keyed directly to this efficiency in production. Whatever the arguments for higher prices may be, the limitations on production necessary to achieve them would not be in our best interest. As John A. Creedy, president of the Water Transport Association, said recently before the Senate Foreign Relations Committee, there is an expanding cycle of growth and efficiency which underlies much of this country's outstanding economic performance. "High volume makes possible lower costs which, in turn, produce increased efficiency and competitive superiority leading, in turn, to still higher volume, with economic benefit for all." This is sound doctrine.

If we depart from it, we should get very substantial benefits in terms of better access to presently restricted markets than we have so far achieved. This is an issue that should be sent back to the negotiating table.

[From the Journal of Commerce, Jan. 30, 1968]

EXPORT TAX SEEN LIKELY ON U.S. WHEAT

WASHINGTON, January 29.—A high administration official indicated today that it is possible that exporters might have to pay a tax to the CCC to keep export prices at or about minimum of new International Grain Arrangement, if it is enacted.

The USDA official said the administration was hopeful that wheat export prices by July 1 would already meet the new international minimum price which on standard type No. 2 hard winter wheat f.o.b. the Gulf would be $1.73 per bushel.

He acknowledged, however, that if it did not, provisions in the Agricultural Act of 1965 gave the Secretary of Agriculture authority to levy such a charge. The proceeds then go into a pool to be divided up among producers taking part in the Administration's wheat program.

The official also said that in a briefing this morning, between Secretary Freeman and Undersecretary John Schnittker and representatives of seven grain export companies, the administration would come up with new suggestions for Grain Reserve Policy when they testified at Senate hearings tomorrow morning.

[From the Journal of Commerce, Jan. 31, 1968]

FEARS OF EXPORT DUTIES SPUR WHEAT DOWNTURN

CHICAGO, January 30.—All grains and soybeans closed fractionally lower on the Chicago Board of Trade, except rye, which finished unchanged in dull trading.

Wheat was ⅝c to ¾c lower; corn unchanged to ¾c lower; soybeans ¼c to ⅞c lower; and oats unchanged to ⅜c lower.

Wheat retreated on liquidation in part attributed to fears over the announcement of a USDA official that U.S. exporters may be required to pay a tax to maintain export prices at the minimum level of the international grains agreement, in the event that this agreement receives congressional approval. Additional downward pressure stemmed from the continued belief that more than ample supplies will be available throughout the crop year.

Declines in wheat were braked by hedge lifting by brokers with export connections, presumably against a sale of about 5.2 million bushels of hard winter wheat to Pakistan, and a small tonnage to the United Kingdom.

Corn gave ground on selling partially ascribed to market indifference to war news and to the larger rate of this year's export business as compared with a year ago. Continued congestion of country and terminal facilities was also a depressant. The market was accorded some support on buying at low points by brokers with milling connections and by exporters.

Soybeans weakened on hedge selling and commission house liquidation on a disappointing weekly export inspection figure. A lack luster performance by end products was also discouraging to longs. Moderate offsetting support developed at low points on the feeling that impoundings under the government loan will soon begin to exert upward price tendencies, particularly if a grain reserves bill is passed. Japan and Holland bought a combined total of 600,000 bushels.

[From the Journal of Commerce, May 21, 1968]

WORLD WHEAT SUPPLIERS FACING CLOUDY OUTLOOK

LONDON, May 20.—The world's four major wheat suppliers, the United States, Canada, Australia and Argentina, are having a gloomy time at present competing in a contracting,

inelastic market which is heavily-overhung with two years of crop surpluses.

At the same time, they are preparing to raise their export prices to around a new minimum level of $1.73 a bushel at Gulf ports in time for the start of the International Wheat Agreement (IWA) year on July 1.

HUGE SUPPLY

Superficially, at least, this move seems one of economic madness, considering there is an awkward surplus due largely to the improved Soviet harvest last year and the growing self-sufficiency of such massive and traditional importers as India and Pakistan.

It seems even more rash when one remembers that the IWA, which took a year of tough negotiating to achieve, is legally non-binding as it has only been ratified by three countries. Coupled with this is the unpleasant fact that bread wheat has a fairly inelastic demand, and it is difficult to see how even the most massive promotional campaign could induce people, a large proportion of whom live in under-developed countries, to suddenly and significantly increase their bread consumption.

PRICE TEST DUE

The pressing and fundamental question is, can the big four exporters succeed in raising current prices, which on the giant Chicago market, for example, are at a 26-year low, to around the IWA level?

British trade sources answer the question with a heavily-qualified "Yes." Grain broking circles certainly do not expect to pay "anything like IWA prices" for commercial wheat shipments after July 1 because the "stuff is running out of the exporters' ears." But they all concede that the governments of the big four decide on some method of withdrawing and stockpiling a large quantity of the supplies in the not-unreasonable hope that natural demand will force prices up. This market manipulation would cost the governments dearly but it could be as stunningly effective as some of America's Commodity Credit Corporation ventures which have saved the day for farmers before.

But while the mechanics of a stockpiling arrangement are relatively simply to devise, it is far from clear if the four governments could hang together for long enough to make it work. (And here opinion is sharply divided on whether they will or will not.) For without solidarity, prices could plummet overnight. France, with its highly subsidized (but less acceptable) soft-wheat surplus, will be watching and waiting in the wings.

The IWA was concluded at last year's Kennedy Round negotiations when an impending world famine was predicted following the very 1965–66 world crop and the serious failure of the Indian crop. The leading exporters strenuously campaigned at the time for a much higher minimum wheat export price as being the only practical way in which to increase production to meet the danger.

But the 1967–68 world harvest of some 302 million tons (excluding China) and sharply reduced imports by India, Pakistan and Eastern Europe have thrown the predictions way off beam, with world carryover stocks held by the eight major exporters (America, Australia, Argentina, Canada, France, Italy, Spain and Sweden) currently estimated at around 40 million tons.

SEEN LESS ALARMING

This surplus may seem daunting but when viewed against the massive 60 million ton surplus accumulated by the end of 1961 it seems slightly less alarming considering that world trade (including both aid and normal commercial shipments) will probably take around 48 million tons this year.

But the future outlook is not that promising. The 1967–68 harvest showed a fall of about 30 million tons over the previous record season due to smaller, drought-inflicted harvests in Russia, Canada and Australia, but tentative indications for the 1968–69 harvest suggest that it should be "fairly good."

The International Wheat Council has stated in one of its recent reviews that, despite the smaller, climatically-hit 1967–68 crop, the world is now entering a long spell of mounting wheat surpluses. It expects these, however, to create more confidence and price stability by eliminating the worst aspects of speculation and assuring importers of adequate stocks. (But price stability is also dependent on how evenly distributed the crops are among the major producers and the state of their stocks.)

But market sources are quick to point out that this surplus trend can only be aggravated by the increasing use of high-yielding, disease-resistant wheat strains in developing nations coupled with growing fertilizer production. This can only make these countries more self-sufficient and able to meet the demands of their exploding populations.

It is, of course, true that China's wheat needs may reach the Australian Wheat Board forecast of six million tons annually in the near future and that countries like Japan will increase their wheat intake by a sizable and growing amount. Certainly climatic factors will always play their part in the supply and demand equation with a poor Russian harvest, for example, greatly boosting demand in any one year.

But climatic factors apart, it does seem that the major exporters will have to develop some method of controlling production in normal years at the same time as adjusting carryover stocks. Otherwise, they may find themselves plagued with awesome surpluses again and rock-bottom prices.

Mr. HICKENLOOPER. Mr. President, I think that one of the outstanding deficiencies in the treaty was the fact that it was announced—even as shown in the committee report—there were three objectives when we entered into the so-called feed grains treaty negotiations.

The three objectives are as follows:

(1) Assured access to the markets of importing countries;

(2) Higher minimum world trading prices for wheat; and

(3) Establishment of a multilateral sharing of the world's food aid burden.

Mr. President, as to the first objective, "Assured access to the markets of importing countries," that was entirely abandoned in this treaty. We have no guarantee of assurance in the treaty of access on a fair, competitive basis to the world market. We are left out, as "orphans of the storm" somewhat, and subject to the whims, if necessary, of the Common Market. We have seen what has happened in some of the European countries so far as our agricultural products are concerned.

As to the second objective, "Higher minimum world trading prices for wheat," I find no reliable guarantee that we will get higher minimum world trading prices for wheat. On the other hand, we recognize that it may go down. Certainly, it has been pointed out that if the Iron Curtain countries think they can have an advantage over a higher world level price for some period of time, they can flood the market and drive it way down by increasing their own wheat products. The Iron Curtain countries are not parties to this treaty at all.

As to the third objective, "Establishment of a multilateral sharing of the world's food aid burden," we are doing part of that now. We are doing it now without the treaty. Yet, this treaty would bind us on two uncertain principles for at least a 3-year period.

I do not believe that we should bind ourselves by a treaty to a situation which may do a great disservice to our farmers.

I think it has been pointed out before that one of the troubles of cotton in this country, one which has been causing distress in the whole cotton situation, was when we held such a high support price for cotton that we piled it up in our warehouses and the cotton producers went to Mexico and Central America and increased their cotton acreage and flooded the world markets with cotton, which left us holding the bag.

That same thing could easily happen under this treaty because there is no guarantee against it. That is one of the reasons why I am against the treaty.

Mr. LAUSCHE. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. The Senator just got through discussing the three premises under which it was recommended that this treaty be adopted. The first one——

Mr. HICKENLOOPER. Three objectives.

Mr. LAUSCHE. Three objectives, that is right.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. DIRKSEN. Mr. President, I yield 5 additional minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. LAUSCHE. The first objective is, "assured access to the markets of importing countries."

Mr. HICKENLOOPER. That is correct.

Mr. LAUSCHE. That was the goal at which we were aiming.

Mr. HICKENLOOPER. The Senator is correct.

Mr. LAUSCHE. May I ask whether, in the negotiations, our Government at all succeeded in insisting on the adoption of provisions that would induce the importing European countries to, first, quit getting price supports; second, to quit imposing levies on food imports; third, to quit imposing import controls; fourth, to quit subsidizing transportation costs; fifth, to quit making bilateral trade agreements excluding other nations from exporting into those importing countries; and, sixth, various kinds of two-price systems.

We were told that the barriers would be broken down so that the American farmers' surplus products could be shipped into those countries.

What has been the actual result concerning the attainment of what was promised?

Mr. HICKENLOOPER. So far as I could read and understand from the testimony, and everything else, we got no results along those lines.

Mr. LAUSCHE. That is what the objective was, to establish a free market——

Mr. HICKENLOOPER. The first objective was not attained, and the committee report so states. That is one of the fundamental weaknesses of the treaty. I cannot support a treaty that

gave us no reliable and assured access on a competitive basis to world markets. Now we are at the sufferance of Europe, as I view it and see it.

Mr. LAUSCHE. Is there any question about the statement that our aim was to get the European countries especially to break down the artificial barriers against the United States exporting its products of food to those countries?

Mr. HICKENLOOPER. Those were a part of the details, which were the objectives in our negotiations; namely, to break down those artificial barriers, such as our currency barriers, import barriers, various taxes at ports of entry, and various other things of that kind. We did not accomplish that, as I view it.

Mr. LAUSCHE. Now, objective No. 2, "Higher minimum world trading prices for wheat." May I ask, how can we explain the fixing of artificial prices in the face of the fact that our Nation is practically giving away food to the hungry nations of the world. By fixing prices at 23 cents above the market price of today, how are we helping the hungry people of the world?

Mr. HICKENLOOPER. Well, I do not know that we are. We probably are not, except as we continue to give away food.

Mr. LAUSCHE. The less the hungry people are able to buy because of the fixed 23 cents a bushel as of today, is it not a fact that the more the price is increased, the more the U.S. taxpayer will have to give away?

Mr. HICKENLOOPER. That is what I say—the hungry people will probably have to get more by way of gifts instead of purchases.

Mr. LAUSCHE. Who will be the probable donor?

Mr. HICKENLOOPER. If history gives us any lesson, it will be the United States.

In the first place, I do not know how this treaty is going to establish a guaranteed minimum or higher world trade price. It points to it, and it has the figures in there to fix it, but, at the same time, the treaty itself recognizes that world prices may go lower, and it authorizes us and other export countries to lower the price of wheat to meet competition. So it recognizes the fact that the so-called minimum price may not, and in my opinion will not, be sustained.

Mr. LAUSCHE. The Senator from Iowa mentioned what the Iron Curtain countries and what Russia may do, and, I may add, what China may do. Are any of those countries contemplated signatories to the convention?

Mr. HICKENLOOPER. As far as I know, none of those countries is. None of the Iron Curtain countries is a signatory to the convention or treaty, and I do not think any one of them intends to be. I have no evidence that any one of them is clamoring to get its signature on it.

Mr. LAUSCHE. What will happen if, let us say, Russia, under favorable circumstances, and with increased effort, becomes an exporter and if Rumania, a grain-producing nation, begins to export, and they want to seize the market or get a part of it? What will happen to the U.S. farmers' market?

Mr. HICKENLOOPER. That will depress the market and the price will be driven down. The United States could suffer from competition from nonmembers, for example, the Soviet Union, who are not bound to observe the new minimum price. Importing countries have not agreed to the share of their total requirements to be purchased under the agreement.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HICKENLOOPER. Mr. President, I yield myself 1 more minute.

As much as 20 percent of the needs of the importing countries may be reserved for purchases outside of the agreement. If the Soviet Union elects not to become a member—and, as far as I know, it does not intend to become a member—it would be able to undersell signatory countries in at least 20 percent of the world markets.

Meanwhile, we bind ourselves and subject ourselves to depressed market conditions and depressed prices.

I know that many farmers look to this agreement hopefully. I assure Senators that I am just as much for farmers getting the best possible price they can get as anyone is, because they have been put upon for too long in this country, but I sincerely believe this treaty is going to be a disservice to the grain farmers of the country in the long run. That is why I am against it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HICKENLOOPER. I yield myself 1 more minute.

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

Mr. HICKENLOOPER. I yield.

Mr. LAUSCHE. Item No. 3, the purpose was to establish a multilateral sharing of the world's food aid burden. Have any of the nations increased their share of providing aid to the poor?

Mr. HICKENLOOPER. I do not think they have, and we have already, outside of this treaty, voted $200 million for the world food aid program. That is outside of the treaty and has nothing to do with the treaty.

Mr. LAUSCHE. There can be no documentation, as far as I have been informed, that any of the nations that are grain-producing and food-producing have, as a consequence of this treaty, promised to give more grain than they have given in the past.

Mr. HICKENLOOPER. As far as I know, that is correct.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I yield the Senator from Iowa [Mr. MILLER] 5 minutes.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. MILLER. Mr. President, yesterday, during my colloquy with the Senator from Alabama [Mr. SPARKMAN], who is managing the bill, we had some discussion about the point that I had made in my statement that present world prices were substantially under the minimum price that would be established by the pending treaty. My colleague from Alabama read into the record a number of sales transactions with Japan, all of which were substantially above the minimum price. I asked my colleague from Alabama at the time whether or not they were prices delivered in Japan or f.o.b. prices here in the United States, and I believe that the response was that they were f.o.b. prices in the United States.

Since that time I have had an opportunity to look into this question, and I must advise my colleague from Alabama, with all due respect, that the figures he gave yesterday are prices delivered in Japan—c.i.f. prices, cost-insurance-freight—and that those prices would therefore be about 23 to 24 cents above the f.o.b. price here in the United States. That is the price we are talking about.

I have here the Grain Market News for May 31, 1968, published by the Grain Division of the United States Department of Agriculture, which sets forth, on page 2, the transaction prices on May 29 of this year. It shows that the gulf price for No. 1 Hard Winter wheat, which would be approximately 1 cent above the gulf price for No. 2 Hard Winter wheat, was $1.62. This is 11 cents below the minimum price under the treaty that is pending.

I may say further I am advised that from May 29, the date of this transaction, through June 5 the price had dropped to $1.54, which is 19 cents below the minimum under this treaty, which is exactly the point I was making in my statement yesterday.

I have in my hand a message from Kansas City, dated June 12, under the Reuters News dateline, which reads as follows:

The Agriculture Department's Commodity Office here today bought a further 835,000 bushels of No. 2 or better grade hard winter wheat from U.S. traders for export donation to Tunisia. The purchase—

Which was made on June 12—

was made from 1.54⅜ dollars to 1.54⅝ dollars per bushel f.o.b. Gulf ports for June 20 to July 20 shipment—

Nineteen cents under the minimum that would be established under this treaty.

I have another news release which reads:

According to the Southwestern Miller—

Which is one of the leading trade papers in the wheat trade—

this morning—

Which would be today—

the value of hard winter wheat at the Gulf on June 12 was $1.53⅜ delivered Gulf on No. 1 hard winter wheat and $1.33⅛ on soft red winter wheat delivered Gulf.

I think it would be tragic if this treaty were ratified on the basis of figures, which I am sure were honestly given, but which is, nevertheless, misinformation that the manager of the bill gave the Senate yesterday.

The point I am reemphasizing is that present world prices are about 19 cents per bushel under the minimum that would be established if the Senate ratified the treaty.

What would happen to this 19 cents?

It would not go into the farmers' pockets. Our exporters would buy it at the price of 19 cents under the newly established minimum price. Then a buyer overseas would have to pay the minimum price, and what would happen to the 19-cent differential? Would it go into the wheat farmer's pocket? It would not. It would go to the Commodity Credit Corporation.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MILLER. I would like to make one further point.

We have this anomaly: That if the pending agreement were now a matter of law, we would have the purchase, on June 12, by the Department of Agriculture's Commodity Credit Corporation of 845,000 bushels of No. 2 wheat at 19 cents under the minimum price, for export to Tunisia; and the Commodity Credit Corporation would have to turn around and pay a tax to itself of 19 cents.

That is the point I wanted to make; and as I say, while I know the Senator from Alabama made this statement with the utmost good intentions, his figures were for wheat delivered in Japan, and not f.o.b. gulf ports.

I ask unanimous consent to have printed in the RECORD an extract from the Grain Market News of May 31, 1968, as designated, showing export prices for wheat and other grains as of May 29, 1968.

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

GRAINS—EXPORT PRICES BASIS PROMPT OR 30-DAY SHIPMENT, MAY 29, 1968

[All prices per bushel except grain sorghum per hundredweight f.o.b. vessel]

Port markets	Wheat [1]		Corn No. 2 yellow	Soybeans No. 2 yellow	Barley or grain sorghum [2]
	Class	Price			
Duluth	No. 1 Heavy Northern Spring, 14 percent protein.	$1.72			
Baltimore	No. 2 Soft Red Winter	1.50	$1.23		$1.24
Gulf	No. 1 Hard Winter:				
	Ordinary protein	1.62	1.22	$2.80	2.20
	14 percent protein	1.65			
Pacific Northwest	No. 2 Western White	1.62			1.20

[1] The export payment rate for wheat on May 29, was 0 cent per bushel for Spring wheat from Duluth, 0 cent for Soft Red Winter from Baltimore, 0 cent for Hard Winter from the gulf, and 0 cent for White wheat, 3 cents for Hard Winter, and 16 cents for Spring wheat from the west coast.

[2] No. 3 barley at Baltimore, and No. 2 barley in the Pacific Northwest; No. 2 yellow grain sorghum at Houston or Galveston.

Source: Grain Market News, U.S. Department of Agriculture, vol. 16, No. 22.

The PRESIDING OFFICER. Who yields time?

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, it is hard for me to understand way so much of the opposition to this grains arrangement comes, not from the wheat producers, but from producers of one or two other commodities who have little or no interest in wheat.

Of course, the major opposition comes from the grain trade, the exporters, who stand to make more money if wheat is at a lower price. They will have less money involved in trade transactions, and their commission is the same whether wheat is 50 cents a bushel or $2 a bushel.

Mr. President, the Republican Party has been interested in saving money. I hope it will keep up that interest. These farm programs have cost too much money, and we should find ways of reducing the cost.

In fiscal year 1967, the export subsidy for wheat averaged 25 cents a bushel, or $107.7 million. If this grains arrangement raises the world price of wheat by 23 cents a bushel, as we expect it will, then last year hardly any export subsidy would have been necessary; and the Federal Government would have saved about $100 million on export subsidies alone.

For the life of me, I cannot understand why anyone would object to obtaining a higher world price for any American farm commodity or industrial product. I can understand the exporters' viewpoint, however. If the price of wheat in the United States is lower than the world market, of course, the exporter would have to make what is called an inverse payment to the Commodity Credit Corporation. That money would go to pay the cost of export subsidies, and any money left would be divided among the farmers. So the farmers themselves do benefit from it. It tends, too, to put a little higher floor under domestic prices. Here, again, is the chief objection of some who just do not want any minimum price for farm commodities.

From the standpoint of people who do not want any price support program, or any program at all, I think it is perfectly logical that they would oppose it. Mr. President, I ask unanimous consent to have printed in the RECORD figures from the report of the President of the Commodity Credit Corporation for 1967, showing the export payments recorded under the commodity credit program in fiscal year 1967.

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

Export payments recorded under the commodity report program in the fiscal year 1967 were as follows:

	Millions
Wheat	$96.2
Rice	22.0
Wheat products	11.5
Flaxseed	2.3
Linseed oil	2.6
Tobacco	33.1

Mr. YOUNG of North Dakota. Mr. President, I should like to state further that the export differential for wheat export under Public Law 480, or the food-for-peace program, in 1967, was $43.2 million. Not all of this would have been saved with a higher world market, but a substantial part of it would have been saved.

Mr. President, I certainly hope that this arrangement will be approved. It is much the same as the International Wheat Agreement which has worked very well over a long period of years. It has been the guideline which the United States and Canada, the biggest wheat exporters in the world, have been using all these years. Canada, Australia, New Zealand, and the United States probably represent more than 80 percent of all the wheat exports in the world. So when those countries are all for it, if they can agree on something like this, I do not see why there should be any objection from responsible sources here in the United States.

The argument which was advanced by the Senator from Indiana [Mr. HARTKE] that this agreement is not in the interest of the developing countries was based on an untenable economic sophistry which collapses under close scrutiny.

First of all, most of the developing countries are not commercial markets—they are relief recipients or purchasers under long-term credit arrangements payable in soft currency.

Second, the development of strong economies in these countries depends upon the stability of agricultural prices and the profitability of the operation. Anything which can stabilize world wheat prices at a profitable level is to the advantage of the developing nations.

Third, the farm organizations of the developing countries of Mexico, Tunis, Niger, India, Pakistan, Greece, and South Africa are all members of the International Federation of Agricultural Producers which was one of the vigorous sponsors of this treaty.

The PRESIDING OFFICER. Who yields time?

Mr. SPARKMAN. Mr. President, I understand it was the purpose of the Senator from Delaware [Mr. WILLIAMS], who is controlling minority time, to yield at this time to the Senator from Ohio [Mr. LAUSCHE]. But I do not see either of them in the Chamber.

Mr. WILLIAMS of Delaware. Mr. President, I am here.

Mr. SPARKMAN. I am sorry; I was looking for the Senator in this chair.

Does the Senator from Delaware wish to yield to the Senator from Ohio at this time?

Mr. WILLIAMS of Delaware. No; he has not requested me to yield to him at this time.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, I have been asked what will happen if the Senate does not give its advice and consent to the International Grains Arrangement. My answer is that there will be no grains arrangement and we face being plunged into a costly race for wheat markets.

Here are the benefits we will lose if the grains arrangement is not ratified:

First, importing countries agree to purchase at least 80 percent of their wheat requirements from member exporting countries. Without ratification, importers will be free to buy all their wheat from nonmember countries.

Second, importing countries agree that to the extent they make purchases from nonmember exporting countries, they will do so at prices no lower than those provided in the agreement. We would lose that feature, too, which prevents costly price competition from nonmember exporting countries.

Third, other importing and exporting countries have agreed to put up 2.4 million tons of grain or its equivalent in cash annually to help feed the needy of the world. To the extent that this takes their grain surpluses off the world market, it will open up an opportunity for us to sell more wheat commercially. That is another advantage we will lose.

The creation of a broad international effort to feed the needy countries is a move that we have already strongly encouraged in the past in this body.

Fourth, the grains arrangement gives us the opportunity to work with other countries to hold world wheat prices at a level about 15 to 20 cents a bushel above the current $1.25 support rate. Current market prices indicate that without such cooperation, prices are likely to remain at an extremely low level this season. They will be at that level because there is more wheat available in the world than the markets can absorb.

Without the active cooperation of exporting countries in holding supplies off markets, there is absolutely no possibility of reaching the price promise of the International Grains Arrangement. Exporters will scramble for markets using whatever competitive device they can mount. It happens that the principal competitive device available to each of us is price cutting. And, that is what I predict will occur.

We stand to gain about 15 to 20 cents a bushel more for our wheat farmers if we ratify the grains arrangement than if we enter into costly competition. That to me is the major reason why I urge this body to give its advice and consent to this important action.

To those who say we will lose our competitive position in the world if we participate in the arrangement, let me add that I have today talked with Secretary Freeman who assures me that our wheat export target for 1968–69 is 750 million bushels. That is the clearest evidence I can give you that we will remain as competitive in the future as we have been in the past.

I sincerely hope that the Senate will approve the International Grains Arrangement.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. Mr. President, in response to the Senator from Kansas, I am sure that Secretary Freeman does indeed have a target of grain exports, as the Senator has said. However, an article published in the Wall Street Journal—a very important newspaper—which I had printed in the RECORD yesterday, reports that analysts—those who are unencumbered by Federal policies—expect that upward of 100 million bushels will be the amount of the drop in our exports this coming year.

So while it may be laudatory to expect to export 750 million bushels of wheat, the grain analysts, who are independent in their views, warn us that our exports could drop as much as 100 million bushels. I think that we must take that into account.

Mr. SPARKMAN. Mr. President, I yield 1 minute to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 1 minute.

Mr. CARLSON. Mr. President, I have a high regard for the Wall Street Journal. I read it every day. But the Wall Street Journal does not sell wheat. The Secretary of Agriculture sells wheat through the commodity credit agency and agreements. I would rather take the word of the Secretary of Agriculture with respect to this arrangement than the word of the Wall Street Journal.

Mr. MILLER. Mr. President, of course, the Secretary of Agriculture sells wheat for export through the Commodity Credit Corporation. He knows, as well as anybody else, that we have all been supporting him in his efforts to do this. However, the fact that the Secretary wants the United States to reach a wheat export target of 750 million bushels does not mean that we will achieve that target.

When the Wall Street Journal reports the opinion of independent analysts that, in their judgments, our export market will drop 100 bushels, we ought to take that into account.

Mr. SPARKMAN. Mr. President, I yield 1 minute to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 1 minute.

Mr. YOUNG of North Dakota. Mr. President, I think there is substance to what the Secretary of Agriculture said despite the Wall Street Journal, which is no great farm publication.

If the grains arrangement is not ratified, the price of wheat could drop to $1 a bushel or less. It is almost down $1 a bushel in the western part of my State now. If wheat were to drop less than $1 a bushel, we could maybe export 100 million bushels more. However, who wants produce to export wheat for that price?

The farmers of the Nation are concerned about a decent price for themselves, not high profits for the exporters.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. Mr. President, the Senator from North Dakota knows that certainly nobody from the Midwestern area of our Nation wants to see farm prices go down as far as they have. If anything, they have got to go up. We have been trying to attain that objective. Unfortunately, prices have been going down. As I said yesterday, one reason why the price of wheat is down is the very large carryover of stocks that will be upon us at the end of this fiscal year. Even though grain acreage allotments have been cut back this year, still, because of better weather conditions, there will be an aggravation of that carryover next year.

The Senator from North Dakota probably knows better than any other Member of the Senate what surpluses do to grain prices. That is one reason why grain prices are down. The point I make is that if those surpluses are aggravated because of a drop in our exports, the prices will go down still further. That is what will happen if we lose some of our export market. Under the treaty, incentives are provided for other grain-producing countries to increase their production and compete with us in our export trade. That is the whole point.

There is an honest difference of opinion between those who favor the treaty and those who oppose it. Both sides want to have better prices. But I have not had anybody who favors the treaty satisfy me that if it is ratified with the higher minimum world prices, the United States will not suffer a drop in its exports.

The Secretary of Agriculture may say, "Yes, we are going to shoot for exports of 750 million bushels." That is fine. But no one has satisfied me that other countries will not have an incentive to produce more wheat.

France has told us that the Common Market is going to become self-sufficient in wheat production, so our export market there may be destroyed. If we had guaranteed access to the EEC for our wheat, that would be fine. But we do not.

Mr. YOUNG of North Dakota. The best proof that the treaty will be beneficial to wheat producers is the fact wheat producers favor this grains arrangement. Every wheat-producing organization in the major wheat-producing areas favors the arrangement. Let me name a few of them:

The National Grange, the National Farmers Union, the National Farmers Organization, the Mid-Continent Farmers Association, the National Association of Wheat Growers, the Western Wheat Associates, Great Plains Wheat.

In my own State of North Dakota, the Wheat Commission finds no opposition to the arrangement whatever among the wheat producers. The opposition comes from other places.

I know that the Farm Bureau is opposed to the arrangement, but it does not have substantial membership in the major wheat-producing areas of the Nation.

Mr. MILLER. Mr. President, may I have an additional minute?

Mr. DIRKSEN. I yield an additional minute to the Senator from Iowa.

Mr. MILLER. I well understand that many, perhaps most, of the major wheat-producer representatives are for the arrangement. But that is no reason for me to swallow the statement that it is going to improve wheat prices. I want a good response based not upon a statement that so-and-so says this and so-and-so says that, and that this organization says something. I should like to find someone who will tear to pieces the argument that our exports will be adversely affected by the treaty. I wish it could be torn to pieces.

It is my point that the International Grains Arrangement will increase the

world price of wheat by 19 cents. If so, Argentina, Canada, France, and other wheat-producing countries will have an incentive to produce more wheat. That will mean more competition in the world markets. Where will our export market go?

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. YOUNG of North Dakota. Mr. President, may I be yielded 1 minute?

Mr. DIRKSEN. I yield 1 minute to the Senator from North Dakota.

Mr. YOUNG of North Dakota. The price support for wheat in France is over $2.50 a bushel. This arrangement will not affect the price to farmers in France or encourge them to produce more one iota.

Mr. MILLER. It may not affect the price to farmers in France directly, but the Government of France will have that much less subsidy to pay, if it can export wheat at that figure. That would mean that they could even increase their subsidy to their farmers. They have told us that they are going to become self-sufficient in grain production. This is why we asked for guaranteed access to their market. And without the guaranteed access, where do our exports go?

Mr. YOUNG of North Dakota. The Senator said this would encourage increased production in France. Their price is already a dollar a bushel over the price this arrangement would provide.

Mr. MILLER. Yes. And give France the 19-cent difference, and they could even increase that amount of the subsidy; and they are going to do it, if they are going to achieve self-sufficiency, even though it is uneconomic and could be disastrous to their consumers. That is their objective.

Mr. SPARKMAN. Mr. President, I yield myself 1 minute.

I mentioned yesterday that the accumulation of wheat in many of the world's exporter countries threatens the export market, and makes more imperative the approval of the International Grains Arrangement. An article published in the Economist of June 8 describes the present situation in Canada.

It notes that Canada's two best customers, Russia and China, who at the peak bought 7 million tons of wheat—two-thirds of Canada's 1966 exports—expect to buy only about half that amount this year. It reports that Canada is now meeting fierce competition from the United States and Australia, and that the United States has "grabbed a large chunk of Canada's share in the Japanese market."

Mr. President, the information in this article, together with the outlook for good wheat production this year, appear to me to be a good indication that, unless we approve the arrangement, we may see in the very near future a general price war in the wheat export market. The arrangement, it seems to me, is our best assurance of averting such a catastrophe. It will provide a forum where exporters can get together and try to hold the line on prices. Without the arrangement, however, there is little doubt in my mind that wheat farmers will be in for very tough sledding.

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

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

[From the Economist, June 8, 1968]

POLITICAL CORN: WHEAT, 17 MILLION UNSOLD TONS OF IT SPILLING OUT OF EVERY AVAILABLE STORE, HAS BECOME A MAJOR ISSUE IN THE CANADIAN ELECTIONS

The accumulation of stocks of wheat in Canada is without precedent. The autumn and winter were so dry, with dust blizzards across the high wind country, that for a time it seemed that politicians could look forward to a rotten harvest to solve their difficulties. But, in the nick of time, the spring rains drifted across the western plains and soaked the land sufficiently to get this year's crop sown. Farmers now confidently predict that next season's crop will be every bit as good as the one harvested this season. And that is what has caused the indigestion.

Mr. Stanfield's Conservative party has got its word in first, promising all sorts of farm subsidies that would encourage farmers to grow even more wheat; this is more or less inevitable if it is to have any hope of holding the prairie provinces, for long the main bastion of its support. M. Trudeau's Liberals got belatedly in to the act this week. But when this year's harvest is in, Canada's wheat stocks are expected to be higher than at any time for the past decade. Every available foot of regular storage space in the country is already full of unsold wheat.

Canada's two best customers, Russia and China, who at the peak bought 7 million tons (or nearly two-thirds of Canada's 1966 wheat exports) expect to buy only half that amount this year. In other markets, Canada is now meeting fierce competition from Australia and the United States. Australia has started producing the high-quality hard wheat in which Canada for long had a world near-monopoly; and is shipping it cheaply in bulk to Europe. In a determined effort to reduce stocks, the United States has been cutting prices; and has grabbed a large chunk of Canada's share in the Japanese market. In consequence, Canada has borne the brunt of this year's 8 million ton drop in world wheat exports.

The search for an alternative crop to wheat has been going on in Canada for generations. The country is already producing all the coarse grains, vegetables and oil seeds it can sell or consume. Grain farms cannot be converted to livestock farms over night; in fact, they cannot be converted at all, for the fierce winters over most of the farmland rules out both a beef industry and a dairy industry. Besides, the shortage of farm labour has led to a rush of western farmers to get out of milk production. Even if a switch to beef production were practical, costs would make it unattractive.

Politically, it has been more than awkward for the government to admit its inability to find enough foreign markets for Canada's wheat. Ottawa has protested to Washington about price cutting by the United States to get rid of its own surplus. Beyond that, there was little it could do. Unlike the United States's subsidised farmers. Canadian farmers are not insulated from the world market price. Giving the wheat away to an underfed world is a course that Canada could not afford; some of the gifts would be at the expense of commercial exports, and Canada needs every support to its current balance of payments that it can get. Paying the farmers not to grow wheat, as Washington does to the tune of $1 billion a year, is out of the question too; not just for budgetary reasons, but also because the superb wheat growing land of western Canada is good for nothing else.

So Canadians go on behaving as if nothing had happened. This year, farmers have sown about 29 million acres—only marginally less than last year's plantings, themselves nearly a record. The sowing has gone on without a word of discouragement for any officials of the farm organisations or the government's wheat agencies. Yields go up all the time, as farmers abandon the old practice of leaving a third to half of their land under summer fallow, and start to use weed-killers, fertilisers, and new machinery that encourages more intensive farming. In ten years, the use of fertilisers on the prairies has grown from almost nothing to around 3 million tons a year.

Everybody seems to assume that something in the way of new export markets is bound to turn up. But the chances of another massive run on world wheat stocks like the one sparked off during 1965–66 by India's drought and Russia's crop failure, are not high. India is planting very much higher-yielding strains of wheat and improving its irrigation system. Russia seems at last to understand how to organise large-scale wheat-harvesting operations on the American pattern; a knack that is crucial to the success of the crops in the virgin lands, where the Russians have only three weeks to complete their harvesting before the frosts.

One bright spot for M. Trudeau is that spring sowing in China was interrupted this year by the cultural revolution. The Chinese have been buying gold recently, perhaps in the expectation of having to use it later in the year to buy wheat. China is now importing wheat as a matter of routine into the wheat-eating northern parts of the country, in order to have an exportable surplus of rice to sell to south-east Asia. But it is not importing on a big enough scale to shift stocks.

One day some brave Canadian government will try to discourage the farmers from producing so much of the stuff. But M. Trudeau's proposals for bolstering farm incomes, and extending special credits to help farmers compete in world markets, are not really moves in this direction. And it is expecting to much of the Conservatives that they should be any more ready to grasp the nettle.

Mr. SPARKMAN. Mr. President, there was considerable discussion here yesterday about the relation between minimum prices in the International Grains Arrangement and recent history of U.S. export prices of wheat from the gulf ports. I have a table, prepared by the Foreign Agricultural Service of the Department of Agriculture which shows that for the 5-year period, 1962–67, the average free-on-board price of No. 2 Hard Winter Ordinary wheat at gulf ports was $1.75 a bushel; this compares with the IGA minimum for that type of wheat—from gulf ports—of $1.73 a bushel. An important point to remember is that there are many different kinds of wheat, and you have to know which kind you are speaking of. The one that is basic is the No. 2 Hard Winter Ordinary wheat.

I believe that examination of this table will convince Senators that the contention that the International Grains Arrangement is a device to set an "artificial" price for wheat moving in export trade—as the minority view charges—is not accurate. As I said on the floor of the Senate yesterday, the minimums in the new arrangement merely recognize that the trading price of wheat in recent years has risen above what they were when the minimums were set in the old International Wheat Agreement of 1962.

Mr. President, I ask unanimous consent that the table be printed at this point in the RECORD.

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

AVERAGE EXPORT PRICES FOR U.S. WHEAT AND NEW IGA MINIMUMS

[In U.S. dollars per bushel]

	No. 2 Hard Winter Ordinary			No. 2 Soft Red Winter			No. 1 Western White	
	F.o.b. gulf	IGA minimum [1]	No. 1 f.o.b. west coast	IGA minimum [2]	F.o.b. east coast	IGA minimum [3]	F.o.b. west coast	IGA minimum [4]
1962–63	1.75	1.73	1.69	1.68	1.60	1.61	1.65	1.62
1963–64	1.80	1.73	1.73	1.68	1.73	1.61	1.73	1.62
1964–65	1.74	1.73	1.66	1.68	1.64	1.61	1.61	1.62
1965–66	1.62	1.73	1.53	1.68	1.60	1.61	1.60	1.62
1966–67	1.83	1.73	1.81	1.68	1.75	1.61	1.74	1.62
5-year average	1.75	1.73	1.68	1.68	1.66	1.61	1.67	1.62
3-year average	1.73	1.73	1.67	1.68	1.66	1.61	1.65	1.62
2-year average	1.73	1.73	1.67	1.68	1.68	1.61	1.67	1.62

[1] Art. 6, sec. (1).
[2] Art. 6, secs. (1) and (2); i.e., gulf minimum of $1.73 less 6 cents for west coast. Also added 1 cent for No. 1.
[3] Art. 6, sec. (1). Also added 2 cents for east coast shipping and subtracted 1 cent for No. 2.
[4] Art. 6, sec. (1) and (2); i.e., gulf minimum of $1.68 less 6 cents for west coast.

Note: All prices arranged on IWA marketing year (August/July).

Source: World Grain Statistics, 1965 and 1966, IWC; 1 Review of World Wheat Situation, 1965–66, IWC, and Grain Market News.

The PRESIDING OFFICER (Mr. SPONG in the chair). Who yields time?

Mr. DIRKSEN. I yield 1 minute to the Senator from Iowa.

Mr. MILLER. Mr. President, I wish to make it clear that I thoroughly agree with the figures that were just placed in the RECORD by the Senator from Alabama covering a 5-year period.

But the point I made yesterday, and the point I repeat today—and this certainly has not been rebutted and it could not be rebutted, because it is based upon official USDA figures—is that the gulf price of No. 2 wheat is all the way from 15 to 19 cents under the minimum that will be provided by the treaty.

We must look at modern history and current history, not ancient history. What is going to happen now is that, with these low world prices, the incentives to produce on the part of Canada, Argentina, and other wheat-producing countries are going to be added to. That is going to have a bad effect upon the exports of U.S.-produced wheat.

I know of no one who can rebut this statement. I wish someone could. But all indications are for a drop in our exports.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. DIRKSEN. I yield 1 additional minute to the Senator from Iowa.

Mr. MILLER. As I pointed out yesterday, under Public Law 480, with Pakistan rapidly becoming self-sufficient, with India's food situation greatly improved, with their target to become self-sufficient within 5 years—which is very much attainable—where are we going to find our markets for exports? I do not know. If anything, looking down the road, our exports are likely to decline substantially; and this means large carryovers of wheat stocks and further depression of wheat prices. I do not want to see this happen. That is why I cannot support the treaty.

Mr. JAVITS. Mr. President, the Senate is faced with a difficult decision with respect to the International Grains Arrangement of 1967. We are not faced with a black-and-white situation. The agreement leaves much to be desired and I have serious questions about it.

When the Kennedy round negotiations began we rightly made the decision that the reduction of barriers with respect to agricultural trade should be made an integral part of the trade negotiations, having equal importance in the negotiations with industrial commodities.

The Kennedy round with respect to industrial commodities was very successful. But as far as grains are concerned the negotiations fell far short of our objectives. Hence this agreement probably will not expand our wheat exports; or result in increased incomes for our wheatgrowers. Nor is the food aid provision of the agreement likely to provide developing nations with more food and they will probably have to pay more for their commercially acquired wheat. Also, the administration spokesmen admit that the agreement failed to give us assurances of access for our wheat into the EEC and the United Kingdom; and the U.S.S.R. and the East European countries have not joined the agreement and this could cause problems. Agreements have also been made that the agreement establishes an undesirable precedent for future trade negotiations and that if we ratify this agreement we imply our approval of the existing and costly farm price-support program and that this agreement runs counter to a policy of trade liberalization. Others say that the higher minimum price for wheat will induce increased production abroad which will compete against our wheat exports.

Notwithstanding these arguments, the agreement has merit. It will stabilize export prices and assure greater stability of income for wheatgrowers. This is particularly important at present when we are faced with abundant wheat supplies and declining wheat export prices which could hurt our balance of payments. The agreement should prevent their decline below the established minimum price. The consultative mechanism embodied in the agreement should ensure that members do not sell below the agreed minimum price for any considerable period. If they do so we can take steps to protect our competitive position. Under Secretary of Agriculture Schnittker told the Senate Foreign Relations Committee that—

> If consultations with respect to prices are going to be ironed out, no country should or can be precluded from maintaining its competitive position.

Under Secretary Schnittker further assured the committee that—

> We believe that under this new arrangement we maintain every right to price our wheats competitively, hopefully at levels within the range, that is above the minimum, but if necessary because of price cutting around the world, we are determined, and we are allowed under the agreement to price our wheats competitively even at prices under the proposed minimums.

Of greatest and decisive importance is the fact that without this agreement, imperfect as it is, there probably would have been no Kennedy round agreement and that, I am sure the Senate would agree, would have been contrary to our national interest. The consequences of failure to agree on substantial reductions of trade barriers would have been disasterous to the world economy and international economic cooperation and it was this realization which brought about agreement in the final hours of these negotiations. To reject this agreement now would certainly not contribute to negotiations now under way on nontariff barriers nor to future trade negotiations.

Our participation in agreements to stabilize wheat prices goes back to 16 years so we are not breaking new ground here. Insofar as it contains a multilateral agreement to provide food aid to developing nations, it spreads the burden on a more equitable basis and therefore represents an improvement over previous agreements. It also covers 85 to 90 percent of all world wheat trade as opposed to 55 to 60 percent before. This should contribute to its viability. The new minimum price is 20 cents above the previous minimum. This reflects both higher prices prevailing during the past 5 years and higher demand. Whether the higher minimum price will hurt our exports remains to be seen. The consultative mechanism in the agreement should prevent members selling below our prices. If it does not, the Department of Agriculture advises us that we have the right under the agreement to protect ourselves. It should also be kept in mind that our competitive wheat posture in the world wheat markets is dominated by the export payment policy. We have been assured that the Agriculture Department is determined to maintain its present aggressive measures to keep U.S. export volume up.

This is not the first nor the last commodity agreement that the Senate will be asked to consider. We already adhere to agreements involving sugar, coffee, and cotton textiles. I have consistently favored freer international competition in agriculture and supported efforts over the past years to free our domestic agriculture from rigid Government controls. Unfortunately, most advanced nations do have extensive agriculture controls and I do not really believe this agreement will affect domestic or international agricultural policy. I hope we will have a more direct opportunity to change our present Government subsidy programs when the 1965 Agriculture Act comes before us later this year or early in 1969 for renewal.

The real issue before us in this highly complex agreement is: Which is worse—not having any agreement or having this one? I believe that, on balance, not having any agreement would be worse.

With these considerations in mind, I will vote for the agreement and believe that the agreement should be given a

chance to work. If, within a reasonable amount of time, it does not, the United States should quickly take measures to protect its competitive position. Not only grain exports are at stake here, but our balance-of-payments position and our ability to maintain our responsibilities abroad through trade surpluses.

I also urge that we take steps to improve the agreement by undertaking new efforts to obtain access to the EEC and the United Kingdom; to improve the policing and consultative mechanism to protect our interests; and to increase the food aid contributions of other exporting nations so that the overall food aid going to developing nations be substantially above the 4.5 million tons agreed to under this agreement.

I support our policy of trade liberalization, yet I will vote for this agreement because—on balance—it helps our trade position abroad. Agricultural trade is entirely different from trade in industrial products inasmuch as there is still a heavy Government involvement in all phases of agriculture. I am looking forward to the day when this will no longer be necessary. I am confident in our ability to compete in world markets whether in industrial or agricultural products. Under existing circumstances, we have to do the best we can, and this agreement, on balance, will be helpful to us.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD—I believe it is informative and interesting, and it has been referred to several times—a list of the principal organizations and individuals endorsing this agreement, and a list of the principal organizations and persons who appeared before our committee in opposition to it.

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

FOR RATIFICATION OF THE INTERNATIONAL GRAINS ARRANGEMENT

May 21, 1968: Idaho State Wheat Growers Association.
May 21, 1968: Idaho Wheat Commission.
May 20, 1968: The Colorado Association of Wheat Growers.
May 20, 1968: The Colorado Wheat Administrative Committee.
May 18, 1968: Washington Association of Wheat Growers.
May 17, 1968: Western Wheat Associates USA Inc. (testified).
May 17, 1968: Oregon Wheat Commission.
May 17, 1968: Pendleton (Oregon) Grain Growers, Inc.
May 17, 1968: National Association of Wheat Growers (testified).
May 17, 1968: Oregon Wheat Growers League.
May 17, 1968: Kansas Association of Wheat Growers.
April 1, 1968: Washington State Grange Executive Committee.
February 27, 1968: Ohio Council of Churches.
February 21, 1968: Colorado State Grange.
January 29, 1968: National Council of Farmer Cooperatives.
January 26, 1968: National Grange (testified).
January 26, 1968: Midcontinent Farmers Association (testified).
January 25, 1968: Great Plains Wheat Inc. (testified).
January 25, 1968: Seventh Day Adventist Welfare Services Inc.
January 25, 1968: National Farmers Organization (Corning, Iowa) (testified).
January 25, 1968: Nebraska Wheat Growers Association.
January 25, 1968: National Farmers Union (testified).

AGAINST RATIFICATION OF THE INTERNATIONAL GRAINS ARRANGEMENT

May 17, 1968: American Farm Bureau Federation (testified).
May 8, 1968: Lacy and Company (Mobile, Alabama).
April 10, 1968: Alabama State Docks Department.
April 4, 1968: American Cotton Shippers Association.
March 26, 1968: Water Transport Association.
March 25, 1968: National Soybean Processors Association.
March 21, 1968: Cargill Incorporated.
May 21, 1968: Greater North Dakota Association (testified).
March 16, 1968: North Dakota Wheat Producers, Inc.
March 12, 1968: Chamber of Commerce of the United States (testified).
February 27, 1968: Bunge Corporation.
February 27, 1968: International Economic Policy Association (testified).
February 26, 1968: National Grain Trade Council (testified).
February 21, 1968: Grain and Feed Dealers National Association (testified).
October 17, 1967: Cook & Co., Inc. (testified).

Mr. SPARKMAN. 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. SPARKMAN. 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. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Montana.

Mr. MANSFIELD. Mr. President, the greatest tribute that can be placed before the Senate on behalf of this legislation is the fact that the chairman of the Committee on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], the dean of the Republicans in this body and the ranking member of that committee, the Senator from Vermont [Mr. AIKEN], two of the most outstanding and knowledgeable Senators from the wheat States, the distinguished Senator from Kansas [Mr. CARLSON] and the distinguished Senator from North Dakota [Mr. YOUNG], have all expressed to the Senate their support of this measure and the reasons therefor.

I would like to point out that there was a good deal of testimony taken on this legislation and, furthermore, that a good many farm organizations were contacted and, with one exception, their testimony favored the pending legislation overwhelmingly.

I think if Senators want to see the granaries of this country multiply and become overfilled, the way to do it is to vote against the convention now before us. If, on the other hand, Senators want to give the family-size rancher a decent, if minimum, livelihood, the way to help him is to vote for the convention and not vote against it. To say it simply: if the Senate does vote against the convention, in my opinion, the scarecrow prices can go down further.

The family-type wheat rancher is leaving the soil and coming to the cities, adding to the population congestion which is causing us so much trouble and difficulty today.

In the list of organizations which came out in favor of this legislation, I would cite the National Association of Wheat Growers, from which I have had a communication containing its full support without qualification of the pending convention. Then, there is the Farmers Union, the National Grange, the National Farmers Organization, and other groups up and down the country.

To the best of my knowledge, only one farm organization is against this proposal, and to the best of my knowledge, in my State of Montana, only one individual has written in against it.

Mr. President, I would point out that agriculture is America's biggest exporter. The shipment of farm products abroad in fiscal year 1967 reached the record breaking total of $6.8 billion. Wheat and wheat flour accounted for $1.4 billion, or over one-fifth of the total; and more than a half of the wheat grown in the United States was exported. So we are discussing today something of great importance, not only to our farmers, but also to the economy of this country in the form of the balance of payments.

I would like to state also that this matter was discussed at the Geneva meeting on trade and tariffs and that practically every industry with the exception of chemical products of various kinds and agriculture received a pretty fair deal.

Agriculture needs assistance and the way to help agriculture, at least in part, is to approve the convention now before us.

At Geneva the United States had three objectives. We sought improved market opportunities or trade opportunities in markets, or at a minimum, an assurance of prevailing conditions of access; second, we sought a higher minimum for world wheat trading prices, and that is what this convention would accomplish; and third, we sought to establish the principle and the fact, as the distinguished chairman of the Committee on Agriculture and Forestry has pointed out, of a multilateral sharing of the world's food aid responsibilities.

I believe the Senator from Louisiana, the chairman of the Committee on Agriculture and Forestry, indicated that on the basis of and as an effect of this convention there would be a drop of somewhere on the order of from 60 percent to 40 percent or 42 percent of wheat shipments to India.

I urge approval of the convention. It means a great deal to the wheat ranchers, it means a great deal to the economy of the country, it would provide a better basis for multilateral aid and assistance, and furthermore, it would be beneficial in our balance-of-payments strucure.

Mr. HANSEN. Mr. President, will the Senator yield briefly?

Mr. SPARKMAN. I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I rise to speak against Senate ratification of the international grains arrangement of

1967, because I believe the disadvantages of this proposal would far outweigh any advantages to the United States and to its wheat producers.

I am not an expert on the intricacies of international trade or the grain market. But an examination of this issue reveals some basic flaws which have even been acknowledged directly or indirectly by proponents of the arrangement, as well as opponents, and which should influence Senate rejection of these conventions.

The administration and the Department of Agriculture have contended that the agreements will increase farm income, improve our balance of payments and export situations, and fight world hunger.

When we dangle the promise of increased prices in front of a bedraggled U.S. agricultural industry which recently saw the parity ratio at the lowest point in 35 years, we had better be doubly certain that promise will be kept.

There are few, if any, indications that the Wheat Trade Convention would bear out the contentions of those who support it. In fact, it is likely that should the arrangement be ratified, it would cause lower prices to U.S. wheat producers; a reduction in U.S. wheat exports, and thus a worsened balance-of-payments situation; and even less assistance in the fight against world hunger.

Supporters have contended that the United States will indeed sell less wheat than before, but under the minimum pricing mechanism in the arrangement, we would get more for it.

But there is nothing in the arrangement which precludes participating countries from pricing below the schedule of minimum prices and the program will obviously not be effective unless the participants live up to its conditions.

Experience under the old International Wheat Agreement indicates some other countries are less scrupulous than the United States in abiding by these kinds of conditions.

The arrangement, then, is little more than "a gentleman's agreement" which can be violated by any country, should world market conditions cause price fluctuations. Additionally, the pricing mechanism is likely to encourage wheat production in other countries—even those less efficient than the United States—thus weakening the competitive position of the United States.

Mr. President, the failures of the supply-management concept, as envisioned in this arrangement, are graphically illustrated by the shambles of our own domestic farm program. There can be no question but what this program has failed to achieve its goal of economic justice for the farmer.

This failure is reflected in the fact that farm population has declined an incredible 30 percent in just the past 7 years. It is reflected in the fact that farm debt has more than doubled in recent years. It is reflected in the fact that programs to reduce production of wheat and corn have, instead, resulted in increased production.

The wheat farmers of the United States would be best served by programs to expand exports and develop new markets. This arrangement contains no trade expansion features. It would limit exports, thus throwing more wheat back on the domestic market. That, of course, means even lower prices for farmers than they are now getting.

It has been argued that the International Food Aid Convention in the arrangement would aid in the fight against world hunger. But the food aid provided under this agreement does not exceed current levels already being provided by the signatory nations, even though it means an expenditure of $200 million by the United States.

I do not believe the grains arrangement is in the best interests of this country, and I hope the Senate will reject ratification.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, we have a most important decision to make today. We have before us an issue in which the lines are clearly drawn. The issue concerns ratification of the International Grains Arrangement of 1967.

On the one side we have the international traders, who insist that in the long run this will be bad for the wheatgrowers of the country and reduce their income; on the other side we have virtually all of the wheat producers in this country who say this proposal will be good for them and in the long run will be exceptionally good for the wheatgrowers of the United States.

Mr. President, I admit, as I said before, that international traders perform an important function. They contribute materially to our national economy. They import agricultural products and other goods from other countries to the United States, and they export; but they carry on this business and they would like to handle it on their own terms and without much government regulation. It is a very profitable businesss.

Mr. President, if we abandon the wheatgrowers today, what section of our agriculture will come next? Will it be cotton, then soybeans, and then pork and beef producers? I ask this question because they are not going to be satisfied with taking over one crop, wheat, on their own terms.

Only last Monday the President saved the dairy industry of the United States from almost certain disaster when he invoked section 22 of the Agriculture Act and established temporary quotas on imported milk. The importers had gone to such extremes that in a short time they would have ruined the dairy industry of the United States.

The common market countries subsidize their production of milk at 39 cents a hundred pounds more than we do, and then they contribute approximately 25 percent of the price for dumping the processed products on the United States. American producers cannot compete with them. As I said, every dairyman in the United States owes the President a tremendous vote of thanks because he certainly saved them from disaster.

Mr. President, traders are important, but is not American agriculture even more important?

We must decide today: Are we going to support the farmers of America, or are we just going to support them for the benefit of international traders, exporters, and importers?

The issue is as simple as that.

If Senators wish to support the wheatgrowers, who are almost unanimous in their desire for this International Grains Arrangement, they will vote for this arrangement.

Mr. DODD. Mr. President, the proposed ratification of the International Grains Arrangement of 1967 is a matter that troubles me deeply.

There are experts who have argued in favor of the arrangement and there are experts who have argued against it. There are organizations that favor it and organizations that oppose it.

Clearly this is a matter on which men of intelligence and good will and integrity can hold diametrically opposed viewpoints.

Ordinarily, when the pros and cons are more or less evenly balanced on an issue, I make it a policy to give the administration the benefit of the doubt. However, long experience has taught me that no administration is omniscient or infallible, and that the best-intentioned negotiators sometimes enter into agreements which do not truly reflect the national interest.

In the case of the International Grains Arrangement, I have sought to weigh the opposing arguments as carefully as possible. I have examined the record of the hearings and I have also sought to obtain the advice of international economists whose opinion I respect.

It was with great reluctance that I arrived at the conclusion that the International Grains Arrangement is not in the national interest and the Senate should refuse ratification.

In the remarks that follow, I wish to add a few of my own thoughts to the minority views which I signed.

The majority report argues that the arrangement will benefit American wheatgrowers by establishing a higher minimum price; that it will make for stability in the world wheat market; that it would in no way impair the ability of this country to remain competitive; and that it would if anything have a beneficial effect on our balance-of-payments position.

The facts of the situation, as well as the opinions of some of the experts who testified, compel me to the opposite conclusion.

I believe that adherence to the proposed arrangement would be bad for the American wheat farmer, bad for the U.S. balance of payments, bad for our already seriously imbalanced budget, and bad for the hungry peoples of the world.

The arrangement will be bad for the wheatgrower because it will increase the minimum world price of wheat by about 23 cents a bushel above the minimum established by the International Wheat Agreement, thus forcing the efficient U.S. grower to hold a protective umbrella over higher cost producers in foreign countries.

While the higher price should theoretically result in higher returns to the U.S. growers, disinterested agricultural economists and many of those engaged in

the growing and marketing of wheat testified that the higher price per bushel can be more than nullified by the loss of sales that is likely to ensue from the enforcement of the higher price.

It stands to reason that higher wheat prices will tend to increase production in countries that are a party to the agreement and countries that are not a party to the agreement.

It stands to reason that some of this increased production is bound to find its way into the world market, so that our share of this market will inevitably contract.

There is all the more reason to be fearful because first, the agreement does not include a provision which would guarantee increased access to wheat markets by U.S. exporters; second, it does not establish quotas for the exporting countries; and, third, it does not provide for the management of wheat surpluses.

If our commercial wheat exports decline, this will, as the minority views point out, mean more wheat thrown on our domestic market which, in turn, would depress the price paid to U.S. farmers.

A growing surplus in this country would inevitably result in further restrictions on acreage, while the nations that compete with us in the international wheat market would be expanding their own acreage.

On this point I think it pertinent to point out that, while our own wheat acreage has been more or less stationary for the past 10 years, Australian wheat acreage has doubled and wheat acreage in Canada has risen from 22 to 30 million.

Our balance-of-payments position would automatically be aggravated by the contraction of our wheat export markets. It would be further aggravated because the United States, prevented from competing in terms of price by the International Wheat Arrangement, will be forced to compete by extending very generous credit terms to match the credit terms offered by some of our competitors. This will worsen our balance-of-payments position. Sales made for cash or short term credit improve our balance-of-payments position. But sales made on long-term credit instead of for cash will inevitably aggravate our balance of payments.

The arrangement will place an additional burden on our budget if we endeavor to maintain food assistance to the needy countries on the same scale as in recent years.

By pushing up the cost of wheat by 23 cents a bushel, we will be raising the cost of wheat to the U.S. Government in carrying out its program of foreign assistance. It is true that the cost must ultimately be borne by the country buying the wheat. But since the U.S. Government pays the producers cash and then finances the sale on a long-term basis, there will be an immediate adverse impact on either our budget or the size of our food asistance program.

The arrangement will be detrimental to the poor and hungry people of the world whose diet depends in large part upon wheat.

It is strange that at a time when there is so much concern about hunger and the plight of those who suffer from it, the wheat-exporting countries of the world should be proposing a cartel to raise the price of an essential foodstuff.

It is argued in the majority report that:

> All major exporters understood the need to share the burden of inventory management as well as export restraint.

In view of the fact that the participating nations stubbornly refuse to agree to American proposals for inventory management, I am afraid that I can place little confidence in their understanding or in their willingness to exercise restraint if necessary.

It is also argued that, if competitive conditions change so that we find our own interests prejudiced, we can ask for an adjustment in the schedule of minimum prices by the Prices Review Committee. In view of the fact that the Prices Review Committee must consent unanimously to any change in price schedule, so that the voice of a single member could frustrate the request made by any other member, I find little consolation in this argument.

Finally, it is argued that if we fail to obtain satisfaction from a request to the Prices Review Committee, "the convention does not preclude an exporting country from pricing below the schedule of minimum prices."

I do not think much of this argument. An agreement which gives any signatory power the right to depart from its terms if it finds them inconvenient, is certainly not much of an agreement.

Moreover, I think the record will show that we tend to be much more fastidious about violating agreements or opting out of them than do other nations. Unless the International Grains Arrangement proved itself to be utterly disastrous, my conviction is that we would be prepared to suffer very serious inconveniences before accepting the onus of disrupting the arrangement.

It is true that the arrangement is accompanied by the Food Aid Convention under which the developed countries have pledged to give assistance in the form of food to the needy countries of the world.

In the sense that we were able to persuade at least some other nations to increase their contributions of grain to needy nations, the Food Aid Convention represents progress. Nevertheless, it must be noted that the level of the contributions agreed to represents only half of the original goal of the U.S. negotiators, and that the total increase of food aid resulting from the convention will, therefore, be limited.

I must say frankly that I am disappointed that we were not able to persuade other nations to do more.

I also believe that our negotiators were overly generous in agreeing that the United States should provide 42 percent of all the food aid made available under the convention; and I find their excessive generosity all the more disturbing because of our acute balance-of-payments problem.

I think that it is our duty to do what we can to help hungry people in other parts of the world. But I also think it is our duty to bring pressure to bear on other nations to pick up a larger share of the burden which we have carried for so many years in the post war period.

The unpublicized negotiations in Geneva, in my opinion, constituted a totally unsatisfactory vehicle for such an effort.

It is my belief that we should raise the question of the need for an international food aid agreement at the United Nations; that we should set forth for the record all that we have done since the close of World War II; and that, using the glare of publicity that attends U.N. sessions as a frank instrument of embarrassment and political pressure, we should seek to get other nations to increase their contributions, both in terms of metric tons of grain contributed and in terms of their percentage of the total contribution.

Let us by all means continue to be generous. But let us insist that others bear an equitable share of the burden of generosity.

For the reasons stated here, I believe that the International Grains Arrangement is not in the national interest and I shall, with reluctance, vote against it.

Mr. SPARKMAN. Mr. President, I yield the remainder of my time to the distinguished Senator from Louisiana [Mr. ELLENDER], the chairman of the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, it was my privilege to say a few words earlier today concerning this convention. I may therefore be repeating what I said then, but I think it is important to emphasize that the International Grains Arrangement is no radical departure from the past. It is only a continuation of the International Wheat Agreements that the Senate has been approving since 1949.

The countries which agreed to the convention are those which produce in excess of their requirements as well as those which are importers. The convention would make it possible, under its terms, to raise the price of wheat about 20 to 23 cents per bushel in contrast to what the old wheat agreements held.

Mr. President, unless something of this nature is passed, I predict that because of the excess wheat now on hand, not only in this country, but also in other large wheat producing countries, severe cutthroat competition will result. Certainly we do not want that to happen, because those who will suffer will be the wheatgrowers—the farmers.

It strikes me that we should do all we can to protect the wheat farmers of this country.

The convention fixes the minimum and the maximum price at which wheat is to be sold and purchased by countries which export wheat and those which do not produce enough.

Another good feature of the new convention is that the wheat will be priced according to U.S. grades. That is in the convention.

There is a second feature of the convention which never appeared in any of the old wheat agreements; namely, the provision which makes it possible for us to obtain assistance from wheat and grain exporting countries to carry part of

the enormous load of feeding many people in countries unable to produce sufficient grain and food for themselves.

Mr. President, for the past 4 or 5 years, the United States has been carrying the load of contributing food to the underprivileged and undernourished countries of the world.

Two years ago, the United States furnished about 80 percent of the grain and wheat requirements of India. We had a hard time obtaining some assistance from other than a handful of countries.

Today, we have promises from those who will sign this convention that they will furnish around 58 percent of the amount of grain that will be needed to help India and other countries which are deficient in food production.

I think that in itself is a good reason why the Senate should adopt the convention.

Japan, which does not produce wheat to any extent, has agreed to furnish its just proportion, by way of money, in order to provide food for India and other countries that cannot produce sufficient food for their own needs.

I cannot, for the life of me, understand why there should be any opposition to the convention. It certainly would not be harmful to our country. It seems to me that approval of the convention would aid our country and our farmers. With the enormous amount of wheat we now have on hand, if the convention should fail, it will mean that we will have severe competition—yes, cutthroat competition—without any price regulation whatever. This would be harmful to our farmers. We would be selling wheat at a price per bushel far less than prevailing prices. This would hurt our balance of payments.

As I said, let us take advantage of the second part of the convention and get the countries well able to assist us in carrying the load to feed the underprivileged and the hungry from Pakistan, India, and other parts of the world. This is a new feature and one well worth trying.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Is it not true that at this moment there is pending a substantial contract with Japan which will be most beneficial to the American wheat rancher?

Mr. ELLENDER. The Senator is correct.

Mr. SPARKMAN. 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. SPARKMAN. 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. SPARKMAN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The hour of 2:30 having arrived, the Senate will now proceed to vote on the resolution of ratification of Executive A, 90th Congress, second session, the International Grains Arrangement of 1967. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. DODD. Mr. President, on this vote I have a pair with the Senator from Tennessee [Mr. GORE] and the Senator from Texas [Mr. YARBOROUGH]. If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." Therefore I withhold my vote.

Mr. PELL. Mr. President, on this vote I have a pair with the Senator from Alaska [Mr. BARTLETT] and the Senator from Minnesota [Mr. MCCARTHY]. If they were present and voting, they would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Illinois [Mr. PERCY] would each vote "nay."

The yeas and nays resulted—yeas 62, nays 21, as follows:

[No. 185 Ex.]

YEAS—62

Aiken	Hayden	Mundt
Bayh	Hill	Muskie
Bible	Holland	Nelson
Boggs	Inouye	Pearson
Brewster	Jackson	Prouty
Brooke	Javits	Proxmire
Burdick	Jordan, N.C.	Randolph
Byrd, Va.	Jordan, Idaho	Ribicoff
Byrd, W. Va.	Kuchel	Russell
Cannon	Long, La.	Scott
Carlson	Magnuson	Sparkman
Clark	Mansfield	Spong
Cooper	McClellan	Stennis
Eastland	McGee	Symington
Ellender	McGovern	Talmadge
Ervin	McIntyre	Tower
Griffin	Metcalf	Tydings
Gruening	Mondale	Williams, N.J.
Harris	Monroney	Young, N. Dak.
Hart	Morse	Young, Ohio
Hatfield	Moss	

NAYS—21

Allott	Fannin	Lausche
Baker	Fong	Miller
Case	Hansen	Murphy
Cotton	Hartke	Pastore
Curtis	Hickenlooper	Smith
Dirksen	Hollings	Thurmond
Dominick	Hruska	Williams, Del.

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Dodd, against.
Pell, against.

NOT VOTING—14

Anderson	Gore	Morton
Bartlett	Kennedy	Percy
Bennett	Long, Mo.	Smathers
Church	McCarthy	Yarborough
Fulbright	Montoya	

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the ratification of this arrangement.

The PRESIDING OFFICER. Without objection it is so ordered.

LEGISLATIVE SESSION

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

REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 20.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill S. 20, to provide for a comprehensive review of national water resource problems and programs, and for other purposes, which were, on page 1, strike out all after line 7 over through and including line 4, page 2, and insert:

(b) The Commission shall be composed of seven members who shall be appointed by the President and serve at his pleasure. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, or shall be a retired officer or employee of the United States who is currently drawing or is entitled to draw currently an annuity or retired pay.

On page 2, line 13, strike out "by law (5 U.S.C. 73b–2)" and insert "by 5 U.S.C. sec. 5703";

On page 2, line 17, strike out "President" and insert "Commission";

On page 2, line 17, strike out all after "rate" down through and including "Schedule." in line 19, and insert "determined by the U.S. Civil Service Commissioners".

On page 3, line 18, strike out all after "comment." down through and including "reports." in line 21, and insert "The Commission shall submit simultaneously to the President and to the United States Congress such interim and final reports as it deems appropriate, and the Council shall submit simultaneously to the President and to the United States Congress its views on the Commission's reports.";

On page 4, line 12, strike out "the Classification Act of 1949 as amended, and insert "5 U.S.C. ch. 52,";

On page 4, line 14, strike out all after "Commission" down through and including "amended" in line 18.

On page 4, line 18, strike out all after "by" down through and including "55a)" in line 19, and insert "5 U.S.C., sec. 3109";

On page 6, line 24, strike out "(5 U.S.C. 46e)" and insert "(5 U.S.C., sec. 5514)"; and

On page 7, line 8, strike out "such sums as are required" and insert "not to exceed $5,000,000".

Mr. JACKSON. Mr. President, I move that the Senate disagree to the amendments of the House and request a conference with the House thereon, 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. JACKSON, Mr. ANDERSON, Mr. BIBLE, Mr. CHURCH, Mr. GRUENING, Mr. KUCHEL, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR ENDING JUNE 30, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1205, House Joint Resolution 1268.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 1268) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

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

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported without amendment, by the Committee on Appropriations.

The PRESIDING OFFICER. The Senate will be in order. If attachés wish to remain on the floor, they will be quiet and stay in the rear of the Chamber.

The Senator from Rhode Island is recognized.

Mr. PASTORE. Mr. President, the resolution provides $400 million for Federal-aid highways, to be derived from the highway trust fund. In addition, the resolution provides an appropriation of $50,980,863 for the payment of claims and judgments. This later item of $50,980,863 has previously passed both Houses and has been agreed to in conference in connection with another suplemental bill, which is still in conference.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. PASTORE. Mr. President, the $400 million is liquidating cash to cover estimated reimbursements to the States during the remainder of fiscal year 1968. The need for the $400 million is due to the releases of additional funds to the States during fiscal year 1967 after restrictions, which were previously placed on such funds, were eliminated.

The highway program operates under contract authorizations granted in an authorization act, and the funds required and recommended are to liquidate obligations made pursuant to law. The regular annual appropriation contained in the regular bill is in the amount of $3,770,872,000, and with this additional $400 million, a total of $4,170,872,000 will be provided for fiscal year 1968.

After the proposed expenditures have been made from the funds provided, there will be a balance of $930 million in the highway trust fund at the end of fiscal year 1968.

Mr. STENNIS. Mr. President, will the Senator yield to permit me to make a request for order? This matter is of the utmost importance to every Senator.

The PRESIDING OFFICER. The Chair has announced twice that attachés who wishing to remain in the Chamber will remain silent.

The Chamber will be cleared if we do not have order. Senators who are in the Chamber are asked to be seated.

Mr. PASTORE. Mr. President, this matter came to our attention at the behest of the Secretary of Transportation, who pointed out that in may States contracts have been entered into, work has been done, and payment cannot be made because these funds need to be replenished, by appropriation from the trust fund.

Many States, of course, cannot borrow money. Unless we pass the joint resolution as an emergency measure, I am afraid that contractors in many States will go unpaid because the States cannot borrow. That will create a serious situation.

That is all there is to the proposal. I recommend the passage of the joint resolution.

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

Mr. PASTORE. I yield.

Mr. STENNIS. As I understand, the joint resolution as it has been reported by the Committee on Appropriations is identical with the joint resolution as passed by the House. If it is passed by the Senate, it will, of course, go to the President. Is that correct?

Mr. PASTORE. That is absolutely correct.

Mr. STENNIS. The funds provided by the joint resolution are to pay outstanding vouchers which has already accrued totaling approximately $250 million. Is that statement approximately correct?

Mr. PASTORE. That is correct. A balance of $400 million is needed to complete the program this year.

Mr. STENNIS. Those sums are distributed among the States. Does the Senator have a list of the States that are affected and the amounts which would be provided them?

Mr. PASTORE. I have such a list. Does the Senator wish me to read the entire list of States?

Mr. STENNIS. I have a list. Either I can read it or the Senator from Rhode Island can read it.

Mr. PASTORE. I would prefer that the Senator from Mississippi read it.

Mr. STENNIS. I thank the Senator for yielding to me. Would he desire that I read it now?

Mr. PASTORE. If the Senator wishes to do so. I think we ought to place the list in the RECORD. Every Senator understands that every State is in a pinch with respect to these payments. This is trust money, dedicated for this purpose. It is necessary that we appropriate it in order that it can be expended. The contracts have been consummated, and the money is due and should be paid. This is a simple proposal. If we do not act on it now, we shall have to do so tomorrow.

Mr. STENNIS. I think the Senator from Rhode Island for yielding to me. I shall be glad to read the names of the major States affected. My interest in the matter is simply this. My State happens not to be affected. However, I have been entrusted with the chairmanship of the Subcommittee on Appropriations that handles these funds. The point was raised last year, according to correspondence which I have. The deficit was anticipated, and the point was made that the money would be needed and should have been included in the bill last year. But it was carried over in the expectation that the funds would be provided in the January supplemental appropriation bill.

There is no controversy about the funds. However, my plea is: Let us not amend the bill so that we will have to go to conference, especially with amendments that are controversial. I do not know whether such amendments will be offered on the floor of the Senate; they were offered in committee, and the committee rejected them. Payments on Federal aid construction vouchers have been withheld through June 1968. That ties up the program.

I shall read the list:

Alabama, $4.2 million; Alaska, $2.4 million; Arizona, $4.2 million; Arkansas, $2.9 million; California, $19.1 million; Colorado, $2.9 million; Connecticut, $3.4 million; Delaware, $1.1 million; Georgia, $4 million; Hawaii, $500,000; Idaho, $4.6 million; Illinois, $9.9 million; Indiana, $800,000; Iowa, $1.2 million; Kentucky, $3.7 million; Louisiana, $6.6 million.

I shall omit States which are owed less than $500,000.

Massachusetts, $8.1 million; Michigan, $10.7 million; Minnesota, $4.4 million; Missouri, $5.5 million; Montana, $2.4 million; Nevada, $2.1 million; New Jersey, $7.6 million; New Mexico, $10.3 million; New York, $15.2 million; North Carolina, $3.5 million; Ohio, $16.8 million; Oklahoma, $2.9 million; Oregon, $3.2 million; Pennsylvania, $19 million; South Carolina, $3.4 million; South Dakota, $3.6 million; Texas, $12.5 million; Utah, $3.2 million; Virginia, $5.4 million; Washington, $3.8 million; West Virginia, $1.6 million; Wyoming, $1 million; District of Columbia, $4 million; Puerto Rico, $500,000.

I thank the Senator from Rhode Island.

Mr. PASTORE. I yield the floor.

Mr. JAVITS. Mr. President, I hope that Senators will not walk out of the Chamber thinking that this is an ordinary supplemental appropriation bill that the Committee on Appropriations has smoothed over in conference, and that it has agreed upon an amount and expects the Senate to pass it without amendment, so that we may get on with the business of the Senate.

Mr. President, this particular appropriation is the last chance to do something about funds for summer employment, for which we had a $75 million special supplemental appropriation last year and upon which, with a rare display of stubbornness from them, we cannot get any budget estimate from the administration. The administration bears very heavy responsibility for what may occur here. We find an absolutely brick-wall attitude on the part of the House con-

ferees on the previous urgent supplemental bill, to which the Senate, in a display, in my judgment, of wisdom and statesmanship, added the $75 million for summer jobs. Notwithstanding the testimony of the Secretary of Labor that the $75 million is eminently justified, you cannot move the White House and you cannot move the other body.

So, what they have done, Mr. President, is to make an end run around the conferees on the previous supplemental. This bill is one part of that end run, since it contains the claims money originally in that other bill.

Another part is contained in the second supplemental, and will be considered by the committee probably in a few days or a week or so. It may take 2 or 3 weeks to get to the floor and be signed into law.

Senators may recall that two amendments were added in this situation. One was for summer employment and the other was for full-year Headstart—$75 million and $25 million, respectively.

I am proposing today to move on the summer employment aspect. It is my understanding that a similar motion will not be made on the part of the Senator from Pennsylvania [Mr. CLARK], who originally sponsored the Headstart supplemental, until the second supplemental. And I wish to explain that immediately, because that is a very important point.

The summer employment will have flown out the window in the next 2 or 3 weeks. This is June. We are heading to the end of June, and it takes a little time to mount a program. If we get the summer employment money by mid July or the end of July, it gets pretty meaningless. Hence, I believe that if anything constructive is to happen in this matter, it must happen now.

The end run I have described deals, naturally, with matters which the Members of the House want very urgently, such as the $400 million in highway funds. The $400 million in highway funds is not in that particular conference, but the House Members want it very badly. Many House Members also want impacted school aid money. So, very pleasantly and comfortably, they put it on the second supplemental—and not in a reduced amount, but in the full amount of $90 million. There is plenty money for that in their view. But $100 million, for which the Senate voted, cannot be found for summer employment and Headstart.

Mr. President, I do not propose, even if I am the only one—I hope I am not—to accept such intolerance from the other body as completely to disregard us, to bypass us, to trade on the individual sectional interests of individual Members of the Senate in order to cheat the Senate of its judgment, which is just as good as that of the House. So, as this is something which takes eternal vigilance, here I am on this matter, which seems to be off the mainstream of the bill, but which is very much on the target, proposing to lay before the Senate the opportunity to get some cooperative consideration—which we give all the time—from the other body.

Even that would not be sufficient reason for me to take this position, probably. We are all accustomed to the gyrations of the parliamentary process; and there are many men of good will, such as the distinguished Senator from Rhode Island, who would like to get this bill passed and over with, and the Senator from West Virginia, who supported me and Senator CLARK in our previous fight, and cannot, they feel, do so now. So I was very reluctant to some to this position.

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

Mr. JAVITS. May I finish the thought, and then I will be happy to yield. If the Senator insists, I will yield at this time.

Mr. PASTORE. No; I do not insist.

Mr. JAVITS. What brought me to this, Mr. President, is this—and we discussed it in the committee, and the members of the committee have been very generous about this matter. Indeed, the Senator from Florida [Mr. HOLLAND], who does not agree with me about the need for the $100 million, and who is chairman of the conference, has stood by me in this deadlocked conference. I wish to say that in his presence.

What concerns me very deeply, Mr. President, is that there is a very divisive and a very serious situation in the country. Both the Senate and the House have turned their faces sternly against riots and violence and civil disobedience, and we know the concerns which Members have expressed in connection with the Poor People's Campaign which is in the Capital, encamped near the Lincoln Memorial.

It seems to me, Mr. President, that if we really want to govern with intelligence, we must yield to some demands which are just; and inasmuch as the demands are minimal, humane, and necessary—the Senate felt that way—it is the path of statesmanship to do our utmost to satisfy at least these minimal demands which I am deeply convinced—and I believe many others are deeply convinced—would go far to persuade the poor themselves that this is a government of justice and not of resentment.

I have cataloged in my mind the measures which, in my judgment, are required for that purpose. The first is the summer employment matter. I will give the details in a few minutes of the awful bulge in unemployment of Negro youth in this country—a shocking set of facts and figures which can be used and is used by every rabble-rouser and every Stokely Carmichael to feed the flames of dissension and insurrection.

The second is the Headstart item, which again is small.

The third is a $75 million item for starvation, which was at one time Senator STENNIS' own bill, with which we have never been able to get anywhere.

The fourth is the $20 million item for rat control.

The entire package, Mr. President, can be compressed within $150 or $200 million, even if every amount were granted in full. It is this package, in my judgment, which can go farthest toward making the poor and the oppressed and the depressed in this country have a feeling that we are a government of justice and that where there is injustice, we respond.

Yet, as I said a moment ago, I face this absolutely brickwall attitude with respect to one of these items—to wit, the appropriation for summer jobs.

I yield to the Senator from Rhode Island.

Mr. PASTORE. First, I should like the Senator from New York to understand that he does not stand alone. I agree implicitly with everything he has said, and he has said it very dramatically, eloquently, and truthfully.

I believe it is a crying shame that in a society of affluence such as we enjoy in this great land, we must have millions of hungry mouths, people who are not being fed properly.

Here we are, with Resurrection City right down at the end of the street, and I have heard many arguments pro and con. But I agree with the argument that was made so effectively by the Senator from New York before our committee, when he said that if we could only get around to doing some little things, perhaps we could get to the very core of some of these evils that plague our society today.

I have sat in our committee room and listened to Sargent Shriver hour after hour. He pointed out how effective this summer employment program is, to take the youths off the street and give them some jobs so that they can do some honest work and receive some respectable pay. And it has worked out admirably.

But it is not so much the substance of the program that we talk about today. Mr. President, as it is the mechanics involved.

First of all, I think I explained how this came to our attention. This may be an end run. I do not know. However, I think the whole movement was initiated by the Secretary of Transportation who felt that, after all, he had an obligation. The money has run out, the money must be paid, and it can only be used for that purpose.

The question arises, "Do we care more about roads than people? I think the Senator from New York has a valid argument when he makes that statement. The items he talks about now are contained in the previous supplemental bill. That bill was submitted to the Congress by the President on February 8. The House began hearings on February 13, they reported a bill on February 19, it passed the House on February 20, the Senate began to hold hearings on February 28, we reported the bill and passed it on March 11. It was sent to conference on March 18 and that is where it is now. That is where these two items are now, stymied in conference.

Now, I wish to say to the Senator from New York, if he advances his amendment I shall vote for it. Then, we will go to conference and it will die all over again, as the other bill is stymied. I know that.

I cannot leave my soul and convictions on the floor of the Senate today and then go home and sleep, because this is something I innately believe in. I am going to vote for it if the Senator advances it.

However, I have been told by Members of the House that if we add any amendments not even the $400 million will pass. Perhaps they will do what they have said they will do, and maybe they will not.

The matter the Senator contends for is contained in a bill already in conference, and he is one of the conferees. We have not been able to shake the House off of dead center. That is where the matter stands now.

If the proposal is added here, it will go to conference again and it will be before the same conferees. So instead of one stymie there will be two stymies; and instead of one death there will be two deaths. That is the chance we take this afternoon.

As far as the Senator from New York is concerned, if he presents his amendment of $75 million for summer jobs to get idle hands at work, I shall vote for it. What the Senate will do is the responsibility and the conscience of the Senate.

Mr. JAVITS. Mr. President, I am grateful to the Senator from Rhode Island, who with his typical skill and eloquence has set the matter before the Senate clearly.

I would feel that I have insulted my own conscience if I let this opportunity go by. I shall explain why. Unless we give the Senate the opportunity to say to the other body, "You want this $400 million in highways funds, we want something done about summer jobs, we are not going to take no for an answer," we will not get what we want.

Mr. President, you will not get what you want without an approach of that kind, especially in view of the attitude of the House, which, with all respect, has a disquieting note of discrimination in its vote for impacted school areas of $90 million. They would have settled for less in conference. Then, they hold out stubbornly against this summer jobs item as though, all of a sudden, there is no more money left.

It seems to me that it would be proper for the Senate to adopt this amendment again to this particular bill and let the matter go to another conference.

Now, I said that the time element is the difference between the Headstart item and this item. We checked the matter out with the Department of Labor, although I am not in any way injecting them. They are not as a contending party in respect to this amendment. However, we are advised they would find it almost impossible to spend this money if it is not received until mid-July or late July. This is about the time when the second supplemental is due to become available. Job levels peak and become stable by the end of June. To get the money late in July would mean that one-half or more of the program term would be gone. And it would be out of the question for the Department "short fund" by authorizing higher initial program levels on the expectation that more money would be coming in in the second supplemental in the final weeks.

So I am compelled to act now, if I am going to act at all in a seasonable manner.

Mr. President, there is a shocking disparity between the unemployment rates for nonwhites, who are the primary persons affected in this appropriation, and for whites. It is something that is ready made ammunition for every agitator. Here it is. The unemployment rate for nonwhite males 16 to 17 years of age went from 22.5 percent in 1966 to 28.9 percent in 1967, while the unemployment rate for all teenagers was less than one-half of that, or about 11 percent.

In addition, the disparity between unemployment rates of nonwhite teenagers and white teenagers has increased in recent years, from 1.8 to 1 in 1960, to about 2.5 to 1 in 1967. This can be seen visually in every slum and ghetto in America. There can be seen idle hands ready to turn to any riot or violence because we have not provided something for them to do.

The only other point I would like to make before introducing my amendment is what I consider to be a very serious indictment of the administration in terms of its choice of priorities in this matter. I have supported the administration time and again. I just supported them on the wheat agreement, although politically it would have been very desirable for me to vote no because I believe in a liberalized trade policy. I do not say this in any political sense.

It escapes me why it was possible for the President to support $75 million last summer and why it is impossible this summer, when the whole country has just experienced the aftermath of the assassination of Martin Luther King, Jr., and when we have had still another, the tragic assassination of Robert F. Kennedy, my own New York colleague. And yet the assumption is made that this summer is not going to be like last summer, that it is going to be a halcyon beauty of a summer and we do not have to make a special effort, as we did last summer, as inadequate as it was, to get the kids off the streets.

The administration became worried about its position in this matter, so by a feat of legerdemain, which has been denounced by newspapers from coast to coast, they scrounged and cut down programs, such as the Neighborhood Youth Corps, the in- and out-of-school program, from which they took $15 million. Then they cut the hours of work these young people would do this summer, and they cut the number of weeks they would work this summer. So they came up with a program which would technically give the same number of jobs as were given last summer, but with these costs. The Secretary of Labor testified in the last few weeks before the Committee on Labor and Public Welfare, of which I am a member, that the efficacy of the program was diminished by the percentage by which they reduced hours and weeks, to wit, 32 percent. In other words, it would be that much less effective.

If you want to restore to the permanent programs what has been taken from them, then restore these hours and wages. It would take $52.1 million rather than $75 million which the Senate voted, and for which I contended.

Mr. CLARK. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CLARK. Has the Senator proposed his amendment?

Mr. JAVITS. Not yet.

Mr. CLARK. I hope we can get the yeas and nays to vote on it as soon as he proposes it.

Mr. JAVITS. I will request them.

Mr. President, to resume, it will take $52.1 million just to restore the program, in terms of compensation and hours worked, to what it was last year without any additional slots whatever. I am very much minded to feel that the only fair and honest way in which to proceed with this matter in the Senate, having given it that figure which I just have, is to proceed with the same amount which the Senate voted before, as representing at least a slight increase and a slight recognition of what further problems we face this summer and the urgent need for this kind of summer jobs.

The Senator from Rhode Island [Mr. PASTORE] has testified most eloquently to the fact that the efficacy of these summer jobs in terms of what I have been talking about—in other words, in terms of tranquillity in our country—is just not to be duplicated in any other way.

I really feel that to be an effective legislator, on occasion we have to stand up, as the saying goes, and be counted. We are told time and time again by our conservative friends—who are just as vital to the legislative process as any liberal—that we have to "bite the bullet," that we have to be brave, and that we have to stand up to major decisions.

I feel deeply convinced that we will be voting this afternoon upon an issue which will involve directly the tranquillity of every major city in the United States. As a measurable addition to our ability to assure this tranquillity in our cities, I shall "bite the bullet" and hope that a majority of the Senate will do so also.

We are not going to win this fight with such stubbornness on the part of the other body, and the ineptitude on the part of the administration, unless we take a bold course with the same determination they have, especially when it comes to such a succulent package as the $400 million in highway funds, about which we have been enlightened, and which affects many States.

Mr. President, they will burn, they will riot, and they will loot at a cost of a great deal more than these highway funds. Mr. President, you and I know, and so does the rest of the Senate, that the highway funds, if they are not in here, will be in the second supplemental. The House Members will not deprive themselves of highway funds, impacted school funds, or the Farmers Home Administration funds.

Somehow or other—I repeat, somehow or other—the poor and the oppressed are always the last in line. They have to get the short end. Well, the Senate does not think so. I shall give the Senate this afternoon an opportunity to reaffirm that. I voted to report the bill with these other items in it, but I feel they must yield to the supervening dangers which we face in the poor sections of the cities of our Nation this summer. I do not feel that I shall have done my duty unless I do this.

Mr. President, I, therefore, send the amendment to the desk and ask that it be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 3, line 6, insert at the end thereof the following:

CHAPTER III

DEPARTMENT OF LABOR

Manpower Administration

Manpower Development and Training Activities

For an additional amount to carry out the provisions of section 102 of the Manpower Development and Training Act of 1962, as amended, $75,000,000.

Mr. RANDOLPH. Mr. President, I rise in opposition to the amendment submitted by the Senator from New York [Mr. JAVITS]. It has been given the attention of the Members of this——

Mr. JAVITS. Mr. President, will the Senator from West Virginia yield to me momentarily?

Mr. RANDOLPH. I yield.

Mr. JAVITS. Mr. President, after consulting with the Senator in charge of the bill, and without in any way binding him, I modify my amendment to make it read $52,100,000 which will restore the program precisely to what it was in the year 1967.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. RANDOLPH. Mr. President, with reference to the proposed amendment to House Joint Resolution 1268 submitted by the Senator from New York, [Mr. JAVITS], on June 12 the Senator from Kentucky [Mr. COOPER], the ranking minority member of the Committee on Public Works, and I wrote to Senator JAVITS urging him to withhold his efforts to amend the highway supplemental appropriations bill, now pending before the Senate, and suggesting that he direct his thoroughly laudatory efforts to a more appropriate vehicle, H.R. 17734, the second supplemental of 1968, which the House of Representatives passed on June 11 and which was received in the Senate on June 12. In that letter we described the critical condition facing several of the States as a result of the failure of the Federal Government to meet its obligations to the States. I ask unanimous consent to have our letter printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
Washington, D.C., June 11, 1968.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR JACK: We are writing to you as a result of our deep concern regarding the impending crisis in the Federal aid highway construction program. It appears that this program is in conflict with the thoroughly laudatory objectives you are seeking in the effort to gain additional appropriations for programs under the administration of the Office of Economic Opportunity, and we are writing in the hopes that we might achieve some resolution of the problem which will serve your objectives as well as those of the highway program.

As you know, H.J. Res. 1268, the Supplemental Appropriations Bill of 1968, which would appropriate $400 million for reimbursement of the States for Federal aid highway construction work was passed by the House of Representatives on May 9, 1968, when it became evident that several of the States would soon be faced with critical financial problems in fulfilling their commitments to highway contractors. This condition has now been reached by several of the States, which have had to defer payments to the contractors or borrow funds in order to meet their payments, and several other States will be faced with the same problem before the end of this month.

For example, as of June 11 the State of Pennsylvania had $48 million in outstanding billings which it has been unable to meet from appropriated highway funds; the State of South Dakota has exhausted its current cash reserve and was forced to suspend payments on May 30, with $4,250,000 in outstanding billings, with a projection of $9,500,000 by June 30, five contractors having quit work and twelve more having given notice to quit as of June 15; the State of Nebraska will exhaust its current cash reserve as of June 14, with outstanding billings by June 30 of $5 million; the States of Montana and Colorado will have exhausted their cash reserves as of June 20, and the State of Colorado will have borrowed $15 million from other funds by the end of this month; the State of West Virginia has also deferred payments to contractors, will have exhausted its cash reserve by June 20, will have outstanding billings of $20 million by June 30, and has had to cash bonds in order to meet the payments. As mentioned above, a number of other States will be faced with similar crises in the near future.

Therefore, because of the urgency of meeting State obligations to highway contractors on a day-to-day basis, and because of the responsibility of the Committee on Public Works for the effective administration of the Federal aid highway construction program, we take this unusual measure in asking that you reconsider your efforts to amend the Highway Supplemental Appropriations Bill and seek another vehicle for your purpose.

As you know, we also are deeply committed to the economic opportunity programs and to the advancement of the broad social and economic goals with which you are so closely identified. In this regard, the amendments which you have authored might be attached to H.R. 17734, the Second Supplemental Appropriations Bill, which is being considered by the House of Representatives today. Presumably it will be referred to the Senate Appropriations Committee before the end of this week. We respectfully urge you to consider this bill as a more appropriate vehicle for your amendments, and we assure you of our cooperation in gaining Senate adoption of your amendments to the Second Supplemental if you see the merit in our proposal in releasing the Highway Supplemental Appropriations bill for early Senate action without amendment.

With warmest personal regards.

Truly,

JENNINGS RANDOLPH,
Chairman.
JOHN SHERMAN COOPER.

Mr. RANDOLPH. Mr. President, as noted in our letter to Senator JAVITS, the States of Pennsylvania, South Dakota, Nebraska, Montana, Colorado, and West Virginia have had to defer payments to contractors or borrow from other funds in order to meet their obligations.

Since yesterday, I have received additional information from the American Association of State Highway Officials indicating the critical conditions existing in additional States. For example, the State of Utah has had to borrow $10 million to pay bills thus far; the State of Connecticut is currently borrowing from bond funds at a rate which will amount to $8,250,000 by June 30; the State of Washington has borrowed $25 million, which will last only through June 25; the State of Kentucky is borrowing from bond funds at a rate which will amount to $10 million by June 30; the State of Vermont is currently borrowing from its general fund, but may have to go to the money market in the near future; the State of Louisiana has borrowed $23 million and has spent $20 million in paying contractors only at the rate of 40 cents on the dollar since May, and will need an additional $15 million between now and July 1. In addition several States are losing interest on invested funds, Ohio at the rate of $150,000 per month, North Carolina at the rate of $25,000 per month and Iowa at the rate of $140,000 per month.

Lest there be confusion on this point, I emphasize that the apportionment of new funds to the States which will be authorized on July 1 will not relieve—and I underscore it—this situation which I have set forth. For this apportionment merely authorizes the States to enter into new obligations, and will provide no money for reimbursing the States for obligations already incurred.

This is the condition which has been created as a result of the inability of the Congress to enact House Joint Resolution 1268 and it is daily growing worse.

I would point out, with all respect to my friend from New York, that the amendments he is now again proposing are in the urgent supplemental appropriations bill for 1968 which has been in conference between the Senate and the House since April 23. I would also point out that I voted in support of those amendments, as well as other amendments—I think the Senator has made mention of that fact this afternoon—as I have voted in support of the appropriations for all of the equal opportunity programs to which the Senator from New York is committed.

Therefore, when I urge, as I now do, that the Senate reject the amendment proposed by the Senator from New York, I do so not because I oppose these programs, but because I know that he is engaged in a futile gesture which can result only in further impediments to the ability of the States to liquidate their obligations and will add to the already difficult burden of the States and the highway construction industry.

If the Senate does not pass House Joint Resolution 1278 without encumbrances so that it can be sent immediately to the President, the financial condition of the States will steadily worsen and will soon result in shutting down many highway construction projects for lack of funds and creating unemployment and hardship for the families of highway construction workers. I do not believe that this is the condition which the Senator from New York is striving to achieve, but this will be the result of his actions if he is successful.

I therefore again urge this body to reject the proposed amendments.

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

Mr. RANDOLPH. I yield.

Mr. HOLLAND. Is it not true that this money is due under an act passed, and signed by the President on September 13, 1966 authorizing for the various States larger participation in the highway trust fund than all that has been paid them up to date, plus the $400 million?

Mr. RANDOLPH. The Senator from Florida is correct in making that statement.

Mr. HOLLAND. In other words, this is a payment of an obligation, authorized by the Congress, by our Federal Government formally to each of the States and the other participants, such as Puerto Rico and the District of Columbia, a year and a half ago, and on which contracts have been entered into, and as to which, even if we pay this $400 million, as I trust we will, we will still have some unpaid balance left over on that authorization of a year and a half ago?

Mr. RANDOLPH. Yes. We must remember—and I know the Senator from Florida is cognizant of this fact—that these moneys are not from the general fund. They are moneys that have been committed by the users of our highways to the trust fund for the specific purpose of paying for the Federal-aid highway programs. These funds are to fulfill the Federal obligation to make payment.

Mr. HOLLAND. If the Senator will yield for one more question, is it not true that in both the Interstate System, wherein the Federal Government pays the larger proportion, and the three ordinary systems, the Federal Government is simply in a joint venture with the States and is in the position of being a partner with them in the construction of this much-needed Federal aid highway and Interstate Highway System?

Mr. RANDOLPH. The Senator is correct. The ABC involves a 50–50 matching. The Interstate System is 90–10. But it is trust-fund money we are talking about, not money from the general fund.

Mr. HOLLAND. If the Senator will yield for one more question, and is it the interest and hope and effort of the distinguished Senator from West Virginia and the distinguished Senator from Rhode Island, and of the Appropriations Committee that, in the first instance, we honor an obligation made a year and a half ago, and, in the second instance, we honor an obligation in which in many instances the other partner to the obligation has gone ahead and done its full part, and more, and is now having to pay out interest because the Federal Government has failed to do its part?

Mr. RANDOLPH. Yes. The Senator from Florida calls attention to the situation which I have set forth in my remarks. That is the situation. It is imperative that we release the funds.

Mr. HOLLAND. I thank the Senator.

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

Mr. RANDOLPH. I yield.

Mr. STENNIS. The Senator has made a very clear and very convincing statement as to the picture presented, as I understand it. Senators have come into the Chamber since we started this debate. We are talking about the fund now due to the States. When we say it is due to them, we do not mean that they are entitled to a certain apportionment. We mean they have gone ahead and made contracts and the work has been done and the vouchers are there, in many instances at least, and are unpaid and cannot be paid for until the work is finished.

Mr. RANDOLPH. The Senator from Mississippi is correct. The States are really paying out money which should have been paid by the Federal Government. They have been advancing money which they should not have had to advance.

Mr. STENNIS. And some of them had to borrow money, as the Senator from West Virginia has said.

In the Senator's plea, he is not opposed to the amendment in substance, but he is pleading for the passage of the joint resolution promptly so this matter can be taken care of?

Mr. RANDOLPH. That is correct. I pointed out that I have previously voted for the amendments proposed by the Senator from New York, and there are other Senators who voted for the proposal of the Senator from New York who, I hope, realistically, will not support him this afternoon.

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

Mr. RANDOLPH. I yield.

Mr. COTTON. It has been said that this money has been paid out on the part of the States and is to be reimbursed by the Federal Government. That is not a quite strong enough statement, is it? Actually, the money has been collected by the Federal Government from highway users in special taxes and is held only for the use of the States. It is not a question of our having to pay the States or giving the States the money. It is a question of releasing funds to conform with the law and to permit the States to fulfill their obligations.

Mr. RANDOLPH. The Senator is correct. He states the case much more succinctly than I. I endorse exactly the statement he has made.

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

Mr. RANDOLPH. I yield to my colleague, the ranking Republican member of the committee.

Mr. COOPER. Mr. President, I shall vote against the amendment of my friend the Senator from New York, and I would like to explain, to him particularly, my reasons. I hope that he might withdraw his amendment.

I am a member of the Senate Public Works Committee and happen to be the ranking Republican member, but I think he knows if there were not particular reasons which direct otherwise in this case, I would be with him, no matter if it is a matter involving the Public Works Committee because I supported and voted for the amendment he proposed earlier, and again when the Senate overruled the conference report.

I point out that this supplemental appropriation bill differs in its character from the usual appropriation bill that comes to the Senate. Most appropriation bills are prospective, providing funds for work and programs that involve the future. In such cases, it would not make any great difference if the appropriation bills were amended. But this appropriation bill is to pay obligations which have been incurred and which the Congress, by prior agreement, agreed to pay.

As Senators know, the Federal-aid highway program involves an unusual arrangement, under which Congress authorizes for a period of 2 years amounts which are then apportioned to the States, which the States can then spend on their highways—promising that when the States spend their money and when the Federal share of 50 percent or 90 percent is due, as the case may be, Congress will pay the States.

It is a contract in obligation. The money is provided from the highway trust fund and none of the funds in the bill could be used for any of the program which the Senator from New York fights so hard. The States have performed their contract. These amounts are due the States. By refusal to pass this resolution, the Congress would in effect either be delaying or breaking a contract of the United States. That is the first reason I shall have to vote against the amendment of the Senator from New York.

The second reason is that I am sure there will be other bills before the Senate, in which this peculiar situation will not be present, and to which the Senator can, if he desires—and many of us will join with him—offer his amendment.

My third reason is that I think honestly that to attack the amendment would be a futile effort. I say to my friend, "You have made your fight and continue to make it in conference; we have joined with you; we will stay with you when your proposal has any possibility of being acted favorably upon." The amendment which you sponsored, for which we all voted, which is in conference now, is still a vehicle for action. It would be useless to engage in another conference upon the same matter which is now before the House of Representatives.

I argue and talk about many things; and we can talk as friends and as brothers. I must say I believe this is an effort which will not accomplish anything. We want to help the people, but I do not believe we should assume that if we do not act upon this amendment there will be riots all over this land.

Here in the city of Washington now is a group of our fellow citizens—500 at times, 2,500 at other times—are pressing their petitions for help. It was said that riots would result if they came here. They came, and there has been little disorder. They have engaged in their proceedings, I believe, in a very orderly way; I support them and I am hopeful they will succeed. But I cannot believe that if we do not act at a specific time, riots and lawlessness will break out in this country.

I am in sympathy with the Senator's position. I voted for his appropriation, as I have for almost every appropriation of this kind, not only this year but for many years, as the Senator knows. But I believe his effort will accomplish nothing, and so I would hope he could wait until a time when his fine effort, from his good heart, would more likely be fruitful.

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

Mr. COOPER. I yield.

Mr. JAVITS. I would love to wait, but

the situation will not wait. There will be absolutely no point to making these funds available in 2 or 3 weeks, let alone 3 or 4; and hence the Senator's advice, which I value as coming from a friend, is not of much use to me.

As to the futility of the gesture, I am not predicting riots and violence, and I would join with all my colleagues in the effort to avoid them, or if they come, to meet them as we should, in terms of avoiding anarchy in this country. But I would be less than fair if I did not describe to the Senate things which I believe represent elementary justice, and which, if denied, are used to incite people in the United States, under color of reasonableness. This is one of those items.

Finally, as to the futility of the gesture in the face of the position of the House of Representatives: That is precisely why I offer the amendment to this bill, because they want this $400 million. That is why I have described this as an end run—precisely because they want it. This is the only way we are ever going to get any consideration of our views, by tacking it on just such a bill, which they want, rather than one which they do not want. Our failure to do that, heretofore, is apparently why we are deadlocked in conference now.

Mr. MUNDT. Mr. President, first I congratulate the distinguished Senator from West Virginia on his very thorough-going, business-like presentation, and the logical manner in which he has presented to the Senate the issue which confronts us; and I congratulate also my distinguished friend from Kentucky for the arguments he has just advanced. I associate myself completely with both of them, and certainly hope we do not sabotage this urgent highway construction appropriation by adding extraneous amendments to it at this time.

I find myself in precisely the same position as the Senator from New York, because, just as he has been arguing and seeking Senate support for appropriations for the Headstart program and the summer job program. I have been doing precisely the same thing for a $25 million item for the Farmers Home Administration. The Senate has gone along with the arguments of both of us in each case. We both serve on the conference committee. We have stood as firm as the Rock of Gibraltar through conference after conference after conference. This is the longest sustained conference at which I have ever served as a conferee. We have met time after time after time, without progress toward breaking the deadlock.

The House has remained obdurate. Mr. President, I have found, in these matters, that you cannot just take; you have to give once in a while. This is a give-and-take proposition. Our colleagues on both sides of the aisles have stood with us in vote after vote on the floor of the Senate. There has been no division among us at all. Republicans or Democrats, we have stood as a block on the conference committee. But the House of Representatives has simply refused to accept this particular appropriation at this time.

And, as the Senator from Rhode Island has pointed out, we will be taking the matter back to conference with the same identical conferees. We would be in no better position to have it there on two pieces of paper than to have it there on one piece of paper.

I submit to my good friend from New York that to now have another vote would weaken our case. I join the Senator from Kentucky in urging him not to press for a rollcall vote; in fact, I would recommend he not press for even a voice vote, because I think both the Senator's cause and mine, and the causes in which we are both interested, would thus be weakened. Obviously, I believe, the vote would not be as overwhelmingly in support of us today as it was before. In fact today, we might very well lose. In the prior vote, we had a great mandate to take to the House conferees. We went to conference under instructions by an overwhelming rollcall vote of the Senate—I think there were only two or three dissenting votes; I have forgotten the exact figure, but it was an overwhelming vote—to stand fast before the House conferees. And another conference will be held under that mandate if we do not now disturb it.

I believe we are certainly in a better position, from the standpoint of the people the Senator wants to help, primarily because we have a mandate now from our fellow Senators to go before the conference committee for a substantially larger amount than the $52 million he now is seeking. To reduce the amount in this fashion, to me, would be a confession of failure. If I were a House conferee, knowing the Senate conferees had been mandated originally for $75 million, and, after the House had held fast, the amount was reduced to only $52 million, I would be inclined to stick around a little longer and expect another retreat by the Senate.

Mr. President, I do not think we should retreat. I think we should stand for all and not for part; and I think we can go to the conference committee this time with much stronger appeal, because some of the problems that have torn the conference apart have been resolved. The sticky issue of impacted aid has been taken back for a vote of the Members of the House of Representatives, as we urged them to do, and the membership of the House supported the position of the Senate. That was one of the things that held it up.

Basically and fundamentally, the position of the House is not one of being against poor people, against colored people, or against anything except inflation and deficit spending, and it is their position that this would twist the budget too far beyond the budget figure suggestions of the administration, if we were to add to it in this fashion now, right at the same era of history when we are thinking about voting a tax increase and a mandatory reduction in spending.

Finally, I believe we would be in a weaker position in conference by writing on now, even in the lesser amount, this pint-sized reiteration of what we have previously asked for in king-size dimensions, and received from the Senate a mandate to try to procure. By doing so, we would make this specific appropriation stand out like a wart on a pickle.

The first item we have discussed is the people's funds, which have been collected from them for highway construction. Those funds have been held in trust, and are being returned to the people from whom they were taken. The other item involves claims and judgments which have been adjudicated by the courts, over which the Appropriations Committee and Congress have no control.

So we would have in the bill only those two items which have been rightfully determined by the march of events, and the only item that would then be in conference would be this one, which we would slap back at them in a weaker form, confessing, for some reason which I cannot understand, that we were all wrong when we asked for the larger amount, but are right now.

Since this is appropriated money, brought in from the outside and added to the budgetary figure, I believe we could expect the same reaction on the part of the Members of the House of Representatives whether we stand for $52 million, $75 million, or $100 million.

There is one other thing I would ask my friend to bear in mind. This is not a 4-week delay or a 3-week delay.

We have been working all day today working on another supplemental appropriation bill which has already come over from the House. We are holding hearings, and I presume that we are about halfway through.

I would be very much surprised if we do not have it marked up for presentation to the Senate some time next week. It is a "conglomerate," to use a Wall Street phrase. It contains a great many items. It deals with many problems. That is the logical bill in which to deal with the problem of summer jobs.

The Senator would lose here today in my opinion and thus prejudice chances of later success. However, he would get the support later of those who have supported him in the past. We should not be stubborn enough to say to the House, "We will sock you again and make you like it," because it would be an exercise in futility. It will not do any good, and the cause of everybody will lose. The Senator's cause will lose. My cause loses. The farmers will lose. And the poor old Indians, who have lost now for 2 centuries in this country, will lose again. Their money always seems to get lost in the shuffle.

Why not approach this matter reasonably? I think the Senator has made a good case. I think he could win this matter in the second supplemental. The Senator's arguments are sound. He has persuaded me that they are sound. However, I think that if he tries to push the matter at this time, it will be a lost cause.

I would sincerely recommend to my fellow conferee—and I will stick with him in the conference—that having made his case and having alerted the country and the Senate to his cause, he present it next week in conference or in the second supplemental and either withdraw it now or not press for a rollcall vote today.

We will have lost nothing, because we will still be before the conference. The

amount of money the Senator originally thought was correct was an over-all mandate from the Senate. Let us not march down the hill now.

Mr. CLARK. Mr. President, I support the amendment of the Senator from New York. Also, I commend the Senator from Rhode Island [Mr. PASTORE] for his humanity and compassion and his understanding of an issue which clearly is human rights against property rights.

I commend him also for his willingness to espouse the cause which was started in this country many years ago by our late, great President, Franklin Roosevelt, who always put human rights before property rights. What we are faced with today is human rights— compassion—as against property rights—money.

Mr. President, if I may say so, I think that there has been a good deal of sophistry in the debate today.

There is no question, on this vote, of honoring or not honoring an obligation. I am as much interested as is any other Member of the Senate in getting my share of the highway funds for the Commonwealth of Pennsylvania.

There is not a contractor in the Commonwealth who has not written or called me and explained that unless the bill passes, and passes promptly, he will have to stop his highway construction and lay off his laborers. Some of them will have to go into bankruptcy. They should not be forced to do that.

Pennsylvania needs the highways as badly as North Dakota or South Dakota needs them.

I want to see that highway money come to my State. But I do not want to pay so high a price for it that youngsters and little children will not be able to bring their share of a minimum wage home to their families this summer in order to ease the grinding poverty and the hunger in which they will be imprisoned if we are unable to persuade the other body to yield in its stubborn resistance and refusal to give to the youngsters of this country their just dues, as we gave them last year.

I regret that the administration of my party has not been willing to put the same amount of support behind the bill for summer jobs this year that it did last year.

It must be perfectly obvious to anyone who studies the problem that the effort of the administration to squeeze out of other appropriations enough money to provide summer jobs for this year, as was done last year, is already a failure. The money is not there. The kids are not going to get work because the summer jobs will not be available for long enough.

I shall not make the argument that this action may result in riots. I think that is, in many ways, a contemptible argument, and I shall not make it. I support the amendment as a matter of compassion and simple justice.

I regret that members of the Committee on Public Works feel that it is necessary for them to oppose the amendment because, they say, the House is so stubborn, and the heart of the House is so cold and is made so much of steel and so little of blood, that the House will not yield to make the jobs available for the youngsters who need them.

I say again that I would hope that some members of the Committee on Public Works would think better and would follow their consciences. I say again that I am just as eager to get highway funds for Pennsylvania as my friend from Kentucky [Mr. COOPER] is interested in getting them for his State. I honor him for his position in that regard.

But I believe it is quite clear and it is most unfortunate, that this is a part of the system of the Senate, a system of which I think it is perhaps only candid for me to say I have not been a strong advocate of for many years.

We have, on the one hand, the Committee on Labor and Public Welfare. I am proud indeed to be chairman of the Subcommittee on Employment, Manpower, and Poverty, a subcommittee which, in my opinion, is doing what needs to be done, and with a sense of compassion, in connection with employment, poverty, and manpower. On the other hand, we have the Committee on Public Works, which has as its first obligation, perhaps, to see that highway construction is not curtailed. Of course the highway trust fund is important. But to provide funds for summer jobs does not seem to be as important in the eyes of some as to spend $30 billion a year for the war in Vietnam or $82 billion a year for military appropriations all over the world. It does not seem to be as important as keeping 3,400,000 men under arms and another 1,000,000 civilian employees to service them.

But highways come ahead of people. It is because of this that I feel compelled to vote for the amendment, knowing full well that it will not, probably, be a popular vote in my State.

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

Mr. CLARK. Not at this time; I shall yield later.

I feel compelled to support the amendment. We have here a situation of an irresistible force meeting an immovable object. The Committee on Appropriations feels one way, while a minority member of the committee, the Senator from New York [Mr. JAVITS], and perhaps one or two other Senators supporting him, feels another way.

The Committee on Public Works feels that it must put its weight behind the highway program. Yet the money needed for the summer jobs will come too late to put food in the mouths of the children and the mouths of their families. This is unfortunate.

The other body apparently has no understanding of or compassion for the needs of youngsters who are so desperately in need of summer jobs, and who were taken care of last year. So we have an irresistible force meeting an immovable object. What will happen? I have no illusions about what will happen on this vote. It is suggested that we give way because the other body has a heart of cold stone. We are asked to put property rights ahead of human rights, and to put human rights out of our mind, knowing full well that if we do not act at this time, summer will be upon us and, as the Senator from New York has so well said, the summer jobs will not be available and cannot be administered if we wait until the second supplemental appropriation bill reaches us.

I was strongly tempted to propose on this bill the amendments which the Senator from New York and I had in mind with respect to the Headstart program, but I concluded that we can wait on that; because when the second supplemental comes along, it will still be time to restore the funds for Headstart for next year. But there is not time for these summer jobs, and therefore we have to do it now or we will not do it at all.

I do not agree that if the amendment is agreed to it will mean the death of the highway program, because I believe the Members of the House want that highway money an awful lot more than they want to take the money away from the youngsters of this country. I am not a conferee. I am glad I am not. But my view is, speaking of human nature, that when the position is put, "We want to give you the highway money, but we want to take care of the youngsters, too; and do you not see it that way; will you not go along with both," that kind of appeal would be fruitful and would in the end prevail. I do not believe that the House is so insensitive to human misery—and that is what it is, Mr. President—that they will fail to yield if we for a second time bring before them the needs of these people.

Mr. President, let us see what will happen if the Javits amendment does not prevail. The need this year, most will admit, for summer jobs, for some kind of amelioration of the frightening poverty in which so many of our American families live in the slums of this land—rural as well as urban slums—is greater than it was last year. Yet, less money will be available because of the economies which have been forced on the country by the acceleration of the war in Vietnam, the escalation of the military-industrial complex's view with respect to research and development, and the expansion of our military power all over the world. So we have this situation confronting us, in which there is not enough money available this year to do what we did for the kids of America last year.

Last summer, about $600 million went into summer programs for youth, including portions of full-year programs which applied to the summer months. This year, the comparable figure is $560 million. But even that figure is illusory, for it includes programs such as title I of the Elementary and Secondary Education Act and College Work Study which do not zero in on the geographic areas or the youth populations which most need attention.

The heart of the summer program last year was the $75 million summer supplemental which was requested by the Administration. This year, the President has decided not to request such funds and is instead trying to squeeze out limited summer funds by cutting back and closing down valuable full-year programs, including Headstart, the Job Corps, and neighborhood health services. Not only does this raise major problems and resentment across the country as

these important full-year programs are closed down, but it has not resulted in producing adequate summer funds. In the key area of summer Neighborhood Youth Corps funds, $52 million less than the amount available last year will be available this year. Moreover, the summer Neighborhood Youth Corps is being reduced from 12 weeks to 10 weeks in an effort to economize further.

In my own Commonwealth of Pennsylvania we have a classic example of the impact of this cutback. I do not think this cutback decision is correct. We have kept the same number of slots open, but have cut the number of hours in which these youngsters get minimum wages by 32 percent. So, in effect, these youngsters are bringing home for their families' support only two-thirds of what they were able to bring home last year. On the surface, there are as many job slots, but it is only paying 67 percent of what it paid before, and that is at a minimum wage, which in many metropolitan areas is inadequate to provide adequate nutrition, adequate food, adequate health, and adequate shelter for the individuals involved.

So I say, Mr. President, I want this highway money as much as anybody here; but I do not believe we will have to choose between the highway money and the needs of the young people of this country. But, if we do have to choose, I am on the side of human beings, I am on the side of human rights, and I would regretfully put the property rights of the highways in a second order of priority.

Accordingly, Mr. President, I hope that the amendment proposed by the Senator from New York will be agreed to.

I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I regret that the Senator from Pennsylvania has referred to the Senator from Kentucky, the ranking minority member on the Committee on Public Works, and myself, as chairman of that committee, and other members of the committee, as being pressured into the position we take this afternoon on this matter.

I believe the Senator from Pennsylvania knows that I am as sensitive in my heart and also I have supported with my vote these proposals over and over again. I do not believe there is time for argument between us as to our desire, both of us, to serve the needs—human needs, resource needs—of our Nation. I believe each Senator will arrive at his own determination in this matter. There is no need to arouse the emotions on a matter of this kind. For myself, I say, in good grace, in good humor, and in good conscience, that I believe each man will make a decision based upon his own obligation and responsibility in this matter.

As a member of the Committee on Labor and Public Welfare, and as a stanch advocate of the welfare legislation reported by that committee in the past 9 years during which I have been a member, I have no problem of conscience or divided loyalties on this issue. I have previously indicated to the Senator from New York a more appropriate vehicle for his amendment.

But regarding the function and responsibilities of the Committee on Public Works, I would point out that this committee authorized the Appalachian legislation and the Public Works and Economic Development Act, both of which measures were directed at creating job opportunities for the unemployed in distressed areas—permanent job opportunities, not just summer jobs. The legislation reported by the Committee on Public Works, especially in recent years, bears the stamp of the commitment of all our members to the development of human resources as well as our natural resources.

Mr. CLARK. Mr. President, I thank the Senator from West Virginia for his pertinent comments. I certainly did not intend to wound his feelings.

I do say that if ever there was a matter in which emotion was appropriate, this is one, and I, personally, feel very deeply in this matter.

Mr. HOLLAND. Mr. President, I am glad the Senator from New York is still in the Chamber. I wish to say to him that I appreciate and honor his sense of conviction, and I generally appreciate and honor his perseverence. But I believe that in this matter he has come to a place where further perseverence ceases to be a virtue; because it seems to me that, having this matter already in conference with the other body, along with a rather substantial vote on the part of the Senate, and having the full amount of his claim in conference, he is now presenting a course which, if successful, would put a smaller amount in another conference and backed, I am sure, by a smaller vote than was true in the other case.

Aside from that, I wish to say that I have had the invidious distinction of serving on both committees which have passed upon the so-called urgent supplemental bill. I am now serving, not by my own wish, as chairman of that conference committee.

I believe that the Senator from New York correctly stated the situation when he said that the Senate conferees have stood by him completely in the conference, and we have had three conference meetings with conferees of the other body. It is a fact that the Senate conferees, who were of varying opinions when the matter was presented on the floor of the Senate, have, pursuant to their duty as conferees, tried to carry out the Senate wish and the Senate determination and decision, and have stood by the Senator from New York in that conference. I am sure we shall continue to do so. We stood by him in a proposal for a compromise settlement he offered the other day, which I thought would probably be accepted by conferees of the other body, and I hoped would be accepted, but it was not accepted.

Mr. President, all I can say is that proceeding further in this persevering way will only weaken the case of the distinguished Senator from New York.

In recognition of the fact that other people have different opinions from our opinions, I should state for the RECORD substantially what I understand to be the attitude of the House of Representatives and of the administration in this matter. The Senate passed by a unanimous vote last fall—and I believe the Senator from New York did not happen to be here that day but he stated since he would have voted for it—House Joint Resolution 888 which made severe cutbacks in expenditures for 1968.

There was a provision in that bill that any increase in the amounts that were cut back could not exceed the amounts of the appropriation of last year. It so happens with reference to this appropriation for the OEO there was no cutback, but the entire appropriation was recognized by the administration.

I am sorry my friend, the Senator from Pennsylvania, is not here. I think he should know, if he does not know already, and I hope he will read this statement in the RECORD, that his administration has not run out on him but, instead, has insisted on carrying out the directions given by the Congress last year; and, as I said, the Senate gave the directive by a unanimous vote. Therefore, there can be no reflection on what the administration has done in this case.

The appropriation was not cut, and there has been no item to come in, and if it came in, it would have come in in violation of House Joint Resolution 888.

I have already brought out the point in colloquy with the distinguished Senator from West Virginia that what we are being asked to do here is to appropriate out of a trust fund from taxes paid by all people who use the highways. That money, even when paid to the States, will not fulfill the authorization which we made in 1966 governing the amounts which they were entitled to receive in fiscal year 1968.

The Senate will find in the wording of title I of the act before us, after referring to the appropriation of $400 million out of the highway trust fund, these words: "which sum is part of the amount authorized to be appropriated for the fiscal year 1967."

So we are simply being asked here to fulfill a commitment made long ago to States which have proceeded upon the faith of that commitment and now have the full right, and not only legal right but also moral right, to expect payment out of this highway fund, which is a trust fund and not belonging to the United States in the fullest sense, but serving for the construction of the Federal aid highways.

We are now being asked to appropriate from that fund alone, to carry out in part an obligation we made a year ago.

I yield to the Senator from West Virginia.

Mr. RANDOLPH. In essence, it is to pay bills for work done.

Mr. HOLLAND. The Senator is correct. The list we were shown yesterday, when we marked up the bill in the Committee on Appropriations, was to the effect that 22 States are now in perilous positions.

They either are having to stop contracts or to refrain from letting contracts. The list placed in the RECORD by the Senator from Mississippi shows all States except two, of which my State happens to be one, I am happy to say, are in the position of having vouchers not paid by the Federal Government, after the States drew on these vouchers

which we told them a year and a half ago they should have the right to draw upon.

Adverting to that list placed in the RECORD by the Senator from Mississippi, I note the State ably represented by the Senator from New York, as of June 7, had vouchers which were outstanding and unpaid, reflecting the fact that the trust fund owed the State of New York amounts to $15.2 million. With respect to the State of Pennsylvania, I notice that as of June 7, there were vouchers outstanding and unpaid, drawn by the State of Pennsylvania against the fund in the amount of $19 million.

Mr. President, the real fact and the honest question is: Are we going to honor the obligations we ourselves set up a year and a half ago under which the States have proceeded in good faith and which the States have carried to their own hurt and in many instances are not being paid? If my State were so involved, it would be very adversely affected, because our constitution does not permit us to borrow. Other States are in that difficult position now.

It seems to me we should recognize this obligation. I do not believe any Senator would be heard to say we should not. Since this is not an obligation from the general fund but from the trust fund created for the benefit and support of the Federal aid to highways program, and since the States have proceeded on the strength of what we agreed on a year and a half ago and which was approved by the President, it is now payday and past payday in the case of most of the States in the Union.

I hope the distinguished Senator will not insist on his amendment. I have not asked for the yeas and nays. I wanted to leave him complete freedom to act as he sees fit. It seems to me he will greatly weaken his position by insisting on a vote on the amendment. If he insists on a vote on the amendment, I am going to ask for the yeas and nays. However, I hope I shall not be forced to take that course because it seems to me the Senator has shown beyond peradventure his conviction to the cause of the summer training program. He has that conviction represented to the tune of $75 million in a conference now going on in which he has had the full support of the Senate conferees, regardless of their opinion and vote on the floor of the Senate.

He will continue to have that support.

I hope the distinguished Senator will not insist on this course because it may be that it will bring disaster upon his cause and it certainly cannot strengthen his cause because he has already reduced the amount he has in conference under the other bill.

My feeling is that the time has come for a vote and I hope my distinguished friend will not insist upon the vote upon his amendment.

I yield the floor.

Mr. ALLOTT. Mr. President, since I was attending a meeting of the Committee on Appropriations and was, therefore, absent from the Senate floor during part of the discussion, I feel it obligatory to say a few words about this matter. First of all, the Senator from Pennsylvania [Mr. CLARK] said a while ago that this is a matter of human rights versus property rights. Well, it is not a matter of human rights versus property rights at all. The implications would be that the amendment sponsored by the Senator from New York [Mr. JAVITS] is the human rights and, therefore, the highway program is property rights.

As I view it, the highway program is individual rights. Each and every individual in the country has paid that money into the trust fund and, as the distinguished Senator from Florida has just pointed out so ably, States committed themselves to contracts and obligations which they cannot now fulfill.

There is another aspect of this reference to human rights. In my State, as in other States, we cannot go into debt according to our State constitution. Human rights are also deeply involved in this thing—that is, there will be many people out of work in Colorado unless we do something about this. I called the attention of the committee yesterday to the fact that the Senator from New York had appeared before the Appropriations Committee, together with other Senators, in behalf of this particular proposal that he is offering now, which he has reduced to $52.1 million.

I do not think there is anyone in the Senate who could even suggest with the slightest innuendo that the Senator from New York has not been, together with the Senator from Rhode Island [Mr. PASTORE], who spoke in the same respect before I returned to the Chamber, the strongest supporters—fighters, I would say—for these programs.

I feel that I can speak here because I joined in rejecting the conference report by a vote of 54 to 24—2 to 1. I joined my friend from New York wholeheartedly in that, and made some remarks on the floor at that time.

This does mean jobs, as it means an obligation that we have to keep. I associate myself with the distinguished Senator from South Dakota, who, I think, said it so very, very well, that we now have this pending in the conference committee. No one could possibly believe or think that those who support the amendment have not done so with all the vigor they have. Frankly, I believe very strongly that it is a weakening of their position rather than a strengthening of it. If the amendment should be adopted and go to the conference committee and we end up in another stalemate, and then we have the supplemental downstairs and we add it to that one and that ends up in another stalemate, where do we go?

I would say that I consider this rather futile as a way to accomplish the particular legislation that he has in mind. Certainly, so far as accomplishing the particular two items we want to take care of here is concerned—that is, first taking care of the commitments that the States have already made with respect to their highway trust funds, pursuant to our direction and, second, paying the judgments, included in which are Indian judgments which have already been adjudicated against the United States of America, I hope that whatever course of action the distinguished Senator from New York sees fit to take, he will know that he has done everything possible to achieve his goal. Not just in a negative way, not just by voting, but he has pushed it in committee, he has pushed it in this Chamber, he has done it everywhere a man could humanly do it; namely, trying to procure additional funds in the two areas of manpower and Headstart that he desires so very much.

It would be my sincere hope that he would see fit to withdraw the amendment, knowing fully well that we are all appreciative of his feelings, in order to accomplish the two purposes for which the bill has come to the Senate.

For these reasons, Mr. President, I feel that I have to make my position clear, having supported him in the other matter; but because this is so vital, so critical, and so serious to so many States, if the matter comes to a vote, I shall, reluctantly, have to vote against him, because I think the immediate need on this matter is also great. It does mean jobs, it does mean work, it does mean employment, as well as other things which he has felt also involve the human factor.

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

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

Mr. JAVITS. Mr. President, the reason I asked for a quorum call was to bring Members of the Senate into the Chamber in order to hear the discussion, because, on the RECORD, if one were not here, it seems like a routine deficiency appropriation, and the question could be asked, "What is this all about?"

I think the debate has developed a very interesting analysis of what it is all about. May I point out, first, as to the money, because the argument has been made here that I am weakening my own position by reducing the amount to $52 million, that time has reduced the amount we can request. In other words, the program was put on a 12-week basis last year. Even if we passed this bill now, we cannot do better than an 11-week basis. What is the use in having the Senate vote for $75 million when, on the premise on which it voted, we now need only $52 million? That answers that argument.

Again, the voices of the turtle: "Wait. We will put it on the second supplemental." Mr. President, the situation will not wait, because it will take 2 to 4 weeks to get the second supplemental bill. And when we got to conference on the second supplemental, it would even appeal to me, in logic, to drop it because we could not use the money by then and why encumber the second supplemental bill? In addition, the second supplemental will have many items in it relating to Vietnam and many other purposes. It will be a difficult conference. Often times it does not come until the last day of the session. So, willy-nilly, though I appreciate the advice being given me by those who oppose my amendment, it is not designed to promote

the objective which I had in mind and which the Senate had in mind when it voted as it did.

As to the argument regarding roads versus people, I do not even want to get into it; but it is a fact that the States can help themselves by borrowing money or advancing money on their own. But here we are dealing with young people looking for summer jobs, who are going to be on the streets, with idle hands, unable to help themselves or their families. That is a lot different from 50 sovereign States.

One thing which absolutely damns every argument made here today, and which has not been mentioned, except by me, is the fact that the other body, in an act of supreme arrogance—and that is the only way you can characterize it—voted to put $90 million for impacted school aid into the second supplemental—the whole business. Talk about the budget. They tore it up and threw it into the waste basket. Talk about the resolution in December of last year. They did the same thing. The President has not asked for it, except $20 million.

This indicates the viciousness of the denial of paltry sums which are required to do something about the serious summer situation.

I do not object to paying money to the school districts. I do not object to that, but I do object to the order of priorities. Take care of the road situation. Take care of the claimants. I do not know how poor or rich the claimants are, but I know how poor are the people affected by the job situation, and the fact is that that situation cannot wait.

So what is happening is an issue which can be voted on. If we take the deadlocked conference and go down the list, we find every single item that the other body wanted taken care of one way or another, in the second supplemental bill, or in bills already passed, or in this bill—every single item except funds for summer jobs and funds for Headstart. They are the very ones being carved out. How we can, in good conscience, allow that to be done escapes me.

Finally, what I think is really endemic in this situation is that the Members of the other body who are handling the conference and who are dealing with appropriations just do not think we have our hearts in this. They think if they take care of impacted schools in the second supplemental, and roads in this bill, and veterans' unemployment, which bill has passed, and vocational rehabilitation, which is also in the conference, and some money in grants to States for public assistance, we will just forget about it. That is what is at stake, and that is what this vote is all about. The time to deal with it is when we have a measure that they want; otherwise they will not vote for it.

If we vote this way today, nothing whatever will be done on summer jobs. If I am staking my political reputation on that statement, I will stake it. Nothing will be done about it. I pray it will be. I will pray every night that I am proved wrong, but I do not think I will be proved wrong.

That is what is at stake in a matter to which the Senate committed itself—either that or do nothing. The only way to do something is when the other body has a measure in this body which it wants.

When we rejected the conference report we tacked on the package with impacted schools, Headstart, Farmers Home Administration, and summer job funds. Many Members of the Senate wanted one, and were not so sure about the other, et cetera. Hence, the Senate turned down the conference report. Now it is being unscrambled. On this vote we will see who wants summer job funds and what they are willing to give up for them.

Mr. President, since I know that is the issue, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President——

Mr. JAVITS. Mr. President, I just did not want to lose recognition.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JAVITS. I asked for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. JAVITS. I yield now to the Senator from New Jersey [Mr. CASE].

Mr. CASE. Mr. President, I support the Senator from New York completely. I think this issue is an illustration of something that is increasingly coming to be true. I support the impacted areas school aid bill, but that program is not designed to help disadvantaged people—who are relatively few in number—for whom the Javits amendment is intended. That bill is not even for the relief of schoolchildren; it is for the relief of people who pay taxes, because the money provided for in the impacted school measure will go from the Federal Treasury into the school districts and is money which the school districts already were obliged to pay. I am not against that. It is all right. But that is a bill for the great majority of the American people.

The same thing is true of the highway bill. The great majority of the American people are road users and they want to have money for roads. But what we are doing here is pegging out a bill for the relief of a minority who are disadvantaged, not for the comfortable majority.

It is easy enough to say "No" to this. Senators will not lose one vote in relation to the votes they will gain. But the real test in the Senate and in the Congress of the United States—and it is a test that increasingly confronts us in this whole country of ours—is whether we are going to allow the comfortable majority to rest in its affluence, without taking care of the disadvantaged minority. That is the issue we face on this vote, and I support the Senator from New York.

Mr. JAVITS. Mr. President, I am very grateful to the Senator from New Jersey. I have always felt that he spoke the conscience of our country in the Senate. What he has just said, it seems to me, bears out that conviction, and ought to be emblazoned upon the mind of every American.

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

Mr. JAVITS. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I should like to express my commendation of what the Senator from New Jersey has just said. I think he has put his finger upon the issue involved in this vote. It is a question of whether the Senate is going to vote its conscience or vote to ignore the children of this country.

As a very perceptive Senator on this side of the aisle walked by a minute or two ago, he whispered to me, "Senator, what is the issue here, roads or kids?"

I said, "Yes." And that is the issue, Mr. President: roads or kids.

Mr. HOLLAND. Mr. President, I am ready to vote, but if we are not going to vote, I should like to make a motion to lay on the table.

Mr. JAVITS. Mr. President, I think the Senator had better make his motion, because I wish to discuss this matter a little further.

Mr. HOLLAND. Mr. President, I regret to have to do this, but there are several Senators who have——

The PRESIDING OFFICER. The Chair reminds the Senator from Florida that a motion to table is not debatable.

Mr. HOLLAND. I have not made a motion to table as yet. When I make the motion, I realize it will not be debatable. I simply wish to explain my situation.

Several Senators have compulsory reasons requiring them to leave the Senate very shortly. They have waited here all afternoon for the opportunity to vote on this particular issue.

We feel, and I for one feel very deeply, that the faith and credit of the United States is involved in this matter—a faith pledged in 1966, when we authorized the apportionment out of the highway fund for the various States of various sums, only a portion of which is represented in this $400 million.

Mr. President, I move to lay on the table the amendment of the Senator from New York.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida to lay on the table the amendment of the Senator from New York [Mr. JAVITS]. This motion is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON (when his name was called). Mr. President, on this vote I have a pair with the Senator from Massachusetts [Mr. BROOKE]. 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 New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator

from Montana [Mr. METCALF], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD] and the Senator from Massachusetts [Mr. KENNEDY] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Michigan [Mr. GRIFFIN], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Nebraska [Mr. CURTIS] and the Senator from Massachusetts [Mr. BROOKE] are detained on official business.

If present and voting, the Senator from Nebraska [Mr. CURTIS] would vote "yea."

The pair of the Senator from Massachusetts [Mr. BROOKE] has been previously announced.

On this vote, the Senator from Illinois [Mr. PERCY] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Illinois would vote "nay" and the Senator from Utah would vote "yea."

The result was announced—yeas 44, nays 32, as follows:

[No. 186 Leg.]

YEAS—44

Allott	Hayden	Mundt
Baker	Hickenlooper	Murphy
Bible	Hill	Pearson
Boggs	Holland	Randolph
Byrd, Va.	Hollings	Russell
Byrd, W. Va.	Hruska	Smith
Cooper	Jordan, N.C.	Sparkman
Cotton	Jordan, Idaho	Stennis
Dominick	Long, La.	Symington
Eastland	McClellan	Talmadge
Ellender	McGovern	Thurmond
Ervin	McIntyre	Tower
Fannin	Miller	Williams, Del.
Fong	Monroney	Young, N. Dak.
Hansen	Moss	

NAYS—32

Aiken	Hatfield	Pastore
Bayh	Inouye	Pell
Brewster	Jackson	Prouty
Burdick	Javits	Proxmire
Case	Kuchel	Ribicoff
Clark	Magnuson	Scott
Dirksen	Mansfield	Spong
Gruening	McGee	Tydings
Harris	Mondale	Williams, N.J.
Hart	Morse	Young, Ohio
Hartke	Nelson	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Carlson, for.

NOT VOTING—22

Anderson	Fulbright	Montoya
Bartlett	Gore	Morton
Bennett	Griffin	Muskie
Brooke	Kennedy	Percy
Cannon	Lausche	Smathers
Church	Long, Mo.	Yarborough
Curtis	McCarthy	
Dodd	Metcalf	

So the motion to lay on the table was agreed to.

Mr. McGOVERN. Mr. President, the State of South Dakota has a special concern in regard to House Joint Resolution 1268.

The South Dakota constitution includes an antidebt provision which makes it literally impossible for State funds to fill the gap in payments to highway contractors while this supplemental appropriation is pending.

The Honorable Nils Boe, Governor of South Dakota, has written me, outlining the difficult circumstances in which the State and the highway construction industry find themselves. I ask unanimous consent that his letter be printed in the RECORD.

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

STATE OF SOUTH DAKOTA,
Pierre, S. Dak., June 7, 1968.

Hon. GEORGE S. MCGOVERN,
U.S. Senator,
Washington, D.C.

DEAR GEORGE: I appreciate your letter under date of June 4 in which you advise the circumstances relating to the approval of the supplemental authorization for fiscal 1968 for Federal highway road projects in the various states.

It, indeed, would be presumptious for me to try to recommend what procedure could be taken to secure Senate authorization of the supplemental funds necessary to continue highway operations for the balance of the year. It would certainly appear to me, however, that somewhere logic could be instilled in the minds of the individual recalcitrant senators to the end that they would recognize the tremendous economic setback and hardship that is being caused in so many of the states as well as the financial liability that is being created in many of our respective states, including South Dakota, for failure to maintain the schedule of payments required under our contracts.

I am sure you appreciate that our contractors have and are finding it necessary, in order to continue operations, to borrow funds at the present money market—with interest rates ranging from seven to eight percent. Presumably any such interest that is necessarily incurred by contractors as a result of delays in the payment of our contractual obligations will be the basis of legal action against the State. This, indeed, can mount into a considerable sum of money.

I am very concerned with the statement that has been made by the Federal Highway Administrator to the effect that, even though a "tie-up" of funding for the balance of 1968 continues until the commencement of the new fiscal year, July 1, expenditures will thereupon be automatically authorized upon the commencement of the new fiscal year. We are faced with the inescapable fact, however, that if this becomes a reality the 400-million dollars supplemental authorization will be, undoubtedly, lost which will prevent us from balancing our books and will in effect then cause us to spend next year's money this year if we are to keep abreast with present obligations.

Mention has been made with respect to a possible application for a hardship payment, due to our constitutional prohibition against incurring indebtedness in excess of $100,000. I would most certainly be happy to pursue this course, however, I must call attention to the fact that at the present time highway funds for fiscal 1968 are still frozen pursuant to an executive order of the President made last year.

The amount due and owing to the state of South Dakota and which is still under the existing "freeze order" is in the sum of $3,-108,188.20. Each state has a proportionate amount still remaining frozen. In view of the dilemma which apparently continues to exist in the Senate to secure further authorization of funds to finish operations for fiscal year 1968, it would appear that the President through the urging of Congress might, at least, "unfreeze" the 3-million dollars plus which is owed to South Dakota and similar proportionate amounts to other states.

I cannot urge sufficiently the urgency of this matter which, I feel, will have ever and ever greater repercussions.

I appreciate your interest and can only ask that this matter be brought to the attention of the entire body for I am sure there are many members of the Senate who probably even as yet are unaware of the problems existing throughout our country with relation thereto.

If there is any assistance that either the Highway Department or I can give to you in endeavoring to secure the continuation of the funds which have been obligated and promised by the Bureau of Roads in connection with our highway projects, you may be assured of our fullest and most prompt assistance and cooperation.

With best regards, I remain,
Sincerely,

NILS A. BOE,
Governor.

Mr. MOSS. Mr. President, it is absolutely essential that the joint resolution be passed today. We must release $400 million from the highway trust fund to finance estimated expenditures for the Federal aid highway program for the remainder of the fiscal year. It is impossible to have an effective and efficient highway program if the States do not have enough money to pay contract authorizations.

Once a highway job is started, the contractor must receive progress payments regularly if he is to be able to pay his bills—pay his subcontractors, buy materials, meet his payrolls, keep the job going. A roadbuilding job cannot be bounced around like a yo-yo, it has to be kept moving ahead at a steady pace.

There is no shortage of revenues in the highway trust fund. The money is available to be allocated. It is only because Congress does not act that there is any problem.

Mr. President, for the last 18 months the Nation's highway programs have been on a start-and-stop basis. State highway commissions have awarded contracts in good faith, only to have the funds frozen for several months because of the economy drive, and now to have them stopped simply because we in Congress cannot put our house in order.

The State of Utah had to borrow $10 million recently to meet its commitments to highway contractors—commitments which the Federal Government authorized the State to make, and on which the Federal Government promised to pay its pro rata share. The State has to pay interest on the money it borrowed, of course, and this means an unnecessary and excessive cost. This is not only unfair; it is unsound financial policy; it is very poor business.

Mr. President, we must settle our differences on this appropriations joint resolution today, and pass it without further delay.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H.J. Res. 1268) was ordered to a third reading, read the third time and passed.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL 12 NOON MONDAY

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

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

FEDERAL- OR STATE-CHARTERED CREDIT UNIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1206.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6157) to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana. Without objection, it is so ordered.

The Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment, strike out all after the enacting clause and insert:

That subsections (b) and (c) of section 3620 of the Revised Statutes, as amended (31 U.S.C. 492), are amended to read as follows:

"(b)(1) Notwithstanding subsection (a) of this section or any other provision of law, and under regulations to be prescribed by the Secretary of the Treasury, the head of an agency shall, upon the written request of an employee of the agency to whom a payment for wages or salary is to be made, authorize a disbursing officer to make the payment in the form of one, two, or three checks (the number of checks and the amount of each, if more than one, to be designated by such employee) by sending to each financial organization designated by such employee a check that is drawn in favor of the organization and is for credit to the checking account of such employee or is for the deposit of savings or purchase of shares for such employee: Provided, That the agency shall not be reimbursed for the cost of sending one check requested by such employee but shall be reimbursed for the additional cost of sending any additional check requested by such employee by the financial organization to which such check is sent. For the purposes of the foregoing proviso, the check for which the agency shall not be reimbursed shall be the check in the largest amount.

"(2) If more than one employee to whom a payment is to be made designates the same financial organization, the head of an agency may, upon the written request of such employee and under regulations to be prescribed by the Secretary of the Treasury, authorize a disbursing officer to make the payment by sending to the organization a check that is drawn in favor of the organization for the total amount designated by those employees and by specifying the amount to be credited to the account of each of those employees.

"(3) In this subsection, the term 'agency' means any department, agency, independent establishment, board, office, commission, or other establishment in the executive, legislative (except the Senate and House of Representatives), or judicial branch of the Government, any wholly owned or controlled Government corporation, and the municipal government of the District of Columbia; and the term 'financial organization' means any bank, savings bank, savings and loan association or similar institution, or Federal or State chartered credit union.

"(c) Payment by the United States in the form of more than one check, drawn in accordance with subsection (b) and properly endorsed, shall constitute a full acquittance for the amount due to the employee requesting payment."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1228), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of H.R. 6157 is to permit Federal employees to save through the payroll savings plan. The bill would permit Federal employees to have up to two payroll deductions for deposit with commercial banks, savings banks, credit unions, or savings and loan associations. The bill would also permit the remainder of an employee's check to be deposited in a checking account or other savings account. The Government would be reimbursed for the additional cost of providing the payroll deductions by the financial institution receiving the deduction. The system would be administered pursuant to regulations prescribed by the Secretary of the Treasury.

HISTORY OF LEGISLATION

A payroll deduction bill applicable only to Federal credit unions (S. 1084) was introduced by Senator John Sparkman on February 27, 1967. The bill was referred to the Committee on Banking and Currency, and hearings were held before the Subcommittee on Financial Institutions on July 11, 1967. The committee expanded the bill by authorizing payroll deductions for other depository-type financial institutions such as commercial banks, savings banks, and savings and loan associations. The committee also permitted payroll savings deductions for two depository institutions instead of one. The committee reported the bill as amended on October 9, 1967 and the bill passed the Senate on October 11.

The House Committee on Banking and Currency held hearings on November 3 on H.R. 6157, a payroll deduction bill which applied only to Federal credit unions. The House committee reported the bill on November 7, 1967 and it passed the House on February 5, 1968. It was referred to the Senate Committee on Banking and Currency on February 6. On June 11, 1968, the Senate committee considered H.R. 6157 in executive session and approved an amendment deleting the House language and substituting the provisions of the previously passed Senate bill (S. 1084). As amended, H.R. 6157 would thus authorize payroll deductions for all depository-type financial institutions. Because of the unique problems of the House-Senate payroll system, an additional amendment was approved removing House and Senate employees from the scope of the bill.

BACKGROUND

Under present law, the head of each department has authority to authorize payroll allotments "for such purposes as such department head deems appropriate" (5 U.S.C. 3075). Under this authority, payroll deductions have been authorized for savings bonds, contributions to the Combined Federal Campaign, union dues, and in the case of military personnel, payments for credit union shares. However, there is no uniform system for payroll deductions which applies to all Federal employees, and in the case of most civilian employees, deductions through the payroll savings plan are not permitted except for Federal savings bonds. Under the bill recommended by the committee, the Federal Government would be required to make payroll savings deductions for deposit in banks, savings banks, savings and loan associations, and credit unions upon the written request of a Federal employee.

The bill recommended by the committee also authorizes payroll deductions for deposit in two savings institutions. In other words, an employee might have one deduction for deposit in his savings account at a savings and loan association and another deduction for deposit with a credit union. The remainder of his check might still be sent to his checking account at a commercial bank or for deposit with another savings institution. The Government would be reimbursed for the cost of the two deductions, but the remainder of the check could be deposited with a financial institution without charge. In order to avoid disputes over which financial institution would provide reimbursement, the bill provides that if an employee elected to have his check sent to two or three financial institutions the check in the largest amount would not require reimbursement while the remaining checks would. In effect, the smaller checks would be considered to be the deductions and the larger check would be considered to be the employee's basic pay.

NEED FOR LEGISLATION

The committee believes that payroll deductions are an effective and efficient way of encouraging additional savings and will benefit our economy. The bill should facilitate the flow of funds to financial institutions, thereby easing credit conditions and removing some of the upward pressure on interest rates. To the extent the bill encourages greater thrift, it would remove funds from the direct spending stream thereby helping to reduce inflationary pressures. Promoting greater saving can be a most effective and painless way of fighting inflation.

The committee also believes that payroll deductions will benefit the Federal Government as an employer. Many progressive employers in business and industry have payroll savings plans and these have come to be recognized as a sound employment practice. The encouragement of regular saving assures a source of funds for employees to meet emergencies or to finance large purchases. This should result in fewer employees who overextend themselves and get into financial trouble. This in turn should lead to a more productive and stable work force and fewer complaints to the Federal Government from creditors concerning Federal employees in financial difficulty.

Finally, the committee believes the bill will benefit the Federal employee. It will make it easier and more convenient for the average employee to save on a regular basis. As previously mentioned, it will tend to assure a ready source of funds and reduce financial problems. It will particularly benefit employees of moderate income, who, when financial trouble strikes, are often forced to borrow at high interest rates.

The committee is mindful of the Treasury argument that payroll deductions for other forms of savings might undercut Treasury bond sales to Federal employees. Although such a possibility exists, the committee does not believe it is likely. Many private employers authorize deductions for both Federal savings bonds and other forms of savings.

For example, 80 percent of the employees of Lockheed Aircraft have credit union payroll deductions, but 99 percent have savings bond deductions.

The committee also recognizes the argument that additional deductions complicate Federal payroll operations. However, in view of the benefits to be derived by encouraging saving, and in view of the computerized nature of most Federal payroll systems, and in view of the fact that the Government would be reimbursed for the additional cost of providing the deductions, the committee feels the bill would not represent any significant burden on the Federal Government.

With respect to cost, the committee understands the Civil Service Commission has already established a standard service charge of 2 cents per individual deduction exclusive of any postage cost. The committee expects such a charge should be adequate to cover all additional costs associated with payroll savings deductions authorized under the bill.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 6157) was passed.

The title was amended, so as to read: "An act to amend section 3620 of the Revised Statutes with respect to payroll deductions for Federal employees."

STANDARD REFERENCE DATA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1208.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 6279) to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana. Without objection, it is so ordered.

The Senate proceeded to consider the bill which had been reported from the Committee on Commerce, with amendments on page 4, line 11, after "30", strike out "1968" and insert "1969"; and in line 13, after the word "year", strike out "1968" and insert "1969".

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 6279) was passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1230), explaining the purposes of the bill.

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

PURPOSE OF AMENDMENTS

The purpose of the amendments is to make appropriations authorized by the act available for use in fiscal year 1969.

PURPOSE OF THE BILL

The purpose of the bill, H.R. 6279, is to provide a more appropriate and effective legal framework for the National Standard Reference Data System which is administered by the National Bureau of Standards of the Department of Commerce. It would strengthen and clarify the authority of the Secretary of Commerce to provide for the collection, evaluation, and dissemination of reliable reference data on the physical and chemical properties of materials widely used in science and industry.

APPROPRIATIONS UNDER THE STATE TECHNICAL SERVICES ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1209.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 3245) to extend for an additional 2 years the authorization of appropriations under the State Technical Services Act of 1965.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana. Without objection, it is so ordered.

The Senate proceeded to consider the bill (S. 3245) which had been reported from the Committee on Commerce, with an amendment, on page 1, line 6, after the word "following:", strike out " '; $7,000,000 for the fiscal year ending June 30, 1969; and such amounts as may be necessary for the fiscal year ending June 30, 1970.' " and insert " '$7,000,000 for the fiscal year ending June 30, 1969; $10,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971.' "; so as to make the bill read:

S. 3245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10 of the State Technical Services Act of 1965 (15 U.S.C. 1360; 79 Stat. 682) is amended by striking the period at the end of subsection (a) and inserting the following: "$7,000,000 for the fiscal year ending June 30, 1969; $10,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1231), explaining the purposes of the bill.

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

PURPOSE OF THE LEGISLATION

S. 3245 amends the State Technical Services Act of 1965 by extending the period of authorization of appropriations an additional 2 years. The bill would authorize appropriations of $7 million for the fiscal year ending June 30, 1969, and such amounts as may be necessary for the fiscal year ending June 30, 1970. The bill would permit continuance of the matching grants program to the States in furtherance of the present cooperative effort to promote the wider diffusion and more effective application of the findings of science and technology throughout American commerce and industry. The technical-services program would continue to draw upon the resources of universities, nonprofit research organizations, and State and local agencies, in locally planned and administered technical services designed to place these findings usefully in the hands of local businesses and enterprises.

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

The bill (S. 3245) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to extend for an additional 3 years the authorization of appropriations under the State Technical Services Act of 1965."

MESSAGE FROM THE HOUSE— ENROLLED BILLS SIGNED

A message from the House of Representatives, By Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 2709. An act for the relief of Suh Yoon Sup;

H.R. 4030. An act for the relief of Yong Chin Sager;

H.R. 4370. An act for the relief of Sandy Kyriacoula Georgopoulos and Anthony Georgopoulos;

H.R. 7042. An act for the relief of Dr. Jose Del Rio;

H.R. 7431. An act for the relief of Gilmer County, Ga.;

H.R. 8241. An act for the relief of Victorino Severo Blanco;

H.R. 12639. An act to remove certain limitations on ocean cruises;

H.R. 13439. An act to correct and improve the Canal Zone Code, and for other purposes;

H.R. 15190. An act to amend sections 3 and 4 of the Act approved September 22, 1964 (78 Stat. 990), providing for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans;

H.R. 15591. An act for the relief of Pfc. John Patrick Collopy, [redacted];

H.R. 15972. An act to permit black and white or color reproductions of United States and foreign postage stamps under certain circumstances, and for other purposes; and

H.R. 16489. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1969, and for other purposes.

EXTENSION OF AUTHORITY OF EXPORT - IMPORT BANK IN ORDER TO IMPROVE THE BALANCE OF PAYMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1082, S. 3218. I do this so that the bill may be the pending business on Monday next.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3218) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of routine morning business on Monday, June 17, 1968, debate on the pending bill be limited to not to exceed one-half hour on each amendment, to be divided between the proponent of the amendment and the Senator from Maine [Mr. MUSKIE]; that the time on the bill be limited to not to exceed 2 hours, to be divided and controlled by the Senator from Maine [Mr. MUSKIE] and the minority leader [Mr. DIRKSEN], in accordance with the usual form.

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

(The unanimous-consent agreement reduced to writing is as follows:)

Ordered, That, effective on Monday, June 17, 1968, at the conclusion of routine morning business, during the further consideration of the bill (S. 3218) to enable the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to not to exceed one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to not to exceed two hours, to be equally divided and controlled, respectively, by the Senator from Maine [Mr. MUSKIE] and the minority leader: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

GUN CONTROL LEGISLATION

Mr. MAGNUSON. Mr. President, in a recent article in the New Yorker magazine tracing the history of gun control legislation in Congress, a Senate advocate of strong gun control legislation was quoted as saying, "As things now stand, I can't see how any Western Senator could possibly support the bill."

And, said the author, "None of them has."

Yesterday, Mr. President, I became a cosponsor of the administration's gun control bill, introduced by the senior Senator from Connecticut [Mr. DODD]. That bill would extend to rifles, shotguns, and ammunition the restrictions which we recently approved on the sale of handguns. It would eliminate direct mail order sales and sales to nonresidents and juveniles under 18.

In addition, I am prepared to support effective measures to require the registration and licensing of all firearms, by State and local action if possible, by Federal action if necessary.

Last night, I had a call from a good friend, the editor of a Washington State sportsman's publication—a publication which has long fought against gun control legislation. "You have turned your back on us," he said, "You have changed." "Yes," I said, "I have changed some of my views." "Well, then," he said, "we are going to have to oppose your reelection in November."

I said I was sorry about that. We had seen eye to eye on so many issues over the years. We had fought together many good fights for the conservation of our fish and wildlife resources, to preserve Washington as one of the few remaining natural paradises for hunters and fishermen. But, of course, it was his privilege to endorse or to condemn any candidate he chose.

He asked me what had brought me to this decision. And, although he was deeply disturbed, he had the courtesy to hear me out. And today, I would like to tell you, as I told him, why I have made this decision.

I know of no one whose conscience has not been deeply troubled by the violence and terror surging through the streets of every city and every State. Not just last week, not just last month—but a steadily evolving pattern of disorder has made it seem as if the voice of sanity and of civil order in our country have been drowned out by the sound of gunfire in the streets.

I am not talking primarily about the terrible decimation of some of our finest leaders. I am talking about the brutal, sudden death that each day, each hour greets ordinary citizens and their families—a high school student standing on a street corner; two young marines stopping for a cup of coffee after an evening with their girl friends; a young wife hurrying home having stayed out later than she had planned to finish the family shopping.

Yes, I am thinking of President Kennedy and Senator Kennedy, Martin Luther King, Jr., and Medgar Evers. But I am also thinking of the 16 dead and the 31 wounded boys and girls, and passers-by, struck down by a deranged student firing from the tower of the University of Texas—and all of these were felled by rifle or shotgun fire. In 1966, there was a major gun crime committed every 5 minutes.

Of course, no gun law—even a law stringent beyond the bounds of constitutionality—could eradicate assassinations, murder, robbery, assault. But a sound gun control law is one sane and rational measure which can be of great help in restoring the balance which now finds the rate of gun murders in this country 25 times that of Germany, 55 times that of Great Britain, and 90 times the rate for the Netherlands.

There is another balance at stake. For what we are really asked to do by the opponents of gun control legislation is to balance the reasonable fear of wives and children against the convenience of the hunter.

For the talk of a dark plot to confiscate the guns of law-abiding hunters and sportsmen is nonsense. Is J. Edgar Hoover, an outspoken and fervent advocate of strong gun laws, any less a defender of liberty than the most patriotic rifleman in the country?

No, what we are asking owners of firearms to do is no more than they now do uncomplainingly with their automobiles, their children's bicycles, even their dogs. I often go duck hunting with a good friend who has two shotguns and two good hunting dogs. His dogs are licensed—his guns are not. Is his liberty infringed if he must do for a lethal weapon what he now must do for his dogs?

He will also have to buy his weapons from a licensed dealer in his State—a dealer who will be able to see that he is a grown man, a law-abiding citizen of his community, and not an escaped convict or a deranged teenager.

Of course, there are legitimate and necessary reasons for law-abiding citizens to possess guns. This legislation will protect such citizens, just as the car owner is protected through registration against misappropriation or theft.

This legislation will not disarm anyone with a right to a gun. It will make it just a little bit more difficult for the young or the insane to lay their hands on a lethal weapon upon receiving their first impulse to commit mayhem. It will enable police officials with somewhat greater efficiency to trace murder weapons. It should prevent the petty criminal, if not the organized gangster, who cannot buy a gun over the counter from a licensed dealer, from buying one by mail. And it might stop the adolescent with a sudden urge to feel like a man by having some fun with a gun.

In Dallas, Tex., where guns are freely obtainable by anyone, the percentage of homicides committed by gun in 1963 was 72 percent; while in New York, which we think of as a center of crime, the Sullivan law, one of the strongest local gun laws, has kept the rate of murder by gun at 25 percent. Among the country's 10 largest cities, New York had the fifth lowest assault rate, the third lowest murder rate, and the lowest robbery rate. Perhaps, more important, the New York law makes it possible for police officials to make arrests for the illegal possession of pistols and revolvers before those weapons can be used.

Again, as J. Edgar Hoover has said:

> Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality.

Is it not time we gave this basic support to our law enforcement officers?

I have pledged to the Senate that when the gun legislation is referred to the Commerce Committee, I will do all within my power to see that legislation is reported out without delay. And I will also

do all that I can to see that that legislation while reasonable and practical is fully adequate to the need.

I know what tomorrow's mail will bring. I am ready for the angry and intemperate letters, many of them from old friends and colleagues—from many I have hunted with, from men who have long thought of me, as I have, as one of them. But for me, this has become a matter of deep conscience.

The inconvenience will be so insignificant; the contribution to the law and order of our society, so great.

THE PROPOSED ABM SYSTEM

Mr. COOPER. Mr. President, I rise today to bring before the Senate an issue whose costs and consequences for our defense and security and for our foreign policy are of the greatest importance.

I speak of the proposed ABM system. The ostensible purpose of the proposed Sentinel ABM system, as it is now called, would be to construct a defense against a possible Chinese ICBM attack. The total cost for the development, construction and deployment of this so-called thin system is estimated to be from $5 to $7 billion, although its final costs would most certainly be much higher. The request for fiscal year 1969 totals $1,195.6 million. This amount is contained in two bills: S. 3293, the military procurement research and development bill, and H.R. 16703, the military construction bill, and I understand that the AEC bill contains $324,500,000 for Sentinel warhead research.

I ask unanimous consent that a table showing the amounts contained in these bills for the ABM system be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. COOPER. Mr. President, I have been informed today that the Committee on Appropriations has approved and will report to the Senate a bill in which funds will be recommended for appropriation to commence the deployment of the Sentinel ABM system, for site acquisition and construction, in the amount of $227,300,000.

The controversy pro and con about the merits of this system has raged for several years. Several committees in the Senate have studied the issue thoroughly. The Armed Services Committee, the Joint Atomic Energy Committee, and the Foreign Relations Committee, subcommittee under the able leadership of the Senator from Tennessee [Mr. GORE], have conducted detailed hearings, both public and executive. The hearings before these committees have produced a very useful record. In addition, Congress, has had the benefit of the testimony of former Secretary of Defense McNamara on several occasions, and there has been much discussion in newspapers, magazines, and scientific journals, particularly during the past 6 months.

I ask unanimous consent to have printed at the conclusion of my remarks one of the useful and informative articles that has been recently published in the March issue of Scientific American; the testimony of former Secretary of Defense McNamara before the Committee on Armed Services, in the early part of this year; and an annotated bibliography of the most important works discussing the ABM system, which has been prepared by the Library of Congress.

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

(See exhibit 2.)

Mr. COOPER. But there is still a necessity to have a full public debate of the ABM issue on the floor of the Senate. I recall that several years ago, when appropriations were recommended—I believe it was for the Nike X system—the Senator from South Carolina invoked the rule to close the door, and there was a very full and informative debate on that issue.

In April, when the military procurement appropriation bill was before the Senate, a bill which included for certain phases of the ABM system, a unanimous-consent agreement was obtained which limited debate on an amendment to 1 hour. As a result, the debate on this most important venture the ABM was limited to 1 hour for each amendment.

This limitation prevented the full discussion of the issues that was required and many desired. But I believe the ABM issue is of such importance—its purposes and its consequences—that we should have a full debate in the Senate upon it. We should first consider the feasibility, necessity, and the consequences of constructing an ABM system, before approving appropriations which would lead step by step to its installation.

Mr. President, my interest in this subject was stimulated several years ago when we had the important debate on the Nike X behind closed doors, and later by hearings that were held in the Committee on Foreign Relations by the able Senator from Tennessee [Mr. GORE]. Since that time, I have read the testimonies and the statements by former Secretary of Defense McNamara and other administration officials, and I have read, as much as possible, on the subject. I do not claim to be a technical expert, and such judgments as I have made have been based upon my own reading and the results of discussion with others concerned with the issue.

The ABM issue is not a new one. Two previous ABM systems, the Nike-Zeus and Nike X, planned by the United States, were never deployed because it was judged by the administration and Congress at the time—and history has proven that these judgments were correct—that if such systems were built, they would have been obsolete before completion and therefore obviously not worth the cost. In 1959, President Eisenhower, for example, stopped the Nike-Zeus deployment on grounds very similar to those that now apply to the Sentinel system. Although these systems were not built, technological development and research for ABM systems have continued and the state of the art has progressed.

I shall not go into great detail this afternoon to describe the Sentinel system, but I should like to place in the RECORD a very helpful description of the system which was provided by Dr. John S. Foster, Jr., Director of Defense Research and Engineering, which he testified last year before the Committee on Foreign Relations, on Monday, February 6, 1967.

I ask unanimous consent that his statement be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 3.)

Mr. COOPER. I know that Dr. Foster has made other more detailed statements, and he has testified several times and at length before the Committee on Armed Services and the Committee on Appropriations. This is a simple statement explaining the system. I shall read just a few paragraphs:

> The next important development in defense effectiveness came with the introduction of "area defense" in the period 1964–65. I would like to define the term "area defense."
>
> The detection sensor is the perimeter acquisition radar (PAR) which detects ballistic missiles at long ranges. The PAR radar tracks the incoming missile and predicts its future path. To intercept the incoming missile, we employ the Spartan missile which is a long-range interceptor developed from the old Nike-Zeus. Once the PAR radar has predicted the future path of the missile a Spartan missile is fired so as to intercept it. This interceptor intercepts the incoming missile well above the atmosphere. Because of its long range the Spartan can intercept incoming missiles directed at targets several hundred miles from the Spartan battery location. The Spartan missile is guided by a missile site radar (MSR) which is associated with each battery.
>
> With the introduction of Spartan, the Zeus interceptor was no longer required—in effect, the Spartan replaced the Zeus.
>
> Comparatively few Spartan batteries can defend the whole United States from simple attacks.
>
> You will note I said "simple attacks." It is still possible for a sophisticated opponent to confuse the defense and make the firepower demands on Spartan too high. In this case, terminal defense Sprints must be relied upon if we are to furnish a defense. The Spartan thus functions in two ways. It can provide a very effective defense over extended areas against simple threats. Against not so simple threats, it provides a defense in depth and is complementary to Sprint. In any case it forces the enemy, if he wishes to penetrate, to pay the price demanded by a sophisticated penetration aids program.
>
> You will note that I have described a flexible set of building blocks consisting of PAR and MSR radars and two types of interceptor missiles, Spartan and Sprint. We also have a very large, sophisticated radar called TACMAR, designed specifically against sophisticated attacks. They can be put together in various ways to provide varying levels of defense against different threats.
>
> For example, if we wished to defend the United States against a large Soviet attack, we would provide an overlay of an area defense such as I have described. As I mentioned earlier, however, it would be necessary to depend primarily on terminal Sprint defense, including TACMARs, at selected cities. A selected city defense (including the area component) would cost about $10 or $20 billion depending on the number of cities defended.
>
> As a matter of technical judgment, I believe that these larger deployments carry with them technical risks. The likelihood of large and sophisticated attacks with the deployment of significant U.S. defenses increases the

technical uncertainty of the defensive system. Even with an ABM deployment we would have to expect that in an all-out exchange, dozens of their warheads would likely explode in our cities.

Mr. President, although untested and unproven as a complete system—and I know that the various components: the two radars PAR, and MSR, and the two missiles Spartan and Sprint have not been tested as a coordinated fully developed system and cannot be fully tested because of the Nuclear Test Ban Treaty—and even though some components have yet to be translated from theory to practical operation, the immediate production of its elements and the deployment of the Sentinel ABM system have been urged by its proponents as necessary because, in theory, it would provide a defense against a possible Chinese attack. It is argued that we should be prepared to spend whatever money is required to gain the additional measure of security that might be supplied by such a defense.

If it can be demonstrated that this defense system is necessary for the security of the United States, I would be certain that every one of us would be willing to vote for any sum of money that would provide that security. However, I would hope that this matter would be fully and fairly debated before we go further with the provision of funds for the deployment of a Sentinel system. I contend that we have not reached the point where we have the available information which would prove with any reasonable assurance that such a system is necessary or that it would provide any additional security to our country than is available now through nuclear deterrence.

The assertion that the Sentinel ABM system would strengthen our defenses is not at all certain. Nor do the facts make it clear that there is a need to deploy the Sentinel system now or that deployment now or in the future would enhance our security in the period between 1972–75 as is claimed.

First, let us examine the "threat" against which the Sentinel ABM system is designed—the threat of Communist China.

The Chinese have not yet successfully fired or deployed an ICBM. It is believed that they have exploded about seven nuclear devices. It is known they are engaged in surface-to-surface firing. However, there is no evidence they have been able to fire or deploy an intercontinental ballistic missile.

A year ago it was thought that an ICBM would be fired in late 1967 or 1968, and would be in production by 1971 or 1972. The cultural revolution has caused such turmoil within China that it is apparent that the original estimate of successful firing and production had to be extended. It is still estimated that Communist China has the capability of producing a number of ICBM's by the mid-1970's.

If the present plans of the administration—the immediate deployment of the Sentinel ABM system—should proceed according to schedule, supported by the appropriations recommended and to be provided by the bills I have noted, it is estimated that the ABM system could be installed in our country by 1974.

Comparing the capabilities of China to successfully fire and develop an effective ICBM system with the capability of the United States to install a thin system if it should be determined necessary, I can see no reason for the Congress to approve this year the deployment of an ABM system and start on the road to larger systems, with all the unfortunate consequences such action can entail.

I know that in the testimony of former Secretary McNamara before the Committee on Armed Services this year—which I referred to earlier—he did say that our intelligence would indicate that the Chinese had this capability. However, at other points in his testimony, he concluded that the missiles would be primitive and inaccurate, and by 1975 they would not be able to produce a large number of these missiles.

We must ask as reasonable persons if it is likely that Communist China would assure its own destruction by a nuclear attack on the United States—armed with a vast array of nuclear weapons.

Some advocates assert that the Soviets are building an ABM system and that we must begin the construction of an ABM system to match or surpass their efforts. Is the reason compelling some to urge the deployment of the Sentinel ABM system that it could be a "building block" leading toward the development of an extensive and heavier ABM system to defend the United States against an attack by the Soviet Union?

Will it be argued that the deployment of a "thin" ABM system against attack from China would itself provide some measure of protection against a possible Soviet nuclear attack and even greater assurance of American nuclear superiority in the event of a Soviet attack? These arguments can be challenged.

Both the United States and the Soviet Union have the nuclear capability many times over to destroy each other and we have been assured again and again by our Secretary of Defense and our military authorities that the United States has the capability to destroy the Soviet Union even after a first strike by the Soviet Union.

Former Secretary McNamara has termed this the "assured destruction capability of the United States," and that assuming a first strike on the United States, that our own weapons systems have that element of "survivability," which is the term he has used to express the view that we would have the nuclear systems inviolate required to strike back and destroy the Soviet Union.

This testimony, which I shall place in the RECORD, provides the number of missiles which the United States possesses and the estimate of the Soviet missile strength. There are additional tables that show the consequences of a first strike by the Soviet Union upon the United States, and of our response upon the Soviet Union. These tables include an estimate of the damage that would be inflicted, the loss of life, and productive capacity. These tables, and the testimony of Secretary McNamara, argue that either the attainment of nuclear parity by the Soviet Union, which I believe to be unlikely, or the installation of ABM systems here in the United States directed at the Soviet Union, would not alter the capability of either country to destroy each other. That capability, of course, is the deterrent. We have believed, thus far, that if there were any intention on the part of either to strike at each other, the deterrent or what has been called the balance of terror, has prevented any possible intentions from being carried out.

As I shall note later, the installation of the ABM systems could upset this deterrent. Instead of achieving greater security for the United States, it could lead to greater danger. If the Soviets achieve parity with the United States, which is unlikely, the assured ability to destroy each other remains. An ABM defense system—"thin" or "heavy"—designed for protection against the Soviet Union would not alter this ability to completely destroy each other. It would, in fact, only accelerate the arms race. More offensive missiles or more defensive missiles would lead only to a multiplication of the destruction capabilities of the United States and the Soviet Union. There does not seem to be any good reason to add more destructive power to the existing ability to destroy each other and, for all practical purposes, all civilized life.

We know that the Soviets have built a primitive ABM system near Leningrad. Intelligence indicates that the Tallin system is an antiaircraft system for use against high-flying bombers and reconnaissance aircraft. According to recent intelligence estimates—this, again, is a statement by Secretary McNamara—construction of the so-called galosh system surrounding Moscow which was begun in 1960 has not been completed and is not being pursued according to schedule. It has not been extended to other cities in the Soviet Union. Of course, we do not know whether the Soviets are reconsidering its usefulness or considering more fruitful negotiations with the United States to limit the deployment of ABM systems.

In my view, the balance sheet comes down to the following:

First. There is no present threat to American security from a Chinese ICBM attack. According to the consensus of the intelligence community, the Chinese will not have a capability to launch an ICBM attack until the mid-1970's, and reckless as some consider the Communist Chinese to be, it is difficult to believe that they would invite the certain destruction of their country by a nuclear attack upon the United States.

Second. The destructive capabilities of the United States and the Soviet Union will not be altered by a thin or heavy ABM system.

Third. Our surveillance and intelligence capabilities are of such magnitude and quality that the United States has the capability of providing information of new situations in China or the Soviet Union which would require greater effort to develop and deploy additional offensive or defensive weapons.

Fourth. When the proposed Sentinel ABM system's technical characteristics

are examined, one must conclude that the planned system would not provide the assurance of protection to justify its cost. The history of progress in missile technology is that offensive technology will always outdistance defensive efforts. Had Nike-Zeus been deployed, for example, it would have been obsolete before completion. The Sentinel system now planned for deployment may become quickly obsolete. It is not designed to defend against MIRV—missile with multiple warheads and independently targeted—which the United States, and we can assume the Soviets, are developing, or whether they are reconsidering its usefulness.

Again, as pointed in the testimony of both Dr. Foster and Secretary McNamara, the value and effectiveness of the ABM system is diminished as the number of objects coming in is increased. Assuming that the Soviet Union or, some time in the future, the Communist Chinese could develop a MIRV system with a number of missiles which can be released and independently find their targets, this thin system would have little value.

Fifth. The Sentinel cannot be fully tested as a complete system. That is not to say, however, that research and development, including the building of prototypes, will not go forward, for the amendments I will propose would not strike from the bills funds for continued research and development. The advancement of the state of the art will not be restricted. It would be perfected, and available, if the Congress should determine on better evidence than is now available that an ABM system is feasible and necessary for the security of the United States.

It has been effectively argued on the Senate floor that some of the elements have not yet been thoroughly tested or in some cases even built. The technical reliability of all its components is not yet known. Certainly, extension of research for another year would give an opportunity for perfection of the art.

Finally, I come to another matter which I think is very important:

Sixth. Since the Glassboro Conference in May 1967 when the President and Secretary McNamara informed Premier Kosygin that the U.S. Government desired to work with the Soviet Union to limit mutually the development of strategic nuclear weapons, including ABM systems, efforts to work out an agreement with the Soviets have continued. The Vietnam war—and other factors—have stood in the way of a favorable conclusion, but our effort to halt the nuclear arms race should continue as long as there is any possibility of bringing about a limitation. I believe that a decision by the Congress to begin the deployment of the thin system would only make agreement more difficult.

I should like to quote from President Johnson's address to the United Nations General Assembly yesterday, on the occasion of the nuclear proliferation pact ceremony.

He said in part:

> We desire—yes, we urgently desire—to begin early discussion on the limitation of strategic offensive and defensive weapons systems.
>
> We shall search for an agreement that will not only avoid another costly and futile escalation of the arms race, but will de-escalate it.
>
> I believe that this treaty can lead to further measures that will inhibit the senseless continuation of the arms race. I believe that it can give the world time—very precious time—to protect itself against Armageddon.

It has been noted by Secretary McNamara, and our intelligence, that the Soviet Union is not proceeding with dispatch to complete installation of an ABM system around Moscow, and that it has not extended it to any other city. If we now begin to deploy an antiballistic missile system, in the light of past behavior, then, the Soviet Union will respond, and we will respond to their response, and we will have entered again a new phase of the nuclear arms race.

In the light of these conclusions, it is my intention to introduce amendments to the military procurement appropriations bill, and H.R. 16703, the military construction bill, to strike from these bills funds to be used for the deployment of the ABM system. My amendment would not, and I repeat, would not, strike funds for continuing research and development upon such systems.

The United States cannot afford at this time to spend money on a system costing $5 to $7 billion, which may be extended to a heavier system costing $40 billion or more, unless it is essential to our security. We have found it necessary to commit ourselves to an expenditure reduction of $6 billion. We believe it necessary to raise the taxes of our people and we have found it necessary to cut needed and essential domestic programs. In view of our difficulties, and in view of our priorities, I do not believe the deployment of the Sentinel can be justified at the present time.

There are other questions concerning the proposed Sentinel ABM system that should be addressed by the Congress and the people of this country. We must ask the question. If we build the ABM, what response will this bring from the Soviet Union—the only great nuclear power other than the United States? In the light of past experience, there will be a radical response—an escalation of the nuclear arms race—offensive and defensive. We must ask, How much of our national energy will be devoted to meeting the actions and counteractions produced by our decisions to go ahead with such a system? Will such a system contribute to strengthening the security of our country, or will it increase the danger of a nuclear catastrophe?

I do not believe that the deployment of an ABM system at this time is in our country's best interests. I do not believe it offers any advantage to the United States, military, political or moral. My discussion today is not detailed. I have wanted to present some issues for the Senate's consideration, discussion, and debate, and, hopefully, to raise questions which can be discussed later and should be discussed thoroughly when the first bill on that subject comes before the Senate, providing for funds to be used in the deployment of that system. It is my intention to further elaborate these issues and others when the bills are before the Senate for action.

We have hopefully learned a hard lesson from Vietnam. We did not rigorously consider the implications of our increasing involvement in Vietnam when it might have been possible to extricate ourselves with relatively small loss and at a time and in such a way that might have furthered the opportunity for self-determination and peace in South Vietnam. We dare not fail to look at the implications of the deployment of the ABM and to ask, if taken, whether it would lead to more dangerous involvements and consequences.

EXHIBIT 1

MISSILE DEFENSE FUNDING LEGISLATION—FISCAL YEAR 1969 DEFENSE APPROPRIATIONS

[In millions of dollars]

Activity	Military procurement authorization bill [1]	Military construction authorization bill [2]	Military construction appropriation bill	Defense appropriation bill
Procurement:				
Production base support				
Ground support equipment				
Spartan components				
Total	342.7			342.7
Construction: Site acquisition and construction		227.3	227.3	
Operations and maintenance				39.0
Military personnel				5.7
Total, Sentinel deployment	342.7	227.3	227.3	387.4
Sentinel R. & D	312.9			312.9
Total, Sentinel	655.6			700.3
Other ABM R. & D.:				
Nike-X				
Defender	268.0			268.0
Total ABM program	923.6	227.3	227.3	968.3

[1] S. 3295, passed Apr. 19.
[2] H.R. 16703.

MISSILE DEFENSE FUNDING REQUESTS—FISCAL YEAR 1969 DEFENSE APPROPRIATIONS

[In millions of dollars]

Procurement:	
Production base support	137.2
Ground support equipment	199.2
Spartan components	6.3
Total	342.7
Construction: Site acquisition and construction	[1] 227.3
Operations and maintenance	39.0
Military personnel	5.7
Total, Sentinel deployment	614.7
Sentinel R. & D	312.9
Total, Sentinel	927.6
Other ABM R. & D.:	
Nike-X	165.0
Defender	103.0
Total	268.0
Total, ABM request [2]	1,195.6

[1] Does not include $36,000,000 to be carried over from fiscal year 1968 appropriation for construction planning.
[2] In addition, AEC appropriation will reportedly include $324,500,000 for Sentinel.

EXHIBIT 2

[From the Scientific American, March 1968]

ANTI-BALLISTIC-MISSILE SYSTEMS

(By Richard L. Garwin and Hans A. Bethe)

(NOTE.—The U.S. is now building a "light" ABM system. The authors argue that offensive tactics and cheap penetration aids could nullify the effectiveness of this system and any other visualized so far.)

Last September, Secretary of Defense McNamara announced that the U.S. would build "a relatively light and reliable Chinese-oriented ABM system." With this statement he apparently ended a long and complex debate on the merits of any kind of anti-ballistic-missile system in an age of intercontinental ballistic missiles carrying multimegaton thermonuclear warheads. Secretary McNamara added that the U.S. would "begin actual production of such a system at the end of this year," meaning the end of 1967.

As two physicists who have been concerned for many years with the development and deployment of modern nuclear weapons we wish to offer some comments on this important matter. On examining the capabilities of ABM systems of various types, and on considering the stratagems available to a determined enemy who sought to nullify the effectiveness of such a system, we have come to the conclusion that the "light" system described by Secretary McNamara will add little, if anything, to the influences that should restrain China indefinitely from an attack on the U.S. First among these factors is China's certain knowledge that, in McNamara's words, "we have the power not only to destroy completely her entire nuclear offensive forces but to devastate her society as well."

An even more pertinent argument against the proposed ABM system, in our view, is that it will nourish the illusion that an effective defense against ballistic missiles is possible and will lead almost inevitably to demands that the light system, the estimated cost of which exceeds $5 billion, be expanded into a heavy system that could cost upward of $40 billion. The folly of undertaking to build such a system was vigorously stated by Secretary McNamara. "It is important to understand," he said, "that none of the [ABM] systems at the present or foreseeable state of the art would provide an impenetrable shield over the United States. . . . Let me make it very clear that the [cost] in itself is not the problem: the penetrability of the proposed shield is the problem."

In our view the penetrability of the light, Chinese-oriented shield is also a problem. It does not seem credible to us that, even if the Chinese succumbed to the "insane and suicidal" impulse to launch a nuclear attack on the U.S. within the next decade, they would also be foolish enough to have built complex and expensive missiles and nuclear warheads peculiarly vulnerable to the light ABM system now presumably under construction (a system whose characteristics and capabilities have been well publicized). In the area of strategic weapons a common understanding of the major elements and technical possibilities is essential to an informed and reasoned choice by the people, through their government, of a proper course of action. In this article we shall outline in general terms, using nonsecret information, the techniques an enemy could employ at no great cost to reduce the effectiveness of an ABM system even more elaborate than the one the Chinese will face. First, however, let us describe that system.

Known as the Sentinel System, it will provide for long-range interception by Spartan antimissile missiles and short-range interception by Sprint antimissile missiles. Both types of missile will be armed with thermonuclear warheads for the purpose of destroying or inactivating the attacker's thermonuclear weapons, which will be borne through the atmosphere and to their targets by reentry vehicles (RV's). The Spartan missiles, whose range is a few hundred kilometers, will be fired when an attacker's reentry vehicles are first detected rising above the horizon by perimeter acquisition radar (PAR).

If the attacker is using his available propulsion to deliver maximum payload, his reentry vehicles will follow a normal minimum-energy trajectory, and they will first be sighted by one of the PAR's when they are about 4,000 kilometers, or about 10 minutes, away. If the attacker chooses to launch his rockets with less than maximum payload, he can put them either in a lofted trajectory or in a depressed one. The lofted trajectory has certain advantages against a terminal defense system. The most extreme example of a depressed trajectory is the path followed by a low-orbit satellite. On such a trajectory a reentry vehicle could remain below an altitude of 160 kilometers and would not be visible to the horizon-search radar until it was some 1,400 kilometers, or about three minutes, away. This is FOBS: the fractional-orbit bombardment system, which allows intercontinental ballistic missiles to deliver perhaps 50 to 75 percent of their normal payload.

In the Sentinel system Spartans will be launched when PAR has sighted an incoming missile; they will be capable of intercepting the missile at a distance of several hundred kilometers. To provide a light shield for the entire U.S. about half a dozen PAR units will be deployed along the northern border of the country to detect missiles approaching from the general direction of the North Pole. Each PAR will be linked to several "farms" of long-range Spartan missiles, which can be hundreds of kilometers away. Next to each Spartan farm will be a farm of Sprint missiles together with missilesite radar (MSR), whose function is to help guide both the Spartans and the shorter-range Sprints to their targets. The task of the Sprints is to provide terminal protection for the important Spartans and MSR's. The PAR's will also be protected by Sprints and thus will require MSR's nearby.

Whereas the Spartans are expected to intercept an enemy missile well above the upper atmosphere, the Sprints are designed to be effective within the atmosphere, at altitudes below 35 kilometers. The explosion of an ABM missile's thermonuclear warhead will produce a huge flux of X-rays, neutrons and other particles, and within the atmosphere a powerful blast wave as well. We shall describe later how X-rays, particles and blast can incapacitate a reentry vehicle.

Before we consider in detail the capabilities and limitations of ABM systems, one of us (Garwin) will briefly summarize the present strategic position of the U.S. The primary fact is that the U.S. and the U.S.S.R. can annihilate each other as viable civilizations within a day and perhaps within an hour. Each can at will inflict on the other more than 120 million immediate deaths, to which must be added deaths that will be caused by fire, fallout, disease and starvation. In addition more than 75 percent of the productive capacity of each country would be destroyed, regardless of who strikes first. At present, therefore, each of the two countries has an assured destruction capability with respect to the other. It is usually assumed that a nation faced with the assured destruction of 30 percent of its population and productive capacity will be deterred from destroying another nation, no matter how serious the grievance. Assured destruction is therefore not a very flexible political or military tool. It serves only to preserve a nation from complete destruction. More conventional military forces are needed to fill the more conventional military role.

Assured destruction was not possible until the advent of thermonuclear weapons in the middle 1950's At first, when one had to depend on aircraft to deliver such weapons, destruction was not really assured because a strategic air force is subject to surprise attack, to problems of command and control and to attrition by the air defenses of the other side. All of this was changed by the development of the intercontinental ballistic missile and also, although to a lesser extent, by modifications of our B–52 force that would enable it to penetrate enemy defenses at low altitude. There is no doubt today that the U.S.S.R. and the U.S. have achieved mutual assured destruction.

The U.S. has 1,000 Minuteman missiles in hardened "silos" and 54 much larger Titan II missiles. In addition we have 656 Polaris missiles in 41 submarines and nearly 700 long-range bombers. The Minutemen alone could survive a surprise attack and achieve assured destruction of the attacker. In his recent annual report the Secretary of Defense estimated that as of October, 1967, the U.S.S.R. had some 720 intercontinental ballistic missiles, about 30 submarine-launched ballistic missiles (excluding many that are airborne rather than ballistic) and about 155 long-range bombers. This force provides assured destruction of the U.S.

Secretary McNamara has also stated that U.S. forces can deliver more than 2,000 thermonuclear weapons with an average yield of one megaton, and that fewer than 400 such weapons would be needed for assured destruction of a third of the U.S.S.R.'s population and three-fourths of its industry. The U.S.S.R. would need somewhat fewer weapons to achieve the same results against the U.S.

It is worth remembering that intercontinental missiles and nuclear weapons are not the only means of mass destruction. They are, however, among the most reliable, as they were even when they were first made in the 1940's and 1950's One might build a strategic force somewhat differently today, but the U.S. and the U.S.S.R. have no incentive for doing so. In fact, the chief virtue of assured destruction may be that it removes the need to race—there is no reward for getting ahead. One really should not worry too much about new means for delivering nuclear weapons (such as bombs in orbit or fractional-orbit systems) or about advances in chemical or biological warfare. A single thermonuclear assured-destruction force can deter such novel kinds of attack as well.

Now, as Secretary McNamara stated in his September speech, our defense experts reckoned conservatively six to 10 years ago, when our present strategic-force levels were planned. The result is that we have right

now many more missiles than we need for assured destruction of the U.S.S.R. If war comes, therefore, the U.S. will use the excess force in a "damage-limiting" role, which means firing the excess at those elements of the Russian strategic force that would do the most damage to the U.S. Inasmuch as the U.S.S.R. has achieved the level of assured destruction, this action will not preserve the U.S., but it should reduce the damage, perhaps sparing a small city here or there or reducing somewhat the forces the U.S.S.R. can use against our allies. To the extent that this damage-limiting use of our forces reduces the damage done to the U.S.S.R. it may slightly reduce the deterrent effect resulting from assured destruction. It must be clear that only surplus forces will be used in this way. It should be said, however, that the exact level of casualties and industrial damage required to destroy a nation as a viable society has been the subject of surprisingly little research or even argument.

One can conceive of three threats to the present rather comforting situation of mutual assured destruction. The first would be an effective counterforce system: a system that would enable the U.S. (or the U.S.S.R.) to incapacitate the other side's strategic forces before they could be used. The second would be an effective ballistic-missile defense combined with an effective antiaircraft system. The third would be a transition from a bipolar world, in which the U.S. and the U.S.S.R. alone possess overwhelming power, to a multipolar world including, for instance, China. Such threats are of course more worrisome in combination than individually.

American and Russian defense planners are constantly evaluating less-than-perfect intelligence to see if any or all of these threats are developing. For purposes of discussion let us ask what responses a White side might make to various moves made by a Black side. Assume that Black has threatened to negate White's capability of assured destruction by doing one of the following things: (1) it has procured more intercontinental missiles, (2) it has installed some missile defense or (3) it has built up a large operational force of missiles each of which can attack several targets, using "multiple independently targetable reentry vehicles" (MIRV's).

White's goal is to maintain assured destruction. He is now worried that Black may be able to reduce to a dangerous level the number of White warheads that will reach their target. White's simplest response to all three threats—but not necessarily the most effective or the cheapest—is to provide himself with more launch vehicles. In addition, in order to meet the first and third threats White will try to make his launchers more difficult to destroy by one or more of the following means: by making them mobile (for example by placing them in submarines or on railroad cars), by further hardening their permanent sites or by defending them with an ABM system.

Another possibility that is less often discussed would be for White to arrange to fire the bulk of his warheads on "evaluation of threat." In other words, White could fire his land-based ballistic missiles when some fraction of them had already been destroyed by enemy warheads, or when an overwhelming attack is about to destroy them. To implement such a capability responsibly requires excellent communications, and the decision to fire would have to be made within minutes, leading to the execution of a prearranged firing plan. As a complete alternative to hardening and mobility, this fire-now-or-never capability would lead to tension and even, in the event of an accident, to catastrophe. Still, as a supplemental capability to ease fears of effective counterforce action, it may have some merit.

White's response to the second threat—an increase in Black's ABM defenses—might be limited to deploying more launchers, with the simple goal of saturating and exhausting Black's defenses. But White would also want to consider the cost and effectiveness of the following: penetration aids, concentrating on undefended or lightly defended targets, maneuvering reentry vehicles or multiple reentry vehicles. The last refers to several reentry vehicles carried by the same missile; the defense would have to destroy all of them to avoid damage. Finally, White could reopen the question of whether he should seek assured destruction solely by means of missiles. For example, he might reexamine the effectiveness of low-altitude bombers or be might turn his attention to chemical or biological weapons. It does not much matter how assured destruction is achieved. The important thing, as Secretary McNamara has emphasized, is that the other side find it credible. ("The point is that a potential aggressor must himself believe that our assured destruction capability is in fact actual, and that our will to use it in retaliation to an attack is in fact unwavering.")

It is clear that White has many options, and that he will choose those that are most reliable or those that are cheapest for a given level of assured destruction. Although relative costs do depend on the level of destruction required, the important technical conclusion is that for conventional levels of assured destruction it is considerably cheaper for White to provide more offensive capability than it is for Black to defend his people and industry against a concerted strike.

As an aside, it might be mentioned that scientists newly engaged in the evaluation of military systems often have trouble grasping that large systems of the type created by or for the military are divided quite rigidly into several chronological stages, namely, in reverse order: operation, deployment, development and research. An operational system is not threatened by a system that is still in development; the threat is not real until the new system is in fact deployed, shaken down and fully operative. This is particularly true for an ABM system, which is obliged to operate against large numbers of relatively independent intercontinental ballistic missiles. It is equally true, however, for counterforce reentry vehicles, which can be ignored unless they are built by the hundreds or thousands. The same goes for MIRV's, a development of the multiple reentry vehicle in which each reentry vehicle is independently directed to a separate target. One must distinguish clearly between the *possibility* of development and the development itself, and similarly between development and actual operation. One must refrain from attributing to a specific defense system, such as Sentinel, those capabilities that *might* be obtained by further development of a different system.

It follows that the Sentinel light ABM system, to be built now and to be operational in the early 1970's against a possible Chinese intercontinental ballistic missile threat, will have to reckon with a missile force unlike either the Russian or the American force, both of which were, after all, built when there was no ballistic-missile defense The Chinese will probably build even their first operational intercontinental ballistic missiles so that they will have a chance to penetrate. Moreover, we believe it is well within China's capabilities to do a good job at this without intensive testing or tremendous sacrifice in payload.

Temporarily leaving aside penetration aids, there are two pure strategies for attack against a ballistic-missile defense. The first is an all-warhead attack in which one uses large booster rockets to transport many small (that is, fractional-megaton) warheads. These warheads are separated at some instant between the time the missile leaves the atmosphere and the time of reentry. The warheads from one missile can all be directed against the same large target (such as a city); these multiple reentry vehicles (MRV's) are purely a penetration aid. Alternatively each of the reentry vehicles can be given an independent boost to a different target, thus making them into MIRV's. MIRV is not a penetration aid but is rather a counterforce weapon: if each of the reentry vehicles has very high accuracy, then it is conceivable that each of them may destroy an enemy missile silo. The Titan II liquid-fuel rocket, designed more than 10 years ago, could carry 20 or more thermonuclear weapons. If these were employed simply as MRV's, the 54 Titans could provide more than 1,000 reentry vehicles for the defense to deal with.

Since the Spartan interceptors will each cost $1 million to $2 million, including their thermonuclear warheads, it is reasonable to believe thermonuclear warheads can be delivered for less than it will cost the defender to intercept them. The attacker can make a further relative saving by concentrating his strike so that most of the interceptors, all bought and paid for, have nothing to shoot at. This is a high-reliability penetration strategy open to any country that can afford to spend a reasonable fraction of the amount its opponent can spend for defense.

The second pure strategy for attack against an ABM defense is to precede the actual attack with an all-decoy attack or to mix real warheads with decoys. This can be achieved rather cheaply by firing large rockets from unhardened sites to send light, unguided decoys more or less in the direction of plausible city targets. If the ABM defense is an area defense like the Sentinel system, it must fire against these threatening objects at very long range before they reenter the atmosphere, where because of their lightness they would behave differently from real warheads. Several hundred to several thousand such decoys launched by a few large vehicles could readily exhaust a Sentinel-like system. The attack with real warheads would then follow.

The key point is that since the putative Chinese intercontinental-ballistic-missile force is still in the early research and development stage, it can and will be designed to deal with the Sentinel system, whose interceptors and sensors are nearing production and are rather well publicized. It is much easier to design a missile force to counter a defense that is already being deployed than to design one for any of the possible defense systems that might or might not be deployed sometime in the future.

One of us (Bethe) will now describe (1) the physical mechanisms by which an ABM missile can destroy or damage an incoming warhead and (2) some of the penetration aids available to an attacker who is determined to have his warheads reach their targets.

Much study has been given to the possibility of using conventional explosives rather than a thermonuclear explosive in the warhead of a defensive missile. The answer is that the "kill" radius of a conventional explosive is much too small to be practical in a likely tactical engagement. We shall consider here only the more important effects of the defensive thermonuclear weapon: the emission of neutrons, the emission of X rays and, when the weapon is exploded in the atmosphere, blast.

Neutrons have the ability to penetrate matter of any kind. Those released by defensive weapons could penetrate the heat shield and outer jacket of an offensive warhead and enter the fissile material itself, causing the atoms to fission and generating large amounts of heat. If sufficient heat is generated, the fissile material will melt and lose its carefully designed shape. Thereafter it can no longer be detonated.

The kill radius for neutrons depends on the design of the offensive weapon and the yield, or energy release, of the defensive weapon. The miss distance, or distance of closest approach between the defensive and the offensive missiles, can be made small enough to achieve a kill by the neutron mechanism. This is particularly true if the defensive missile and radar have high performance and the interception is made no more than a few tens of kilometers from the ABM launch site. The neutron-kill mechanism is therefore practical for the short-range defense of a city or other important target. It is highly desirable that the yield of the defensive warhead be kept low to minimize the effects of blast and heat on the city being defended.

The attacker can, of course, attempt to shield the fissile material in the offensive warhead from neutron damage, but the mass of shielding needed is substantial. Witness the massive shield required to keep neutrons from escaping from nuclear reactors. The size of the reentry vehicle will enable the defense to make a rough estimate of the amount of shielding that can be carried and thus to estimate the intensity of neutrons required to melt the warhead's fissile material.

Let us consider next the effect of X rays. These rays carry off most of the energy emitted by nuclear weapons, especially those in the megaton range. If sufficient X-ray energy falls on a reentry vehicle, it will cause the surface layer of the vehicle's heat shield to evaporate. This in itself may not be too damaging, but the vapor leaves the surface at high velocity in a very brief time and the recoil sets up a powerful shock wave in the heat shield. The shock may destroy the heat shield material or the underlying structure.

X rays are particularly effective above the upper atmosphere, where they can travel to their target without being absorbed by air molecules. The defense can therefore use megaton weapons without endangering the population below; it is protected by the intervening atmosphere. The kill radius can then be many kilometers. This reduces the accuracy required of the defensive missile and allows successful interception at ranges of hundreds of kilometers from the ABM launch site. Thus X rays make possible an area defense and provide the key to the Sentinel system.

On the other hand, the reentry vehicle can be hardened against X-ray damage to a considerable extent. And in general the defender will not know if the vehicle has been damaged until it reenters the atmosphere. If it has been severely damaged, it may break up or burn up. If this does not happen, however, the defender is helpless unless he has also constructed an effective terminal, or short-range, defense system.

The third kill mechanism—blast—can operate only in the atmosphere and requires little comment. Ordinarily when an offensive warhead reenters the atmosphere it is decelerated by a force that, at maximum, is on the order of 100 *g*. (One *g* is the acceleration due to the earth's gravity.) The increased atmospheric density reached within a shock wave from a nuclear explosion in air can produce a deceleration several times greater. But just as one can shield against neutrons and X rays one can shield against blast by designing the reentry vehicle to have great structural strength. Moreover, the defense, not knowing the detailed design of the reentry vehicle, has little way of knowing if it has destroyed a given vehicle by blast until the warhead either goes off or fails to do so.

The main difficulty for the defense is the fact that in all probability the offensive reentry vehicle will not arrive as a single object that can be tracked and fired on but will be accompanied by many other objects deliberately placed there by the offense. These objects come under the heading of penetration aids. We shall discuss only a few of the many types of such aids. They include fragments of the booster rocket, decoys, fine metal wires called chaff, electronic countermeasures and blackout mechanisms of several kinds.

The last stage of the booster that has propelled the offensive missile may disintegrate into fragments or it can be fragmented deliberately. Some of the pieces will have a radar cross section comparable to or larger than the cross section of the reentry vehicle itself. The defensive radar therefore has the task of discriminating between a mass of debris and the warhead. Although various means of discrimination are effective to some extent, radar and data processing must be specifically set up for this purpose. In any case the radar must deal with tens of objects for each genuine target, and this imposes considerable complexity on the system.

There is, of course, an easy way to discriminate among such objects: let the whole swarm reenter the atmosphere. The lighter booster fragments will soon be slowed down, whereas the heavier reentry vehicle will continue to fall with essentially undiminished speed. If a swarm of objects is allowed to reenter, however, one must abandon the concept of area defense and construct a terminal defense system. If a nation insists on retaining a pure area defense, it must be prepared to shoot at every threatening object. Not only is this extremely costly but also it can quickly exhaust the supply of antimissile missiles.

Instead of relying on the accidental targets provided by booster fragments, the offense will almost certainly want to employ decoys that closely imitate the radar reflectivity of the reentry vehicle. One cheap and simple decoy is a balloon with the same shape as the reentry vehicle. It can be made of thin plastic covered with metal in the form of foil, strips or wire mesh. A considerable number of such balloons can be carried uninflated by a single offensive missile and released when the missile has risen above the atmosphere.

The chief difficulty with balloons is putting them on a "credible" trajectory, that is, a trajectory aimed at a city or some other plausible target. Nonetheless, if the defending force employs an area defense and really seeks to protect the entire country, it must try to intercept every suspicious object, including balloon decoys. The defense may, however, decide not to shoot at incoming objects that seem to be directed against nonvital targets; thus it may choose to limit possible damage to the country rather than to avoid all damage. The offense could then take the option of directing live warheads against points on the outskirts of cities, where a nuclear explosion would still produce radioactivity and possibly severe fallout over densely populated regions. Worse, the possibility that reentry vehicles can be built to maneuver makes it dangerous to ignore objects even 100 kilometers off target.

Balloon decoys, even more than booster fragments, will be rapidly slowed by the atmosphere and will tend to burn up when they reenter it. Here again a terminal ABM system has a far better chance than an area defense system to discriminate between decoys and warheads. One possibility for an area system is "active" discrimination. If a defensive nuclear missile is exploded somewhere in the cloud of balloon decoys traveling with a reentry vehicle, the balloons will either be destroyed by radiation from the explosion or will be blown far off course. The reentry vehicle presumably will survive. If the remaining set of objects is examined by radar, the reentry vehicle may stand out clearly. It can then be killed by a second interceptor shot. Such a shoot-look-shoot tactic may be effective, but it obviously places severe demands on the ABM missiles and the radar tracking system. Moreover, it can be countered by the use of small, dense decoys within the balloon swarms.

Moreover, it may be possible to develop decoys that are as resistant to X rays as the reentry vehicle and also are simple and compact. Their radar reflectivity could be made to simulate that of a reentry vehicle over a wide range of frequencies. The decoys could also be made to reenter the atmosphere—at least down to a fairly low altitude—in a way that closely mimicked an actual reentry vehicle. The design of such decoys, however, would require considerable experimentation and development.

Another way to confuse the defensive radar is to scatter the fine metal wires of chaff. If such wires are cut to about half the wavelength of the defensive radar, each wire will act as a reflecting dipole with a radar cross section approximately equal to the wavelength squared divided by 2π. The actual length of the wires is not critical; a wire of a given length is also effective against radar of shorter wavelength. Assuming that the radar wavelength is one meter and that one-mil copper wire is cut to half-meter lengths, one can easily calculate that 100 million chaff wires will weigh only 200 kilograms (440 pounds).

The chaff wires could be dispersed over a large volume of space; the chaff could be so dense and provide such large radar reflection that the reentry vehicle could not be seen against the background noise. The defense would then not know where in the large reflecting cloud the reentry vehicle is concealed. The defense would be induced to spend several interceptors to cover the entire cloud, with no certainty, even so, that the hidden reentry vehicle will be killed. How much of the chaff would survive the defense nuclear explosion is another difficult question. The main problem for the attacker is to develop a way to disperse chaff more or less uniformly.

An active alternative to the use of chaff is to equip some decoys with electronic devices that generate radio noise at frequencies selected to jam the defensive radar. There are many variations on such electronic countermeasures, among them the use of jammers on the reentry vehicles themselves.

The last of the penetration aids that will be mentioned here is the radar blackout caused by the large number of free electrons released by a nuclear explosion. These electrons, except for a few, are removed from atoms or molecules of air, which thereby become ions. There are two main causes for the formation of ions: the fireball of the explosion, which produces ions because of its high temperature, and the radioactive debris of the explosion, which releases beta rays (high-energy electrons) that ionize the air they traverse. The second mechanism is important only at high altitude.

The electrons in an ionized cloud of gas have the property of bending and absorbing electromagnetic waves, particularly those of low frequency. Attenuation can reach such high values that the defensive radar is prevented from seeing any object behind the ionized cloud (unlike chaff, which confuses the radar only at the chaff range and not beyond).

Blackout is a severe problem for an area defense designed to intercept missiles above the upper atmosphere. The problem is aggravated because area-defense radar is likely to employ low-frequency (long) waves, which are the most suitable for detecting enemy missiles at long range. In some recent popular articles long-wave radar has been hailed as the cure for the problems of the ABM missile. It is not. Even though it increases

the capability of the radar in some ways, it makes the system more vulnerable to blackout.

Blackout can be caused in two ways: by the defensive nuclear explosions themselves and by deliberate explosions set off at high altitude by the attacker. Although the former are unavoidable, the defense has the choice of setting them off at altitudes and in locations that will cause the minimum blackout of its radar. The offense can sacrifice a few early missiles to cause blackout at strategic locations. In what follows we shall assume for purposes of discussion that the radar wavelength is one meter. Translation to other wavelengths is not difficult.

In order to totally reflect the one-meter waves from our hypothetical radar it is necessary for the attacker to create an ionized cloud containing 10^9 electrons per cubic centimeter. Much smaller electron densities, however, will suffice for considerable attenuation. For the benefit of technically minded readers, the equation for attenuation in decibels per kilometer is

$$\alpha = \frac{4.34}{3\times 10^5}\,\frac{\omega_p{}^2}{\omega^2+\gamma^2}\,\gamma_e\,.$$

Here $\omega\rho$ is the plasma frequency for the given electron density, ω is the radar frequency in radians per second and γ_e is the frequency of collisions of an electron with atoms of air. At normal temperatures, this frequency ν_e is the number 2×10^{11} multiplied by the density of the air (ρ) compared with sea-level density (ρ_0), or $\gamma_e = 2\times 10^{11}\,\rho/\rho_0$. At altitudes above 30 kilometers, where an area-defense system will have to make most of its interceptions, the density of air is less than .01 of the density at sea level. Under these conditions the electron collision frequency γ_e is less than the value of $\omega = (2\pi \times 3 \times 10^8)$ and therefore can be neglected in the denominator of the equation. Using that equation, we can then specify the number of electrons, N_e, needed to attenuate one-meter radar waves by a factor of more than one decible per kilometer: $N_e > 350\rho_0/\rho$. At an altitude of 30 kilometers, where ρ_0/ρ is about 100, N_e is about 3×10^4, and at 60 kilometers N_e is still only about 3×10^8. Thus the electron densities needed for the substantial attenuation of a radar signal are well under the 10^9 electrons per cubic centimeter required for total reflection. The ionized cloud created by the fireball of a nuclear explosion is typically 10 kilometers thick; if the attenuation is one decibel per kilometer, such a cloud would produce a total attenuation of 10 decibels. This implies a tenfold reduction of the outgoing radar signal and another tenfold reduction of the reflected signal, which amounts to effective blackout.

The temperature of the fireball created by a nuclear explosion in the atmosphere is initially hundreds of thousands of degrees centigrade. It quickly cools by radiation to about 5,000 degrees C. Thereafter cooling is produced primarily by the cold air entrained by the fireball as it rises slowly through the atmosphere, a process that takes several minutes.

When air is heated to 5,000 degrees C., it is strongly ionized. To produce a radar attenuation of one decibel per kilometer at an altitude of 90 kilometers the fireball temperature need be only 3,000 degrees, and at 50 kilometers a temperature of 2,000 degrees will suffice. Ionization may be enhanced by the presence in the fireball of iron, uranium and other metals, which are normally present in the debris of nuclear explosion.

The size of the fireball can easily be estimated. Its diameter is about one kilometer for a one-megaton explosion at sea level. For other altitudes and yields there is a simple scaling law: the fireball diameter is equal to $(Y\rho_0/\rho)^{1/3}$, where Y is the yield in megatons. Thus a fireball one kilometer in diameter can be produced at an altitude of 30 kilometers (where $\rho_0/\rho = 100$) by an explosion of only 10 kilotons. At an altitude of 50 kilometers (where $\rho_0/\rho = 1{,}000$), a one-megaton explosion will produce a fireball 10 kilometers in diameter. At still higher altitudes matters become complicated because the density of the atmosphere falls off so sharply and the mechanisms of heating the atmosphere changes. Nevertheless, fireballs of very large diameter can be expected when megaton weapons are exploded above 100 kilometers. These could well black out areas of the sky measured in thousands of square kilometers.

For explosions at very high altitudes (between 100 and 200 kilometers) other phenomena become significant. Collisions between electrons and air molecules are now unimportant. The condition for blackout is simply that there be more than 10^9 electrons per cubic centimeter.

At the same time very little mass of air is available to cool the fireball. If the air is at first fully ionized by the explosion, the air molecules will be dissociated into atoms. The atomic ions combine very slowly with electrons. When the density is low enough, as it is at high altitude, the recombination can take place only by radiation. The radiative recombination constant (call it C_R) is about 10^{-12} cubic centimeter per second. When the initial electron density is well above 10^9 per cubic centimeter, the number of electrons remaining after time t is roughly equal to $1/C_R t$. Thus if the initial electron density is 10^{12} per cubic centimeter, the density will remain above 10^9 for 1,000 seconds, or some 17 minutes. The conclusion is that nuclear explosions at very high altitude can produce long-lasting blackouts over large areas.

The second of the two mechanisms for producing an ionized cloud, the beta rays issuing from the radioactive debris of a nuclear explosion, can be even more effective than the fireball mechanism. If the debris is at high altitude, the beta rays will follow the lines of force in the earth's magnetic field, with about half of the beta rays going immediately down into the atmosphere and the other half traveling out into space before returning earthward. These beta rays have an average energy of about 500,000 electron volts, and when they strike the atmosphere, they ionize air molecules. Beta rays of average energy penetrate to an altitude of about 60 kilometers; some of the more energetic rays go down to about 50 kilometers. At these levels, then, a high-altitude explosion will give rise to sustained ionization as long as the debris of the explosion stays in the vicinity.

One can show that blackout will occur if $y \times t^{-1.2} > 10^{-2}$, where t is the time after the explosion in seconds and y is the fission yield deposited per unit horizontal area of the debris cloud, measured in tons of TNT equivalent per square kilometer. The factor $t^{-1.2}$ expresses the rate of decay of the radioactive debris. If the attacker wishes to cause a blackout lasting five minutes ($t = 300$), he can achieve it with a debris level y equal to 10 tons of fission yield per square kilometer. This could be attained by spreading one megaton of fission products over a circular area about 400 kilometers in diameter at an altitude of, say, 60 kilometers. Very little could be seen by an area-defense radar attempting to look out from under such a blackout disk. Whether or not such a disk could actually be produced is another question. Terminal defense would not, of course, be greatly disturbed by a beta ray blackout.

The foregoing discussion has concentrated mainly on the penetration aids that can be devised against an area-defense system. By this we do not mean to suggest that a terminal-defense system can be effective, and we certainly do not wish to imply that we favor the development and deployment of such a system.

Terminal defense has a vulnerability all its own. Since it defends only a small area, it can easily be bypassed. Suppose that the 20 largest American cities were provided with terminal defense. It would be easy for an enemy to attack the 21st largest city and as many other undefended cities as he chose. Although the population per target would be less than if the largest cities were attacked, casualties would still be heavy. Alternatively the offense could concentrate on just a few of the 20 largest cities and exhaust their supply of antimissile missiles, which could readily be done by the use of multiple warheads even without decoys.

It was pointed out by Charles M. Herzfeld in *The Bulletin of the Atomic Scientists* a few years ago that a judicious employment of ABM defenses could equalize the risks of living in cities of various sizes. Suppose New York, with a population of about 10 million, were defended well enough to require 50 enemy warheads to penetrate the defenses, plus a few more to destroy the city. If cities of 200,000 inhabitants were left undefended, it would be equally "attractive" for an enemy to attack New York and penetrate its defenses as to attack an undefended city.

Even if such a "logical" pattern of ABM defense were to be seriously proposed, it is hard to believe that people in the undefended cities would accept their statistical security. To satisfy everyone would require a terminal system of enormous extent. The highest cost estimate made in public discussions, $50 billion, cannot be far wrong.

Although such a massive system would afford some protection against the U.S.S.R.'s present armament, it is virtually certain that the Russians would react to the deployment of the system. It would be easy for them to increase the number of their offensive warheads and thereby raise the level of expected damage back to the one now estimated. In his recent forecast of defense needs for the next five years, Secretary McNamara estimated the relative cost of ABM defenses and the cost of countermeasures that the offense can take. He finds invariably that the offense, by spending considerably less money than the defense, can restore casualties and destruction to the original level before defenses were installed. Since the offense is likely to be "conservative," it is our belief that the actual casualty figures in a nuclear exchange, after both sides had deployed ABM systems and simultaneously increased offensive forces, would be worse than these estimates suggest.

Any such massive escalation of offensive and defensive armaments could hardly be accomplished in a democracy without strong social and psychological effects. The nation would think more of war, prepare more for war, hate the potential enemy and thereby make war more likely. The policy of both the U.S. and the U.S.S.R. in the past decade has been to reduce tensions to provide more understanding, and to devise weapon systems that make war less likely. It seems to us that this should remain our policy.

STATEMENT BY SECRETARY OF DEFENSE ROBERT S. MCNAMARA

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Before I discuss the analytical basis for these conclusions and our specific program proposals, I would first like to present the latest estimates of the strategic threat.

B. THE SIZE AND CHARACTER OF THE THREAT

Each year in presenting our projections of the strategic nuclear threat to the United States, I have cautioned that while we have reasonably high confidence in our estimates for the closer-in period, our estimates for the more distant years are subject to considerable uncertainty. This is still the case with regard to our current projections. The estimates through 1969 are reasonably firm. Beyond that point they become progressively less firm, especially where they deal with the period beyond the production and deploy-

ment leadtimes of the weapons systems involved.

1. The Soviet strategic offensive-defensive forces

Summarized in the following table are the Soviet strategic offensive forces estimated for October 1, 1967. The programmed U.S. forces for those same dates are shown for comparison:

UNITED STATES VERSUS SOVIET INTERCONTINENTAL STRATEGIC NUCLEAR FORCES

	Oct. 1, 1967	
	United States [1]	U.S.S.R.
ICBM launchers [2]	1,054	720
SLBM launchers [3]	656	30
Total, intercontinental missile launchers	1,710	750
Intercontinental bombers [4]	697	155
Total force loadings, approximate number of warheads	4,500	1,000

[1] These are mid-1967 figures.

[2] Excludes ICBM test range launchers which could have some operational capability against the United States. Soviets also have MR/IRBM's capable of striking Eurasian targets.

[3] In addition to the SLBM's on nuclear-powered submarines the Soviets also have SLBM's on diesel-powered submarines whose primary targets are believed to be strategic land targets in Eurasia. The Soviets also have submarine-launched cruise missiles whose primary targets we believe to be naval and merchant vessels.

[4] In addition to the intercontinental bombers, the Soviets have a force of medium bombers/tankers capable of striking Eurasian targets.

a. Intercontinental Ballistic Missiles

Over the past year, the Soviets have continued their build-up of hardened and dispersed land-based missiles. We estimate that as of 1 October 1967 they had a total of 720 ICBM launchers operational compared to 340 a year earlier. We believe the Soviet ICBM force will continue to grow over the next few years, but at a considerably slower rate than in the recent past.

As you may recall, I announced last November thaat the Soviets were intensively testing what we believe to be a Fractional Orbit Bombardment System (FOBS). Such a system—which is really an ICBM of different trajectory—could be launched on a very low trajectory across the northern approaches of the United States, thus reducing the possibility of timely detection by the Ballistic Missile Early Warning System (BMEWS); or, alternatively, around the southern approaches which are not covered by BMEWS. In either event, the weapon would not have a very high order of accuracy and would have to pay a heavy penalty in payload. It would, therefore, be useful primarily against soft targets. Although years ago we considered and rejected such a system for our own use, the Soviets may believe it to be useful in a surprise nuclear strike against our bomber bases or as a penetration tactic against ABM systems. Later, in my discussion of the defensive programs, I will touch on some of the measures we have taken in anticipation of that type of threat.

b. Antiballistic Missile Defense

Last year I noted that in addition to the GALOSH system around Moscow, the Soviets were deploying another type of defensive system elsewhere in the Soviet Union. I cautioned, however that the weight of the evidence at the time suggested that this system was not intended primarily for antiballistic missile defense. Now, I can tell you that the majority of our intelligence community no longer believes that this so-called "Tallinn" system (which is being deployed across the northwestern approaches to the Soviet Union and in several other places) has any significant ABM capability. This system is apparently designed for use within the atmosphere, most likely against an aero-dynamic rather than a ballistic missile threat.

Although construction of the Galosh ABM system around Moscow is proceeding at a moderate pace, no effort has been made during the last year to expand that system or extend it to other cities. It is the consensus of the intelligence community that this system could provide a limited defense of the Moscow area but that it could be seriously degraded by sophisticated penetration aids. Nevertheless, knowing what we do about past Soviet predilections for defensive systems, we must, for the time being, plan our forces on the assumption that they will have deployed some sort of an ABM system around their major cities by the early 1970s.

2. Red Chinese nuclear threat

Our current estimates of the Red Chinese nuclear threat are essentially the same as those I presented here last year. The Chinese have the technical and industrial capabilities required for the deployment of ballistic missiles and we believe that they are making an intensive effort to develop a medium range missile. We estimate that the first of these missiles could be deployed as early as 1967–68 and that by the mid-1970s, they could have a modest force operational.

With regard to ICBMs, we continue to believe that the Chinese nuclear weapons and ballistic missile development programs are being pursued with a high priority. However, it is now clear that they failed to conduct either a space or a long-range ballistic missile launching before the end of 1967, as we thought possible last year. We still believe such a launching could be made on relatively short notice. In any event, our estimate last year that it appeared unlikely the Chinese could achieve an IOC with an ICBM before the early 1970s, or deploy a significant number of operational ICBMs before the mid-1970s, still holds. And, of course, those ICBMs would not have a very high degree of reliability, speed of response or protection against attack.

The Red Chinese also have several types of aircraft which could carry nuclear weapons, but most of them have a limited operational radius and none have an intercontinental radius. It is highly unlikely on the basis of cost alone that they would undertake the development, production and deployment of an intercontinental bomber force. If they chose to do so, it would take them a decade or more before they could deploy such a force.

C. CAPABILITIES OF THE PROPOSED U.S. FORCES FOR "ASSURED DESTRUCTION"

As I noted earlier, the only true measure of the effectiveness of our "Assured Destruction" forces is their ability, even after absorbing a well-coordinated surprise first strike, to inflict unacceptable damage on the attacker. In this next portion of my Statement, I would like to examine with you our latest analyses of how well our strategic forces can be expected to accomplish that mission: first, against the "highest expected threat" projected in the latest National Intelligence Estimates and, second, against a Greater-Than-Expected Threat.[1]

1. Capability against the "highest expected threat" in the NIE

Even if the Soviet strategic forces by 1972 reach the higher end of the range of estimates projected in the latest NIEs and even if they were to assign their entire available missile force to attacks on our strategic forces (reserving only refire missiles and bomber-delivered weapons for urban targets), about one-half of our forces programmed for 1972 would survive and remain effective. If the Soviets expand the Moscow ABM defense and deploy the same or a similar system around other cities at the highest rate projected in the latest NIEs, about three-quarters of our surviving weapons would detonate over their targets. The destructive potential of such a U.S. retaliatory attack is illustrated by the following table:

SOVIET POPULATION AND INDUSTRY DESTROYED

[Assumed 1972 total population of 247,000,000; urban population of 116,000,000]

	Total population fatalities		Industrial capacity destroyed (percent)
	Millions	Percent	
1 megaton equivalent delivered warheads:			
100	37	15	59
200	52	21	72
400	74	30	76
800	96	39	77
1,200	109	44	77
1,600	116	47	77

Even if the Soviets deploy a substantial number of ABM interceptors by 1972, our strategic missile forces alone could still destroy more than two-fifths of their total population (more than 100 million people), and over three-quarters of their industrial capacity. As the foregoing table demonstrates, beyond 400 one-megaton equivalents optimally delivered, further increments would not meaningfully change the amount of damage inflicted because we would be bringing smaller and smaller cities under attack.

These results, of course, reflect the decisions we have taken in recent years to enhance the future capabilities of our "Assured Destruction" forces, including:

1. The production and deployment of the POSEIDON missile with MIRVs.

2. The production and deployment of improved missile penetration aids.

3. The increase in the proportion of MINUTEMAN IIIs (with MIRVs and a new improved third stage) in the planned force.

4. The initiation of development of new small reentry vehicles in order to increase substantially the number of warheads (or penetration aids) which can be carried by a single missile.

5. The development and production of SRAMs for our strategic bombers.

These and other measures will not only enhance the survivability of our strategic missile forces but will also greatly increase the number of weapons which we could place over the Soviet Union in 1972. As I stated earlier, numbers of weapons will be much more important in the future than gross megatonnage. Our calculations show that, even if the Soviets deploy a substantial number of ABMs by 1972, our offensive forces (after absorbing a surprise attack) would still be able to inflict about the same percent fatalities on the Soviet population in a second strike in 1972 as they could have in 1966.

Indeed, if the Soviet offensive-defensive threat does not increase beyond the highest level now projected through 1972 in the latest National Intelligence Estimates, we will have more "Assured Destruction" capability than we will probably need. However, I have repeatedly cautioned that our "Assured Destruction" capability is of such crucial importance to our security that we must be prepared to cope with Soviet strategic threats which are greater than those projected in the latest intelligence estimates. Accordingly, we must continually reexamine the various actions, beyond those which now seem probable, by which the Soviets might seek to strengthen their strategic forces and

[1] The "highest expected threat" is actually composed of the upper range of NIE projections for *each* element of the Soviets' strategic forces. In many cases, these represent alternatives and it is highly unlikely that all elements would ever reach the top end of the quantitative range simultaneously. Therefore, the "highest expected threat" is really a greater threat than that projected in the NIE.

take appropriate steps in a timely manner to hedge against them.

2. Capability against "greater-than-expected threats"

As was the case last year, the most severe threat we must consider in planning our "Assured Destruction" forces is a Soviet deployment of a substantial hard target kill capability in the form of highly accurate small ICBMs or MIRVed large ICBMs, together with an extensive, effective ABM defense. A large Soviet ICBM force with a substantial hard target kill capability might be able to destroy a large number of our Minuteman missiles in their silos. An extensive, effective Soviet ABM defense might then be able to intercept and destroy a large part of our residual missile warheads, including those carried by submarine-launched missiles. In combination, therefore, these two actions could conceivably seriously degrade our "Assured Destruction" capability.

Again, I want to remind you that both of these threats are quantitatively far greater than those projected in the latest intelligence estimates. Moreover, we believe that the accuracy of Soviet ICBMs is still substantially inferior to that of our own missiles. Nevertheless, even though such a threat is extremely unlikely, we have taken account of the possibility in our longer range force planning.

Our calculations show that against either one of the Soviet Greater-Than-Expected Threats, the offensive or the defensive threat, the presently programmed forces could still perform their missions through the mid-1970s.

Against the massive and highly unlikely combined Greater-Than-Expected Offensive and Defensive Threats, these same forces with POSEIDON missiles carrying a full load of warheads and with bomber penetration aids (options which we could exercise in FY 1970) could still destroy in a second strike (depending upon how we target our forces) about 18 to 25 percent of the population and two-thirds to three-quarters of the industrial capacity of the Soviet Union, even after absorbing a surprise attack. The prospect of having to absorb losses of this magnitude from a U.S. retaliatory strike should, in itself, pose a very substantial deterrent to the Soviet Union. Nevertheless, for the purpose of planning our forces so far ahead, this level of damage may become too low for complete confidence in our deterrent. Accordingly, prudence dictates that we act now to place ourselves in a position to strengthen our "Assured Destruction" capabilities in the unlikely event that both of the Greater-Than-Expected Threats actually begin to emerge.

Fortunately, we have a large number of additional options from which we can draw to strengthen those capabilities by the mid-1970s. We can convert the entire force to Minuteman III, increase the number of warheads each Minuteman missile could carry, emplace the entire Minuteman III force in superhard silos, and/or protect the Minuteman force with an ABM defense.

There are, of course, still other options available, such as the construction and deployment of more Poseidon submarines and the development and production of a new land-based missile. Although a new land-based ICBM does not appear to offer any particular advantage over the Minuteman III in superhard silos, I believe we should keep that option open by starting development now of a silo which could be used for either the Minuteman III or a new ICBM. The options of defending Minuteman with the ABM and of constructing more Poseidon submarines will continue to be available for some time into the future and neither requires a commitment at this time.

As I noted in previous years, under certain circumstances there may be some advantage in maintaining a mixed offensive force of missiles and a limited number of bombers. By having a capability to attack some cities with missiles only, and others with bombers only, we can force the Soviet Union to maintain defenses against both. But to do this, we do not need either a very large bomber force or a new bomber. The present program provides for a mixed force of missiles and bombers into the latter part of the 1970s, and the options open to us will permit extending the life of the bomber force and increasing its capability, and/or the addition of a new bomber, should threats greater than that projected by the NIE develop.

Against the Greater-Than-Expected Threat, any bomber force ought to be equipped with improved penetration aids to cope with the kind of anti-bomber defense systems postulated in this threat. We have no evidence the Soviets are actually deploying such systems, although they are developing new high performance fighter aircraft. Nevertheless, we should keep the options open to upgrade our presently programmed bomber force and to deploy a new bomber if one should eventually be required. But the pacing items at the present time are the penetration aids, particularly those needed to counter the improved interceptors the Soviets may deploy in the future, and these are the programs which should receive our first attention regardless of which option we may ultimately choose to exercise.

Again, may I remind you that all of these missile and bomber options are directly related to the combined Greater-Than-Expected Threat, and until we have some evidence that this threat is actually beginning to emerge, we need not and should not decide to deploy any of these systems. Instead, we should carefully time our actions on all of them in step with the development of the threat, keeping in mind the various development, production and deployment leadtimes involved.

D. CAPABILITIES OF THE PROPOSED FORCES FOR DAMAGE LIMITATION

There are two major issues this year in the Damage Limitation portion of the Strategic Forces Program. The first concerns the deployment of an anti-ballistic missile defense and, the second, the future size and composition of the anti-bomber defense forces.

1. Anti-ballistic missile defense

Last year I presented to you in considerable detail our analysis of the anti-ballistic missile defense issue. I described the three major purposes for which we might want to deploy an ABM system, the kinds of radars and missiles which would be involved, the technical uncertainties which still remained to be resolved, and the costs and benefits of some of the alternative deployments. With regard to the three purposes, I concluded that:

1. The deployment of an ABM defense for MINUTEMAN might offer a partial substitute for the further expansion of our offensive forces in the event the Greater-Than-Expected Soviet threat began to emerge.

2. The deployment of an austere ABM defense against a Red Chinese ICBM threat might offer a high degree of protection to the entire Nation, at least through the 1970s.

3. The deployment of an ABM defense for the protection of our cities against the kind of heavy, sophisticated missile attack the Soviets could launch in the 1970s would almost surely cause them to react by increasing the capabilities of their offensive forces, thus leaving us in essentially the same position we were before.

Further study of this issue during the last year has served to confirm these conclusions. Since I have already touched on the first purpose in connection with the analysis of our "Assured Destruction" capabilities against the Greater-Than-Expected Soviet threat, I will limit my discussion at this point to the other two purposes.

a. Defense Against the Red Chinese Nuclear Threat

As I noted earlier, there is mounting evidence that the Red Chinese are devoting very substantial resources to the development of both nuclear warheads and missile delivery systems. Within a period of 39 months, they detonated seven nuclear devices. The first, in October 1964, was an all U–235 fission test with a low yield; the second, in May 1965, was a similar test with a low-intermediate yield. In May 1966 they detonated their first device involving thermonuclear material. Then, in October 1966, they tested their first missile-delivered device with a low yield fission warhead, thus demonstrating sufficient engineering skill to conduct a missile-warhead systems test. In December 1966, they detonated their second device involving thermonuclear material. In June 1967, they detonated a device with a yield of a few megatons dropped from an airplane. Finally, last December, they detonated another device, but this test was apparently a partial failure.

These seven nuclear tests, taken together with their continuing work on surface-to-surface missiles, lead us to believe that they are moving ahead with the development of an ICBM. Indeed, if their programs proceed at the present pace, they could have a modest force of ICBMs by the mid-1970s.

In the light of this progress in nuclear weapons and missile delivery systems, it seemed both prudent and feasible to us last September to initiate the deployment of an austere Chinese-oriented ABM defense. We knew from our continuing study of this system that it could be deployed at an investment cost of about $5 billion, and could be highly effective against the kind of threat a Chinese force might pose in the 1970s.

As presently defined, the Sentinel ABM system (i.e., the system specifically designed against the Chinest threat) would consist of Perimeter Acquisition Radars (PARs), Missile Site Radars (MSRs), long range Spartan area defense missiles and, later, some Sprint local defense missiles for certain special purposes. The effectiveness of this deployment in reducing U.S. fatalities from a Red Chinese attack in the 1970s is shown in the table following:

U.S. FATALITIES FROM A CHINESE FIRST STRIKE, 1970's

[In millions]

	Number of Chinese ICBM's		
	X	2.5X	7.5X
U.S. fatalities:			
Without Sentinel	7	11	15
With Sentinel	(1)	(1)	1

[1] Fewer than 1,000,000 U.S. dead with some probability of no deaths.

It is apparent from the foregoing table that the Sentinel system, facing a relatively "primitive" attack, could probably hold U.S. fatalities below one million. Obviously, if and when the Chinese ICBM force grows, quantitatively and qualitatively, beyond the levels shown in the foregoing table, additions and improvements would probably have to be made in the Sentinel system. We believe, however, that for relatively modest additional outlays the system could be improved so as to limit the Chinese damage potential to low levels into the mid-1980s. The Sentinel system would also have a number of other advantages. It would provide an additional indication to the people of Asia that we intend to support them against nuclear blackmail from China, and thus help to convince the non-nuclear countries that acquisition of their own nuclear weapons is not required for their security. Furthermore, this initial deployment would serve as a foundation to which we could add a defense for our Minuteman force if that later becomes desirable. Finally, it could protect our population against the improbable, but possible, accidental launch of a few ICBMs by any one of the nuclear powers.

b. Deployment of Nike-X for Defense of Our Cities Against Soviet Attack.

Nothing has occurred during the last year to change my conviction that the deployment of the Nike-X system for the defense of our cities against a Soviet attack would, under present circumstances, be a futile waste of our resources. I believe it is clear from my earlier discussion of the trends in the nature of the threat, as evaluated by our intelligence community, that the Soviets are determined to maintain a nuclear deterrent against the United States. If this is true, as I believe it is, any attempt on our part to reduce their "Assured Destruction" capability below what they might consider necessary to deter us would simply cause them to respond with an offsetting increase in their offensive forces. It is precisely this process of action and reaction upon which the arms race feeds, at great cost to both sides and benefit to neither. This point is illustrated in the table on the following page which is based on nuclear strike capabilities as they might be viewed by the potential adversaries.

NUMBERS OF FATALITIES IN AN ALL-OUT STRATEGIC EXCHANGE, MID-1970's[1]

[In millions]

U.S. program	Soviet response	Soviets strike first against military and city targets; United States retaliates against cities		United States strikes first at military targets; Soviets retaliate against U.S. cities; United States retaliates against Soviet cities	
		U.S. fatalities	Soviet fatalities	U.S. fatalities	Soviet fatalities
No ABM	None	120	120	120	80
Sentinel	None	100	120	90	80
	Pen-Aids	120	120	110	80
Posture A	None	40	120	10	80
	MIRV, Pen-Aids	110	120	60	80
	Plus 100 mobile ICBM's	110	120	90	80
Posture B	None	20	120	10	80
	MIRV, Pen-Aids	70	120	40	80
	Plus 550 mobile ICBM's	100	120	90	80

[1] At fatality levels approximating 100,000,000 or more, differences of 10,000,000 to 20,000,000 in the calculated results are less than the margin of error in the estimates.

"Posture A" is a light defense against a Soviet missile attack on our cities. It consists of an area defense of the entire continental United States, providing redundant (overlapping) coverage of key target areas, and, in addition, a relatively low-density Sprint defense of 25 cities to provide some protection against those warheads which get through the area defense. "Posture B" is a heavier defense with the same area coverage, but with much greater sophistication in its electronics and a higher-density Sprint defense for 52 cities.

Postures A and B would also require some improvement in our defense against manned bomber attack in order to preclude the Soviets from undercutting the ABM defense; we would also want to expand and improve our anti-submarine warfare forces to help defend against Soviet missile-launching submarines. The "current" estimates of the investment cost of the total "Damage Limiting" package are at least $13 billion for Posture A and at least $22 billion for Posture B. On the basis of past experience, however, actual costs would more likely be $40 billion by the time the system had been completed.

Cost, however, is not the problem. If we could actually build and deploy a genuinely impenetrable shield over the United States, we would be willing to spend $40 billion. But, if after spending these tens of billions of dollars, we could still expect to find ourselves in a position where a Soviet attack could inflicit unacceptable damage on our population because of their response to our defensive efforts, I do not see how we would have really improved our security or freedom of action. And neither can I see how the Soviets will have improved their security and freedom of action if after all their additional expenditures for offensive and defensive systems, we can still inflicit unacceptable damage on them, even after absorbing their first strike. For this reason we have come to the conclusion that both sides would be far better off if we can reach an agreement on the limitation of all strategic nuclear forces, including ABMs.

In any event, there is no point whatever in our responding to a massive ABM deployment on their part with a massive ABM deployment of our own. Instead, we should act realistically and further strengthen our offensive forces, if and when necessary, to preserve our "Assured Destruction" capability.

* * * * *

E. STRATEGIC OFFENSIVE FORCES

The force structure proposed for the FY 1969–73 period is shown on a classified table provided to the Committee.

1. Missile forces

In overall terms the missile forces we are proposing for the FY 1969–73 period are essentially the same as those I discussed last year—1,000 Minuteman, 496 Poseidon and 160 Polaris, plus 54 Titan IIs. Within these overall numbers, however, we are proposing some changes in mix and payload.

a. Minuteman

Last year I told you that in order to increase the capability of our offensive forces against a possible strong Soviet ABM defense, we proposed to increase the number of Minuteman IIIs in the force. I also pointed out that by FY 1973–74 it would probably become necessary to replace the earliest Minuteman II missiles, and that we could then add more Minuteman IIIs if that should appear desirable.

Although the Soviet ABM deployment is not moving forward as fast as anticipated last year, we now believe it would be desirable to increase the number of Minuteman IIIs. And, as I indicated earlier, we have included funds in the FY 1969 Budget for the development of dual-purpose super-hard silos for the Minuteman or a new land-based ICBM. Because the development program for the Minuteman III is taking longer than we had planned, and because we want to pursue a more efficient overall Minuteman modernization schedule, initial deployment of the Minuteman III will slip some months behind the schedule envisioned last year. The phase out of Minuteman I will be slowed down to compensate for the slip in the Minuteman III program.

b. Titan II

Although the Titan II will decline in importance as the Minuteman III and the Poseidon are deployed, it may be advisable to retain the present force of 54 missiles on launchers. Its heavy payload would be useful against large soft targets which are not defended by ABMs. On the basis of a recent review of the Titan II follow-on test program, we now believe that four tests per year, instead of six, will be enough to ensure that the missiles in the force are operationally reliable. Thus, with the procurement of a small number of missiles in FY 1969–70, we can maintain the present force of 54 Titan missiles on launchers throughout the program period, instead of allowing it to decline after FY 1970 as we planned last year.

c. Polaris-Poseidon

The Polaris-Poseidon program is essentially the same as the one I presented here last year. Thirty-one of the 41 Polaris submarines, all of which have now become operational, will be refitted with the Poseidon missile. The other ten (five 598–Class and five 608–Class) cannot be refitted without replacing the center section of their hulls. The cost would be about equal to that of a new submarine, and even then they would not be as good as the other 31. Accordingly, these submarines will continue to carry the Polaris missile. The five 598–Class ships, which originally carried the A–1, have already been refitted with the A–3. The five 608–Class ships, which now carry the A–2, will be refitted with the A–3 during their second overhaul. The proposed FY 1969 shipbuilding and conversion program includes funds for six Poseidon conversions and advance procurement for nine more.

d. New Strategic Missile Systems

Last year I told you that we are making a comprehensive study of new strategic missile systems. This study was completed last summer, and on the basis of its findings we have included $56 million in the FY 1969 Budget for advanced ICBM technology.

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b. Manned Interceptors

The ultimate U.S. manned interceptor force will consist of modified F–106Xs (supported by C–130s which would be used to move ground crews and equipment to the dispersal recycle bases), plus an Air National Guard F–102 squadron in Hawaii. This squadron, together with the search radars, will continue to provide a local air defense capability for that remote state. We plan to start the phase-down of the interceptor forces in FY 1969.

c. Surface-to-Air Missiles

On the basis of our present plans, all of the Bomarc force would be phased out when the full F–106X force becomes operational. Most of the Hercules and all of the Hawks, however, will be retained.

2. Missile and space defense

The decision to deploy a Chinese-oriented ABM defense system will undoubtedly have an important impact on other strategic defensive programs. For example, we already know that the Perimeter Acquisition Radar (PAR) planned for the Sentinel system could also be made to handle some of the long-range acquisition and tracking functions presently performed by the three BMEWS sites. Conversely, the over-the-Horizon (back-scatter) radars planned for the anti-bomber defense could also be used to provide limited detection and tracking of ballistic missiles launched from submarines. Moreover, in order to provide a backup for BMEWS, we have already deployed several Over-the-Horizon (forward-scatter) radar transmitters and receivers, and we have under active development for a number of years a satellite-borne missile warning system which now appears to be capable of providing earlier warning than BMEWS. (The forward-scatter OTH and the satellite-borne missile warning system are two of the measures I alluded to in my earlier discussion of the Soviet FOBS.) Clearly, the time has come when we must systematically examine all of these warning

systems in relation to one another, with a view to eliminating unnecessary redundancy and ensuring that the remaining systems are truly integrated into a workable whole. Accordingly, I have recently asked the Joint Chiefs of Staff to establish a Joint Continental Defense System Integration Planning Staff to study this entire problem in depth, including the function of all defensive systems in a wartime environment.

a. Missile Warning

Pending the completion of the aforementioned study, we are not proposing any changes in the BMEWS program. However, we are making certain changes in the siting of the Over-the-Horizon (forward-scatter) radar program. These radars have demonstrated a very high order of capability. Although originally designed to detect ICBM launches (including FOBS), these radars have demonstrated a good capability to detect smaller ballistic missiles.

As I indicated earlier, we are developing a back-scatter OTH radar for use in the anti-bomber defense. In this system, echo signals from the target are returned directly to the transmitter, thereby eliminating the need for separate receiver stations. It is also more effective than the forward-scatter system in locating and tracking vehicles moving through and below the ionosphere, for example, aircraft or SLBMs. We presently plan to begin installing the first back-scatter OTH radar in the near future. While the chief function of this radar will be research and development, we hope that it will also provide some useful operational data. It will also give us an opportunity to test the back-scatter system in the ICBM warning role.

b. Anti-Ballistic Missile Defense (Sentinel)

As previously mentioned, the Sentinel system will consist of PAR and MSR radars and Spartan and Sprint missiles.

The PAR is a low frequency phased-array radar used for long-range surveillance, acquisition and tracking. The presently planned characteristics of this radar place its design well within the "state-of-the-art", and for this reason the first PAR can be installed directly at its tactical site rather than at a field test site. Its performance can be simulated by an ARPA Altair radar already at Kwajalein, for purposes of the full systems tests.

The MSR is a phased-array radar used to control the Sprint and Spartan interceptors. It can perform much the same functions as the larger MAR, which is not required in a limited deployment, but on a smaller scale. The MSR was tested at the contractor's plant before being sent to Kwajalein, where it is currently being installed for the full systems tests. The MAR, which is the most sophisticated component of the Nike–X system, will remain in an R&D status. A Tacmar (a smaller version of the MAR) will be installed at Kwajalein for final design and testing.

The Spartan missile, as presently designed, will have three stages and utilize an advanced warhead, and should be able to intercept objects at ranges in excess of several hundred miles and at exoatmospheric altitudes. However, we now plan to make some further improvements in the Spartan to enhance its capability against a Fobs. The Spartan will also be included in the full systems tests planned at Kwajalein.

The Sprint missile is designed to attack incoming warheads after the atmosphere has helped to separate out the accompanying decoys, chaff, etc. The missile is capable of climbing thousands of feet in a few seconds to make intercepts between 5,000 and 100,000 feet at ranges between 15–25 miles. It uses a "pop-up" launch technique in which the missile is ejected from its tube by the generation of gas pressure on the piston upon which it rests. Actual ignition does not take place until after the missile has left the tube. This technique conserves propellant, allows the missile to "get away" sooner and reduces the missile size. Initial flight tests are currently being conducted at the White Sands Missile Range, and beginning in early 1969 the missile will be tested at Kwajalein, where the overall systems tests against actual ICBMs fired from Vanderberg Air Base will be conducted.

Although, as stated earlier, ABM systems to protect population centers against large sophisticated attacks do not appear practical, we will continue to explore new technical approaches to this objective. The Nike–X development program will be used for this purpose. In addition, we will continue to support a number of other ABM related programs, particularly ARPA's Project Defender.

In total, the FY 1969 Budget request includes about $1,232 million for ABM defense: $651 million for the deployment of Sentinel (in addition to $229 million in FY 1968); $313 million for Sentinel development; $165 million for ABM advanced development (Nike–X); and $103 million for Defender. In addition, the AEC's FY 1969 budget includes funds for ABM warhead development and production.

c. Anti-Satellite Defense

As described in previous years, we have a capability to intercept and destroy hostile satellites within certain ranges. This capability will be maintained throughout the program period.

Spasur and Spacetrack are our satellite tracking and identification systems in the Norad Spadat system. The Spasur system is designed to give a warning when a new space object passes through its field, and the Spacetrack system detects, tracks and computes the orbits of objects in space. Both systems are tied to the North American Air Defense Command.

One of the projects that the Joint Continental Defense Systems Integration Planning Staff will undertake is the development of a master plan for the evolution of these two systems. The ever-growing population of space objects and "junk" that must be identified and tracked means that we will have to make major improvements in these systems in the near future. In the case of the Spacetrack system, we have included funds in the FY 1969 Budget for the modification of the data processing and communications equipment at existing sites and for some new construction at these sites. Any further improvements or expansion will be delayed pending a full study of the requirements for electro-optical sites in addition to the camera and radar sites, the links with the Sentinel system, the need for a separate data processing center, etc.

G. CIVIL DEFENSE

The Civil Defense program proposed for FY 1969 contemplates no important change in basic objectives from those which I discussed last year. However, we have held the FY 1969 program to the lowest possible sustaining rate, pending the end of the Vietnam conflict.

The major objective of the Civil Defense program since 1961 has been the establishment of a comprehensive nation-wide shelter system to help protect our population from radiological fallout in the event of a nuclear attack. Most of this shelter is inherent in existing buildings but needs to be identified, marked and stocked with survival supplies before it can be considered truly useful. By the end of the current fiscal year we expect to have identified about 170 million spaces with a standard protection factor of 40 or more, of which about 101 million will have been marked and 55 million stocked with an average 14 days of supplies. Total shelter capacity should continue to grow in the future as a result of the continuing survey and design assistance efforts being conducted as part of the Civil Defense program. In total, we can probably expect an additional 55 million spaces from these sources over the next five years.

DEPLOYMENT OF AN ANTI-BALLISTIC-MISSILE SYSTEM: ISSUES—SELECTED ANNOTATED BIBLIOGRAPHY

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Lall, Betty Goetz. Congress debates the ABM. Bulletin of the atomic scientists, Sept. 1967: 28–33. "On the ABM question . . . the pattern of Congressional interest shows some usual and unusual aspects . . . They (Congressmen) are pondering many of the consequences of a decision to deploy or not to deploy. There is no panic and little oratory. They do not pretend to have pat solutions to the problem and clearly most would like to be confronted with a case of successful diplomacy to avoid a commitment to deploy."

Lyons, Thomas C., Jr. Anti-missile defense systems. Editorial research reports, vol. 1, no. 7, Feb. 15, 1967: 123–139. Article discusses the following topics: Current Debate on Anti-Missile Systems; Development of the Missile Competition; and American Missiles and National Security.

Martin, Laurence W. Ballistic missile defense and Europe. Bulletin of the atomic scientists, May 1967: 42–46. "West Europeans have two interests in the prospects for ABM. Being deeply affected by the state of U.S.–U.S.S.R. relations, United States' allies have a direct interest in all the arguments concerning the wisdom of ABM from a strictly U.S. point of view . . . As Europeans, however, they also perceive certain special implications for themselves."

The missile defense question: is LBJ right?: a background report. Washington, D.C. Republican National Committee, Feb. 20, 1967. 55 p. "Great responsibilities rest on those who must make the decisions regarding our defense against a nuclear threat. It is in an effort to help these persons, by providing them with available information, that the material in this booklet has been assembled."

Missile defense: LBJ's bid to curb arms race gains support. Science March 31, 1967: 1651–1654. ". . . President Johnson's proposal that U.S. and Soviet negotiators seek an agreement to refrain from, or limit, deployment of antimissile missiles thus far has considerable bipartisan support on Capitol Hill."

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Rodberg, Leonard S. ABM—some arms control issues. Bulletin of the atomic scientists, June 1967: 16–20. "The deployment of ABM systems will not only postpone the day when we can look elsewhere than to nuclear weapons for the key to national power, but it will also place greater emphasis upon the possibility of nuclear war, the role of nuclear weapons in providing a defense, and the value to a country of nuclear independence."

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Thurmond, Senator Strom. ABM: lessening the threat of nuclear blackmail. Data, Oct. 1967: 10–11. Argues that the United States "will not be as susceptible to nuclear blackmail or Soviet miscalculation" since the decision has been made to deploy a U.S. ABM system.

U.S. missile plans criticized in Bonn. New York Times, Oct. 28, 1967: 11. A West German official says that U.S. plans to deploy an ABM system would erode the Western Alliance.

Weisner, Jerome B. The case against an antiballistic missile system. Look, Nov. 28, 1967: 25–27. Author does not believe that a "really effective antimissile system is remotely possible for either the U.S. or the Russians."

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Young, Elizabeth. ABM: no alternative to politics. Bulletin of the atomic scientists, June 1967: 47–49. "The only reason for U.S. deployment [of an ABM system] seems to be the fact that the Soviet government is deploying it—and the U.S. government cannot refuse to give their people a defense that the Soviets have." But the author argues that sophisticated military power can no longer solve the world's disagreements.

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CONGRESSIONAL DOCUMENTS

U.S. *Congress. Joint Committee on Atomic Energy*. Hearings: Scope, Magnitude and Implications of the United States Antiballistic Missile Program. 90th Congress, 1st session, 1967. 153 p. Hearings "review the plans and programs relating to our ABM program in the context of three recent developments": the Soviet offensive buildup, the Soviet defensive buildup, and the emergence of China as a nuclear power.

Testimony is given by Dr. John S. Foster, Jr., Director of Defense Research and Engineering; Alice Langley Hsieh, Rand Corp.; Dr. Philip E. Mosely, Professor of International Relations and Director of the European Institute, Columbia University; Paul H. Nitze, Deputy Secretary of Defense; and Thomas Wolfe, Rand Corp., and member of the Sino-Soviet Institute, George Washington University.

U.S. *Congress. Senate. Committee on Appropriations. Subcommittee on Department of Defense;* and *Committee on Armed Services*. Hearings on Military Authorizations and Defense Appropriations for Fiscal Year 1968. 90th Congress, 1st Session, 1967. Part I.

Testimony of Secretary of Defense McNamara, pp. 44–61; 231–241; 260–269. Testimony of Gen. Earle G. Wheeler, Chairman of Joint Chiefs of Staff, pp. 249–252.

U.S. *Congress. Senate. Committee on Armed Services*. Statement by Secretary of Defense Robert S. McNamara on the Fiscal Year 1969–73 Defense Program and 1969 Defense Budget. Prepared January 22, 1968, pp. 41–69, 74–75.

Statement of Defense Department policy with respect to the deployment of an ABM system.

EXHIBIT 3

STATEMENT OF DR. JOHN S. FOSTER, JR., DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING

I am pleased to be here today. I understand that you have requested a discussion of the

technical status of the U.S. ballistic missile defense program.

In discussing the general subject, let me first say that every system we have ever seriously considered for deployment involves the use of radars to detect and track the incoming targets, and the use of these same or different radars to guide ground-to-air interceptor missiles to the vicinity of the targets. There a command from the ground causes the interceptor warhead to detonate and destroy the target. It is clear that such a defense system does not provide a shield which makes a nation impervious to attack, since the interceptors can always be avoided or outnumbered—provided always that the enemy is willing to pay the price in decreased fatalities or increased cost to his offensive effort.

In reviewing the history of ballistic missile defense over the past 10 years, it seems there has always been controversy over its value or lack of value. Of course, if the defense had been a true shield, there would have been no controversy, and we would have made a deployment decision long ago.

The first controversy arose around the question, "Could a bullet hit a bullet?" This phase passed, first when calculations showed the feasibility of such an intercept and later and most definitely when successful intercepts of actual ICBM targets fired from Vandenberg Air Force Base were accomplished by the old Nike-Zeus system in 1962–63. We had 10 out of 14 successful intercepts.

After this "simple" problem was solved, it was realized that the offense would replace the relatively easy-to-intercept single warhead with clouds of objects, or take other deceptive measures. Examples of these objects were decoys designed to look like warheads to the radar, and chaff designed to conceal the warhead in a cloud of light objects. Against those more sophisticated targets there was a necessity for the defense to discriminate among them so as to know which objects to take under fire. Hence many objects might have to be tracked and observed simultaneously. Also, it might be necessary for the defense to wait for atmospheric reentry of the targets and rely on slowdown and burnup of the lighter objects before this discrimination could be accomplished.

The old Nike-Zeus system, when confronted with these more sophisticated targets, had two fatal defects. One was that it used what are now considered to be old-fashioned mechanical radars, which had to be mechanically slewed or pointed at each target in turn—a matter of seconds. One practically had to have a radar for each target. And the Zeus missile could not be delayed in firing until atmospheric reentry of the targets took place, because it was too slow. Hence discrimination could not be aided by atmospheric filtering.

Because of these defects, the Nike X concept was born. First, the mechanical radars of Nike-Zeus were replaced by phased array radars, which by varying the electrical phase of the power over the face of a fixed antenna array could change the direction of the radar beam in a matter of microseconds. This imparted a capability of tracking many objects simultaneously, and thus removed one of the Zeus defects. Second, a very high-performance, short-range-interceptor missile, the Sprint, was introduced. It was smaller, cheaper, and had much higher acceleration than Zeus, and thus could afford to wait until reentry of the targets before being committed to fire. Atmospheric filtering was now feasible and the remaining targets could be attacked with the high firepower Sprints.

The old Zeus interceptor was retained in the system for long-range attacks on simple targets. We now had two interceptors—the Zeus and the Sprint.

The Nike X development, initiated in 1963, was thus much more effective than the old Zeus system. It must be noted, however, that it was essentially a "terminal defense" system. The Sprint could only defend cities or selected sites. Hence, since it is obviously impractical to deploy terminal defenses at every small city or village in the United States, it was subject to bypass attack. An enemy could always target the undefended cities and obtain high casualties. This option was available even to unsophisticated opponents. The sophisticated opponent, by concentrating his firepower, could overwhelm the defense at any selected defended site. The value of ballistic missile defense was therefore questioned.

The next important development in defense effectiveness came with the introduction of "area defense" in the period 1964–65. I would like to define the term "area defense."

The detection sensor is the perimeter acquisition radar (PAR) which detects ballistic missiles at long ranges. The PAR radar tracks the incoming missile and predicts its future path. To intercept the incoming missile, we employ the Spartan missile which is a long-range interceptor developed from the old Nike-Zeus. Once the PAR radar has predicted the future path of the missile a Spartan missile is fired so as to intercept it. This interceptor intercepts the incoming missile well above the atmosphere. Because of its long range the Spartan can intercept incoming missiles directed at targets several hundred miles from the Spartan battery location. The Spartan missile is guided by a missile site radar (MSR) which is associated with each battery.

With the introduction of Spartan, the Zeus interceptor was no longer required—in effect, the Spartan replaced the Zeus.

Comparatively few Spartan batteries can defend the whole United States from simple attacks.

You will note I said "simple attacks." It is still possible for a sophisticated opponent to confuse the defense and make the firepower demands on Spartan too high. In this case, terminal defense Sprints must be relied upon if we are to furnish a defense. The Spartan thus functions in two ways. It can provide a very effective defense over extended areas against simple threats. Against not so simple threats, it provides a defense in depth and is complementary to Sprint. In any case it forces the enemy, if he wishes to penetrate, to pay the price demanded by a sophisticated penetration aids program.

You will note that I have described a flexible set of building blocks consisting of PAR and MSR radars and two types of interceptor missiles, Spartan and Sprint. We also have a very large, sophisticated radar called TACMAR, designed specifically against sophisticated attacks. They can be put together in various ways to provide varying levels of defense against different threats.

For example, if we wished to defend the United States against a large Soviet attack, we would provide an overlay of an area defense such as I have described. As I mentioned earlier, however, it would be necessary to depend primarily on terminal Sprint defense, including TACMARs, at selected cities. A selected city defense (including the area component) would cost about $10 or $20 billion depending on the number of cities defended.

As a matter of technical judgment, I believe that these larger deployments carry with them technical risks. The likelihood of large and sophisticated attacks with the deployment of significant U.S. defenses increases the technical uncertainty of the defensive system. Even with an ABM deployment we would have to expect that in an all-out exchange, dozens of their warheads would likely explode in our cities.

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

Mr. COOPER. I yield.

Mr. JAVITS. I congratulate the Senator for his remarks today, for the following reasons: First, he is not accepting as sacrosanct a decision which has been taken by alleged authorities in the executive branch. One of the most significant developments in recent months here in the Senate, in my judgment is that we are no longer willing to accept blindly even what the Senate Committee on Armed Services brings in with respect to fundamental issues of national security. This is a big step forward. There is too much involved, in peace, security, and competing financial considerations, to justify any continuance of what was almost a tradition of accepting anything proposed by the administration and approved by the Armed Services Committee.

Second, the Senator is taking nothing for granted. It appears to many of us that the "thin" ABM was agreed to give partial satisfaction to those power elements of the Military Establishment—and their champions in Congress and elsewhere—who wanted a full scale heavy ABM system directed against the U.S.S.R.

Next, he challenges some of the intelligence assumptions upon which all of this is based. As the Senator has said, our intelligence experts have changed some of their own earlier estimates. He points out the danger of being leapfrogged technologically on an important and costly security system which, once launched, we might have to continue for a long time, without being able to change direction or take full advantage of subsequent technological breakthroughs.

It was well for our colleague to have dealt with this subject as thoughtfully as he has today. I shall study his suggestions concerning appropriations cuts on deployment items with a view to seeing whether I can join with him in his proposed amendments. I appreciate his having laid it out to stimulate my thinking and, I hope, the thinking of other Senators.

Mr. COOPER. I thank the Senator. It was my purpose to present my views that I arrived at on the basis of the study I have been able to make. I know the intellectual powers and the judgment with which the Senator from New York will study this matter. Whatever conclusion he comes to I know will be based on judgment, reason, and facts, and not just on emotional feelings, as strongly as they appeal to all of us to want to do everything possible to protect the security of the United States. The question is, Will it protect the security of the United States?

The more I have read the testimony of those who have testified in favor of the system, the more I found that there are so many contradictions. All the proponents admit that the installation of the system will lead to a greater pressure to produce more defensive weapons which can cope with any system which could be installed.

Mr. JAVITS. I thank the Senator.

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

Mr. COOPER. I yield.

Mr. CASE. I, too, commend the Senator and, in my case, join with him at least as far as he has reached his own determination in opposition to the anti-

ballistic missile system, both the large system which is not being immediately projected and the so-called thin system.

It seems to me the Senator has pointed out many things that needed to be said, and he has correctly posed the issue as this: Will what is proposed add to or lessen the security of the United States? Will it increase or decrease the possible destruction of human life?

In this connection I would put to the Senator a specific argument by, I think, the chairman of the Joint Chiefs of Staff in some testimony I have read or heard, to the general effect that an antiballistic missile system might save the lives of some 30 million to 60 million Americans, and would it not be worth putting into effect for that reason, even if hundreds of millions of people were killed? This is not a precise statement of the argument, but it is the substance of it.

There is, I know, in the Senator's mind, a very specific answer to this argument. He has answered it already, in fact, in the way he has made his statement, but I wonder if he would comment on that specific point.

Mr. COOPER. I did not discuss in detail, in the limited time I had, every phase of the system and the arguments for it and the arguments against it. For that reason, I had said I would place in the RECORD the testimony of former Secretary McNamara on this subject. It is not too long. It gives very concisely the facts as far as we understand them on the question which the Senator has raised. It is one which we have discussed, and one which has bothered me and to which I have given much thought.

I think the testimony is clear that the installation of a heavy ABM system to try to meet a Soviet attack would do little to save human life, because, if the Soviet Union made a first strike, with or without an ABM system, millions and millions of our people would be destroyed.

I do not think it would have any effect at all upon the ABM system.

There is, however, a table in this testimony which deals with estimated U.S. fatalities from a possible Chinese first strike. It is stated that if seven or eight Chinese intercontinental ballistic missiles were launched against the United States, without a Sentinel system, 15 million American lives would be lost; and that with the Sentinel system, the loss of life might be held down to 1 million. That is, in my view, the strongest argument and the only argument for the installation of this system.

But against that, there is certainly some elementary reasoning. By 1974 or 1975, when the Chinese might be able to fire seven or eight intercontinental ballistic missiles at the United States, knowing that the United States has today 1,710 missiles and, of course, will be producing more; and realizing the effectiveness of those missiles, which number will be tripled or, perhaps multiplied by 10, when MIRV is introduced.

I do not know how irresponsible we think the Chinese are; but it would be hard for me to believe that they would fire 10 missiles at the United States, knowing they would as a result be literally wiped off the face of the earth.

Then, if we have installed this ABM system, and the Soviet Union begins to worry about our installation of the system, it would, in turn, of course, install one. We would then respond and install a heavier one, and nothing would be accomplished as far as our protection against the Soviet Union or their protection against us is concerned, except a multiplication of arms.

Mr. CASE. And the point, of course, as the Senator has just pointed out, is that the risk of the loss of life will be much greater, in total, because we will not be dealing with a static situation, one which we can keep within our control, which will stop developing when we build our light system.

Therefore, it is not only a question of possibly saving 15 million American lives, or whatever the number from a Chinese first strike, but of the danger to 200 million Americans and hundreds of millions of others in other countries, which will be so much greater from the accelerated development in numbers and types of missiles all over the world, and particularly vis-a-vis the Soviet Union.

Mr. COOPER. I think so. There again, I refer to Secretary McNamara, who was speaking to the committee upon the basis of hard intelligence.

He admitted that after this so-called thin system is installed, one which he believed would be sufficient or effective in the middle 1970's, then the Chinese could improve their intercontintental ballistic missiles, and then the United States would have to extend its thin system and make it a heavier system even to keep up with the growing destructive capabilities of the Chinese. Of course, that would inexorably move into the complete system which it is said by some would protect us against a Soviet attack.

Mr. CASE. One further question, if the Senator will yield.

Mr. COOPER. Yes.

Mr. CASE. Is it not the Senator's understanding, as it is mine, that the top scientific advisers to the executive department for the last several administrations have unanimously agreed in advising against the deployment of either a full or a light antiballistic missile system?

Mr. COOPER. I have been so informed, and I have heard at least one of those advisers say that all those who had been the principal scientific advisers of President Eisenhower, President Kennedy, and President Johnson had advised against taking this step of deploying an antiballistic missile system. I am sure that is the Senator's information also.

Mr. CASE. That has been my experience also. In fact, two of them have spoken to me in those terms.

I thank the Senator from Kentucky. I commend him for his statement, and wholeheartedly join him in it.

Mr. COOPER. Mr. President, I yield the floor.

Mr. THURMOND. Mr. President, during the past few days we have been hearing an increasing number of rumors about the methods that would be employed by the President to effect a $6 billion reduction in the fiscal year 1969 budget. This reduction is the required trade off that the Congress imposed last month in return for enacting legislation to authorize a 10-percent surtax.

Recently, I heard from a good authority that there is an unannounced administrative policy decision to take the bulk of the $6 billion cut out of expenditures for defense. Moreover, it is well known that military authorities in the Pentagon are now reviewing their requirements in an effort to reduce the budget. In this regard, it has come to my attention that large hardware items are particularly vulnerable for reduction, and that the Army's Sentinel project—the "thin" ABM defense—is a certain target.

In that connection, today's issue of the Washington Post carries a column by Evans and Novak entitled "ABM Project Due To Bear Brunt of Cuts, Sparing Great Society." We are all familiar with the administration's policy of "leaking" news on controversial subjects to the newspapers as trial balloons to sample public opinion. This is an apparent case, and I think that it is important to flush the issue out of the conjecture stage and into the open for a clear scrutiny.

I ask unanimous consent to have printed in the RECORD the article entitled "ABM Project Due To Bear Brunt of Cuts, Sparing Great Society," written by Rowland Evans and Robert Novak, and published in the Washington Post of June 13, 1968.

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

ABM PROJECT DUE TO BEAR BRUNT OF CUTS, SPARING GREAT SOCIETY

(By Rowland Evans and Robert Novak)

A still undisclosed scheme to eliminate all new money for the embryonic anti-ballistic missile (ABM) system is the first dramatic step of President Johnson's grand strategy for complying with congressional economy strictures without cutting into Great Society spending.

The opening wedge of that strategy is an amendment to the Defense Appropriations bill that Sen. Philip A. Hart of Michigan plans to offer, eliminating the entire $1.2-billion appropriation for the ABM Sentinel project. That would result in an estimated half-billion-dollar cut in spending for the new fiscal year (starting July 1).

What makes this a significant move in the tortuous game of budget-cutting between Congress and the White House is the origin of the ABM ripper amendment. It was scarcely Phil Hart's own idea. Rather, the White House asked Hart, a dependable Administration wheelhorse, to put in the amendment when the defense money bill reaches the Senate floor in late June.

Moreover, the President's effective postponement of the Sentinel ABM program is but one part of his undeclared policy to take the bulk of the 6-billion reduction in expenditures out of defense. Because of this decision, word has been passing in the highest levels of the Administration that Great Society and other social welfare programs will not be further reduced to make up the $6 billion.

From the moment that Mr. Johnson announced on June 1 that he would most reluctantly accept the congressional mandate for $6 billion in spending cuts to get $10 billion

in higher taxes, his top budgetary experts have been looking around for ways to insulate the Great Society. Examining and discarding numerous gimmicks to circumvent the congressional edict, they glumly decided that the congressional order to cut $6 billion was ironclad.

From that conclusion flowed the unannounced policy decision to cut into an already pared-down Pentagon budget to satisfy congressional demands.

Of the $4 billion in spending reductions that the President originally insisted would be the maximum he would accept, $2 billion was to have come out of the Pentagon—a figure, it was then said, that could go no higher. Now, however, the defense cut will be at least $3 billion and possibly more. The rest of the spending cut will come out of foreign aid, space, and other non-social welfare items, according to present plans.

Consequently, Pentagon staffers have been working overtime in recent days to find additional sources for reducing their budget. There are not many. For instance, a further reduction of U.S. troops in Europe, while winning hurrahs on Capitol Hill, wouldn't make much impact on the current spending budget.

That leaves big hardware items: the manned orbiting laboratory and, more important, the Sentinel project, which always has had more than its share of enemies inside the Pentagon. But Mr. Johnson did not wait for the Pentagon's considered judgment. Instead, he decided on the Hart ploy.

Hart tried to keep his proposal a secret, at least until the Senate Appropriations Committee finished work on the defense money bill—perhaps today. Whether he then planned to surface it overtly as a White House proposal or to disguise it as his own, is not known.

In any event, Hart and the White House have one hard argument on their side: The Chinese intercontinental missile, which the Sentinel is supposed to guard against, is now some nine months overdue.

Furthermore, all the elements of political gamesmanship will be on Mr. Johnson's side. He will be asking the economy-minded Congress to cut an item put into the budget partly because of pressure from conservatives in the House. If Congress refused, he could still impound the funds and point to congressional refusal to cut spending when it really counted.

Nor is there much of a popular constituency today lobbying for anti-missile systems, whatever their importance to the country's survival may be. The pressure, rather, is for no further cuts in Great Society spending, and that is what Mr. Johnson also is bent on avoiding.

Mr. THURMOND. Mr. President, my colleagues will note that the Evans and Novak article predicts that an amendment eliminating the entire $1.2 billion for the Sentinel antiballistic missile project will be introduced. Today the distinguished Senator from Kentucky has stated that he expected to offer such an amendment. I have also heard it rumored that the distinguished Senator from Michigan [Mr. HART] might offer such an amendment. This possibility reminds me of Senate action taken on April 18 when S. 3293—appropriations for procurement of missiles, aircraft, naval vessels, tracked combat vehicles, and research and development—was acted upon. My colleagues will remember two separate attempts to block work on the Sentinel system.

The first attempt was an amendment to drop $342.7 million for the Sentinel from the Army's procurement funds. This was rejected by a 17-to-41 rollcall vote. The second attempt was an amendment to prohibit deployment of an ABM system until the Secretary of Defense certified that it was practicable and that its cost was known with reasonable accuracy. This amendment was defeated by a very close vote of 28 to 31.

It is apparent from the action of last April, that many of my colleagues were, at that time, ready to delay the deployment of the Sentinel system sacrificing the prompt installation of this sorely needed vital defense system on the altar of economy. In my opinion, the climate of protest now so evident in the Nation's Capital might serve to influence even more Senators to vote against the ABM when the defense appropriations bill comes up for approval. In an effort to emphasize the importance of the Sentinel system, and to forestall any precipitous action that might result in an impetus wave of economy, I should like to discuss the need for ABM defense of this country in some detail.

The U.S. ABM system has been under development for more than 10 years. It was only through the pressure of the Congress that the administration finally dropped the foot-dragging policy that had caused delay after delay in the authorization of the deployment of the antiballistic missile defense system. Senators will recall this long and tortuous fight from the following summary:

Mid-1950's. Each year Congress provided funds for ABM research and development. By 1967, a total of $2.8 billion had been spent on Nike-Zeus and Nike-X.

1963. In the first secret session of the Senate since World War II, Senators were briefed on our strategic posture and were warned that the Soviets had a prototype ABM system. The Senate Armed Services Committee added an amendment to the annual procurement bill, authorizing appropriation of $196 million to begin procurement of ABM parts. At the instigation of the administration, this amendment was struck on a rollcall vote—58 to 16.

1966. At the insistence of the Senate Armed Services Committee, Congress approved $167.9 million for ABM procurement. Secretary McNamara had not asked for these funds and did not use them.

November 10, 1966. McNamara announced that the Soviets had begun deployment of an ABM system around Moscow.

January 1967. President Johnson stated that no deployment of a U.S. ABM system would be made until completion of the arms control negotiations with Russia. Secretary McNamara's military posture report to the Congress contained a lengthy argument against deployment of a complete, Russian-oriented ABM system. He stated that it would be wasteful and ineffective, and it would disturb the strategic balance. Two days later, Gen. Earle Wheeler, Chairman of the Joint Chiefs of Staff, disagreed with the Secretary of Defense, and recommended "a measure of defense" for the country.

1967. Congress approved the following amounts for the fiscal year 1968 military budget:

[In millions]

ABM procurement	$297.6
ABM R and D	421.3
ABM construction	64.0

June 17, 1967. Red China detonated its first hydrogen bomb. Public pressure for immediate installation of ABM defense mounted.

September 18, 1967. Secretary McNamara announced the decision to deploy a "thin" ABM defense system—the Sentinel—oriented against the Communist Chinese threat that would exist by the mid-1970's. He justified this step on the grounds that the Chinese might "miscalculate," but failed to admit that the most dangerous threat to our security would be a similar miscalculation by the Soviet Union.

At this point, Mr. President, I should like to document the history of ABM development by placing in the RECORD a speech given by Dr. Finn Larsen, Principal Deputy Director, Defense Research and Engineering, Department of Defense, at Millsaps College, Jackson, Miss., on January 10, 1968. I ask unanimous consent that this address, entitled "The Deployment of Nike Sentinel," be printed at this point in the RECORD.

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

THE DEPLOYMENT OF NIKE-SENTINEL

(Address by Dr. Finn Larsen)

On September 18 the Secretary of Defense announced that a decision had been made to deploy throughout the United States an Anti-Ballistic Missile System. In light of the interest that this decision has engendered I welcome the opportunity to speak to you on this subject.

The original need to provide a defense against ballistic missiles came in the 1940's with the introduction of the German V–2 short-range ballistic rocket, and the experience subsequent to World War II with this class of weapon confirmed the importance of a defense. By the middle 50's the potential threat to the United States had become serious because of the extension of missile ranges to intercontinental distances. The threat presented by the ICBM is unique because of the ICBM's speed and thermonuclear warhead. Traveling at four miles a second, an ICBM can reach this country in 30 minutes compared to the hours previously required by enemy bombers. For almost a decade the ICBM was considered by many to be a weapon against which defense was impossible.

Every ABM system we have ever seriously considered for deployment involves the use of radars to detect and track the incoming targets, and the use of these same or different radars to guide ground-to-air interceptor missiles in the vicinity of the targets. At the point of nearest approach to the ICBM, a command from the ground causes the intercepting warhead to detonate and destroy the target. It is clear that such a defense system does not provide a shield which makes a nation impervious to attack, since the interceptors can many times be outnumbered—provided always that the enemy is willing to pay the price of decreased fatalities or increased cost to his offensive effort.

In reviewing the history of ballistic missile defense over the past ten years, it seems there has always been controversy over its value or lack of that value. Of course, if the anti-missile defense had been an invulnerable shield, there would have been no controversy, and we would have made a deployment decision long ago.

The first controversy arose around the question "could a bullet hit a bullet?" This

phase passed, first when calculations showed the feasibility of such an intercept and later and most definitely when successful intercepts of actual ICBM targets fired from Vandenberg AFB were accomplished by the old Nike Zeus system in 1962–63. We had 10 out of 14 successful intercepts.

About the time this "simple" problem was solved, it was realized that the offense would replace the relatively easy-to-intercept single warhead with clouds of objects, or take other deceptive measures. Examples of these objects were decoys designed to look like warheads to the radar, and chaff designed to conceal the warhead in a cloud of radar-reflecting objects. Against these more sophisticated targets it was necessary to discriminate among them to know which objects were incoming warheads. Therefore many objects had to be tracked and observed simultaneously. If high altitude discrimination was unsuccessful, it was necessary for the defense to wait for the targets to reenter the atmosphere and to rely on slow-down or burn-up of the lighter objects before the discrimination could be accomplished.

The old Nike-Zeus system, when confronted with these more sophisticated targets, had two major defects. One was that it used, what are now considered to be old-fashioned, mechanical radars, which had to be mechanically slewed or pointed at each target in turn—a matter of seconds. A radar for each target was almost a necessity. The second defect was that the Zeus missile launching could not be delayed until atmospheric reentry of the targets took place, because it accelerated too slowly to possibly reach its incoming target in time. Hence discrimination could not be aided by atmospheric filtering.

At about the time these defects were recognized, three developments were reaching the point where their application might overcome shortcomings in the Zeus system. First, by the early 1960's phased array radar technology, with its instantaneous electronic beam steering, was demonstrating that it could overcome the low traffic handling capacity of the mechanically slewed radars. One radar could now track hundreds of objects in space simultaneously. Second, new, large computers provided vastly improved data processing technology which enable an ABM system to handle the increased information provided by the improved radars. And, lastly, a small, very high acceleration missile was conceived which, because of its speed, need not be launched until enemy objects had penetrated the atmosphere and the atmosphere had filtered the heavy objects, like warheads, from the lighter objects such as decoys, chaff, etc. This new missile was named SPRINT, and the new concept was called Nike-X. In January of 1963 the Secretary of Defense directed the Army to pursue Nike-X as its highest priority development effort.

In spite of these quite significant developments, it was not yet time to deploy an ABM system, for at best what we had was a terminal defense, one which could only defend the city or installation near which it was deployed. It was not until the introduction of a long range missile called Spartan that an area defense became possible. With a high yield warhead and the ability to reach hundreds of miles into space, Spartan missiles may be deployed at relatively few (15–20) locations in the United States and still protect the entire country. With the addition of the Spartan, we had all the ingredients necessary to assemble an effective defense against a limited ballistic missile threat: PARs (Perimeter Acquisition Radars) to provide long range acquisition and tracking of the threat cloud and perform simple discrimination functions; MSRs (Missile Site Radars) to track targets, track and guide defensive missiles, and provide limited surveillance and discrimination; long range Spartan missiles to attack the threat cloud outside the atmosphere; short range Sprint missiles to attack the enemy warhead within the atmosphere; and the data processing technology required to tie the hardware together into an effective system.

I stated that these ingredients could provide a defense against a "limited ballistic missile threat." This phrase needs explanation. To explain requires that we examine our offensive capability, for the military planner must consider the offensive and defensive capabilities together. An increase or decrease in one invariably permits or requires a variation in the other, the sum of which may result in a reaction from a potential enemy such that the threat picture changes—and the planner must start over again.

The cornerstone of our strategic policy is to deter deliberate nuclear attack upon the United States, or its allies, by maintaining a highly reliable ability to inflict an unacceptable degree of damage upon an aggressor, or combination of aggressors, at any time during the course of a strategic nuclear exchange—even after absorbing a surprise first strike.

We call this our "assured destruction capability," and it will remain such as long as we maintain both the equipment (missiles, bombers, submarines, etc.) and the *will* to use it. This latter, of course, determines the credibility of our assured destruction without which we become a strategic "paper tiger."

Let us take a look at our strategic posture vis-a-vis that of the second most powerful nation on the earth today, the Soviet Union. Our forces are immense: 1000 Minuteman missiles; 656 missile launchers carried aboard Polaris submarines; and about 600 long-range bombers, approximately 40% of which are always on alert. Our alert forces alone carry more than 2200 weapons, averaging more than one megaton each, and only 400 one-megaton weapons are sufficient to destroy over one-third of the population of the Soviet Union and one-half her industry. These forces are more than those required to absorb a surprise attack by the Soviet Union and still inflict damage on the Soviet Union such that she is no longer viable in any meaningful twentieth-century sense. That ability is called "second strike" capability.

What are the relative Soviet situations? They are in essentially the same position. Although we have a substantial nuclear superiority over the Soviet Union, by a factor of about four to one, they also possess a "second strike" capability for precisely the same reason that we possess one. The result is that neither the Soviet Union nor the United States can attack the other without being destroyed in retaliation. Surely, this is the strongest possible motive for each to avoid a nuclear war.

What then might be the effect on this "balance" of deploying an ABM system by either protagonist? At current prices and with today's state-of-the-art, it costs approximately the same in money and other resources for the offense to re-establish the balance as it costs the defender to install his ABM system. Either can do this by one of several means: increase the number of bombers and missiles, provide them with penetration aids, increase the hardness of ICBM silos, disperse the silos, or improve the mobility of nuclear forces, to cite but a few. The net result would be that both protagonists would spend a great deal of money without improving their relative positions. In this fashion the Soviet Union and the United States influence one another's strategic plans. It is this action-reaction phenomenon that can initiate an arms race.

Were it technically feasible to develop an impenetrable ABM system, the foregoing would no longer be true; but the inescapable fact is that no ABM system in the foreseeable future will prove 100% effective against a determined, sophisticated attack. For these reasons this nation has decided against deploying an ABM system to counter the Soviet nuclear threat. We have chosen, rather, to propose a strategic arms-limitation agreement. I am sure you will agree that both nations—the world, in fact—would benefit from such agreement, first to limit, then reduce, strategic nuclear forces. I think we may be confident that, if agreement is not possible, both the United States and the Soviet Union, will maintain their assured destruction capabilities.

We have, however, announced a decision to deploy an ABM system and, at the same time stated that we cannot protect our cities from a Soviet ballistic missile attack. What is the purpose of our light ABM system called Sentinel? The primary objective is that of achieving protection against nuclear capability of Communist China. China detonated a nuclear device in October 1964 and has since detonated six more. We have evidence that they are devoting substantial resources to the development of missile delivery systems. It is likely they will have an initial ICBM capability in the early 1970's and a modest force in being in the mid-1970's. These weapons will be crude, similar to our first ICBM's.

Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack, which means that at modest cost we would in fact be adding even greater effectiveness to our offensive missile force and avoiding a much more costly expansion of that force.

We cannot be sure why the Red Chinese wish to develop an ICBM system but the development may be for two reasons: the international prestige that goes with the possession of a nuclear capability and, more importantly to provide a basis for threatening her neighbors. Of course, this is only conjecture since, although we have some ability to monitor China's development effort from the technological point of view, it is impossible for us to determine the intent behind their effort. The Communist Chinese effort has been followed for several years and we waited as long as was prudent before deciding to deploy our Sentinel system. The determining factors were the lead times involved. We estimated as accurately as possible the date the Chinese would have an operational ICBM, and then backed off from that date the time it would take to have our Sentinel system in operation. By placing Sentinel in production early this year, the operational dates will coincide.

You may wonder why we deploy an ABM system to counter the Red Chinese threat when we discarded it as a rational course of action with respect to the Soviet Union. The answer is that only the passage of time will provide us with proof of Chinese intent, and military planners must be conservative, and secondly, we can provide an effective defense against any Chinese attack possible in the 1970's.

The United States now possesses and will continue to possess for as far as we can see into the future an overwhelming strategic superiority over Communist China, and the Chinese know that fact. However, it is conceivable that Chinese leaders at some future time might risk destruction by attempting nuclear blackmail against the United States in order to gain concessions, perhaps in Southeast Asia. If we had no defense, they might gamble that we would never accept the destruction of one of our cities in exchange for concessions so far removed geographically.

Although we know that the Chinese Communist leaders understand the devastation which the use of nuclear weapons by China could bring home to the Chinese mainland, we have no reason to believe that they will be any less cautious than the leaders of

other nations with nuclear weapons, hostile action by Red China is not totally inconceivable. We can deploy, for a cost we can well afford (approximately 5 billion dollars), an ABM system which, against the Chinese threat, will remain effective with foreseeable improvements at least until the 1980's. We have decided to deploy that system.

Moreover there are other benefits to be derived from the deployment of Sentinel. By deterring Communist China from nuclear blackmail, we hope to discourage nuclear weapon proliferation among the present non-nuclear nations of Asia. A second benefit I have already mentioned—the option of providing additional protection of our Minuteman sites, even against a Soviet attack, which will improve our assured destruction capability. And, lastly, Sentinel is reliable enough to add protection for our population in the unlikely event of an accidental launch of an ICBM by any power.

The deployment of a system such as Sentinel can lead to mistaken attitudes about our military posture. One possible attitude is an inclination to treat Sentinel as a cure for all our military problems. This should certainly not be the case. Sentinel provides a defense against a narrow portion of a very broad threat spectrum, and then only in a unique set of circumstances. It is a strategic nuclear weapon and, by no means, can Sentinel serve as a substitute for conventional forces to deal with the far more likely type of threat to the security of the free world. In cautioning against this danger last fall when he announced the decision to deploy Sentinel, Secretary McNamara noted that "The so-called heavy ABM shield—at the present state of technology—would in effect be no adequate shield at all against a Soviet attack, but rather a strong inducement for the Soviets to vastly increase their own offensive forces. That . . . would make it necessary for us to respond in turn—and so the arms race would rush hopelessly on to no sensible purpose on either side."

A second potential danger stems from the possibility of forgetting the purpose for which Sentinel has been designed: to counter an emerging Communist Chinese threat. It will be quite easy to fall into this trap with a system such as Sentinel because it consists of a flexible set of building blocks—the two types of radars and two types of interceptor missiles—which can be assembled in various combinations and numbers of provide varying levels of defense against different related threats. Now that we have a system that will work, there will be pressure to expand Sentinel, by adding more and more radars and missiles, into a heavy Soviet-oriented ABM system.

This we must not do. I remind you of the action-reaction phenomenon. It can only result in a great deal of expenditure by both the United States and the Soviet Union with, in the final analysis, no improvement in the relative strategic position of either.

There is a third dangerous concept which is of particular interest to me in my position as Deputy Director for Defense, Research and Engineering and that is the danger of thinking that we can allow a relaxation in research and development in the broad field of defense against ballistic missiles because we are about to deploy an operational system. To date this nation has spent approximately four billion dollars on ABM Research and Development. Our current level of effort runs to approximately one-half billion dollars a year in R & D alone. We intend to maintain this level of effort. We cannot afford the luxury of imagining that we have reached some sort of ABM technological plateau. We cannot afford to become complacent—I believe we will never develop an impenetrable ABM shield regardless of the sophistication of the attack and the dedication of the attacker; or, and vitally important, until we can reach an enforceable agreement with the rest of the community of nations to outlaw nuclear weapons entirely.

I have talked about the history of ballistic missile defense and the rationale behind the decision to deploy Sentinel. I would like to address a few points frequently raised by the detractors, the people who feel we should not deploy the Sentinel. Their reasons are nunumerous, for example some believe that the system is either too expensive in terms of the benefit to be derived; others that the interceptor warheads exploding overhead will cause casualties; still others, that the system is provocative to the Russians, for example.

One question frequently asked is: "How do you know if the system will work, since there's no way to test it without violating the ban on atmospheric nuclear testing?" The warheads for both the Spartan and Sprint missiles can be tested quite adequately underground. It is not necessary that they be tested in or above the atmosphere. The remainder of the system will be tested at Kawjalein Atoll in the Pacific where sites are under construction and where we have been conducting similar missile and radar tests for research and development purposes for some years.

The claim has been made that our own population will suffer casualties from the Spartan and Sprint warheads detonated overhead. There are three effects to consider: Flash, blast and radioactivity. When the warhead explodes there will be a bright flash of light. Most of the population underneath would scarcely notice it. If anyone were looking in that part of the sky, there is a possibility that the flash could temporarily blind him, but there would be no serious after-effects.

Because the high yield bursts take place above the atmosphere, there would be little or no blast. The effect would be like a sonic boom.

There would be no significant fallout from the radiation emitted at the time of the explosion. If dozens of defensive bursts occurred, they would deposit radioactivity in the atmosphere. There would be no harmful short term effect and the long term effect would be negligible—very similar to that experienced from our test series in 1962.

Although the Sprint warhead would explode in atmosphere, it would not cause ground damage because of its low yield.

Another point that arises from time to time is whether we *really* expect the Soviets to believe that the Sentinel system is not aimed at them, and if they do not believe it, is it not an escalatory move on our part? Frankly this is difficult to assess. We have no positive assurance that they believe the system is designed to protect us against Chinese missiles. We hope that they believe us and we are counting on their sophisticated knowledge and their years of experience in the field. It should be quite obvious to the Soviets from the technical design of the system and the deployment plans that will be made public that the system is Communist Chinese-oriented and not Soviet-oriented.

A question that may have been raised in your minds is: "If Red China continues to progress at her current rate in strategic weaponry, how effective will Sentinel be in the 1980's and later?" First, let me say that we will have maintained our superiority through that or any time period. Nevertheless, the point is a good one because the technical gap will have narrowed. As the Chinese Communists improve their technology and increase their forces in number, we may expect them to have developed their own "second strike" capability; and the dangerous period of possible irrationality will have passed. The result then may be a U.S.-Chinese impasse similar to that existing today between ourselves and the Soviet Union.

In closing, I would like to make two significant points. First is that we in the Department of Defense earnestly believe that an enforceable strategic arms-limitation agreement is a desirable first step toward the eventual abolition of nuclear weapons. To quote Secretary McNamara: "What the world requires in its 22d year of the Atomic Age is not a new race toward armament.

"What the world requires in its 22d year of the Atomic Age is a new race toward reasonableness."

Secondly, the decision to deploy the Communist Chinese-oriented Sentinel system is not another lap in the race toward armament, but rather a protective umbrella which enables us to get on with the race toward reasonableness.

Mr. THURMOND. Mr. President, while Doctor Larsen's historical account of the development of the Sentinel system is very good, I am not in agreement with some of his philosophy concerning Soviet and Red Chinese reactions to its installation.

An excellent refutation of the philosophy that antimissile systems spur the arms race appeared in a feature article of the November 1967 issue of Air Force magazine. The article entitled "The Case for the Defense," was written by Mr. J. S. Butz, technical editor of Air Force. He pointed out that, whether we like it or not, both offensive and defensive technologies are advancing. Mr. Butz warned that we should not be trapped in an "all-offense" posture and that the path to security required a technologically advanced, balanced offensive-defensive posture.

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

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

THE CASE FOR THE DEFENSE

(By J. S. Butz, Jr.)

The proposal by Secretary of Defense Robert S. McNamara that the U.S. produce and deploy a so-called "thin" antiballistic missile (ABM) defense system has provoked a crossfire of pro and anti arguments. Very little of the discussion has succeeded in hitting the real target, which is the proper relationship between strategic offensive and defensive capabilities in a U.S. strategy that aims at deterring all-out nuclear war under conditions favorable to U.S. interests.

No military problem has ever captured the attention of the United States—and the world—as has the problem of defending against nuclear missiles. The Vietnamese War has been a strong diversion, but there is much evidence that more people are concerned about the consequences of nuclear war than about any other problem mankind has ever faced.

Sadly, the potential threat is far better understood than are the alternatives, either for removing the threat or for living with it. Part of the problem is that nuclear strategy discussions tend to become complicated. Partly this is due, in Mr. McNamara's words, to the "psychologically unpleasant" aspect of the problem. People simply don't like to think about the "unthinkable." But mostly the lack of understanding stems from the fact that only bits and pieces of the range of alternatives in nuclear strategy are debated publicly.

After reviewing the commentary triggered by the action on a thin defense, one can only conclude that the public is ill-informed on several vital strategic factors. The extent of misinformation is serious. It is almost totally blocking public awareness of what lies ahead for the United States in the next twenty years.

For example: It is widely argued that installing any kind of a U.S. ballistic missile defense system—thin or thick—will generate a new arms race. Unfortunately, the opinion has become so widespread that there is a solid scientist/civilian administrator front holding the line against a missile defense on the grounds that it would lead to a new arms race. The adversary is pictured, not as the Soviet Union or Red China, but as a mythical and ill-defined U.S. "military-industrial complex."

The truth is that the United States and the Soviet Union have long been heavily engaged in the most rapid, expensive, and potentially most dangerous arms race in recorded history. Somehow, as the accusations fly over the "illogic" of the ABM, this central fact of our time is ignored.

Nothing short of an agreement on total disarmament can stop this race. It will churn on even if defensive missiles are never emplaced, even if the nuclear proliferation treaty is signed tomorrow. Nothing being done today by our government, the Soviet government, or any other government can head off this race.

The race centers on offensive weaponry, and it is being forced by the apparently unstemmable revolution in science and technology that is making every weapon obsolete before it can be deployed. There is no secret about the pace that technology is forcing. Long-range missiles have been operational for only ten years; yet the first generation (Atlas and Titan) has been retired, the second generation (Minuteman I, II, and Polaris) is in service, development is well under way on the third generation (Minuteman III and Poseidon), and the fourth generation is well in the planning stage.

Officially, the need for most current improvements in these offensive systems is laid at the door of the Russians with their development of a missile defense. Somehow the idea has spread that our current offensive missiles in their silos and submarines are going to last a long time if the status quo can be maintained.

Two developments in offensive technology negate this idea. Massive changes in pace and direction must soon be made. The existing systems must be replaced almost entirely in the next decade if the U.S. strategic missile forces are to remain safe.

The first development is a three-way combination of guidance and mapping improvements and development of the cluster or multiple warhead. Satellite mapping has made it possible for the first time to locate targets with an accuracy of a few hundred yards. Today's guidance systems almost match this precision, while ten years ago they had an error of more than one mile after a flight of 5,000 miles. With current accuracy a small nuclear weapon can be used to knock out a missile buried in a hardened silo. When a series of such weapons is clustered in a single missile, it becomes possible for a relatively small offensive force to destroy large numbers of hardened missiles. Since Soviet ICBMs have heavy payloads, they stand to reap big benefits from this technology.

The eventual development of this situation comes as no surprise to the technical and military communities. Dr. Ralph Lapp warned in congressional testimony in 1960 that hard-target accuracy was inevitable. By 1962, scientists predicted in the open literature that such a capability would be here before the end of this decade.

The counteraction for improvements in guidance accuracy also have been discussed for years. One either builds harder silos, installs defensive missiles to protect the silos, or moves the offensive missiles out onto mobile carriers. The Air Force has asked that the fourth generation of ICBMs be mobile and has explained its requests to DoD and the Congress.

Satellite reconnaissance is the second technical development that will force multibillion dollar changes in offensive systems. It has been established through high-altitude aircraft experiments, as well as satellite flights, that several instruments operating simultaneously in the visible, infrared, and radio portions of the electromagnetic spectrum can show variations in the surface radiation patterns of land and sea well enough to reveal a great deal of what is going on underneath.

For example, certain underground rivers and tunnels can be spotted, and large bodies, such as schools of fish or submarines, can be "seen" under the water to a depth of more than 200 feet.

When this equipment reaches operational use in satellites, and it undoubtedly will in the 1970s, much of the submarine's protection will be gone. The only answer will be to build a new fleet of undersea boats which can operate at greater depths than those of today.

CASE FOR THE DEFENSE

The cause of misunderstanding on nuclear war strategy and the relative merits of offensive and defensive weapons can be traced back to one point on which there seems to be universal agreement. This crucial fact is that no foolproof, airtight defense against missiles is possible with today's technology or with foreseeable technology.

Two basic lines of thought have grown out of this situation. One is that only a perfect defense is worthwhile in nuclear war, because even if only ten percent of the attacking warheads reach their targets they will wreak unacceptable devastation. According to this theory, it is most logical to put all resources in the offensive forces.

US nuclear policy has been built on this idea, and the objective, according to Mr. McNamara, has been to create an "actual assured destruction capability" that is "credible." That is, the US has built a force of offensive missiles so large there is no doubt it could withstand a first strike by any enemy, or combination of enemies, and still deliver such a blow to the aggressor that "his society is no longer viable in any meaningful, twentieth-century sense."

In this "all-offense" concept the only credible deterrence to nuclear aggression lies in the threat of an overwhelming counter-attack. A US ABM is considered a destabilizing force because it degrades the enemy's offense to some extent and forces him to install more attack missiles. And in any arms race, to gain a nuclear advantage the offense is in the favorable position because ICBMs are cheaper than an improved defense.

Opposition to a ballistic missile defense over the years has been voiced by such scientific policy advisers as Doctors Killian, Kistiakowsky, Wiesner, Hornig, York, Brown, and Foster—men who have served in the top science posts in the DoD and White House. The theory has been that a missile defense is of no real importance against nuclear powers at any stage of development, China included. The fact that the Soviets started installation of a defense system more than a year ago also is of no consequence. This, the anti-anti school holds, is simply a costly Russian mistake. In this theory the only viable deterrent to the use of nuclear weapons is the threat of an overwhelming counter-attack.

The ultimate objective of this policy is to work for and maintain a balanced nuclear deterrence between the great nuclear powers while seeking disarmament through negotiation.

A second nuclear strategy concept has developed which is in direct opposition to the one espoused by the United States until the decision last month to deploy a thin defense. In this second theory, missile defense has several beneficial roles, and it is a stabilizing rather than a destabilizing force.

The top US military authorities, a significant percentage of the US scientific community, and apparently the key men in the Soviet Union are exponents of this theory.

For the past two years, according to Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, the JCS has recommended unanimously that the US deploy a missile defense that is stronger than the thin system now proposed by the Administration but less dense than the so-called "thick" defense whose price-tag is $40 billion, spread over a ten-year period.

General Wheeler has been specific in presenting the reasons for the JCS view to the Congress. The Joint Chiefs fear that failure of the US to field an ABM will lead to Soviet and Allied belief that we are interested only in the offensive, that is, first strike, or that our technology is deficient, or that we will not pay to maintain strategic superiority. If the Russians are in sole possession of the ABM, it is considered possible that they may come to believe that their defense system coupled with a nuclear attack on the United States would limit damage to them to an acceptable level. While this acceptable damage level is an unknown, if it is ever reached our forces will no longer deter and the first principle of our security policy would be gone.

The JCS also believe that some form of ABM is needed to reduce the chances that a new nuclear power, such as China, could destroy several US cities at will with an unsophisticated missile force. Such a thin ABM also would provide a high probability that any missile launched by accident could be stopped.

Finally, the JCS believe that damage to US cities by a nuclear strike could be reduced in a meaningful way with an ABM system. General Wheeler, last February, stated that despite the mass destruction, "one nation will probably survive in a nuclear exchange. The thirty, forty, or fifty million American lives that could be saved by Nike-X, therefore, are meaningful, we believe, in every sense of the word."

Significant support for the JCS view exists in the US science community. All scientists do not accept the "all-offense" theory. In congressional hearings this year, Dr. Michael M. May, Director of the Lawrence Radiation Laboratory, strongly backed the deployment of an ABM. In an exchange with Sen. Joseph S. Clark (D.-Pa.), Dr. May said that from the standpoint of deterrence it might make sense to put available funds into the offense rather than build an ABM. But, he added, "let me take up the question of what if war actually occurs; what if deterrence fails? In that case, even an imperfectly effective ballistic missile [defense] system with shelters will certainly save some tens of millions of lives. . . ." Senator Clark replied, "So what you are saying is, instead of having fifty million Americans killed you have only ten million Americans killed. . . . To me this is just nonsense." Dr. May disagreed completely, saying, "Not to me."

Soviet opposition to the all-offense theory has been repeatedly voiced by Russian military writers. Maj. Gen. N. Talensky was typical in writing in 1964, "It is said that the . . . situation cannot be stable where both sides simultaneously strive for deterrence through rocket power and the creation of defensive antimissile systems. I cannot agree. . . . Powerful deterrent forces and an effective anti-missile defense system, when taken together, substantially increase the stability of mutual deterrence."

A number of US sources also have reported strong Russian favor for the missile defense concept. Richard B. Foster, Director of the Strategic Studies Center at Stanford Research Institute, wrote in 1966 that "the favorable Soviet attitude toward BMD [ballistic missile defense] was evidenced at the last three Pugwash Conferences. When Western spokesmen attempted to persuade the Soviet delegates that there were good reasons to refrain from developing BMD, the USSR representatives at first failed to understand

the arguments. At the third conference they informed the Western delegates that it was too late; the USSR was going ahead with its BMD program."

Professor Freeman J. Dyson, a nuclear weapons expert and student of the Soviets, has said that it is "totally naive to suppose that any Soviet leader could be persuaded to forgo 'defense' for the sake of preserving 'deterrence.' Attempts from our side to pressure the Soviet government into abandoning deployment of ABMs would almost certainly backfire."

In view of such reports from outside the government, it is curious that insiders could convince themselves in November 1966 that the Russians could be talked into a ban on missile defenses, long after deployment of their BMD had begun. At any rate the talks failed and the US belatedly is following the Soviet lead.

To sum up, military men generally believe it is incorrect to put emphasis on casualties when the central objective is to avoid all casualties by deterring war. The aim should be to develop a war-winning capability with a balanced offensive/defensive force ready for combined operations that will minimize our damage while maximizing the enemy's. Possession of a combined force, war-winning capability is considered the best deterrence to enemy action. If the US went for the 100 percent offensive force, there is no way it could limit the damage inflicted by the enemy except by a first strike.

THE FUTURE OF THE ABM

Most commentators opposing the ABM have echoed Mr. McNamara and warned that the greatest danger in installing the thin system is that there will be a temptation to seek more protection and to expand it into a heavy defense. And, according to the Defense Secretary, this temptation will lead to a "senseless spiral upwards of nuclear arms," in which huge sums would be spent, with neither side buying more protection for its people and both running the risk of having more megatons of explosive strike its soil.

To anyone who questions the logic of the "all-offense" theory, there is a greater concern for the future. This worry involves the pace of technology and the major improvements in weapon systems that will be forced in the next decade. Defensive systems face innovations just as revolutionary as the ones previously described for offensive missiles.

Briefly, the two most important components in the ABM—the radar and the kill mechanism—apparently are in a period of accelerating improvement with no end in sight. The first major upgrading in radar was the ability to track hundreds of objects rather than a single warhead. The early Nike-Zeus radar was mechanically slewed and required seconds to look at each target. It proved many important technical points and knocked down ten out of fourteen ICBM warheads during 1962–1963 tests, but it was at a serious disadvantage against mass attacks with decoys supporting the warheads. This limitation was relieved with the Nike-X phased-array radar, which can sweep the entire sky with its electronically steered beams in microseconds. Future developments are aimed at higher frequency devices which will reduce the radar blackout time following the detonation of large nuclear weapons in the upper atmosphere. Another objective is to improve multispectral methods of sorting warheads from decoys.

Nuclear weapon development is in its most revolutionary period. For several years both the US and USSR have been working on pure fusion weapons, often called neutron or N-bombs. S. T. Cohen, of the RAND Corp., last June wrote of the fact that these weapons use nuclear processes which emit no radioactivity and shower forth neutrons of a "unique nature" with sufficiently high energy to permit "new domains of utilization." One of the practical results of this new technology is that designers can improve the capacity of nuclear weapons to stop ICBM warheads. Another effect of the new technology, according to Mr. Cohen, is that the cost of nuclear weapons will drop sharply.

Very large warheads also are being investigated for the ABM system because it was found that the original US scaling theory was inaccurate and that very large weapons probably produce 1,000 times more neutrons than was estimated a few years ago. As the effectiveness of the defensive warheads is increased, a system can approach the point where each defense weapon can take out more than one ICBM warhead.

One of the stickiest technical facts that must be faced in the next 10 years is that space operations can materially increase the effectiveness of an ABM system. The optimum vantage point for observing and tracking an ICBM strike is out in space where the launch can be seen and the entire thirty-minute flight followed. Observing from space is a substantial improvement over the current system of sitting in the target area and picking up the warheads in their terminal dives. Present-day moving target indicators and other tracking equipment could handle the observation-from-space task admirably, and undoubtedly improvements can be made.

Space operations offer the additional possibility of attacking an ICBM strike along its entire route, during the boost and midcourse phases as well as the terminal. Defensive warheads positioned in space could be brought down on command to form a "minefield" before the attacker. Many other schemes are possible.

Without doubt, talk of a spaceborne component of the ABM system will bring immediate and loud objections from anyone who embraces the "all-offensive" theory or from anyone who is concerned about an expansion of the thin defense and fears the cost of space operations. Still, there is no escaping the fact that rapid, constant change, in military systems as well as in everything else, is a part of our life. Technology is forcing it.

One of the great expectations is that the technical revolution will lead to stronger defenses. Somewhere in the unforeseeable future, a decade or so ahead, if man is persistent enough, he should be able to build a defense that will all but neutralize the nuclear offense.

Effectively, man has two roads for seeking a way out of the nuclear dilemma. The first is with science and technology—the areas that started the trouble in the first place. The second is through negotiations to see if national governments can talk themselves out of their ancient antagonisms and current fears. Both of these efforts are vital to building a world safe from nuclear catastrophe. Perhaps neither could ever do the job alone.

It is difficult to see how peace would be served for the US and USSR to seek a *status quo* and wait for China, and possibly other nations, to creep ahead with the development of an "assured-destruction capability" with the power to annihilate all whom they consider to be an enemy.

In any event, it is impossible to see what purpose is served by leaving the impression that the US is helping to precipitate an arms race by belatedly okaying a thin ABM system while the Soviets are already beyond that stage and at work on a heavy model. Mr. McNamara, in his announcement, fueled critics of the military to overflowing by leaving the impression that he was being pushed into approving the thin system and would never alter his opposition to a further expansion of the defenses.

At this stage in the technical revolution it would seem mandatory for the Secretary of Defense to make it clear that we are far from the end of the line in strategic arms, and that the fifth and sixth generations of long-range missiles and a heavier defense may be necessary in the next decade. No one would expect the Secretary to present a long shopping list of exotic new space and weapon systems. But he should at least create a climate in which all new systems are not viewed as part of a vast military-industrial plot. Such a climate is necessary to public acceptance of the thin ABM for what it is, a necessary step in the twenty-year-old US-USSR arms race that cannot be terminated without a near-miracle in negotiation or a technical breakthrough comparable to the first atomic weapon.

Mr. THURMOND. Mr. President, recently the Senate Preparedness Investigating Subcommittee held hearings on offensive and defensive strategic weapons and weapon delivery systems. The results of these hearings are not yet available, but I can assure Senators that the need for antimissile defense was carefully explored. I should hope that any Senator who might be inclined to delay the deployment of the Sentinel system would, before he votes on the defense appropriation, contact the Senate Preparedness Subcommittee and obtain a copy of the hearings showing the hazards that such a delay would involve.

Mr. President, in concluding my comments in defense of the Sentinel system, I should like to summarize. I have pointed out the grave consequences of any delay in the deployment of the Sentinel system. I have reviewed the history and the threat against which the ABM defends. I have presented the case for this defense and have cited the Preparedness Investigating Subcommittee hearings on strategic offensive and defensive weapons systems as the authority for continuing with the Sentinel deployment. I urge the Senators to familiarize themselves with this entire problem before taking any precipitate action in reducing defense appropriations when the money bill comes before the Senate.

It has been estimated that if an all-out war should occur, an antiballistic missile system could save from 80 million to 100 million lives. Taking into consideration the tremendous jeopardy that could result to our Nation because of the loss of millions of lives as well as the loss of hundreds of millions of dollars worth of property, it would seem the part of prudence not to delay in going forward with an antiballistic missile system. Military experts believe we should go forward without delay. In fact, they further advise that we go further with the full system, not merely with a thin system, with which the Department of Defense is now proceeding. However, the thin system will lay the base to proceed later with a complete system that would be a defense against the missiles of the Soviet Union.

PERSONAL PRIVILEGE

Mr. DODD. Mr. President, I do not like to detain the staff or other Senators, but I believe this matter is so important that I must do so for a little while tonight.

This morning, Drew Pearson and Jack Anderson made their latest attack against me, and it appeared in many of the morning newspapers across the country.

Pearson's vendetta against me began when I first entered the House of Rep-

resentatives approximately 14 years ago, and this morning's column is the 123d which he has written condemning me. He has accused me of almost every imaginable impropriety and wrong and now he has gone even further by saying that even in the area in which I have fought the hardest, and to which I have dedicated much of my senatorial career, I am not honest and, in fact, have been working against the public interest.

Pearson's lying attacks upon me no longer hurt me. I believe I am beyond that point. They no longer anger me. But the charge of this morning appalled me and amazed me, because it was so incredible, so totally inaccurate, so blatantly false.

While all of his charges against me have been untrue, the falsity of many of them has been difficult for me to prove, because, unfortunately, there has not always been sufficient evidence and documentary proof of the truth. With respect to this morning's charges, however, I am in possession of overwhelming proof that Pearson is what all knowledgeable Americans know him to be—an unmitigated and scandalous liar.

Today, Pearson and Anderson and their lying, thieving jackals charge that I, while pretending to vigorously work toward curbing violence among the young people of our country, have actually been working in the opposite direction—specifically, by suppressing a Senate Juvenile Delinquency Subcommittee study of the impact of television crime and violence on our young people. I quote what he wrote:

> These (television) studies, written more than six years ago, were suppressed, ironically, by the same Senator Tom Dodd (D-Conn.) who introduced the gun control bill to curb violence.

He goes on to quote from a series of memorandums written by members of the staff to me about the substance of these studies, and claims that all of these, as well as the study itself, were suppressed.

Pearson claims that my motive was my desire not to embarrass the powerful television networks.

Mr. President, all these charges are completely false and an incredible distortion of history. Here is the real truth and the real proof. Fortunately, I have it. As chairman of the Subcommittee on Juvenile Delinquency, I have been concerned with violence since 1961. For the first 3 years, I dedicated myself to the problem of violence on television and its potential effect on the public and on young people.

From 1963 on, I have been interested in stronger gun control legislation.

Between 1961 and 1963 I did conduct—and the record will establish that I did—an intensive investigation of crime and violence on television.

During this period we held many days of hearings. The hearing record is here. It is voluminous. Many, many witnesses appeared. The foremost experts in psychiatry and criminology and in the television industry.

In all, we heard from 56 witnesses, and on my desk are the records, which I hope every Member of the Senate will read. They were printed and released to the public and to the press in the usual way. Finally, on October 27, 1964, with the approval of the majority of the subcommittee, I made a public and thorough and comprehensive report on crime and violence on television and its impact on our young people.

We released 10,000 copies of that report. It was released to the public. I do not know how it could have been done better.

That this unforgivable liar can claim that I suppressed this investigation, in the face of these facts and documentary proof, is utterly beyond my comprehension. I try to be a gentleman. I want to be. But so many lies have been told about me, and so many people have believed them, that my patience is broken.

But Pearson himself is beyond comprehension in the depths to which he will sink and the outrageous lengths to which he will go to assassinate the characters of those whom he hates. He hates me. I do not hate him. I am sorry for him; but I feel it is incumbent upon me, for myself, for my family, and for my friends that the record be written straight.

The crowning proof of this morning's lies by Pearson and Anderson is Drew Pearson himself in an article which he wrote just 13 days after the release of this subcommittee report.

In that column of November 9, 1964, he praised me for releasing this report and uncovering the truth about the violent nature of the television network programs.

I would think that it would behoove irresponsible and lying columnists such as Anderson and Pearson to at least remember what they have written and said in the past. But when a person starts to lie, he gets in trouble because he cannot remember the lies he told.

And I have always felt that it was inevitable that Pearson and Anderson who lie to the degree that they do, would sooner or later get caught up in their lies.

I want to briefly quote from this 1964 Pearson column:

> The current report by Senator Tom Dodd (D-Conn.) on juvenile delinquency shows that some of the networks are serving just as brazen a crime diet as ever. And since the people of California have set a precedent that individual Americans cannot see entertainment they pay for, it might be well for the rest of the country to diagnose carefully what it is getting free.
>
> The Senate Juvenile Delinquency Committee dug into the secret files of the American Broadcasting Company to get its inter-office memos, some of them pertaining to "The Untouchables." This is a show originally watched over a five-year period by 5,500,000 children a week. (It is no longer on the ABC network.)

Ironically, these are some of the very memos which Pearson claims in this morning's column were suppressed by me.

Let me quote from another Pearson column, which appeared on August 19, 1964.

> For various reasons, it looks as if television is going to be up against the congressional gun this year.
>
> Sharpshooter No. 1 is Sen. Tom Dodd (D-Conn.), who blames television for our scandalous juvenile delinquency increase. He is supported by Sen. Ken Keating (R-N.Y.). In tough language they have warned the networks that there's been absolutely no change in the diet of crime and sex being dished out to the public—especially by NBC and ABC.

This highly important television study, which Pearson, Anderson, and their jackals and thieves would have the American public believe I suppressed, resulted in many significant findings. I want to briefly review some of the more important ones for the RECORD.

First. Normal people who view violence on film exhibit twice as much violence thereafter as persons not exposed to such presentation. This was proven by scientific experimentation.

Second. Television programs which feature excessive violence tend to reinforce overly aggressive attitudes and drives in juvenile viewers where such attitudes and drives already exist.

Third. Children can be taught to perform aggressive acts by being exposed to such acts on television.

Fourth. Continuous exposure of the young to programs containing violence, crime, and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewers' acceptance of excessive violence as the normal way of life.

Fifth. Filmed violence can serve as the motivation for the release of hostility and aggressive behavior in some individuals already under stress for other reasons.

In this report I was highly critical of the television industry and I warned the industry that it had to cut the amount of violence and crime on its programs or face congressional intervention.

I have often repeated this criticism, and as recently as last Tuesday, on the floor of the Senate, I described the results of this important study.

Nothing means more to me, there is nothing closer to my heart, nothing to which I have dedicated more time than my campaign, and, persistent efforts to investigate the causes of violence in our society, particularly among our young people. This was the reason for my efforts to see that we have strict gun control legislation enacted. This was the reason for the television study. It brought me a lot of trouble. But that never bothered me.

However, Pearson lied again this morning when he challenged my sincerity in this regard and impugned my integrity with respect to this most important aspect of my career in the Senate. But this is just another example of the countless lies, misrepresentations, and distortions made by this man and his associates against me. I shall have more to say about the subject. It may take a few days, but I am preparing to do it.

Drew Pearson is a liar. He is a monster. Someday the American people will recognize it. Those associated with him are thieves, liars, and monsters. Someday the American people will recognize it. His business is lying. He is a devil.

It appalled me that he was honored as a Big Brother; a molester of children who had the records of his arrest destroyed. What is his strange power in this Government?

I said on another occasion he is the Rasputin of our society, and he is. I do not know what his influence is.

I know he had the affrontery to call me and ask me to vote against Mr. Bress as U.S. attorney for the District of Columbia. One of my colleagues brought the memorandum to me and asked me not to say who gave it to him. I told him I must know and he said, "It is Pearson."

I have been learning more about Pearson and Anderson and their lying and thieving associates than perhaps any other man in this body. I am going to put it in the RECORD.

They should be put away. They prey on the frailties of human nature, and they get evil things done.

Mr. President, this is not the last thing I am going to have to say on this subject. I am, as I said, at the breaking point in my patience and I am going to tell all I know about them. It is going to shock the Senate, it is going to shock this country, and it is going to shock the world. I have some pretty good evidence.

He has caused more men to destroy themselves than perhaps any other man in my time. He is not going to cause me to do so. He will ruin you, Mr. President (Mr. LONG of Louisiana in the chair), and every Member of the Senate if you do not serve his purpose. He is the Devil's own slave. He does not know honor. He does not know truth. He is a monster and his jackals are just as bad.

Mr. President, I am sorry for this delay.

I ask unanimous consent to have printed in the RECORD two articles written by Drew Pearson.

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

[Nov. 9, 1964]

WASHINGTON MERRY-GO-ROUND

(By Drew Pearson)

WASHINGTON.—Now that California has elected a song-and-dance man to the Senate and simultaneously killed the right of its people to see pay-as-you-go television, it should be up to the TV networks to improve the quality of their programs.

However, the current report by Sen. Tom Dodd (D-Conn.) on juvenile delinquency shows that some of the networks are serving just as brazen a crime diet as ever. And since the people of California have set a precedent that individual Americans cannot see entertainment they pay for, it might be well for the rest of the country to diagnose carefully what it is getting free.

The Senate Juvenile Delinquency Committee dug into the secret files of the American Broadcasting Company to get its inter-office memos, some of them pertaining to "The Untouchables." This is a show originally watched over a five-year period by 5,500,000 children a week. [It is no longer on the ABC network.]

Here is one ABC inter-office memo describing the blood-and-guts proposed for these viewers:

"Opens right up . . . a running gunfight between two cars of mobsters who crash, then continue the fight in the streets. Three killed. Six injured. Three killed are innocent bystanders . . .

"There's a good action scene where the mail truck is held up and the driver killed.

"Colbeck suspicions it was Courtney and beats it out of Joe's henchman. Courtney is trapped in an alley and beaten unconscious and tossed in the river. . .

"Colbeck pressures a police lieutenant who owes him a favor to pick up (Courtney's) gal and deliver her to a spot on the bridge where Colbeck's men will shoot her dead."

On one occasion, ABC program people advised ABC president Tom Moore that there is a tendency of recent episodes to become "talky" and as a result much of the action and suspense is lost. Moore then wrote producer Quinn Martin:

"I hope you will give careful attention to maintaining this action and suspense in future episodes. As you know, there has been a softening of the ratings, which may or may not be the result of this talkiness, but certainly we should watch it carefully"

Martin is known in the trade as a "blood-and-guts" producer. Regarding another show, "A Killer Called Paddy-O," Martin wrote this memo marked "personal and confidential.":

"I wish we could come up with a different device than running a man down with a car, as we have done this now in three different shows.

"I like the idea of sadism, but I hope we can come up with another approach for it."

In another confidential wire regarding "The Untouchables," Moore advised: "There is no change in original concept of production values of 'Untouchables.' Quinn Martin has replaced Norman Retchin . . . for just cause in our opinion . . . No more violence than that already seen is contemplated. There will be no reduction in action however.

"We have absolute confidence in Quinn Martin and the Desilu organization to deliver the quality and prestige hours such as the original programs."

Retchin had been fired because he argued: "I go for character. Let the violence come honestly out of that character . . . It now develops that Martin wants to concentrate on the slam-bang stuff and that isn't my cup of tea."

NOTE.—Though "The Untouchables" was filmed some time ago, it is now being widely exhibited [on local channels] as reruns. Furthermore, the Senate Juvenile Delinquency Committee reports: "Conditions do not appear to have changed appreciably at ABC. Quinn Martin, who wrote of his affection for sadism and is known for his affinity for violence, is as busy as ever turning out shows for the network." The committee noted that CBS had improved its programs.

[From the Los Angeles Times, Aug. 19, 1964]

CONGRESSIONAL GUNS AIMED AT TV

(By Drew Pearson)

For various reasons, it looks as if television is going to be up against the congressional gun this year.

Sharpshooter No. 1 is Sen. Tom Dodd (D-Conn.), who blames television for our scandalous juvenile delinquency increase. He is supported by Sen. Ken Keating (R-N.Y.). In tough language they have warned the networks that there's been absolutely no change in the diet of crime and sex being dished out to the public—especially by NBC and ABC.

Sharpshooters No. 2 are Reps. Manny Celler (N.Y.), and Henry Reuss (Wis.), with Sen. Phil Hart (Mich.), all Democrats, who want to probe CBS's acquisition of 80% of the New York Yankees. They wonder how other ball clubs will be able to get TV publicity when the Yankees are owned by one of the major TV networks.

Sharpshooter No. 3 is Sen. Barry Goldwater, who claims the networks have been unfair to him.

Sharpshooters No. 4 are Rep. Don Edwards (D-Cal.) and Sen. Bill Proxmire (D-Wis.), who point to the hookup between defense industries and the TV industry.

This may be the most important criticism of all. For here the congressional shooters point out that not merely a few ball games, but the question of the military budget and, indirectly, of peace and war, is at stake.

The possibility that CBS might favor the Yanks on TV would affect box office receipts or who would play in the World Series. But it would not affect the fate of nations.

The close link between TV stations and big defense industries, however, could. It becomes extremely important, therefore, to know how much these defense-owned stations are influencing the public's mind regarding bigger defense budgets, continuation of obsolete weapons, intensifying the cold war, criticizing the policy of co-existence; failure to criticize cost-plus contracts, Pentagon inefficiencies, or any number of every-day problems which link public information with war and peace.

Even if the TV stations owned by defense industries lean over backward to be fair and impartial—as it is assumed CBS will do regarding baseball—no TV station should be in the embarrassing conflict-of-interest position where it has to make these decisions.

Yet the National Broadcasting Co. is wholly owned by RCA, one of the top defense contractors. General Electric, the No. 3 defense contractor, owns the most powerful radio and TV complex in central Nork York. Westinghouse, a major contractor, owns a sizable TV-radio network of its own—and, incidentally, does an excellent public service job. General Tire and Rubber, which manufactures the Polaris missile, owns some of the major TV and radio stations in the nation.

It will be interesting to see what the probers of links between TV and baseball also do about links between TV and defense contractors.

Mr. DODD. Mr. President, I also ask unanimous consent to have printed in the RECORD—and I think I deserve to have it printed in the RECORD—excerpts from the television and juvenile delinquency report of the Subcommittee To Investigate Juvenile Delinquency of which 10,000 copies were distributed across this land.

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

[88th Cong., second sess., Senate]

TELEVISION AND JUVENILE DELINQUENCY—A PART OF THE INVESTIGATION OF JUVENILE DELINQUENCY IN THE UNITED STATES

(Interim report of the Subcommittee To Investigate Juvenile Delinquency, pursuant to S. Res. 274, 88th Cong., second sess.)

SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY IN THE UNITED STATES, 88TH CONGRESS

THOMAS J. DODD, Connecticut, Chairman; SAM J. ERVIN, North Carolina; PHILIP A. HART, Michigan; BIRCH BAYH, Indiana; QUENTIN N. BURDICK, North Dakota; HIRAM L. FONG, Hawaii; ROMAN L. HRUSKA, Nebraska; KENNETH B. KEATING, New York; and Carl L. Perian, staff director.

(Mr. DODD, from the Subcommittee To Investigate Juvenile Delinquency in the United States, submitted the following interim report:)

* * * * *

At the outset of its investigation, the subcommittee set four major goals for itself, all of them interrelated. These goals were to determine:

1. If there is excessive crime, violence, and brutality on television;

2. The nature and extent of the impact of programs emphasizing crime and violence on youth;

3. Who or what is responsible for bringing programs of this nature to the television screen;

4. What steps can be taken to cope with any problems posed for society by such programming.

A. Factors which brought about the investigation

The Committee on the Judiciary is authorized by the Senate (S. Res. 48, 87th Cong., 1st Sess.) to "examine, investigate and to make a complete study of any and all matters pertaining to juvenile delinquency in the United States" including, among other things, "the extent and character" of such delinquency and "its causes and contributing factors;". The Subcommittee To Investigate Juvenile Delinquency was created to carry out this study and related inquiries. Very early in its existence, the subcommittee became aware of the need to look rather closely at the relationship between television and the mind, attitudes, and actions of the child viewer.

A key factor in the decision to investigate the role of television as it may relate to delinquency was mounting public concern expressed through complaints calling attention to the crime, brutality, violence, and suggestive sex portrayed on many television programs. These complaints came from both individuals and organizations. Parents, in particular, were concerned with the effect that programs of this nature might have on their children.

A second consideration was the availability to the subcommittee of statistics revealing a substantial increase in the number of programs stressing violence, crime, and other antisocial behavior between 1954 and 1961 when the current investigation was begun. The subcommittee had made a prior study of the mass media field in 1954 and, as a part of that study, had carefully monitored television to determine the extent to which crime and violence were portrayed. A companion staff study in 1961 revealed the substantial increase in programs to which such behavior was common.

A third factor which served to inspire this investigation was information from reliable public sources to the effect that the television industry was not doing the fully adequate job of self-policing it had promised at the time of the 1954 inquiry. The National Association of Broadcasters (NAB) had set up television and radio codes of practice designed, among other things, to set and enforce standards which would substantially reduce programs containing crime, violence, and other types of antisocial behavior. The allegation was made that these standards were not being effectively enforced.

A fourth reason for the investigation was the development of new findings by qualified media research scholars which supported the thesis that televised crime and violence had adverse effects on the attitudes and behavior of many young viewers. While some people, particularly those who spoke for the broadcasting industry, maintained that there was no relationship between televised crime and violence and delinquency, it seemed clear to the subcommittee that the research evidence to the contrary was very substantial.

B. Subcommittee concern for freedom of speech and press

In conducting its investigation, the subcommittee was aware that any legislative scrutiny touching on the function of a mass medium was treading on highly sensitive ground. It was equally aware of that provision of the first amendment of the Constitution which holds that "Congress shall make no law * * * abridging the freedom of speech, or of the press." This awareness has made itself felt in the structuring of the investigation and in the manner in which it has been implemented.

Thus, the subcommittee chairman, Mr. Dodd, opened the first of the scheduled hearings in June 1961, with a statement to the effect that there was no inherent conflict between the public interest the investigation was designed to serve on one hand and all media on the other. He said:

the preservation of freedom of expression for

"We must realize that whatever the medium we attempt to evaluate—be it newspaper, the radio, television, or any other medium, we are dealing with the fundamental question in our democratic society of freedom of speech. I am confident that whatever the results of this inquiry may be, we can find solutions which simultaneously safeguard our children and our constitutional liberties."

The right of the Congress to study the relationship between television programming and delinquency is as clearcut as is the right of the Federal Communications Commission to require radio or television broadcasters to establish an over-all programming policy consistent with the public interest, convenience, and necessity in order to qualify for a license or for a renewal thereof. The law setting forth this latter authority has been on the books for more than 30 years. That same law, as amended in 1934, prohibits the Federal Government from exercising the "power of censorship" over radio and television and from promulgating any regulation of condition "which shall interfere with the right of free speech by means of radio (and television) communication."

The Congress of the United States, which enacted this legislation, is certainly bound by its own enactment. And the subcommittee has acted and will continue to act accordingly For to advocate censoring the content of any program or programs—regardless of what that content may be—is to propose a remedy far worse than the disease it is intended to cure. Since the early days of the American Republic, censorship has been viewed as inconsistent with democracy except under wartime conditions and, even then, it has generally been applied with the voluntary cooperation of the mass media and only in areas directly affecting the national security.

But censorship, which pertains to examination of specific material prior to its release with a view to determining whether it should or should not be published, is not at issue here. Further, liberty of expressions is not license. Television stations operate over channels which are owned by the public and which must, by law, be utilized in the public interest. In this respect, television, like radio, differs from the newspaper which, while bound by certain other legal and ethical restraints, does not utilize public property to transmit its message. Clearly, then, the nature and quality of televised programs must be viewed as relevant criteria of how well the broadcaster is serving the public interest.

And if Government is precluded by law from censorship of the air waves, it nevertheless has the legal right to examine the programs which make a fetish of obscenity, profanity, indecency, or which serve to incite to riot or to induce the commission of a crime. The authority for such examination is, in part, written into the United States Code and, in part, recognized in judicial decision. (See secs. 1304, 1343, and 1464 of title 18 of the United States Code.)

The Supreme Court has made it clear that a radio or television station can effectively meet the public interest test provided by law only if it provides effective service to the community. Thus, in NBC v. United States, 391 U.S. 190, the Court held that—

"an important element of public interest and convenience affecting the issue of a license is the ability of the licensee to render the best practical service to the community reached by broadcasts * * *. The Commission's (Federal Communications Commission) licensing function cannot be discharged, therefore, merely by finding that there are no technological objections to the granting of a license.

It is one of the ironies of the age in which we live that the National Association of Broadcasters, which is most sensitive to any trend toward increased Government regulation, went on record 30 years ago recognizing the right of the Government to examine and evaluate broadcast programming. In Congressional testimony which led to enactment of the Federal Communications Act of 1934, the NAB said, in part:

"It is the manifest duty of the licensing authority in passing upon applications for licenses or the renewal thereof, to determine whether or not the applicant is rendering or can render an adequate public service. Such service necessarily includes broadcasting of a considerable proportion of programs devoted to education, religion, labor, agricultural, and similar activities concerned with human betterment.

In the subcommittee's view, a broadcaster whose programming services contain violence, crime, brutality, and allied antisocial content to an excessive degree raises a serious question as to whether the test of community service is being adequately met. If such excessiveness can be shown to be linked to the development of adverse attitudes, habits, or actions among juvenile viewers, it would seem clear that the public interest test is not being met.

C. Organization of the balance of the report

The balance of this report is organized into four basic sections. The first examines evidence attesting to the nature and extent of violence, crime, and related types of programming on television. In so doing, it draws upon staff monitoring studies conducted in 1954, 1961, and 1964. It also draws upon testimony given by experts during public hearings.

The second section concerns itself with an examination of the evidence as to the impact of televised crime and violence on juvenile viewers. It sets forth the results of recent research studies and summarizes the testimony of specialists with long experience in the mass media research, psychiatric, and juvenile delinquency control fields. The particular concern is with whether televised crime and violence can be linked, directly or indirectly, with the inception of delinquent behavior in viewers.

The third section examines the processes and methods by which decisions on program content are reached with particular emphasis on the relationship between the networks, the show producers, the individual stations (licensees) and the National Association of Broadcasters' codes. The final segment deals with specific proposals for resolving some of the problems revealed by the investigation to date.

II. EXTENT AND NATURE OF VIOLENCE AND CRIME IN TELEVISION PROGRAMMING

Television's impact on all aspects of American life has been a very significant one and its influence is likely to grow. This new medium has contributed much of lasting value to the well-being of the Nation and will continue to do so. Its function in the field of public affairs programming has been particularly noteworthy and its use as an educational tool in the public schools and universities has been steadily expanding.

The subcommittee's inquiry into the relationship between televised crime and violence and juvenile delinquency can be viewed realistically only within this impressive over-all framework defining television's present and potential role in the American society. Perspective is important in any evaluation involving the mass media. The subcommittee's chairman emphasized that importance when he opened the most recent hearing in July 1964. He said:

"We approach this inquiry with what I hope is a proper regard for the achievements of the television industry and a proper respect for the tremendous task it faces in providing television fare for the American people 18 hours a day, 7 days a week, 52 weeks of the year. We are particularly mindful of the magnificent contribution television has made and is making in the field

of public events programming * * * I offer my most sincere and unequivocal congratulations and praise to the television and radio media as a whole for what I feel has been a magnificent achievement, an achievement made all the more impressive by the fact that frequently public service programs are produced at a great financial loss to the producers.

Yet, in the subcommittee's view the many beneficial effects television has had and is having are sorely compromised by the adverse effects on society of the all-too-heavy diet of crime, violence, and brutality which continues to be fed daily to millions of American children.

A. The overall violence picture

The extent to which violence and crime are currently portrayed on the Nation's television screens is clearly excessive. And in the face of repeated warnings from officials directly concerned with coping with juvenile delinquency and from competent researchers that this kind of television fare can be harmful to the young viewer, the television industry generally has shown little disposition to substantially reduce the degree of violence to which it exposes the American public.

If anything, the broadcasting industry appears to have recently added a new dimension to the kinds of violence and criminality paraded across the television screen. This new trend has drawn the criticism of some of the Nation's most respected critics. A columnist for the Chicago Tribune put the matter succinctly when he wrote.

"Television in 1963 has become something of a blur to me. It's hard to tell one sick drama from another * * *. There were stories about impotence, incest, homosexuality, adultery, euthanasia, matricide, and I'm too embarrassed to go on with the list.

The New York Herald Tribune, commenting on a variety of "new" televised dramas at about the same time, expressed similar sentiments. Wrote the Herald Tribune critic:

"This is merely a random list that doesn't attempt to total the fear, prejudice, hatred, and violence witnessed every night on television dramas, westerns, and movies. Such fare may be one man's meat, but it must also be poison for many men, women, and children. If this spiritually corrosive outpouring reflects our society, we're sick. If it reflects our amusement, we're sick, sick, sick."

The subcommittee sees good reason for this concern but its view of the problem presented has been the long-range one. It has carefully observed the nature and extent of crime, violence, and related antisocial behavior appearing in television programming for a decade. In hearings conducted in 1961–1962, it urged the television industry to reduce its commitment to such programming and assurances were given that such reduction would take place. One network, the Columbia Broadcasting System, has made a significant reduction in this type of programming as of the printing of this report. Yet, generally speaking, violence and crime continue their rampant march across the Nation's television screens.

Industry spokesmen have pointed to the adoption and updating of their Television Code of Good Practice which is administered by the National Association of Broadcasters. They claim this reflects their concern with healthy programming. But the only tooth in the code is the threat that the so-called seal of good practice will be withdrawn from radio and television stations which do not conform to the code's provisions. The code does contain a number of sections dealing with crime, violence, and brutality. But association with the code is only voluntary. A very substantial number of radio and television stations does not subscribe to it. Of greater significance is the fact that on only one occasion has the television seal been suspended by the NAB and that was in the commercial area, when 19 members were suspended and an additional 16 resigned. However, in all cases restitution was effected. *Of greatest importance is the fact that the seal has never been withdrawn because of an infringement of the code with regard to program content.*[1]

A recent administrator of the code has stated publicly that it is not being realistically enforced and is breached with impunity. The subcommittee is convinced that this is indeed the fact of the matter though it is certainly in complete sympathy with both the code's provisions and its stated objectives. The failure of the code to effectively limit televised crime and violence is documented in detail by subcommittee staff monitoring studies.

B. Results of the monitoring studies

Staff studies were conducted in 1954, 1961, and 1964. They were carried through in keeping with precise standards and techniques developed in conjunction with a highly qualified research consultant, Dr. Ralph J. Garry, educational psychologist, Boston University. Monitors concerned themselves with a broad range of program attributes including the extent to which characterizations portrayed violence and criminal behavior, the extent and nature of violent acts, and the manner in which the law was presented in terms of its capacity to deal with crime. The monitors also focused on special effects such as camera, lighting, music, and locale usage in terms of their contribution to the portrayal of crime, violence, and brutality.

The subcommittee drew upon the National Association of Broadcasters' Television Code for standards of morality and good taste by which to evaluate the acceptability of program materials. Thus, study monitors determined the degree to which the observed programs fostered respect for the sanctity of the home and marriage, encouraged adherence to the law and avoidance of criminal behavior, and exposed such characteristics as greed and cruelty as unworthy. Conversely, the monitors were concerned with the extent to which televised programs emphasized divorce and illicit sex relations and behavior such as murder, sexual assault, and narcotics addiction.

1. The 1954–61 Comparisons

The initial (1954) survey was launched because of the mounting concern of parents and educators over the amount of time devoted to shows containing crime, brutality, sadism, and sex. Whereas research evidence linking excessive violence to adverse effects on child viewers was less conclusive in 1954 than it is today, the subcommittee found itself confronted with increasing public indignation at television's alleged breach of morality and good taste.

In 1954, shows featuring violence and crime accounted for 16 per cent of all programming during the prime viewing hours 7:00 to 9:30 p.m. These were programs of the crime-detective, western and action-adventure types. During the monitoring week (September 13 to 19 inclusive), 22.3 per cent of the programs between 4:00 and 10:00 p.m., were of these types.[2] Children were a very substantial part of the total viewing audience during this timespan in 1954 as they are today.

The 1954 survey also provided statistics for a random sample of shows (4:00 to 10:00 p.m. inclusive) selected for certain representative cities. Thus, programs featuring crime and violence accounted for 26 per cent of the televised fare in Denver, Colo., on September 14. Comparable statistics for Atlanta, Ga., and Seattle, Wash., were 16 per cent and 11 per cent respectively.

If the 1954 findings suggested the need for the subcommittee to take a closer look at television programming as it relates to delinquency, the 1961 monitoring reports were shocking by comparison. The 1961 monitoring "week" (as before, this was an average week based on 4 months of viewing) May 9 to 15 inclusive, showed that the percentage of shows featuring crime and violence in the 4:00 to 10:00 p.m., time period had jumped by more than one-third, from 22.3 to 34.2 percent. For the prime time period, 7:00 to 10:00 p.m., inclusive, the increase was even more striking—an increase of some 200 percent (from 16.6 percent in 1954 to 50.6 percent in 1961).

Equally distressing increases over 1954 were registered in 1961 for the sampled cities of Atlanta, Seattle, and Denver. For the 7:00 to 10:00 p.m. time slot, the figures revealed a 30-percent increase for Denver, a 300-percent hike for Atlanta, and a 600-percent jump for Seattle. In addition, the subcommittee in 1961 made a survey of such key cities as New York, Chicago, Washington, and Los Angeles. For the 7:00 to 10:00 p.m. prime period, the percentage of total programming devoted to crime-violence themes in each of these cities was 44 percent or greater.

The 1961 study not only found that the degree of violence in prime time programming had substantially increased; it also found that criminal and other undesirable behavior was being depicted on dramatic programs to a greater degree than was positive, moral or desirable behavior. Taking into consideration all of the programs monitored, it was estimated that on the average violence was shown about four times as frequently as was protective, helpful or socially acceptable behavior.

This striking increase in the amount of televised violence beamed at audiences including large numbers of children was a key factor in convincing the subcommittee to hold its 1961–1962 hearings. The development of new research evidence which strengthened the premise that there was a relationship between excessive televised violence and adverse behavior in juveniles was also a significant factor in the subcommittee's decision.

It was during the 1961–62 hearings that representatives of the television industry committed themselves to bringing about an improvement in the programming situation. When, long after the hearings had closed, the subcommittee continued to receive complaints from distressed teachers, parents, and others relating to television programming, the decision was taken to monitor a third time with a view to precisely assessing whether the promised improvement had indeed occurred. It was also decided to hold additional hearings so that broadcasting industry representatives would have an opportunity to present their point of view.

2. Results of the 1964 Monitoring Study

The 1964 study employed the same standards as the studies conducted in 1954 and 1961 and yielded significant comparable statistics. The one overriding revelation: That the extent to which violence and related activities are depicted on television today has not changed substantially from what it was in 1961 and remains considerably greater than it was a decade ago. Further, violence and other antisocial behavior are, to an overwhelming degree, televised during time periods in which the children's audience is a large one.

Monitoring of all networks during the week of January 5 to 11, 1964, revealed a perceptible decline in the extent to which one network (CBS) featured acts of violence. Notwithstanding this decline, the overall pat-

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[1] This was the situation as of September, 24, 1964. It was verified in a letter to the subcommittee from Howard H. Bell, director, the code authority, NAB.

[2] While the subcommittee monitors viewed television programs over a 4-month period, a single "average" week was used for comparison purposes. This would insure that the week used was actually representative of the entire schedule for the particular season monitored.

tern of network programming was one which revealed a heavy concentration on violence and brutality during the prime time period 7:00 to 10:00 p.m. In the great majority of homes, schoolchildren are among the viewers in this time span.

Because it wished to be certain that it had not selected an unusually "violent" week of programming for monitoring purposes, the subcommittee remonitored the succeeding week, January 12 to 18 inclusive. This confirmed the findings of the preceding week. The number of acts of violence and antisocial behavior was almost identical with that for the first week during the 7:00 to 10:000 p.m. prime time period.

The fact that there has been no substantial overall decline in the extent to which crime and violence are featured in television programming between 1961 and 1964 is underscored by specific statistics for four major cities: Washington, D.C., New York, Los Angeles, and Chicago. These statistics, which cover both major network and other programming in the area involved, actually show a slight increase in the percentage of programs featuring violence in New York City and in Chicago, a slight decline in Washington, and a somewhat more substantial drop in Los Angeles. The comparative statistics are set out in the table below:

COMPARISON OF FINDINGS FOR 1961 AND 1964, PERCENTAGE OF PROGRAMS FEATURING VIOLENCE IN 4 KEY CITIES, 7 TO 10 P.M. TIMESPAN

City	1961 percentage	1964 percentage
Washington, D.C.	50.6	48.8
New York	44.5	46.4
Chicago	49.4	50.5
Los Angeles	50.0	41.4
4-city average	48.6	46.8

These statistics do not indicate any significant improvement. Further, when the analysis is confined to the programming of the three major networks for roughly the same time period, the percentage of films shown in prime time featuring violence and related antisocial behavior is substantially higher than the four-city average noted above for two of the networks. Again, CBS shows a substantial reduction when compared to the average. Thus, 55.3 per cent of the ABC schedule was devoted to programs in which violence was emphasized. The comparable statistics for NBC and CBS were 55.1 and 26.5, respectively.

3. The Effects of Syndication

A development of the past decade which today plays an important role in increasing the exposure of children to programs stressing crime, violence, and brutality is the practice known as syndication. A network or network-controlled organization engaged in this practice leases many dramatic programs produced under network auspices to individual stations or other networks after these programs have had a "first run" telecast via the originating network's outlets. The syndicated program is rerun by the leasee station at its convenience with the syndicator generally receiving a share of the profits made thereby.

As part of its 1964 survey, the subcommittee made a point of determining the extent to which syndicated films featuring crime and violence were being rerun during hours when substantial child audiences were before the Nation's television sets. In so doing, it focused on the cities of Los Angeles, New York, and Washington, D.C., and on the 1963–1964 television season. The subcommittee found that 50 per cent or more of each major network's syndicated programs featuring violence and in which each had a profit-sharing interest were telecast during the prime time in the three cities. Eighty five per cent of the American Broadcasting Co.'s syndicated and profit-sharing shows were telecast in prime time. The comparable statistics for NBC and CBS were 70 and 50 per cent, respectively.

Review of the syndicated films thus broadcast revealed that some of the most violent shows which were "first run" during the 1961–1962 season are today being shown during earlier broadcasting hours than they were originally and that there has been little or no editing of objectionable content. This, in turn, means that these programs have been made available to a children's audience which is larger and includes more of the very young than ever before.

In their appearance before the subcommittee in July 1964, spokesmen for the three major networks were asked whether they felt they had a responsibility to keep such syndicated films from being rerun at earlier hours when more children were watching television. Their common response: The responsibility was exclusively that of the leasing stations which set their own times of release and which had ample opportunity to review the films prior to using them. In the subcommittee's view, the syndication practice today unnecessarily exposes many children to crime and violence and, in so doing, represents a serious problem. However, the crux of the problem lies less in scheduling than in the continued production and marketing of a high proportion of programs which feature excessive violence and crime.

III. THE IMPACT OF TELEVISION PROGRAMS FEATURING CRIME AND VIOLENCE ON YOUNG PEOPLE

A primary objective of the subcommittee's investigation has been to determine (a) if there is a relationship between televised crime and violence and juvenile delinquency and (b) the nature and significance of that relationship if it exists. There is no question but that programs featuring crime, violence, and brutality account for a substantial proportion of total programming available to the public during the prime time period which runs from about 7:00 to 11:00 p.m. (See sec. II).

However, it is one thing to present shows which stress a high degree of antisocial activity, quite another to measure the size and age level of the exposed audience and still another to evaluate the impact on that audience. Because the subcommittee is basically concerned with all aspects of juvenile delinquency, its focus in the television study has been specifically on the impact upon the young. This is not, however, to suggest that a diet of televised violence is a recommended prescription for adults or that subcommittee members accept the premise that older people may not be adversely influenced by that diet.

A. Size of the juvenile television audience

In 1963, 91 out of every hundred families owned at least 1 television set. This means that the percentage of American families with television was greater than that with automobiles or bathtubs. It is thus not too surprising to find that American families spend on the average between 5 and 6 hours each day in front of the television set.

But what does this mean in terms of child viewers?

It means that children under 12, on the average, spend more time watching television than they do in either school or church. It means that each day more than 25 million children 12 and under look at the television set. Yet, the more pertinent question in terms of the subcommittee's interest is: What is the size of the juvenile audience during the prime time period? A high proportion of this period is devoted to crime-detective, action-adventure and western programs which feature violence and brutality. Some pertinent statistics follow.

More than 20 million children, 17 and under, watch network television during this prime time period.

At 8:00 p.m., on any given night, 17 million children under 12 will be viewers. At 7:00 p.m., the figure is roughly 18 million.

Programs such as "The Untouchables," which stress crime and violence, may draw anywhere from 5 to 8 million juvenile viewers at any given time.

The American public purchased some 7 million new TV sets in 1963. As of January 1964, an estimated 62 million sets were operating in 51.8 million American homes. More than 17 percent (17.4) of the homes with television had two or more sets. The purchase trend, like that of the population generally, continues upward. This means that the number of juvenile viewers of prime time programs is certain to increase. And that, in turn, suggests that the number of children exposed to violence, crime, and brutality will also increase unless there is a dramatic change in commercial programming content.

B. General conclusions relating to the effect of televised violence and crime on the young

No serious student of juvenile delinquency contends that television is the sole cause of delinquent behavior. Nor does the subcommittee hold this view. Delinquency is the complex product of many factors, social, psychological, and economic. The broken home, poverty, suppression of the individual's drive for recognition, educational shortcomings, mental defectiveness, the crime and violence content of the mass media—all of these are factors which must be considered in the quest for understanding the underlying causes of delinquency in our society.

Furthermore, it is important to point out the fact that no two cases of juvenile delinquency are the product of precisely the same amalgam of forces functioning in precisely the same way. The relative significance of causative factors may be as different as the personalities exposed to those factors. Thus, social and/or economic forces may furnish the primary explanation of one juvenile delinquency case whereas that explanation may be found in individual psychology or in the interplay of the mass media and that psychology in another.

Yet, it is clear that television, whose impact on the public mind is equal to or greater than that of any other medium, is a factor in molding the character, attitudes, and behavior patterns of America's young people. Further, it is the subcommittee's view that the excessive amount of televised crime, violence, and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior.

1. Basic Findings Relating to Television's Role in Influencing the Young

The subcommittee has carefully reviewed the research evidence submitted to it by expert witnesses and has, in addition, sought to evaluate other research in this country and abroad which is relevant. From this review, the subcommittee has drawn certain conclusions as to the role of excessive televised crime, violence, and brutality in adversely affecting the viewer. These conclusions are briefly set out below. More specific evidence in support of the cited findings appears in section III–C of this report.

(a) Television programs which feature excessive violence tend to reinforce overly aggressive attitudes and drives in juvenile viewers where such attitudes and drives already exist.

(b) Filmed violence has been shown to stimulate aggressive actions among normal viewers as well as among the emotionally disturbed. This applies to adults as well as to children but the effect is most pronounced on the latter. Experiments have shown that normal persons who see a violent film subsequently exhibit nearly twice as much vio-

lence as persons who have not seen such a film. When the experiments involved the infliction of pain on other human beings, men who had seen a violent film did not hesitate to inflict excessive pain on other men or even upon women and vice versa.

(c) Children can learn to perform aggressive acts by exposure to such acts on television.

(d) The observation of violence and aggressive behavior on television is more likely to bring about hostile behavior in the young viewer than it is to "drain off" aggressive inclinations.

(e) Children are adversely affected by isolated scenes or sequences of violence and brutality and this adverse effect is not necessarily washed away or purged by a "moral" ending in which "good" triumphs over "evil." Thus, a given western or crime-detective program may close with the victory of the forces of law and order but, in the minds of the young viewers, this often fails to compensate for the impact left by scenes earlier in the program stressing violence and brutality.

(f) Continuous exposure of the young to programs containing violence, crime and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewer's acceptance of excessive violence as the "normal" way of life.

(g) Filmed violence can serve as the motivation for the release of hostility and aggressive behavior in some individuals already under stress for other reasons.

C. Evidence supporting the conclusion that excessive crime, violence, and brutality on television adversely affect the young.

The evidence that televised violence and brutality have a specific impact on the behavior and attitudes of the young falls into three broad classifications: (1) The views of experts such as psychiatrists, psychologists, government officials and caseworkers directly concerned with juvenile delinquency problems; (2) Specific research findings based upon studies conducted in university and institutional environments; (3) testimony of representatives of the television industry and related organizations. These three kinds of evidence are summarized consecutively here.

1. The Views of the Experts

Dr. Frederic Wertham, the noted psychiatrist who has devoted much of his life to the problems of children, perhaps comes as close as any specialist to reflecting the views of those child health experts who deplore the impact of televised crime and violence on children. He has said:

"I am convinced that the moving visual image on the movie or TV screen, complete with sound, has a much greater impact on most children than the images they conceive in their own mind's eye from reading a story or having one read aloud to them. My conviction is based on interviews with the children, their daydreams, drawings, play and games. 'Live action' on the screen, particularly cruel or horrifying, works directly on the child. Identification with a character may be almost overpowering. When reading a violent story in book form, a child is protected by the limits of his own imagination, to which, in even the grisliest fairy story, something is left. On the screen, violence and horror are spelled out * * * . Seeing the same or similar plot on the screen is a more complete and more potent experience. Whether they completely understand it or not, they have a vivid visual image of it."

Msgr. Joseph E. Schieder, National Director of the Catholic Youth Organization, gave testimony before the subcommittee in which he cited specific examples in support of Dr. Wertham's argument that televised crime and brutality had an adverse effect on the young, Monsignor Schieder went further in linking television specifically to the growth of juvenile delinquency across the Nation. He said bluntly:

I, for one, do not hesitate to echo the sentiments of the Attorney General of the United States, as reported recently, that the portrayal of crime and violence is "a major factor" governing the appalling increase of juvenile delinquency. The subcommittee is particularly impressed with testimony such as that of Monsignor Schieder because of his long and direct association with young people and their problems.

The view that there is a specific link between televised crime programs and antisocial juvenile behavior is further supported by the responses of child guidance clinics throughout the Nation to a recent questionnaire. The questionnaire, distributed by a private, nonprofit organization specifically concerned with improving the fare on television and radio, went to some 127 members of the American Association of Psychiatric Clinics for Children. A substantial majority of the respondents stated that they believed that televised crime programs contributed to delinquence or to antisocial behavior of children.

Government officials directly concerned with the broadcasting function or with the problem posed for society by juvenile delinquency were in agreement that televised crime, brutality, and violence had an adverse impact on children though some were more forceful in their views than others. James V. Bennett, former Director of the U.S. Bureau of Prisons, which is responsible for Federal correctional institutions, including those for juvenile offenders, told the subcommittee:

"There is today a sufficient body of sound professional and competent opinion based on research evidence that exposure to the viewing of crime, mayhem, and conflict as a means of entertainment has a deleterious emotional impact on youth and creates the risk of triggering delinquent behavior."

In the subcommittee's 1961–1962 hearings, the Secretary of Health, Education and Welfare, then the Honorable Abraham Ribicoff, made the point that there were many influences at work in bringing on delinquent behavior, but that he believed children exposed to a steady diet of TV violence could not help but be adversely affected. The Department of Health, Education, and Welfare houses the Children's Bureau and supports considerable research in the delinquency field. The Secretary said specifically that he did not think it possible that—

"a child, any child, could be exposed for hours, and day after day, to a uniform fare of lowest standard behavior, violence, antisocial aggression, frequent ridicule of law-enforcement agents, and just plain mental and physical brutality—and not be affected.

During the same hearings, Newton B. Minow, then Chairman of the Federal Communications Commission, charged by law with regulation of television and radio, told the subcommittee that the Commission had received complaints about crime and violence on television, particularly relating to programs broadcast during hours when children made up a large part of the audience. Mr. Minow stressed the view that television was failing to meet its responsibility to children and that children could be adversely affected because of this. He said:

"Children will watch anything. And when a broadcaster uses crime and violence and other shoddy devices to monopolize a child's attention, it's worse than taking candy from a baby—it is taking precious time from the process of growing up. Young minds take things literally, and the effect of television upon young minds has been amply testified to by experts here and in your hearings a few years ago."

Mr. Minow gave one dramatic example of the impact of televised crime and violence on the very young. He told of receiving a letter from a mother of six children. She reported that when her 4-year-old was told that his grandfather had died, the youngster asked "Who shot him?" The subcommittee is aware of the fact that Mr. Minow's successor as FCC Chairman, E. William Henry, has very recently reiterated his predecessor's concern with improving television programming for children.

2. The Research Findings

The prevailing view among qualified independent researchers concerned with the mass media and with the juvenile delinquency problem in particular is acceptance of the thesis that excessive televised crime, violence, and brutality have an adverse effect upon many child viewers. Generally speaking, the research people are somewhat more cautious than are the professionals who must cope with the delinquency problem directly, but there is growing agreement that television represents a contributing factor in inciting delinquent behavior in many cases.

The only witnesses testifying before the subcommittee who did not accept the thesis was some kind of relationship between televised crime and violence on one hand and adverse reactions in the child audience on the other were among those representing the broadcasting industry. And even here, all witnesses with a direct stake in the television field did not oppose the suggestion that there was some sort of relationship. As will be pointed up in the next segment of this report, some television industry spokesmen admit the possibility of such a relationship. Further, the industry generally must be commended for its current support of independent research designed to investigate that possibility. (See sec. V.)

The researchers' case, as it existed prior to the publication of new findings during the past year, is perhaps best summarized by the words of Dr. Peter P. Lejins, professor of sociology at the University of Maryland and consultant to the National Council on Crime and Delinquency. Dr. Lejins, who was charged by the NCCD with determining the impact of crime, violence, and horror programs on the youthful mind, told the subcommittee:

"A careful purusal of the results of several major investigations—the most monumental of which are those of the U.S. Senate Subcommittee To Investigate Juvenile Delinquency (1954), the earlier Payne Fund studies, and the recent study of the issue in Great Britain supported by the Nufield Foundation—showed that there is actually a considerable amount of very cautiously stated opinion on the part of the researchers and clinicians to the effect that crime, violence, and horror shows do exercise a strong negative influence well deserving of further research.

A noted British researcher, Dr. Hilde T. Himmelweit, has taken an even stronger position in some respects than did Dr. Lejins. Coauthor of the classic work "Television and the Child" (Oxford University Press, 1958) and a participant in the studies sponsored by the Nufield Foundation referred to by Dr. Lejins, Dr. Himmelweit recently summarized conclusions as to research bearing on the television-child viewer relationship in the United States and Britain. In her summary, she took the position that—

"Televised violence portrayed continuously by a large number of programs had a definite impact on the children exposed to it.

"Such programming was likely to have a particularly strong effect on younger children and on those "who are specially concerned with the whole question of aggression and guilt."

Television viewers "have an inconvenient way of responding to isolated incidents rather than to overall themes" and this is the case whether the views and values involved are worthwhile or damaging.

Recent research conducted under the auspices of the U.S. Department of Justice at two juvenile correctional institutions—the Ashland Youth Center and the National Training School—establishes a relationship between televised violence and delinquent

behavior. One study revealed that 95 per cent of the inmates in these institutions had spent as much as 3 to 5 hours viewing television at home and close to 50 percent preferred crime and detective stories. With few exceptions, the most popular programs among these delinquents were "The Untouchables," "Thriller," "Route 66," "Rebel," and "Have Gun, Will Travel." As of early 1964, each of these programs was still being televised. Generally speaking, they were being shown during prime time and to a substantial juvenile audience.

However, the most significant finding of this study was that roughly one-fourth of the youngsters in these two juvenile institutions (26 per cent at Ashland; 23 per cent at the National Training School) stated that televised crime and violence had in some way shaped their attitudes or were responsible for their conflict with the law. As one inmate put it succinctly, "I saw a housebreaking scene on TV and I tried it and got caught."

While this is obviously an oversimplification of the causal relationship, at a minimum it illustrates the fact that the techniques of crime can be learned from seeing them portrayed. The degree to which the program actually motivated the behavior is yet to be determined.

Early in 1964, a report on a major research breakthrough was made public by the Scientific American, one of the Nation's most respected and influential scientific journals. The author of the report, Dr. Leonard Berkowitz, is professor of psychology at the University of Wisconsin and an internationally known expert in the field of social psychology. Dr. Berkowitz had just completed carefully controlled experiments as to the impact of filmed violence using college students as subjects. The work had been made possible by a National Science Foundation grant.

Citing his own studies as well as others conducted in the United States and in Canada, Dr. Berkowitz drew the highly significant conclusion that, given the "appropriate conditions, motion picture or television violence can stimulate aggressive actions by normal people as well as by those who are emotionally disturbed." He also suggested that "observation of aggression" is "more likely to induce hostile behavior than to drain off aggressive inclinations." This view is now accepted by the majority of researchers actively studying the impact of filmed or televised violence on aggressive behavior.

The fact that Dr. Berkowitz's findings were arrived at by using young adults as subjects lends strong support to the assertion that juveniles in general and young children in particular are even more likely to be adversely affected. (This is so because younger people generally have more plastic minds and are more readily open to suggestion.)

That televised violence does indeed have a direct and adverse effect on very young children has been dramatically demonstrated by Dr. Albert Bandura, professor of psychology at Stanford University. Dr. Bandura supplemented his testimony before the Subcommittee with a film depicting a research experiment directed to defining the impact of televised violence on preschool children. This research strongly supported the conclusion that there exists a relationship between filmed aggressive behavior portrayed by adults and aggressive behavior of the young child. It also contradicts the argument that only extraordinarily aggressive children are adversely influenced by televised violence.

Dr. Bandura's experiment employed three matched groups of preschool children, 3 to 5 years old, drawn from the Stanford University nursery. All of the children were considered normal in the usual sense of that term. One group was exposed to a real-life adult model committing aggression against a large Bobo doll. The second was exposed to the identical situation on film. And the third served as a control group, being unexposed to the violence either in real life or on film.

Following the exposure to the violence, all the children (including the control group) were given access to a large variety of toys, aggressive and nonaggressive, and to a Bobo doll which was a replica of the one used in the adult aggression. The nonaggressive toys included a tea set, crayons and coloring paper, dolls, animals, trucks, etc. The aggressive toys included a mallet, pegboard set, guns and a tetherball.

Eighty percent of the children exposed to the adult violence in real life or on film proceeded to duplicate that violence against the doll, hammering it with the mallet, kicking and punching it, and calling it names as the adult had done. None of the "control" children engaged in this violent activity. The Subcommittee was particularly interested in data which indicated that children who had viewed the film were more violent than were those who had been exposed to the real-life model. As Dr. Bandura put it—

"Children who viewed the filmed aggression engaged in considerably more aggressive gunplay than children who observed the real-life aggressive models."

Dr. Bandura's findings testifying to the fact that young children imitated televised (filmed) aggression—aggression expressed by both word and deed—were further confirmed by the results of a questionnaire subsequently sent to a large number of parents. The latter had been asked to observe their children after exposure to certain programs on television. Ninety percent of the respondents stated that their children imitated mannerisms and repeated verbalizations, and, in many cases, their behavior was so violent that the parents had to express disapproval in order to stop it.

Dr. Wilbur L. Schramm, director of the Institute of Communication Research at Stanford University and one of the Nation's foremost students of the mass media, also testified to the premise that televised crime and violence have adverse effects on the young mind. Dr. Schramm, whose books are among standard texts used in universities throughout the country, told the Subcommittee that "the conclusions of present research" are that "a great deal of violence on television makes it statistically more probable that there will be violence among the viewers of these programs."

Dr. Schramm made it clear that he believed that excessive televised crime and violence represented a threat to the Nation's children. He stated:

"I feel that we are taking a needless chance with our children's welfare by permitting them to see such a parade of violence across our picture tubes. It is a chance we need not take. It is a danger to which we need not expose our children any more than we need expose them to tetanus, or bacteria from unpasteurized milk."

In the Subcommittee's view, the available research evidence is adequate to justify the conclusion that excessive crime, violence, and brutality as portrayed on television can and often do have an adverse impact on the young viewer. More specifically, it seems clear that such television programming can, and in many cases does contribute to the development of antisocial attitudes and behavior in the young.

3. Views of Broadcasting Industry Representatives

Testifying before the Subcommittee in 1962, top broadcasting industry executives generally took the position that the research evidence did not prove that television program content was a factor in breeding delinquent behavior. Thus, LeRoy Collins, until recently president of the National Association of Broadcasters, stated that the "weight of sociological opinion" does not justify the conclusion that televised crime and violence cause "delinquency or criminal tendencies." In general, representatives of the three major networks supported this assertion.

However, Mr. Collins and several witnesses concerned with program production did suggest that there was too much violence and crime being televised. Mr. Collins said flatly that there was no justification "for the use of violence merely for the sake of violence" and that to do so is "offensive to simple good taste, seriously downgrades the television art, and should be eliminated."

Mr. Maurice Unger, executive vice president in charge of production for the independent ZIV-United Artists, Inc., supported the Collins view in this respect. He termed the excessive violence on television "undesirable and unnecessary" and charged that it was "lowering the quality standards of television entertainment."

Unlike Mr. Collins, major network representatives staunchly defended their programming policies on the ground that they were giving the public what it wanted. They based their conclusions as to what the public wanted on the various rating services. In light of the questions raised as to the accuracy and efficiency of most of these services both by other congressional investigations and by competent testimony before the Subcommittee, the Subcommittee concluded that network assessments of what the public wants were open to question.

Some people associated with television in 1961–62 actually took the position that violence served a good purpose. Thus, one California producer of a television series with a very large children's audience told the Subcommittee:

"As a matter of fact, I believe that a certain amount of violence, as it is portrayed on 'Cheyenne' has a good moral effect. The winning of the West was a victory for law and order. Such violence that is shown occurred because law and order were absent. With the coming of the sheriffs and the marshals and the growth of their influence, the West became a respectable part of our community."

The Subcommittee disagrees with the views that the excessive violence which characterizes the program referred to above and others like it is either morally good or necessary to paint an adequate picture of American historical development. Further, the research evidence already cited makes it clear that "good" outcome does not generally compensate for violence and brutality indulged in along the way to achieving that outcome in the minds of young viewers.

But there were differences of opinion within the television industry in 1961–62 as to the effect of excessive violence on the young even as there are today. Thus, a Cleveland, Ohio station (WEWS) executive definitely tied a popular crime-detective program in with the commission of a crime by a gang of local juveniles. In a letter to ABC in New York, the Cleveland official advised of his desire to drop "The Untouchables" program locally as the result of a newspaper story reporting the rounding up of a juvenile gang styling itself "The Untouchables." That letter is part of the hearing record.

The gang was charged with "assault to kill" a Cleveland resident. Its 17-year old leader termed himself the "Second Al Capone." The influence of the television program on the gang tends to be substantiated by factors above and beyond the name adopted by that gang. Thus, gang members reportedly phoned the widow of Eliot Ness, the former Cleveland safety director who is the hero of the program. They taunted Mrs. Ness, bragging that they were "The Cleveland Untouchables."

Network Views Shift in 1964

When executives of the three major networks appeared before the Subcommittee in July 1964 a subtle but significant shift in the prevailing view was apparent. The executives were as insistent as ever in defending

their programing policies but were now prepared to admit, in very general terms, that there was some kind of relationship between televised violence and crime and the molding of children's attitudes and behavior. None, however, was prepared to admit that his network engaged in programing which featured excessive crime and violence.

Asked by the Subcommittee chairman whether televised violence might possibly have contributed to the Nation's increased crime rate, ABC Vice President Thomas Moore replied:

"I believe that there is always the possibility that any kind of matter that is presented to a public could have some influence on an individual, of course it could. Ours is a very powerful medium. And I think that we are all well aware of the dangers that are in our medium and we are conscious of the responsibility that we must exercise."

Mr. Morris Rittenberg, president of NBC Films, expressed his agreement with a Subcommittee contention that "There are some shows that should not be shown to very young children or teenagers—certainly not desirable to show them;" and James T. Aubrey, president of CBS, the only network to show any significant decline in programed violence during the 1964 Subcommittee monitoring period, not only agreed that there was a connection between televised crime and violence and child viewer behavior, but pointed out that his network had established new policies designed to more carefully police itself in this respect. In particular, he noted that CBS had established an office of social research under a leading communications exeprt to carry out studies on the effects of violence and crime.

The Subcommittee is pleased with this evolution in network official thinking as to the impact of excessive crime and violence on the young. The change is good for the television industry and it will be good for the public. The Subcommittee is particularly pleased with the observed decline in crime-violence programming on the CBS network and commends CBS both for this and for what appears to be an improvement in its self-policing.

Yet, we are moved to reiterate that the overall programming picture leaves much to be desired. Violence, crime, brutality, and related antisocial behavior continue to dominate the dramatic presentations which appear on the Nation's television screens. And the Nation's children continue to be exposed to this damaging fare in ever increasing numbers.

IV. EFFECT OF TELEVISION CODES AND NETWORK POLICY ON PROGRAMMING OF VIOLENCE

The National Association of Broadcaster's Code of Good Practice, as pointed out in section II, is the major device through which the broadcasting industry functions to guide programming in the direction of morality and good taste. In addition, each of the three major networks has either a formal code or set of standards designed to achieve the same end. Each also has a division or department charged with policing program content to see that it conforms to network standards.[3]

The current (April, 1964) NAB Code contains a number of injunctions relating to excessive violence, crime, and brutality as do the individual network standards documents. The most important of the code's restrictions in this connection fall under section IV entitled "General Program Standards." Subsection 13 of this basic section reads:

"Criminality shall be presented as undesirable and unsympathetic. The condoning of crime and the treatment of the commission of crime in a frivolous, cynical, or callous manner is unacceptable."

A second pertinent subsection (25) states:

"The use of horror for its own sake will be eliminated; the use of visual or aural effects which would shock or alarm the viewer and the detailed presentation of brutality or physical agony by sight or by sound are not permissible."

Other sections specify that law and law enforcement shall be portrayed with respect and dignity, and that the same sort of treatment be given marriage and the family. Still others are designed to prevent the presentation of murder for revenge as justifiably motivated and to bar the detailed telecasting of techniques of crime.

The Subcommittee believes the NAB Code to be well conceived. It commends the industry for establishing the Code as its central authority and for updating its content as often as it has. The Subcommittee has always maintained the position that the broadcasting industry ought to accept primary responsibility for policing the good taste and moral content of its programs.

Yet, the Subcommittee's monitoring of television programming, in 1964 as in 1961, reveals that the NAB Code is violated with impunity. It further shows that there are numerous violations of every section of the Code which in any way impinges on violence, crime, and brutality. Finally, there has been no substantial overall change in the degree of violation between 1961 and 1964.

The NAB Code is drawn up so that it appears to be the proverbial "mailed fist." But its impact has been that of the velvet glove. The industry's claim that this code is an effective vehicle cannot be substantiated in light of the evidence of chronic violation. Network programming policies which deliberately call for the insertion of violence, crime, and brutality are hardly conducive to building respect for any central authority within the industry. And local outlets particularly those owned by and affiliated with the networks find themselves with no realistic option but to accept network programming, much of which features this excessive crime and violence.

Subcommittee examination of witnesses and pertinent network correspondence confirms the role network policy plays in fostering violence in programming to which a very large children's audience is regularly exposed. In any disagreement with the NAB Code Authority, network spokesmen have made it clear that the network has the final word. Further, the Subcommittee is convinced that the various internal "continuity acceptance" departments have a very limited influence on program content. Though a spokesman for a major network has claimed that the department within his organization had a "veto" on program content, more persuasive evidence supports the contrary view. For neither the network "policing" agencies nor the central NAB Code have served to substantially reduce the extent to which crime and violence hold sway on the Nation's television screens.

The manner in which programming policies of the major networks have operated to foster crime and violence is best illustrated by specific example.

A. Policy and practice at the American Broadcasting Co.

The preoccupation with crime and violence at top echelons of the ABC network is well demonstrated by a review of correspondence and testimony relating to the production of "The Untouchables." This program played to exceptionally large children's audiences for most of its 5-year network run and, as of the 1963–64 season, was being rerun in many areas. In some cases it was being shown twice a week.

In this case, ABC officials required the independent producer (Desilu Studios) of the series to inject an "adequate" diet of violence into scripts. In so doing, these officials did not hesitate to override the objections of sponsor representatives to the inclusion of excessive violence. Individual producers who failed to comply with the network recipe for violence have, upon occasion, been fired.

In a memorandum from ABC official, Mr. Peter Peterson, to Mr. Thomas Moore, vice president of ABC–TV, several new story lines for the series were discussed. The script summaries were written in such a fashion as to make it obvious that much of the projected action either initiated crime and violence or was the result of same. One summary well illustrates the point. Entitled "Syndicate Sanctuary," it reads:

"Action: Judge is deliberately run down by a gangster and killed at the opening of the script. A G-man is trapped and tortured. Gangsters are trapped in an abandoned mine as they are about to kill a witness to a murder. Mine finally caves in on them as another gangster fires at one of the G-men who surrounded the thugs. There's a chase through the streets and the final scene as the 'untouchables' storm the jail."

This summary leaves no question as to the fact that the term "action"—as employed by key people in the television industry—is often a synonym for "violence." This assumption is further documented by the give-and-take between witnesses and Subcommittee members during the hearings and by quotations taken from files subpenaed from the networks. One such quote from the Peterson-Moore correspondence comments on a specific script summary as follows:

"Not as much action as some, but sufficient to keep the average bloodthirsty viewer fairly happy."

A former producer of "The Untouchables" at Desilu Studios, one Mr. Norman Retchin, was discharged after he refused to add what ABC officials felt was an adequate amount of violence to one of the filmed episodes. In a letter of Retchin's superior, Mr. Quinn Martin, an ABC official warned:

"We have been advised that two of the recent episodes of the 'The Untouchables,' 'Mexican Stake-out,' and 'Ain't We Got Fun,' lacked some of the dynamic excitement of the earlier episodes. Our program people who evaluate the scripts advise us that there is a tendency of the recent episodes to become 'talky' and as a result, much of the action and suspense is lost. I hope that you will give careful attention to maintaining this action and suspense in future episodes. As you know, there has been a softening in the ratings, which may or may not be the result of this talkiness, but certainly we should watch it carefully."

Mr. Retchin subsequently told the Subcommittee staff that he had refused to add violence to the "Ain't We Got Fun" episode referred to above and was thereupon discharged. Writing to Mr. Ted Jardine, an advertising representative of a sponsoring company, Mr. Retchin explained his conflict with ABC policy as follows:

"I think you had better know that I am no longer producing 'The Untouchables'. I have had a basic disagreement in policy with Quinn Martin as to how the show should go and because I cannot see eye to eye I am leaving.

"Here is the conflict: the toughest job I have producing is getting good scripts out of the writers. I have always insisted we hire top people. Even with these people, many of whom come out of New York to work for us, it takes a real effort. But the result has been worth it. We now have four fine shows.

"But now Martin, for some reason is panicking. He feels that it isn't worth the effort to go for these quality writers. He wants to get out a batch of scripts fast: to do this, he has hired some slick, quick Hollywood TV writers who will turn in a shooting script full of plot and violence and damn little character. I go for character. Let the violence come honestly out of that character. Especially in an hour

[3] The ABC Standards Department is titled "Continuity Acceptance." The comparable organizations for CBS and NBC are "Program Practices" and "Broadcast Standards" respectively.

long show where just plot and violence cannot sustain."

The aforementioned Mr. Martin is known in the television industry as a "blood and guts producer." Mr. Retchin, on the other hand is charged with producing "talky" shows, in which violence and crime are kept within reasonable perspective (by more objective standards). Mr. Martin's reputation as one who sees violence for the sake of violence as a "successful" ingredient of dramatic television programs comes out in a note written to an "Untouchables" script writer after Mr. Retchin's release. Mr. Martin wrote:

"On page 31, I wish we could come up with a different device than running the man down with a car, as we have done this now in three different shows. I like the idea of sadism, but I hope we can come up with another approach to it."

The record shows that programs created under Mr. Martin's executive producership were frequently criticized by ABC's continuity acceptance officials. It also shows that higher authorities at ABC issued specific instructions to creative personnel to disregard continuity acceptance recommendations insofar as "The Untouchables" was concerned. Further, material depicting violence was industriously sought from film libraries and other sources for inclusion in the series. An ABC interoffice memorandum entitled "Gangsters and Violence" makes this clear. It reads:

"The following material was called in and run on Movieolas by librarians for possible exciting shots of gangsters, action, and violence:

"Desilu: Man-prison riot and break; woman-prison riot; 1933 police raid on Esco Creamery—very good gun battle.

"Fox: Good material of machine gunning 10-gallon milk cans.

"Paramount: Four takes of barbershop bombing—interior and exterior.

"Desilu: Automobile off pier (1936)—'Day and Night'; one cut reel of police and gangsters—automobile chases, some accidents in reel.

"In accordance with your request, spectacular accidents and violence scenes of the 1930–36 years have been requested from all known sources of stock footages. You will be advised as material arrives."

The evidence reveals that pressures for violence on "The Untouchables" shows were often generated by ABC officials in the face of objections from their continuity acceptance department and sometimes in disregard of sponsor complaints. Thus, Executive Producer Martin warned Mr. Retchin at one point that he had better inject more violence ("action") into certain scenes of a projected script before "you send it out or we are going to get clobbered." Elsewhere Mr. Martin reports on the McCann-Erickson Agency's objections to a scene in an episode entitled "The White Slavers" in which a group of Mexican girls being imported to Chicago for use as prostitutes are machine-gunned by gangsters when it is found that they cannot get them across the border.

Mr. Martin's instruction to his subordinate reads:

"Page 40: This scene is the roughest I have ever seen and I don't know if we can get away with it, but let's leave it in. Have a feeling you may have to kill the girls off the camera."

Mr. Martin's references to an unidentified source who might "clobber" the producers and his implications that a decision on "killing the girls off camera" would be made by other sources both point to ABC network officials as the sources in question. Mr. Jerry Thorpe, who succeeded Mr. Martin as executive producer for the series, testified before the Subcommittee that he was under pressure from ABC's Mr. Thomas Moore to "maintain the 'quality' of the previous 'Untouchables' shows to a certain degree." The record shows that Mr. Moore's pressure in many cases overrode ABC's own continuity acceptance people who objected both to the quality and degree of violence which found its way into many episodes in the series.

The history of the ABC series "Bus Stop" first introduced in the 1961–62 season, but being rerun in 1964, adds substantially to the evidence that network policy demanded a focusing on excessive violence, crime, and brutality. It was this buildup of evidence which caused the chairman of the Subcommittee to characterize the ABC policy the "Treyz trend." Mr. Oliver Treyz then president of ABC, is generally associated with the "violence policy." "Bus Stop" was inaugurated after ABC representatives had assured the Subcommittee that the immediate future would see a decrease in violence, eccentric sex, and portrayal of unwholesome behavior generally.

Shortly after its inception, "Bus Stop" was playing to a weekly audience which included 1.5 million children 13 years of age and under. One "Bus Stop" episode was so brutal and sex-ridden that advance complaints were registered by sponsors, the ABC continuity people and the NAB Code authorities alike. Yet, that episode titled "A Lion Walks Among Us," was televised to the mass public.

"Bus Stop" was launched with an intensive publicity campaign spearheaded by instructions from the top of the ABC organization. This is substantiated by a memorandum prepared by Mr. Roy Huggins, an ABC official in which the Treyz policy directive is discussed. Mr. Huggings wrote:

"Ollie (Treyz) and you told us about 'Bus Stop' priority several weeks ago and as a result this program is receiving No. 1 attention from press information both in New York and Hollywood as well as from publicity departments at owned stations. And we are riding herd on the affiliates as well."

"A Lion Walks Among Us" is geared to a theme which features murder and suicide as corrective measures for past mistakes of the characters. As previously noted there is a clause in the NAB Code which specifically forbids this type of programming. That such programming is indeed offensive to public taste and potentially damaging to child viewers, is a view shared by many directly connected in one way or another with the "Bus Stop" series. But these views did not keep ABC from televising the episode in question.

ABC's West Coast Continuity Acceptance Department objected to "A Lion Walks Among Us" on several grounds. It objected to certain scenes, to certain lines of dialog, to the attitudes of the characters in the play, and to the kind of knife used in one of the scenes. Apparently little editing took place before the episode was released for public viewing, again attesting to the relatively weak position which continuity acceptance plays within the total power structure of a network organization.

The fact that editing did not "correct" the basic problem posed by the episode is well supported by a letter from a San Antonio, Texas man who was an early sponsor of the series. The letter written by Mr. Louis Stumberg to ABC executive Thomas Moore after public release of the episode reads as follows:

"I called Mr. Jim Brown of KONO–TV here in San Antonio, after viewing your program 'Bus Stop' Sunday evening. He suggested that I write you of the reactions which I gave him.

"Frankly, I think that the film is vulgar, dirty, in extremely poor taste and ending up with scripture quotation after such filth was the crowning blow.

"I am sending a letter today to my agency, Fuller, Smith, & Ross, to cancel all our advertising with any and all ABC stations—radio and television—until further notice. I see no reason to subsidize a network, even though my contribution may be extremely small, that puts forth such (shows) as 'Bus Stop.'"

The network's penchant for disregarding the NAB television code is well documented by an exchange between Mr. Robert Swezey, former director of the code authority and former ABC President Treyz. Shortly before the screening of "A Lion Walks Among Us," Mr. Swezey wired Treyz as follows:

"Our office has been receiving a number of inquiries concerning acceptability on their code provisions of 'Bus Stop' episode for next Sunday. We have also been notified that several ABC stations have refused to carry it after preview, and that advertisers have withdrawn their sponsorship. Our request for an opportunity to view the episode was turned down by your New York office today. We have therefore no first-hand information concerning the program content but can only assume from the information which comes to us from a number of subscribers that its compliance with code standards is highly questionable. Assume that broadcast of the episode in its present form will probably have considerable unfavorable reaction. Suggest your careful review of the episode and reconsideration of its suitability for family Sunday evening viewing. Would like to work out with you some method of mutual cooperation in these situations in the future."

Mr. Treyz's reply said ABC would be glad to meet with Mr. Swezey "at any time to clarify for you any questions you may have with respect to our decisions." But it also made clear that any decisions relating to program content would be made by ABC and not by the code authority. Rejecting the authority's proposal to withdraw the episode in the form in which it was shortly to be screened, Mr. Treyz said in part:

"The program had been approved for telecast by our continuity acceptance department after serious deliberation * * * to do otherwise (than reject the NAB proposal) would have opened the door to possible prior censorship considerations of program content as well as a delegation of responsibility for broadcast matters to someone other than the ABC television network or its affiliated stations. As voluntary subscribers to the NAB Code, the ABC television network, through its continuity acceptance department, has the responsibility of interpreting, applying, and seeing to it that broadcast matter conforms to the code."

In the Subcommittee view, conditions do not appear to have changed appreciably at ABC since the days of the "Treyz trend" (1960–62). Quinn Martin, the senior producer who wrote of his affection for sadism and is known for his affinity for violence, is as busy as ever turning out shows for the network. And, at least early in 1964, he continued to have the support of top ABC management in fending off the "policing" of continuity acceptance. In a letter to a member of the production staff of "The Fugitive" series, of which he is executive producer, in February 1964, Mr. Martin, in effect told the staff member not to allow himself to be pushed around by continuity acceptance. He wrote:

"With regard to continuity acceptance, fight for what you believe in and if you ever get hung up on something you feel is important, call me into the fray. Otherwise, just use your usual good judgement."

That Mr. Martin had access to top management in the event he wished to dispute the "standards" people and that various other producers sometimes choose to disregard continuity acceptance dictates is supported by a letter written to Martin in July 1963, by Edgar J. Scherick, vice president in charge of TV network programming. The letter states:

"The continuity acceptance department has indicated to us that a few producers have erroneously assumed that they need not discuss modifications of material reviewed by continuity acceptance since no objection had been made by a member of the program department or Mr. Moore at the time of their viewing. The purpose of this letter is to cor-

rect this misunderstanding and to advise you that our silence is not indicative of approval in the continuity acceptance area. I do not intend that, from a program point of view, should there be a reasonable disagreement with the continuity acceptance people, you do not have appeal to the program department and management.

Boiled down to essentials, this letter makes it clear that ABC's top management has the last word on program content and that producers down the line may appeal to the top whatever the dictums of "Continuity Acceptance." This significant point is further demonstrated by the internal "history" of an episode of the 1963–64 series "Breaking Point." In a commentary to the producer of the series (Bing Crosby Productions) dated July 17, 1963, on the first draft of a script entitled "The Bull Roarer," ABC continuity acceptance editor, Dorothy Brown, requested 13 major and a number of minor modifications before screening.

The Subcommittee staff viewed "The Bull Roarer" film against the final shooting script. Eleven of the thirteen major modifications requested had not been made. Further, the final product contained material from three pages of the final shooting script which the continuity acceptance department had termed "entirely unacceptable."

B. Policy and practice at the Columbia Broadcasting System

Though CBS is the only one of the three major networks shown by the Subcommittee's 1964 monitoring study to have demonstrated a significant decline in the televising of crime and violence, there remains considerable room for improvement. All too many CBS dramatic shows continue to violate various sections of the NAB Code. This point was made by the Subcommittee chairman when he commended CBS officials for the network's improvement during the most recent hearing.

CBS, like the other networks has been plagued during the 1963–64 season by an almost constant tug of war between its policing division (program practices) which seeks to limit violence and crime and the producers of several key shows which play to a very sizable children's audience and who appear to thrive on violence and brutality. The Subcommittee takes comfort in the fact that the program practices people seem to be winning more battles these days than they did a few years ago. But they are not winning enough.

Like ABC, CBS as recently as a few years ago actively pursued a policy calling for substantial violence, brutality and sex in prime time programs playing to audiences regularly including large numbers of children. Witnesses before the Subcommittee and subpenaed correspondence revealed CBS policy hand at work in such popular programs as "Malibu Run" and "Route 66." The latter ran continuously on a first-run basis for 4 years. At the height of its popularity it attracted an audience of more than 12 million, one-fourth of them young children and teenagers.

The evolution of "Route 66" is particularly relevant both because of its focus on violence and sex and because of the network's role in developing that focus. Shortly before the series' inception, network officials became concerned because it was not "pulling" as effectively as it should. Mr. James T. Aubrey, Jr., CBS network president, is reported to have issued what became known among producers as the Aubrey dictum of "broads, bosoms and fun." In testimony before the Subcommittee in 1962, Mr. Aubrey admits to asking for more "glamor" and "romantic interest" but denies authorship of the dictum in the specific sense.

Yet memorandums prepared by people concerned with the show's production refer to the "broads, bosoms, and fun," dictum. One such memorandum says, "you remember Jim Aubrey saying, 'put a sexy dame in each picture and make a 77 Sunset Strip if that is what is necessary, but give me sex and action.'" A letter written by a west coast CBS official to his superior criticizes several CBS programs as being a "a far cry from Mr. Aubrey's dictum of 'broads, bosoms, and fun.'"

Mr. Aubrey's concern with the initial reaction to "Route 66" was such that he met with the show's producers to discuss the matter in November, 1960. The Aubrey dictum reportedly went into effect after this meeting. Whether Mr. Aubrey did or did not use these precise words to describe what he wanted done is less pertinent than the fact that the show thereafter began to feature excessive violence and sex.

The same west coast official who wrote the above letter of criticism was apparently pleased with the spirit of cooperation evidenced by "Route 66" producers after the Aubrey meeting. He wrote regarding an episode in early January, 1961, that:

"I must acknowledge that 'Baby Doll' has more than a generous share of bosom amply displayed to a point where program practices is screaming in anguish, and (she) wears over a pair of very spiked heels the tightest pair of slacks ever to be entered by womenkind without mechanical assistance."

Implicit in this letter is the fact that top level policy, once again, is overriding the protests of the continuity acceptance people.

The excessive degree to which "Route 66" featured sex as a basic theme from the very beginning is underscored by an analysis of the program made by Dancer, Fitzgerald & Sample, a New York advertising firm. Said the firm:

"Numerous recent stories have included an almost standard character in the shapely form of a sexpot—usually young—whose aim in life is to stir the libido of (a) the villain; (b) Buz; (c) male viewers just everywhere. This tight-pants type, with variations has turned up in 'Three Sides,' 'Layout at Glen Canyon,' 'The Beryllium Eater,' 'The Quick and the Dead,' 'The Clover Throne,' and 'Fly Away Home.' In some of the episodes the part was well handled; in 'Layout' and 'Quick and the Dead,' it was an embarrassing and gratuitous display."

It is the Subcommittee's view that the problem posed by excessive concentration on sex is more than just embarrassing and gratuitous. In a program such as "Route 66" which is viewed by a very large children's audience, the impact on the moral standards and sensitivities of many viewers may well be a devastating one.

CBS like NBC, has not hesitated to make it clear to "outside" influences that it is boss when it comes to setting policy for program content even when such content violates good taste and established moral principle. A CBS internal memorandum made available to the Subcommittee testifies to this. Involving a film entitled "Most Victorious, Most Vanquished," the memorandum reports that "the Chevrolet people"—the sponsors—had complained to the network about one action sequence in the film. The memorandum cites the CBS response to the complaint as follows—"They were given a very curt answer: 'We approved the picture; evidently we think it's all right.'"

The kind of policy thinking which dominated the production of "Route 66" and other "blood-and-thunder" programs back in 1960–61 has not been dethroned at CBS in 1963–64. The program practices division, which seeks to abide by the requirements of the NAB television code, is making itself felt but only to a limited degree. The Code continues to be violated with distressing regularity.

In its preparations for its most recent hearing, that of July 30, 1964, the Subcommittee staff reviewed episodes taken from two of the network's "veteran" shows which were playing to substantial children's audiences: "Gunsmoke" and "The Alfred Hitchcock Hour." The five episodes used at the Subcommittee hearings, according to the American Research Bureau reports, had been witnessed "first-run" by 26.5 million children including teenagers. During the regular season, "Gunsmoke" was seen by a child audience averaging about 5.5 million. The comparable statistic for the Hitchcock show is lower but still substantial.

One of the "Gunsmoke" episodes reviewed was entitled "Dry Well." Among other things, this episode included physical abuse, torture, and almost inhuman insensitivity to suffering on the part of one character. Among the characterizations portrayed were those of a fiendish old man, a killer, an unfaithful wife and an amoral son. In short, just about every canon of the television code relating to crime and violence was either overlooked or stretched considerably. The response of a top network spokesman when questioned about this episode:

"I don't believe that we should subject the American people as a whole to childish themes in the entertainment we put on just because children happen to be up at 10:00 viewing them. I consider this an adult western; I consider this an adult theme."

Apparently, CBS policymakers are inclined to explain away excessive violence and amorality with the use of that single, simple word: "adult". But perhaps the most reliable commentary on the general nature of the "Gunsmoke" program comes from those engaged in its production. In a memorandum of May, 1963, one member of the production staff wrote another, in part:

"Here is the third draft of 'Owney Tupper Had a Daughter." It is offbeat for 'Gunsmoke' inasmuch as there is only a modicum of violence."

In short, according to the people who produce the show, large-scale violence is a regular ingredient.

The "Alfred Hitchcock Hour," which has now moved to another network has been a veritable seedbed of violence, horror, and criminality. Its producers have violated the television code with what seems reckless abandon. As one critic pointed out in the Chicago Tribune in March, 1964:

"Hitchcock in recent years has moved into gruesome horror shows, shows that reveal far too much of the techniques of crime, and frequently seem in violation of the TV code.

Analysis of network correspondence reveals that the CBS "program practices" division took substantial exception to Hitchcock scripts at least nine times during a period of less than 9 months in 1963. It further shows that exceptions were taken to five different scripts during this period. Commenting on a script entitled "The Cadaver" on October 1, 1963, program practices urged modification of 11 different scenes or sequences. In the Subcommittee's view, this particular episode went on the air containing few of the substantive changes requested and in direct violation of the NAB Code on several grounds.

The reduction in crime and violence on CBS–TV programming revealed by the Subcommittee's 1964 monitoring study notwithstanding, it seems clear that CBS still has a way to go before it can be said that it is fully meeting its obligations to the NAB Code and to the viewing public.

C. Policy and practice at the National Broadcasting Co.

Immediately prior to the Subcommittee's 1961–62 hearings, the National Broadcasting Company like the American Broadcasting Company and the Columbia Broadcasting System, clearly pursued a deliberate policy of emphasizing sex, violence and brutality on its dramatic shows. That policy was the product of what several producers referred to as the "Kintner edict." This was apparently the counterpart of the Treyz trend at ABC, and the Aubrey dictum at CBS. The edict was attributed, by people associated with NBC,

to Mr. Robert Kintner, president of NBC. The NBC policy was well demonstrated by the development of two dramatic series screened in 1960–61, entitled, respectively, "Whispering Smith" and "Man and the Challenge."

Insofar as "Whispering Smith" was concerned, an independent testing organization conducted an advance audience reaction test of what was known as the "Hemp Reeger" episode. The testing organization exposed 262 men, women, and children to the episode in a home environment and then questioned them about it. Among the findings were the following:

"The sexual implications of the show were disliked by men and children as well as by women. Nearly all (97 percent) of the people felt there was too much emphasis on sex * * *. Three-quarters of the people (men, women and children) felt that this show was unsuitable for children."

Despite this finding, the "Hemp Reeger" episode was televised. When asked about the network's decision to release the episode, Mr. Walter Scott, the NBC–TV network executive vice president, told the Subcommittee that the test had been "experimental" and that his staff had concluded that it was invalid. In the absence of any evidence of a second test under network auspices, it is difficult to escape the conclusion that the network was simply disregarding survey findings which it had no desire to accept.

In its study of NBC network files, the Subcommittee found considerable documentation relating to the program "Man and the Challenge." This particular program was, apparently, one which was finally televised containing less crime, violence, and brutality than top network officials had hoped it would.

Following the introduction of evidence that NBC executives sought to dictate the nature of the "Man and the Challenge" program, representatives of the production company for the series were asked in open hearing what the "Kintner edict" was. According to one of these witnesses, A. Frank Reel, the "edict" was a "reference to a statement that there should be sex and violence in the show or we could not get the Saturday 8:30 time period." In short, if the "Kintner edict" were to be disobeyed by the independent producers, their show would not be in a choice, prime time period geared to a very substantial children's audience.

Another witness, Mr. Ivan Tors, a producer of the "Man and the Challenge" show, was questioned as to where the instructions to interject sex and violence came from. Mr. Tors responded that Mr. Joseph Daly, an official with an advertising firm which represented a show sponsor (Chemstrand), had given him some insight into the matter. "Mr. Daly," Tors said, told him that instructions came "from Mr. Levy, but Mr. Levy at that time received instructions from Mr. Kintner. Again, I have no firsthand knowledge about whose suggestion it was. I know only that I was told to put sex and violence in my show." (*Subcommittee Note.*—Mr. Levy was then program director of the NBC television network.)

The Subcommittee is convinced, on the basis of its 1964 monitoring, its review of subpenaed correspondence, and the testimony of network officials, that, whatever the fate of the "Kintner edict" per se, the policy which it enunciated was still very much alive during the 1963–64 season. One measure of the persistence of that policy: During the last half of 1963, the complaints and criticism relating to horror, violence, sex, and improper language by the NBC Broadcast Standards Department to those responsible for network programming almost doubled over what they had been in the period immediately preceding for a show that was having rating difficulties. Broadcast Standards is the NBC department charged with seeing to it that network shows meet with good taste and moral standards of both the NAB Code and the network's own regulations.

The Subcommittee staff's study of evidence concerning key shows playing to very large child audiences during the past season (1963–64) supports the view that broadcast standards admonitions as to the use of crime, violence and brutality, had about as much impact as pebbles tossed against a reinforced concrete wall. Those charged with producing dramatic shows for NBC paid lipservice to broadcast standards and they must have had the direct support of top management.

"The Lieutenant," an "action adventure" series playing to an audience including millions of children during the 1963–64 season, is not atypical of the NBC penchant for violence. In a memorandum commenting on an episode entitled "O'Rourke" on November 7, 1963, the broadcast standards unit urged that a fight sequence (consuming seven scenes) be substantially shortened and that there should be "as few blows as possible." The sequence, as it stood, "may not be acceptable," warned Broadcast Standards, urging that violence be held "to a minimum on all NBC shows." Nine other changes were also urged on the producers of the show.

In reviewing film of the episode, the Subcommittee found that the sequence complained of endured for 2 full minutes. During this time, there were 25 blows struck, including kicks to the groin, the stomach, and kidneys and two attempts to stomp on one participant's face. There were also four karate-type rabbit punches.

"The Virginian," a series which NBC bills as a "family type" show and which weekly reaches a very large children's audience has had its share of complaints from the broadcast standards department. One episode, about which there were several substantial complaints, was entitled "Man of Violence." In just this one show there were 13 individual killings, 9 by shooting, 2 by knives and gun butts, 1 by torture, and 1 by smothering. In addition, there were five fights with fists, guns, knives and rope, and three assaults by guns, fists, and rocks. There were also four threats by gun.

In commenting on this particular show, the Subcommittee chairman noted that it was first televised early in the evening on Christmas 1963 (7:30 pm). It was seen by an estimated 10 million children, including teenagers. Mr. Walter Scott, the top NBC executive who testified before the Subcommittee in July, 1964, was asked for his view of the episode His response: "* * * I did not find it objectionable * * * I think there were scenes of physical violence within the program. But I would not call the program a violent program."

The television code, as already noted, prohibits the detailed portraying of the techniques of crime. In a program appearing on the "Dupont Show of the Week" during the 1963–64 season, an episode entitled "A Ride With Terror," this provision is clearly violated. In the episode, two hoodlums terrorize a subway car full of people and fatally attack an old man. The Subcommittee chairman described the scene of the attack on the old man as follows during the July 1964 hearing:

"Here we have a detailed scene on how to mug a man, when the old gentleman was mugged in detail while one of the young thugs had him by the throat with a knife at his throat, and the other went through his pockets, and then finally brutally struck him down after having mugged him and robbed him. There may be some techniques that were not shown here that I do not know about. But it seems to me if you wanted a thorough lesson on how to mug a human being, you certainly got it on that show * * *."

Asked whether he saw any connection between "A Ride With Terror" and some of the violence and crime which has actually taken place on New York subways, the NBC executive testifying said:

"Incidents occurred in subways both before and after this show * * * I think that this was an unusual social document * * * Although it was dramatized, this was a report on the kind of thing that had happened in the subways."

The Subcommittee chairman made the point that a representative of the New York Transit Authority had objected to the show. The executive admitted that this had happened and that a "disclaimer" had been requested. The request was turned down by the network.

One NBC program which in the Subcommittee's judgment, violated a number of tenets of the NAB Code, was an episode entitled "The Weakling," which was among the early entries in the "Espionage" series introduced for the 1963–64 season. An NBC official testified that "we do not have a great deal of audience" for the "Espionage" series. But American Research Bureau reports that more than a million children viewed the program on the average.

A broadcast standards department memorandum of July 12, 1963, calls for more than a dozen specific revisions. It particularly requests a major overhaul of a sequence in which the "hero" is exposed to torture in detail. Specifically, in reference to the torture scenes, the memo says: "The above, if necessary at all, should be as brief as possible, off camera, suggestions only, etc."

As actually screened, the torture sequences were among the most brutal to be imposed on the television audience during the 1963–64 season. A subcommittee staff member pointed out during the July 1964, hearing that—

"At the end of the torture of these four men, the scene ended with close shots of one man bleeding from the mouth, another bleeding from the nostrils, a third staring painfully at the camera, and the fourth thrashing at the window of the torture chamber. An oxyacetylene torch was employed to burn the 'hero's body during the torture scene, the torch being applied on camera in the face of broadcast standards urging that this and related depictions should be off camera if 'necessary at all.' "

Other program episodes playing to substantial child audiences about which broadcasting standards complained during the past year, included "Bonanza" and "Kraft Theatre." (The episode in question: "The Legacy" and "The Name of the Game," respectively). In both cases, it did not seem to the subcommittee that most of the objections raised were complied with. In the subcommittee's view, then, NBC had continued during 1963–64 to contribute all too substantially to the violence, crime, and horror trend which monopolizes so much of the television fare to which the Nation's children are regularly exposed.

V. SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

The subcommittee finds, on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers.

The subcommittee does not believe that television is either the sole or most significant cause of juvenile delinquency. We are also well aware of the many worthwhile and enduring contributions the medium has made to American life. And we are greatly impressed by television's achievements in the public affairs areas and by its potential for good in both the education and entertainment fields.

Yet, it seems clear that television has been functioning as what one informed critic has termed "a school for violence." Writing recently in the New York Times, that critic, a practicing psychiatrist who has made an intensive study of the impact of television upon children, had this to say:

"Whether crime and violence programs arouse a lust for violence, reinforce it when it is present, show a way to carry it out, teach the best method to get away with it, or merely blunt the child's (and adult's) awareness of its wrongness, television has become a school for violence * * * *. We are training not only a peace corps but also a violence corps. I do not advocate that violence should be entirely eliminated from TV. But it should be presented as a fact of life, not as life itself. We want to show younger people how the other half lives; but that does not mean we have to overload their imagination with images of how the other half dies."

The Subcommittee is well aware that there is an ever-present conflict within television—as within any creative medium—between those who write and produce dramatic shows and those charged with seeing to it that the standards of good taste and morality are adhered to. The subcommittee is equally aware of the need to foster true creativity in all the arts and of the fact that violence in one form or another is to be found to some degree in all of them.

The pertinent point is simply that all too many television shows harp on and underscore crime and violence. All too often, televised violence is presented for its own sake; not because it is essential to adequate development of a sound plot or realistic characterization. In short, televised crime and violence have often been an end in themselves, rather than a means to an end.

Subcommittee members do not object to portrayal of violence to that degree truly consistent with bona fide dramatic needs. Our objection is to such portrayal which far exceeds any reasonable standard and which has been shown, both by testimony and careful monitoring, to dominate network prime time programing to the virtual exclusion of shows specifically designed to meet the needs of children.

The current edition of the National Association of Broadcasters television code, in a section entitled "Responsibility Toward Children," states:

The education of children involves giving them a sense of the world at large. It is not enough that only those programs which are intended for viewing by children shall be suitable to the young and immature. In addition, those programs which might be reasonably expected to hold the attention of children and which are broadcast during times of the day when children may be normally expected to constitute a substantial part of the audience should be presented with due regard for their effect on children. Such subjects as violence and sex shall be presented without due emphasis and only as required by plot development or character delineation. Crime should not be presented as attractive or as a solution to human problems and the inevitable retribution should be made clear.

The subcommittee is fully in accord with this provision of the NAB code. The problem lies in the fact that, in practice, the television industry is not. The NAB code is well conceived but poorly enforced. In their chronic violation of it, the broadcasters render a patent disservice to the children and society of today. They also help pave the way for what may well be an even more distressing tomorrow. Ill effects, particularly where those affected are children, are not easily confined to one generation.

A. Network responsibility for crime and violence policy

The subcommittee is satisfied that primary responsibility for the prevailing policy, which features excessive crime and violence, rests with the three major networks. For it is clear that the networks have the key voice in determining programing content throughout the Nation. In theory and in law, this responsibility is supposed to be exercised primarily by the individual licensee. This was the intent of the legislation under which the Federal Communications Commission functions.

But, in this connection, the gap between theory and practice has been a wide one. Realistically speaking, the great majority of individual stations do not have the power to substantially affect the nature and content of programs aired during prime time. This conclusion is fully supported by a report issued by the House Committee on Interstate and Foreign Commerce in May 1963. Based on a study conducted over a 3-year period by the Federal Communications Commission and drawing upon the testimony of some 200 witnesses from all phases of broadcasting, the report states:

"Overall, network television program responsibility follows no discernible pattern. As network television is presently operated it is difficult to say who is responsible for what in network entertainment programing. However, it is entirely clear that the notion that actual responsibility for network programs is exercised at the station level is unreal. Licensee affiliates have, as a practical matter, delegated responsibility for program creation, production and selection to networks. Networks, in turn, have redelegated a major part of that responsibility to advertisers. Hollywood film producers, talent agents, and others. The result, at best, has been a concentration of program control in a central source—the network. This situation may involve a diffusion of control which verges on irresponsibility."

In its 1961–62 hearings and again in 1964 the subcommittee has aired specific evidence of network policy which deliberately determined the production, airing and marketing of programs featuring crime, violence and brutality. That evidence took the form of testimony by independent producers and others forced to introduce excessive brutality into new programs by network fiat. It took the form of subpenaed correspondence in which directives relating to crime and violence were clearly spelled out. It took the form of monitoring reports on the broadcasting of specific shows containing scenes of brutality and violence contrary to the requests of network reviewers charged with maintaining standards of morality and good taste.

A former administrator of the television code has stated that the code lacks teeth and that it is impossible to enforce it. And top executives of the three networks have themselves told the subcommittee that the "last word" in determining whether a code request or complaint was to be complied with rested with the networks.

The practice of syndication which has grown up over the past decade has intensified the violence trend. The networks lease or sell (they generally lease) reruns of shows produced by or for them and initially screened on network outlets. These reruns are made available to local stations, which it is claimed, are free to show them whenever they wish. The networks generally retain a substantial financial interest in the leased films and receive a specified percentage of the profits. The subcommittee's review of the syndication field reveals (see sec. 11) that a large majority of the syndicated films screened during the 1963–64 season featured excessive violence, and, further, were aired during prime time before large juvenile audiences.

Networks, like individual stations, do have their economic problems, their internal stresses, and their need to realize a profit on their investment. Broadcasters, though operating in an area of direct concern to the public, are entitled to a fair return on what they spend. But the dollar is not the only end of broadcasting. Further, no broadcaster has the legal right to make that dollar at the expense of good taste and the best interests of the community. The law under which television licenses are granted and renewed still requires recipients to serve the public interest, convenience, and necessity.

B Recommendations for resolving problems posed by televised crime and violence

The Subcommittee sets out below five basic recommendations or principles of action which it urges be implemented as soon as possible. It further urges close cooperation in applying these principles among the television industry, the Federal Communications Commission and other individuals and organizations with a stake in resolving the problems posed.

1. The networks should work together to develop a plan for devoting specific prime time hours each week to good children's programs of a cultural and educational nature. These programs should be staggered, as between networks, so that each evening of the week is covered and so that no one network bears the brunt of the scheduling problems presented.

Very few programs at the network level are geared specifically to meeting the moral, cultural, and educational needs of children, these despite the National Association of Broadcasters' code admonition that—"television and all who participate are jointly accountable to the American public for respect for the special needs of children, for community responsibility, and for the advancement of education and culture. * * *"

Further, even fewer good children's programs are presented either in the late afternoon or early evening hours when juvenile audiences are particularly large.

There are, of course, some good children's programs but these do not generally appear during prime viewing hours. Among such are NBC's "Watch Mr. Wizard," ABC's "Discovery 64" and CBS' "Captain Kangaroo." All three generally are telecast in the morning, the first two being aired only once each week. The last, which is a combined entertainment and educational show, is telecast 6 days a week.

Yet, in our view, the networks do not now have an effective and positive approach to children's programing. And it is a fact that the responsibility of broadcasters as defined by law and regulation requires positive implementation as well as the avoidance of programing which is detrimental to society. Because the overwhelming majority of local stations are dependent upon network programing to fill prime time periods daily, these stations can effectively meet the needs of children only if the networks take the initiative in making adequate programs available.

The proposal that the networks pool their efforts in planning and scheduling regular children's programs is designed both to foster top quality resulting from a sharing of experience and ideas and to spread the impact of any economic burden that may accrue. The subcommittee wishes to point out that it is possible for the networks to cooperate in this specific case without running afoul of antitrust legislation. The Attorney General of the United States has stated that the Department of Justice would give prompt and sympathetic consideration to approving any plan which the networks may devise involving a combined effort to improve children's programs. Further, the Federal Communications Commission is on record in support of joint planning in the common interest of children.

2. The Federal Communications Commission and the broadcasting industry should come to an early agreement on revision of section IV of the FCC licensing application and renewal form so that realistic standards for programing in the public interest are laid out. Such standards should include provi-

sions bearing directly on programing for children.

One factor which has contributed significantly to the heavy diet of violence and crime currently televised to the juvenile audience is a lack of precise standards for evaluating whether or not a broadcaster's programing meets the public interest test. It is this test which the Federal Communications Commission must, by law, apply in determining eligibility for a broadcasting license or for renewal of same.

We reiterate that law and judicial decision make it clear that the Commission is obligated to determine if a broadcaster applicant has established and/ or carried through programing policies consistent with the needs of his home community. The law is equally clear in forbidding the FCC to exercise censorship over program content—that is, to determine in advance of presentation whether something should or should not be broadcast. We reaffirm our concurrence with the premise that censorship is abhorrent to democracy and certainly not a valid approach to improving broadcasting content.

Yet, a review of the overall content and balance of the broadcaster's programing after the fact is clearly a legal requirement for determing whether or not a license should be renewed. The National Association of Broadcasters (sec. I) is on record in support of the FCC's right and obligation to make this review. Yet, the FCC today utilizes standards for making this determination which, by its own admission, are inadequate.

For almost 4 years, the FCC and the broadcasting industry have been "discussing" the need for revising and spelling out these standards through revision of part IV of the licensing application. Section IV is entitled "Statement of Program Service of Broadcast Applicant." During the years of negotiation relating to revision, no fewer than five distinct drafts have been introduced, one as recently as June 1964. The industry has registered objections to each of the four preceding drafts, one such objection being constantly put forward holding that the more detailed report requirements imposed by the drafts would create a costly and time-consuming burden for the licensee.

The argument has also been made by some that the spelling out of adequate programing standards would do little to improve program content because the networks, which are not subject to licensing, play the dominant role in determining the nature and content of local programing during prime time. In the subcommittee view, establishment of realistic programing standards which are precise, when combined with other steps outlined below, would bring about a significant improvement in the overall content of programs to which children are exposed. We assume that the networks would find it practical to accept the programing standards which their local outlets are required to meet

The subcommittee urges the broadcasting industry and the Federal Communications Commission to forthwith work out their differences so that the licensing application can be revised to reflect a realistic, up-to-date approach to evaluating programing of the individual applicant for a new or renewed license. The negotiations have dragged on for far too long. It is further urged that the standards ultimately incorporated for evaluation purposes be such as to (a) determine the extent to which the broadcaster airs programs specifically designed for children and (b) deter undue emphasis on the programing of crime, violence, and brutality.

The subcommittee wishes to see these programing standards defined by voluntary cooperation of the parties directly involved in the spirit of free discussion and in full awareness of the complexity of the issue. But complexity is not and never has been a legitimate excuse for failure to resolve a problem when the public interest requires its solution. We may well be moved to seek a legislative remedy if the above-noted discussions do not soon bear fruit.

3. The National Association of Broadcasters' television code should be revised to provide more effective sanctions for use against violators and the broadcasters themselves should give serious thought to supporting legislation which would make adherence to the code mandatory.

The subcommittee holds that the preferred route to better television programing in general and to reduction of televised violence in particular is that of self-regulation. It wishes to commend LeRoy Collins, until recently president of the National Association of Broadcasters, for his efforts to enforce the association's code designed to maintain high programing standards. The subcommittee is favorably impressed with the code's provisions concerned with eliminating excessive violence and crime. Yet, as pointed out in section II, the code has not brought about any substantial reduction in televised crime and violence. It has failed to induce the networks to develop more and better children's programs. Its violation is chronic if only because it cannot be realistically enforced. Almost one-third of the Nation's television stations are not even formal subscribers. And, whereas the three major networks do subscribe, they pay very little attention to the code's provisions relating to violence and brutality.

A former code administrator, Mr. Robert Swezey, has stated that:

It is virtually impossible for us to maintain industry standards in any practical sense. The public is still being victimized by the poor programing and shoddy practices of a large element of the industry which has no interest in standards and no compulsion to observe them.

We are convinced that what Mr. Swezey has said about standards in general is particularly appropriate to those aspects of the code which apply to violence and crime on television.

"Therefore, we recommend that the broadcasting industry—the networks and local stations alike—adopt a more realistic approach to self-regulation and make use of the legislative process to strengthen its capacity for self-policing. Specifically, the subcommittee has under consideration an amendment to the Federal Communications Act which would require every broadcaster to belong to the National Association of Broadcasters and to subscribe to its codes. We urge the industry to give serious consideration and support to such a proposal. Such amendment would also give the NAB the power to enforce code provisions and the industry would, in turn, have the right of appeal to the Federal Communications Commission.

There is sound precedent for this proposal in the Securities and Exchange Act. That law provides for the formation of associations of securities dealers with authority, under the general surveillance of the Securities and Exchange Commission, to devise and enforce codes of good practice to which association members must conform. The National Association of Securities Dealers, to which the great majority of dealers belong, is the product of this legislative authority. The dealers themselves sit in judgment of their fellows charged with evading the association code. Enforcement proceedings are initiated by the association itself, usually on the complaint of members or of the general public. Enforcement penalties range from simple "censure" to expulsion from the association. A NASD member penalized by the association has the ultimate right of appeal to the Commission and to the courts.

We realize that the securities industry is not the broadcasting industry nor are its problems identical. We do not suggest that the specific rules, practices, and procedures which guide the NASD are necessarily suitable to broadcasting. But the precedent is certainly worth careful study. It has been tested by time and has worked most effectively. And it does leave enforcement primarily in the hands of private enterprise. The subcommittee stresses that the kind of law it envisions would leave the initiative both for policing program content and for enforcement in the hands of the television industry—not the Government. Under such a law, the Federal Communications Commission and the judiciary would be the courts of last resort.

4. A system should be developed whereby community leaders and groups can be encouraged to express their views on (a) the kind of programs to which they wish their children to be exposed and (b) how well existing programs are meeting sound standards, including those relating to crime and violence.

The subcommittee is deeply concerned by the lack of a mechanism for permitting the public to regularly express itself as to program content at the community level. The Federal Communications Act, as interpreted by the Supreme Court, provides that a broadcaster can effectively meet the public interest test for a license only if he gives adequate service to his community. Adequate service presupposes balanced programing, including a healthy diet for young viewers. This is not the diet children get today in the majority of communities.

It is our view that the broadcasting industry ought to support establishment of a policy whereby local stations seek regularly to make the public aware of its rights and of the broadcaster's legal duties in regard to programing. The Chairman of the Federal Communications Commission has proposed that each television licensee be required to broadcast some sort of standard announcement once every 2 weeks inviting the public to write and comment on programing as well as to inspect a copy of the licensing application the station has filed with the FCC. The subcommittee is pleased that some stations have adopted this practice at least in part.

However, we should like to see several additional steps taken. First, we propose that the announcement be broadcast once daily during the prime time period and that it point up the station's desire to know what kind of programing the public wants in the children's field. Secondly, the subcommittee holds that television stations ought to be required to conduct an annual statistically valid poll to determine the home community's attitudes toward programing in general and toward programs directed to the juvenile viewer in particular. Such a poll ought to reach civic leaders representative of a broad cross section of organized groups including business, labor, education, agriculture, the various religious groups, and public officials.

The subcommittee does not believe that existing rating services represent an effective means of determining a specific community's desire or needs in the juvenile programing field. Nor does it feel that the broadcaster is free of responsibility to provide sound juvenile programing simply because the community has not demanded it of him. We therefore support the promulgation of a new Federal Communications Commission rule which makes it mandatory for licensees to carry out the two basic proposals herewith cited. We reiterate our view that major responsibility for enforcement of this or any rule of this type ought to lie, in the first instance, with the broadcasting industry itself, subject to FCC review.

5. A coordinated, large-scale research attack should be launched to develop more precise information as to the impact of television on juvenile behavior and as to the interaction of television and other forces affecting such behavior.

Though qualified researchers have conclusively demonstrated that televised violence can inculcate antisocial attitudes and motivate delinquent behavior in young viewers, much remains to be learned about the relationship between television and human behavior. For example, we need to know more about the specific process through which televised crime and violence adversely affect children in a non-laboratory environment. The precise manner in which televised violence interacts with other environmental forces in bringing on antisocial behavior requires further investigation. And there is the need to explore and define improved standards for the development of children's programs. Additional knowledge relating to these and other "gap" areas is essential if the Nation is to achieve the kind of sound and balanced television programing consistent with the needs of our young people and of society as a whole.

The subcommittee is pleased to note that the broadcasting industry, other private organizations, the universities, and the Government have taken preliminary steps to implement a research attack on the television-delinquency relationship. In December 1963, the Joint Committee for Research on Television and Children awarded planning grants of $250 each to 25 social scientists to work up detailed research designs directed to assessing the influence of television on children. The joint committee's work is financed by the three major networks, the National Association of Broadcasters, the Foundation for Character Education and the Ford Foundation. The Department of Health, Education, and Welfare is represented on the committee and is cooperating in research planning.

The subcommittee feels that this research program is off to a promising start but that it is neither moving as rapidly as the problem warrants nor does its current approach and financial support seem adequate to the problem posed. More specifically, the subcommittee wishes to make the following observations which it hopes the joint committee and its supporters will see fit to adopt as the research program develops.

A sound foundation for the kind of research approach which is required has been laid by studies conducted over the past decade both in this country and abroad. The findings of this research were made available to the subcommittee and are briefly reviewed in this report. It is hoped that the joint committee will keep these findings firmly in mind as the guidelines for its research effort are hammered into shape.

It is hoped that joint committee grants will shortly be made available to foreign as well as domestic researchers, and, in particular, to social scientists abroad who have pioneered many studies of the impact of television on children. The subcommittee notes that 24 of the 25 planning grants have been awarded to people in the United States, the 25th going to a Canadian.

Social scientists testifying before the subcommittee generally agreed that one of the greatest research lacks is information on the cumulative effects of television viewing over a number of years on attitudes, character, and behavior. It is hoped that joint committee grantees and others will find the means for looking into this matter in depth. It is particularly urged that long-term studies to this end be conducted in the clinical (actual) environment.

The subcommittee strongly recommends the adoption of a policy whereby all results of research sponsored be made generally and readily available to the public at the earliest possible time.

Finally, we wish to reiterate our concern for the need to develop more effective tools for measuring and evaluating audience attitudes and responses. Such tools are not only a prerequisite to effective behavioral research but also to determining how well the broadcaster is meeting the needs of his community. Existing rating devices are clearly no substitute for the precise kind of measurement which the study of TV's impact on the young mind requires.

C. Legislation to assure quality programing under consideration

The subcommittee has under consideration several legislation proposals designed to encourage network initiative in the development of improved programing in addition to the legislation discussed in subsection B–3 of this report. It is not, however, the subcommittee's view that local stations are completely free of blame for the current domination of programing of violence crime, and brutality. Some stations have flouted their duty to act in the public interest—a duty that is part and parcel of the licensing requirement. Others have sought to evade their responsibilities to the community simply by pointing their finger at forces which they say are beyond their control.

We are not introducing legislation at this time. This is an interim report and our investigation is continuing. Further, it is our earnest hope that the broadcasting industry will heed our recommendations and will immediately take realistic steps to improve its programing and to substantially reduce the violence and crime which today is fed the Nation's children as an all-too-steady diet. Effective self-policing is the desirable approach to this problem which poses so clear a threat both to our present and our future.

But the patience of Congress, though considerable, is not endless. The public's demand for concrete results grows more intense and indeed it should.

If and when we recommend specific legislation, we will do so in full awareness of the fact that no Government agency has the right to control the content of specific programs and that freedom of speech and press are basic constitutional guarantees which must not be violated. However, we will also continue to bear in mind that the broadcasting industry operates over channels which belong to the people and which must, we insist, be used to serve the public interest.

Mr. DODD. Mr. President, there are several other documents, all having to do with the same material, which I ask unanimous consent to have printed in the RECORD.

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

[From the Boston (Mass.) Globe, Oct. 27, 1964]

TV ORDERED TO CLEAN UP—OR ELSE

WASHINGTON, October 27.—A Senate subcommittee today warned the television industry to cut the amount of violence and crime on its programs or face possible Congressional intervention.

In an interim report, the Senate Subcommittee on Juvenile Delinquency prodded the industry to "substantially reduce the violence and crime which today is fed the nation's children as an all too steady diet."

"Effective self-policing is the desirable approach to this problem which poses so clear a threat to both our present and our future," the report said. "But the patience of Congress, though considerable, is not endless."

STUDIES PROPOSALS

The subcommittee said it had under consideration several legislative proposals designed to spur the networks into better programming. The report said no legislation would be introduced at this time, but the investigation was continuing.

The Senate group found "that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers."

Chairman Thomas J. Dodd, (D-Conn.), said the National Association of Broadcasters' (NAB) code "is violated with impunity."

"There has been no substantial over-all change in the degree of violation between 1961 and 1964," he said.

"The NAB code is drawn up so that it appears to be the proverbial 'mailed fist'. But its impact has been that of the velvet glove.

"The industry's claim that this code is an effective vehicle cannot be substantiated in light of the evidence of chronic violation.

"Network programming policies which deliberately call for insertion of violence, crime and brutality are hardly conducive to building respect for any central authority within the industry."

IMPOSSIBLE TO ENFORCE

The report added: "The NAB code lacks teeth. It is impossible to enforce. The networks themselves admit that they have the last word in programming and the content thereof."

Sen. Dodd said in the entire history of the code, the seal of approval had never been lifted for violating the standards of program content.

"Yet our hearings show that the code itself has been broken hundreds of times but is generally ignored," Mr. Dodd added.

The subcommittee recommended self-policing proposals to the industry which included joint development by the networks of prime time programming specifically designed for young audiences; a revision of the NAB code to provide more effective use of sanctions against violators; a system to allow a community to express its views on local programming; a large-scale program to delve deeper on the impact of television on juvenile behavior.

[From the St. Louis (Mo.) Post-Dispatch, Oct. 27, 1964]

TV INDUSTRY WARNED TO CUT VIOLENCE OR FACE FEDERAL ACTION—EFFECT ON YOUTH CITED—SENATE GROUP SAYS CODE IS VIOLATED WITH IMPUNITY

WASHINGTON, October 27.—A Senate subcommittee today warned the television industry to cut the amount of violence and crime on its programs or face possible congressional intervention.

In an interim report, the Senate subcommittee on juvenile delinquency prodded the industry to "substantially reduce the violence and crime which today is fed the nation's children as an all too steady diet."

"Effective self-policing is the desirable approach to this problem which poses so clear a threat to both our present and our future," the report said. "But the patience of Congress, though considerable, is not endless."

The subcommittee said it had under consideration several legislative proposals designed to spur the networks into better programming. The report said that no legislation would be introduced at this time, but the investigation was continuing.

The Senate group found "that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers."

The investigation began in 1954. At that time, and again after the 1961–62 season, the industry asked for a chance at self-regulation through its "code of good practice." The subcommittee reported that it still did not find any reduction of violence and crime.

Chairman Thomas J. Dodd (Dem.), Connecticut, said that the National Association of Broadcasters code is violated with impunity.

"There has been no substantial over-all change in the degree of violation between 1961 and 1964," he said.

"The NAB code is drawn up so that it appears to be the proverbial 'mailed fist.' But its impact has been that of the velvet glove.

"The industry's claim that this code is an effective vehicle cannot be substantiated in light of the evidence of chronic violation.

"Network programming policies which deliberately call for insertion of violence, crime and brutality are hardly conducive to building respect for any central authority within the industry."

The report continued: "The NAB code lacks teeth. It is impossible to enforce. The networks themselves admit that they have the last word in programming and the content thereof."

Dodd said in the entire history of the code, the seal of approval had never been lifted for violating the standards of program content.

"Yet our hearings show that the code itself has been broken hundreds of times but is generally ignored," he said.

The subcommittee recommended self-policing proposals to the industry which included joint development by the networks of prime time programming specifically designed for young audiences; a revision of the NAB code to provide more effective use of sanctions against violators; a system to allow a community to express its views on local programming; a large-scale program to delve deeper on the impact of television on juvenile behavior.

[From the Los Angeles (Calif.) Times, Oct. 28, 1964]

TV INDUSTRY WARNED TO CUT CRIME SHOWS

WASHINGTON.—The television industry was warned Tuesday that it must reduce the crime and violence that children see on its programs or Congress may step in.

The warning came in an interim majority report of the Senate subcommittee on juvenile delinquency, which has studied the problem for a decade. It reported no noticeable results of an industry promise to police its own program content.

"Effective self-policing is the desirable approach to this problem, which poses so clear a threat to both our present and our future," the report said.

The subcommittee, headed by Sen. Thomas J. Dodd (D-Conn.) found after an exhaustive study that "a relationship has been conclusively established between televised crime and violence and anti-social attitudes and behavior among juvenile viewers."

Among other things, it proposed that television stations be required to poll the public annually to determine what viewers think of the suitability of their programs.

(Portions of the report were disclosed Monday morning in the Times.)

[From the Washington (D.C.) Daily News, Oct. 27, 1964]

THE WORLD TODAY

THE ARTS

A Senate sub-committee which found a relationship between televised crime and juvenile delinquency said it is considering legislation to spur better programming among the networks. It said the TV industry must cut down on violence.

[From the Christian Science Monitor, Dec. 2, 1964]

TV CRIME AND OUR CHILDREN

The television industry has again come under the scrutinizing eye of a Senate investigating committee.

The aim: to find some relationship between televised crime and the rise in juvenile delinquency.

Sen. Thomas J. Dodd (D) of Connecticut, chairman of the Senate subcommittee to investigate juvenile delinquency in the United States, says there is such a link. Based on findings during three years of investigations, the subcommittee concludes that the rise of violence and crime on television has been a definite factor in the rise of juvenile delinquency. And the subcommittee places the primary blame at the feet of the three major television networks.

All three networks say they have "no comment" on the report. In testimony before the subcommittee, spokesmen for the television interests maintained there was no relationship between TV and crime among youths. The subcommittee admits that many factors are involved. But the report contends there exists "very substantial" evidence to show a clear relationship "between televised crime and violence and antisocial attitudes and behavior among juvenile viewers."

The subcommittee's study began in 1961. The evidence for the report goes back to 1954 in some cases. The methods it used included: public hearings airing the various views of interested groups; monitoring techniques to document the extent of crime and violence appearing on television; and review of expert evidence concerning the effects of television on the viewers.

Remedies proposed include stronger codes of practice, greater enforcement of the codes, and tighter licensing practices.

The Dodd report specifically rules out censorship of programs on any ground, saying that such a remedy would be "far worse than the disease it is intended to cure." But it also adds that "liberty of expression is not license."

Since television stations operate on publicly owned channels, the report says the government has a clear interest in seeing that the broadcaster is "serving the public interest."

Democrats serving with Senator Dodd on the subcommittee were: Sens. Sam J. Ervin of North Carolina, Philip A. Hart of Michigan, Birch Bayh of Indiana, and Quentin N. Burdick of North Dakota. Republican members were: Hiram L. Fong of Hawaii, Roman L. Hruska of Nebraska, and Kenneth B. Keating of New York.

Senators Hruska and Keating had not approved the report when it was released Oct. 27.

This page presents excerpts from the subcommittee's report.

EXCERPTS FROM SENATE REPORT

I. Extent of the problem

The extent to which violence and crime are currently portrayed on the nation's television screens is clearly excessive. And in the face of repeated warnings from officials directly concerned with coping with juvenile delinquency and from competent researchers that this kind of television fare can be harmful to the young viewer, the television industry generally has shown little disposition to substantially reduce the degree of violence to which it exposes the American public.

If anything, the broadcasting industry appears to have recently added a new dimension to the kinds of violence and criminality paraded across the television screen. . . .

The subcommittee sees good reason for this concern but its view of the problem presented has been the long-range one. It has carefully observed the nature and extent of crime, violence, and related antisocial behavior appearing in television programing for a decade. In hearings conducted in 1961–62, it urged the television industry to reduce its commitment to such programing, and assurances were given that such reduction would take place. One network, the Columbia Broadcasting System, has made a significant reduction in this type of programing as of the printing of this report. Yet, generally speaking, violence and crime continue their rampant march across the nation's television screen. . . .

Industry spokesmen have pointed to the adoption and updating of their Television Code of Good Practice, which is administered by the National Association of Broadcasters. They claim this reflects their concern with healthy programing. But the only tooth in the code is the threat that the so-called seal of good practice will be withdrawn from radio and television stations which do not conform to the code's provisions. The code does contain a number of sections dealing with crime, violence, and brutality. But association with the code is only voluntary. A very substantial number of radio and television stations do not subscribe to it. Of greater significance is the fact that on only one occasion has the television seal been suspended by the NAE, and that was in the commercial area, when 19 members were suspended and an additional 16 resigned. However, in all cases restitution was effected. Of greatest importance is the fact that the seal has never been withdrawn because of an infringement of the code with regard to program content.

A recent administrator of the code has stated publicly that it is not being realistically enforced and is breached with impunity. The subcommittee is convinced that this is indeed the fact of the matter, though it is certainly in complete sympathy with both the code's provisions and its stated objectives. The failure of the code to effectively limit televised crime and violence is documented in detail by subcommittee staff monitoring studies.

Results of Studies

Staff studies were conducted in 1954, 1961, and 1964. They were carried through in keeping with precise standards and techniques developed in conjunction with a highly qualified research consultant, Dr. Ralph J. Garry, educational psychologist, Boston University. Monitors concerned themselves with a broad range of program attributes, including the extent to which characterizations portrayed violence and criminal behavior, the extent and nature of violent acts, and the manner in which the law was presented in terms of its capacity to deal with crime. . . .

In 1954, shows featuring violence and crime accounted for 16 percent of all programing during the prime viewing hours 7 to 9:30 p.m. These were programs of the crime-detective, western, and action-adventure types. During the monitoring week (Sept. 13 to 19 inclusive), 22.3 percent of the programs between 4 and 10 p.m. were of these types. Children were a very substantial part of the total viewing audience during this time span in 1954, as they are today. . . .

The 1961 monitoring "week" (as before, this was an average week based on 4 months of viewing), May 9 to 15 inclusive, showed that the percentage of shows featuring crime and violence in the 4-to-10 p.m. time period has jumped by more than one-third, from 22.3 to 34.2 percent. For the prime time period, 7 to 10 p.m., inclusive, the increase was even more striking—an increase of some 200 percent (from 16.6 percent in 1954 to 50.6 percent in 1961). . . .

The 1964 study employed the same standards as the studies conducted in 1954 and 1961 and yielded significant comparable statistics. The one overriding revelation: That the extent to which violence and related activities are depicted on television today has not changed substantially from what it was in 1961 and remains considerably greater than it was a decade ago. Further, violence and other antisocial behavior are, to an overwhelming degree, televised during time periods in which the children's audience is a large one.

Monitoring of all networks during the week of Jan. 5 to 11, 1964, revealed a perceptible decline in the extent to which one network (CBS) featured acts of violence. Notwithstanding this decline, the over-all pattern of network programing was one which revealed a heavy concentration on violence and brutality during the prime time period 7 to 10 p.m. In the great majority of homes, school children are among the viewers in this time span. . . .

Thus, 55.3 percent of the ABC schedule was devoted to programs in which violence

was emphasized. The comparable statistics for NBC and CBS were 55.1 and 26.5, respectively.

II. TV's impact on young

In 1963, 91 out of every hundred families owned at least one television set. This means that the percentage of American families with television was greater than that with automobiles or bathtubs. It is thus not too surprising to find that American families spend on the average between 5 and 6 hours each day in front of the television set.

But what does this mean in terms of child viewers?

It means that children under 12, on the average, spend more time watching television than they do in either school or church. It means that each day more than 25 million children 12 and under look at the television set. Yet, the more pertinent question in terms of the subcommittee's interest is: What is the size of the juvenile audience during the prime-time period? A high proportion of this period is devoted to crime-detective, action-adventure, and western programs which feature violence and brutality. Some pertinent statistics follow.

More than 20 million children, 17 and under, watch network television during this prime time period.

At 8 p.m., on any given night, 17 million children under 12 will be viewers. At 7 p.m., the figure is roughly 18 million. . . .

The purchase trend, like that of the population generally, continues upward. This means that the number of juvenile viewers of prime time programs is certain to increase. And that, in turn, suggests that the number of children exposed to violence, crime, and brutality will also increase unless there is a dramatic change in commercial programing content.

No serious student of juvenile delinquency contends that television is the sole cause of delinquent behavior. Nor does the subcommittee hold this view. Delinquency is the complex product of many factors, social, psychological, and economic. . . .

Yet, it is clear that television, whose impact on the public mind is equal to or greater than that of any other medium, is a factor in molding the character, attitudes, and behavior patterns of America's young people. Further, it is the subcommittee's view that the excessive amount of televised crime, violence, and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior.

Findings Relating to TV's Role

The subcommittee has carefully reviewed the research evidence submitted to it by expert witnesses and has, in addition, sought to evaluate other research in this country and abroad which is relevant. From this review, the subcommittee has drawn certain conclusions as to the role of excessive televised crime, violence, and brutality in adversely affecting the viewer. These conclusions are briefly set out below. . . .

A. Television programs which feature excessive violence tend to reinforce overly aggressive attitudes and drives in juvenile viewers where such attitudes and drives already exist.

B. Filmed violence has been shown to stimulate aggressive actions among normal viewers as well as among the emotionally disturbed. This applies to adults as well as to children, but the effect is most pronounced on the latter. Experiments have shown that normal persons who see a violent film subsequently exhibit nearly twice as much violence as persons who have not seen such a film. When the experiments involved the infliction of pain on other human beings, men who had seen a violent film did not hesitate to inflict excessive pain on other men or even upon women or vice versa.

C. Children can learn to perform aggressive acts by exposure to such acts on television.

D. The observation of violence and aggressive behavior on television is more likely to bring about hostile behavior in the young viewer than it is to "drain off" aggressive inclinations.

E. Children are adversely affected by isolated scenes or sequences of violence and brutality, and this adverse effect is not necessarily washed away or purged by a "moral" ending in which "good" triumphs over "evil." Thus, a given western or crime-detective program may close with the victory of the forces of law and order, but, in the minds of the young viewers, this often fails to compensate for the impact left by scenes earlier in the program stressing violence and brutality.

F. Continuous exposure of the young to programs containing violence, crime and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewers' acceptance of excessive violence as the "normal" way of life.

G. Filmed violence can serve as the motivation for the release of hostility and aggressive behavior in some individuals already under stress for other reasons. . . .

Broadcasting-Industry Views

Testifying before the subcommittee in 1962, top broadcasting-industry executives generally took the position that the research evidence did not prove that television program content was a factor in breeding delinquent behavior. Thus, LeRoy F. Collins, until recently president of the National Association of Broadcasters, stated that the "weight of sociological opinion" does not justify the conclusion that televised crime and violence cause "delinquency or criminal tendencies." In general, representatives of the three major networks supported this assertion.

However, Mr. Collins and several witnesses concerned with program production did suggest that there was too much violence and crime being televised. Mr. Collins said flatly that there was no justification "for the use of violence merely for the sake of violence" and that to do so is "offensive to simple good taste, seriously downgrades the television art, and should be eliminated."

Unlike Mr. Collins, major network representatives staunchly defended their programing policies on the ground that they were giving the public what it wanted. They based their conclusions as to what the public wanted on the various rating services. In light of the questions raised as to the accuracy and efficiency of most of these services both by other congressional investigations and by competent testimony before the subcommittee, the subcommittee concluded that network assessments of "what the public wants" were open to question.

Some people associated with television in 1961–62 actually took the position that violence served a good purpose.

III. Network policies

Policy and Practice at the American Broadcasting Company:

The preoccupation with crime and violence at top echelons of the ABC network is well demonstrated by a review of correspondence and testimony relating to the production of "The Untouchables." This program played to exceptionally large children's audiences for most of its five-year network run and, as of the 1963–64 season, was being rerun in many areas. In some cases it was being shown twice a week. . . .

Policy and Practice at the Columbia Broadcasting System:

Though CBS is the only one of the three major networks shown by the subcommittee's 1964 monitoring study to have demonstrated a significant decline in the televising of crime and violence, there remains considerable room for improvement. All too many CBS dramatic shows continue to violate various sections of the NAB code. This point was made by the subcommittee chairman when he commended CBS officials for the network's improvement during the most recent hearing. . . .

Like ABC, CBS as recently as a few years ago actively pursued a policy calling for substantial violence, brutality, and sex in prime time programs playing to audiences regularly including large numbers of children. Witnesses before the subcommittee and subpoenaed correspondence revealed CBS policy hand at work in such popular programs as "Malibu Run" and "Route 66." The latter ran continuously on a first-run basis for four years. At the height of its popularity it attracted an audience of more than 12 million, one-fourth of them young childen and teen-agers. . . .

Policy and Practice at the National Broadcasting Company:

Immediately prior to the subcommittee's 1961–62 hearings, the National Broadcasting Company, like the American Broadcasting Company and the Columbia Broadcasting System, clearly pursued a deliberate policy of emphasizing sex, violence, and brutality on its dramatic shows. . . .

One measure of the persistence of that policy: During the last half of 1963, the complaints and criticism relating to horror, violence, sex, and improper language by the NBC Broadcast Standards Department to those responsible for network programing almost doubled over what they had been in the period immediately preceding for a show that was having rating difficulties. . . .

IV. Recommendations

The subcommittee finds, on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers.

The subcommittee does not believe that television is either the sole or most significant cause of juvenile delinquency. We are also well aware of the many worthwhile and enduring contributions the medium has made to American life. And we are greatly impressed by television's achievements in the public affairs areas and by its potential for good in both the education and entertainment fields.

Yet, it seems clear that television has been functioning as what one informed critic has termed "a school for violence."

. . . The current edition of the National Association of Broadcasters television code, in a section entitled "Responsibility Toward Children," states:

"The education of children involves giving them a sense of the world at large. It is not enough that only those programs which are intended for viewing by children shall be suitable to the young and immature. In addition, those programs which might be reasonably expected to hold the attention of children and which are broadcast during times of day when children may be normally expected to constitute a substantial part of the audience should be presented with due regard for their effect on children. Such subjects as violence and sex shall be presented without due emphasis and only as required by plot development or character delineation. Crime should not be presented as attractive or as a solution to human problems and the inevitable retribution should be made clear."

Network Responsibility

The subcommittee is fully in accord with this provision of the NAB code. The problem lies in the fact that, in practice, the television industry is not. The NAB code is well

conceived but poorly enforced. In their chronic violation of it, the broadcasters render a patent disservice to the children and society of today. They also help pave the way for what may well be an even more distressing tomorrow. Ill effects, particularly where those affected are children, are not easily confined to one generation.

The subcommittee is satisfied that primary responsibility for the prevailing policy, which features excessive crime and violence, rests with the three major networks. For it is clear that the networks have the key voice in determining programing content throughout the nation. In theory and in law, this responsibility is supposed to be exercised primarily by the individual licensee. This was the intent of the legislation under which the Federal Communications Commission functions.

But, in this connection, the gap between theory and practice has been a wide one. Realistically speaking, the great majority of individual stations do not have the power to substantially affect the nature and content of programs aired during prime time. This conclusion is fully supported by a report issued by the House Committee on Interstate and Foreign Commerce in May 1963. . . .

Five Recommendations

Networks, like individual stations, do have their economic problems, their internal stresses, and their need to realize a profit on their investment. Broadcasters, though operating in an area of direct concern to the public, are entitled to a fair return on what they spend. But the dollar is not the only end of broadcasting. Further, no broadcaster has the legal right to make that dollar at the expense of good taste and the best interests of the community. The law under which television licenses are granted and renewed still requires recipients to serve the public interest, convenience, and necessity.

The subcommittee sets out below five basic recommendations or principles of action which it urges be implemented as soon as possible. It further urges close cooperation in applying these principles among the television industry, the Federal Communications Commission, and other individuals and organizations with a stake in resolving the problems posed.

1. The networks should work together to develop a plan for devoting specific prime time hours each week to good children's programs of a cultural and educational nature. These programs should be staggered, as between networks, so that each evening of the week is covered and so that no one network bears the brunt of the scheduling problems presented.

2. The Federal Communications Commission and the broadcasting industry should come to an early agreement on revision of Section IV of the FCC licensing application and renewal form so that realistic standards for programing in the public interest are laid out. Such standards should include provisions bearing directly on programing for children.

3. The National Association of Broadcasters' Television Code should be revised to provide more effective sanctions for use against violators, and the broadcasters themselves should give serious thought to supporting legislation which would make adherence to the code mandatory.

4. A system should be developed whereby community leaders and groups can be encouraged to express their views on (a) the kinds of programs to which they wish their children to be exposed and (b) how well existing programs are meeting sound standards including those relating to crime and violence.

5. A coordinated, large-scale research attack should be launched to develop more precise information as to the impact of television on juvenile behavior and as to the interaction of television and other forces affecting such behavior.

Conclusion on Legislative Proposals

We are not introducing legislation at this time. This is an interim report and our investigation is continuing. Further, it is our earnest hope that the broadcasting industry will heed our recommendations and will immediately take realistic steps to improve its programing and to substantially reduce the violence and crime which today is fed the nation's children as an all-too-steady diet. Effective self-policing is the desirable approach to this problem which poses so clear a threat both to our present and our future.

But the patience of Congress, though considerable, is not endless. The public's demand for concrete results grows more intense, and indeed it should.

If and when we recommend specific legislation, we will do so in full awareness of the fact that no government agency has the right to control the content of specific programs and that freedom of speech and press are basic constitutional guarantees which must not be violated. However, we will also continue to bear in mind that the broadcasting industry operates over channels which belong to the people and which must, we insist, be used to serve the public interest.

[From the Newark (N.J.) Star-Ledger, Aug. 1, 1964]

TV Violence

A U.S. Senator says it's a crime the way the television industry plays up violence, gangsters and immorality to "make a buck."

This isn't the first time that broadcasters have been criticized for excessive violence and crime content of their programs. They've been officially chided before but only one network has taken steps to cut down on this kind of dramatic material.

Sen. Thomas J. Dodd (D-Conn.) used rough language in demanding that the television industry clean up the programs.

"You don't care, and if you don't start caring, the American people are going to make you start caring," *Sen. Dodd told television executives summoned before his Senate subcommittee on juvenile delinquency.*

There is, as anyone who watches television can attest, a good deal of violence, crime and at times, some sadistic touches designed for dramatic shock value. The potential danger is that these programs are available to wide audiences that include a sizeable segment of youngsters.

Parents can keep their children away from movies that they feel are too adult or have too much violence. This alternative is not always available where TV is concerned. All that is needed is a flick of the wrist and a youngster is exposed to a wide range of raw human emotions blatantly displayed. It's rough stuff and TV could do with a lot less of it.

[From the Wall Street Journal, Oct. 24, 1964]

What's News—Worldwide

TV crime and violence in children's programs must be reduced or Congress may intercede, an interim majority report of the Senate delinquency subcommittee said. The panel said television industry efforts at self-policing hadn't been effective. It added that it didn't regard "existing rating services" as an effective measure of a community's "desires or needs" in juvenile programing.

[From the Washington (D.C.) Post, Oct. 28, 1964]

Policing TV Crime

The television industry was warned yesterday that it must reduce the crime and violence that children see on TV or Congress may step in.

The warning came in an interim majority report of the Senate Subcommittee on Juvenile Delinquency. It reported no noticeable results of an industry promise to police its own program content.

Among other things, the Subcommittee proposed that TV stations be required to poll the public annually to determine what viewers think is suitable for programing.

[Hartford (Conn.) Courant, Oct. 28, 1964]

The Senate Reports on Juvenile Delinquency

A Congressional committee that releases a report on a popular subject just one week before election opens itself to the charge of political propaganda. A report just released by the Senate subcommittee on juvenile delinquency again charges that juvenile delinquency is linked to T.V. violence. Yet the subcommittee hastens to hedge on this warmed-over hash by saying that no serious student of juvenile delinquency contends that television is the sole cause. It is, rather one of a great many components that might generally be described as the culture in which our children live.

In many ways a Senate subcommittee holding hearings on this subject is mildly ridiculous. For half a century experts have been studying the problem, and most of their findings are readily available. For example, more than three decades ago Dr. Sheldon Glueck and his wife started their life-long study of this subject with the publication of *The Individual Delinquent*. This has been followed by other monumental volumes that say just about all there is to say on the subject.

For this reason among many there is a quality of opera bouffe about a group of Senators sitting seriously with their best profiles to the television camera, producing from time to time rather ordinary observations on juvenile delinquency. It takes no senatorial subcommittee to reveal that ours is a culture of violence; that the child has a toy pistol put in his hands when he begins to toddle, and that his whole play life up to and through adolescence, deals with instruments of violence. Strangely enough most children pass through these experiences shielded by a magic garment that the Senate subcommittee has not yet noted: This is the magic garment of parental love and affection, and the security of a good home.

[From the Washington (D.C.) Evening Star, Nov. 1, 1964]

Another Warning to TV

Since 1956, the Senate Judiciary subcommittee on juvenile delinquency has been intermittently looking into the adverse influence of television and films on youngsters. Along the way, Chairman Dodd has built up an impressive amount of testimony supporting the view that something must be done.

Back in 1961, for example, the National Council on Crime and Delinquency warned of excessive emphasis on violence and sex and urged the Federal Communications Commission to use broader penalties against those violating the codes.

Now the subcommittee has issued a report based on hearings and monitoring of programs this year, and the findings are not good. The television industry, it says, is continuing to beam a "clearly excessive" amount of crime and violence. It relates this to juvenile delinquency. Only one network, CBS, was found to have cut back its area of gore and gunplay in the past three years—and even there, the violations of the television industry's code persist, according to the report.

The National Association of Broadcasters' code could not be more explicit. It contains eight sections dealing with television's "Responsibility Toward Children" alone, plus repeated prohibitions and warnings elsewhere. Among them: "The use of horror for its own sake will be eliminated; the use of visual or aural effects which would shock or alarm the viewer, and the detailed presentation of brutality of physical agony by sight or sound are not permissible."

Those who link TV crime with actual crime as a cause-and-effect process are met with a

standard argument by certain spokesmen for the industry: No connection is proved. Yet these industry spokesmen, in speaking to advertisers, do not hesitate to cite the pulling power of television.

Well, you cannot have it both ways. Either television is a compelling persuader, or it is not. Any parent who has ever been begged by his children to buy breakfast food or toys advertised on this medium is surely aware that television is a powerful force, for good or evil. What children watch, they imitate. That assumption lies behind the N.A.B.'s own prohibitions.

The Senate panel urges the television industry to reform its ways on its own, without new laws.

"But the patience of Congress, though considerable, is not endless," the subcommittee warns. "The public's demand for concrete results grows more intense and indeed it should."

[From the Washington (D.C.) Post, Nov. 2, 1964]

SCHOOL FOR VIOLENCE

There can be no doubt that television is one of the most potent of educational instruments. It is effective in conveying not only precept, but example as well. We see nothing startling, therefore, in the conclusion reached after prolonged study by the Senate Subcommittee on Juvenile Delinquency that TV has taught young people in the United States—along with a lot of other lessons—a great deal about how to commit violence against their fellow-citizens. Any habitué of TV sees a lot of violence committed before his very eyes.

Violence is a fact of life. It cannot, therefore, be wholly excluded from screens that aim, in some degree, to mirror life. But even without an exhaustive study of TV fare, one can hardly escape an impression that a good deal of what is shown is senselessly brutal and sometimes even sadistically cruel. TV is not along among media of communication, of course, in pandering to an unhappy human appetite for this kind of titillation. But TV's presentation of it is so graphic and effective as to give it special, and perhaps dangerous impact.

It would be foolish to say that TV makes hoodlums or of itself leads youngsters to commit crime. Some of its serials, however, make criminal conduct seem easy and feasible; sometimes they seem to hold human life very cheap indeed and to show the taking of it as a quick and simple matter for anyone in possession of a gun; and often they show scenes which might well stimulate warped minds to brutal behavior. It is not foolish, we think, to suppose that some TV fare has an unfortunate influence on warped and sick adolescents.

"No serious student of juvenile delinquency contends that television is the sole cause of delinquent behavior," the Subcommittee report declares. And it goes on to say that "continuous explosure of the young to programs containing violence, crime and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewers' acceptance of excessive violence as the 'normal' way of life." This strikes us as a judicious and considered observation. It is much more than time for the television industry to give it serious consideration and purge itself of excesses which have dangerous implications for the community.

[From the Los Angeles (Calif.) Herald-Examiner, Oct. 29, 1964]

TV GETTING IT IN NECK BECAUSE OF YOUNG VIEWERS

Television, which has done so much to please its youthful customers, is the target of a double-barreled attack by congressmen and doctors who consider the medium dangerous for small fry.

A bunch of senators the other day warned the industry to knock off all the violence on the home screens, suggesting the incidence of juvenile delinquency is connected to events flashed on the tube.

And a couple of Air Force pediatricians have discovered something called "The Tired Child Syndrome," which they maintain is caused directly by watching too much television.

In seasons gone by, it has been easy to find plenty of gore and shoot-em-up scenes on television but this year the most "violence" you'll find is in the prat falls of the comedians. The number of shows with actual life-and-death situations in them is below 10 per cent of the whole offering. Perhaps delinquency does begin in the home but not necessarily before the TV set.

As for the kids suffering from too much TV viewing, well, there's not much argument there. The doctors found the sufferers, who complained of headaches, loss of appetite, chronic fatigue and even vomiting, were watching an average of three to six hours each weekday and six to 10 hours on weekends.

The doctors got the parents of their patients to help the kids to kick the video habit by cutting off their viewing completely. Most of the youngsters recovered full health but the strain was too much for some of the parents, particularly fathers, who couldn't give up their evenings in front of the monster. Soon the children drifted back to their old habits and are ill again.

[From the Los Angeles (Calif.) Herald-Examiner, Nov. 3, 1964]

LIVE FROM DISTRICT OF COLUMBIA

Suggestion for a TV documentary:

How about a visual presentation of the congressional report that links televised crime and violence to the rise in juvenile delinquency?

The report, to be released soon, has been compiled by the Senate subcommittee on Juvenile Delinquency under chairmanship of the able Sen. Thomas J. Dodd, D-Conn.

It says: "No serious student of juvenile delinquency contends that television is the sole cause of delinquent behavior, nor does the subcommittee hold this view."

However, it also observes that: "A relationship has clearly been established between televised crime and violence and anti-social attitudes and behavior among juvenile viewers."

And it is emphasized that: "The excess amount of televised crime, violence and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior."

Such a TV documentary would make a pretty good show—and would be a fine public service.

INVESTIGATORS CONTINUE INVESTIGATING WHILE TV, FILM VIOLENCE, IMMORALITY INCREASE

"Time-wasting 'investigations' " of violence and immorality on movie and television screens have gone on for nine years, declared William H. Mooring, Catholic Press columnist, "and we stand just where we did when they began. Except that youthful crime and brutal realism on films and TV have increased."

The Senate Subcommittee on Juvenile Delinquency, under the late Estes Kefauver "clearly established partial causal relationships between rising juvenile crime rates and violence and immorality on the screen," said the veteran movie-TV critic.

"Taking up where Kefauver left off, the subcommittee under Senator Thomas Dodd (D., Conn.), now reaches the same, unsurprising conclusion!

"If the networks do not clean up their shows (especially of brutality and violence) the subcommittee warns it will move to recommend legislation. This the late Estes Kefauver threatened in 1956. Since then both movies and TV, in alleged pursuit of dramatic honesty and realism, have stepped up cruelty, viciousness and flagrant immorality until one wonders how much further they can go even if they try!"

Like a "tired old man shuffling off one foot on to the other," he said, "the subcommittee has changed its stance. It now bears down upon TV where, in 1955, Kefauver was mainly after theater movies and salacious film ads."

"As far back as June 16, 1955, in documented testimony I laid before the Kefauver subcommittee in Los Angeles, I stressed that as to their effect upon the behavior of old or young, theater films and home TV must be viewed as a single, powerful influence.

"The Dodd report deplores that ABC has not changed appreciably from its 'Treyz trend' of 1960–62. CBS is praised mildly for cutting back a bit on 'violence' but a 'sexy' tendency is charged against the regime of CBS executive James Aubrey.

"NBC is slapped because of an alleged 1960 edict by its president Robert Kintner to step up sex, violence and brutality, an effect which, the report complains, 'still is much alive.'

"In its 1956 interim report, the subcommittee, in fact, supported most of my arguments. No more conclusive action resulted, of course. Investigation has continued ever since, no doubt at considerable public expense.

"In show business, it would seem, promises and pledges come before performance, but not before profits! In national political circles, talk still comes easier than action."

[From the Washington (D.C.) Evening Star, Oct. 27, 1964]

SUBCOMMITTEE REPORT

Yesterday's Senate Juvenile Delinquency Subcommittee's report, which puts the blame for the continued violence on TV directly on the top executives of the three television networks, should make a point of the relationship between the ratings, the content of shows, and job security in the upper brass echelons. Frequently, the subcommittee found, network officials not only ignore the broadcasters code and viewer complaints, but even ignore complaints from sponsors and other advertisers.

[From the New York Times, Oct. 26, 1964]

DELINQUENCY TIED TO VIOLENCE ON TV—SENATE GROUP ASSERTS TESTS SHOW A "CONCLUSIVE" LINK

WASHINGTON, October 25.—A still-secret report charges there is a conclusive link between crime and violence in television shows and juvenile delinquency.

The report has been signed by a majority of the Senate Subcommittee on Juvenile Delinquency headed by Senator Thomas J. Dodd, Democrat of Connecticut, it will be released shortly.

In its summary, based on years of study and public hearings, the subcommittee reported it found "on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and anti-social attitudes and behavior among juvenile viewers."

In another section of the report, the subcommittee said that in its view "the excess amount of televised crime, violence and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior."

At the opening of the latest hearings in July, Mr. Dodd said that despite the reduction of TV violence predicted by network officials in 1961 and 1962, he found very little improvement except with the Columbia Broadcasting System.

[From the New York Times, Oct. 26, 1964]

LINKING TV VIOLENCE TO YOUTH VIOLENCE

WASHINGTON.—A still-secret report charges there is a conclusive link between crime and violence in television shows and juvenile delinquency, it was learned yesterday.

The report has been signed by a majority of the Senate subcommittee on juvenile delinquency headed by Sen. Thomas J. Dodd, D., Conn. It will be released shortly.

In its summary, based on years of study and public hearings, the subcommittee reported it found "on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and anti-social attitudes and behavior among juvenile viewers."

In another section of the report, the subcommittee said in its view "the excessive amount of televised crime, violence and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior."

At the opening of the latest hearings in July, Sen. Dodd said that despite the reduction of violence predicted by network officials in 1961 and 1962, he found very little improvement except with Columbia Broadcasting System. In addition, the Senator said he found that most of the violent shows from the 1961–'62 season have been syndicated and reshown on independent networks and stations.

"No serious student of juvenile delinquency contends that television is the sole cause of delinquency behavior," the report said. "Nor does the subcommittee hold this view."

The subcommittee acknowledged that "delinquency is the complex product of many factors, social, psychological, and economic."

At the same time, the report said: "It is clear that television whose impact on the public mind is equal to or greater than that of any other medium, is a factor in molding the character, attitudes and behavior patterns of America's young people."

The group concluded that television violence tends to reinforce aggressive attitudes and drives in juveniles where they already exist, and stimulates aggressive actions among both the normal and the emotionally disturbed, adult and juvenile.

"When the experiments involved the infliction of pain on other human beings, men who had seen a violent film did not hesitate to inflict excessive pain on other men or even upon women and vice versa," the report added.

According to the subcommittee, children are adversely affected by isolated scenes or sequences of violence and brutality. This adverse effect is not purged by an ending where good triumphs over evil.

"Thus, a given Western or crime-detective program may close with the victory of the forces and law and order but, in the minds of the young viewers, this often fails to compensate for the impact left by the scenes earlier in the program stressing, violence and brutality."

The subcommittee also said that children can learn to perform aggressive acts by watching such acts on their sets; that viewing such incidents is more likely to bring about hostile behavior in the young than drain aggressive inclinations; that filmed violence can release hostility and aggressive behavior in those already under stress; and that continuous exposure to violence, crime and brutality tends to have "a cumulative effect which can build up aggressive tendencies and the viewer's acceptance of excessive violence as the 'normal' way of life."

[From the Bridgeport (Conn.) Post, Oct. 28, 1964]

TV IS RAPPED IN NEW REPORT BY DODD UNIT

(By Carey Cronan)

WASHINGTON.—Television networks were charged by the Senate Committee on Juvenile Delinquency headed by Senator Thomas J. Dodd, D-Conn., with being "the key voice in determining programming content throughout the nation" and with fostering programs that stressed crime and violence and suggestive scenes.

The report cited what it called the "Kintner edict," a directive from Robert E. Kintner, president of NBC–TV, which furthered the much-criticized programs. "The subcommittee is convinced, on the basis of its 1964 monitoring, its review of subpoenaed correspondence, and the testimony of officials that, whatever the fate of the 'Kintner edict' per se, the policy which it enunciated was still very much alive during the 1963–64 season."

The report said that protests over "horror, violence, sex and improper language by the NBC Broadcast Standards department to those responsible for network programming almost doubled over what they had been in the period immediately preceding for a show that was having rating difficulties."

QUOTES MEMO

The document added that television "key people" usually associated "action" with "violence" and it cited one memorandum from ABC's Peter Peterson's correspondence with Thomas More, vice president of ABC–TV, commenting that a script did not show as much action as some "but sufficient to keep the average bloodthirsty viewer fairly happy."

Dr. Wilbur L. Scramm of Stanford university was quoted as testifying: "We are taking a needless chance with our children's welfare by permitting them to see such a parade of violence across our picture tubes. It is a chance we need not take, it is a danger to which we need not expose our children any more than we need expose them to tetanus, or bacteria from unpasteurized milk."

The report said there was plenty of evidence that television programming "does contribute to the development of antisocial attitudes and behavior in the young."

PHRASES NOTED

The Dodd report noted such phrases in network reports as "very good gun battle" . . . "good material of machinegunning" . . . "I don't know if we can get away with it, but let's leave it in." . . . "I think the film is vulgar, dirty, in extremely poor taste and ending up with a Scripture quotation after such filth was the crowning blow . . ."

The report added: "Mr. James T. Aubrey, Jr., CBS network president, is reported to have issued what became known among producers as the Aubrey dictum of 'broads, bosoms and fun.' In testimony before the Subcommittee in 1962 Mr. Aubrey admits to asking for more 'glamor' and 'romantic interest' but denies authorship of the dictum in the specific sense."

Comment by a station official on one program pointed that the heroine of one show "wears over a pair of very spiked heels the tightest pair of slacks ever to be entered by womankind without mechanical assistance."

Another report stated: "If you wanted a thorough lesson on how to mug a human being, you certainly got it on that show."

FINDS ADVERSE EFFECT

The Subcommittee believes that television programs featuring excessive violence can and do adversely affect children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers . . . too many television shows harp on and underscore crime and violence . . . have often been an end in themselves rather than a means to an end."

The probe showed that independent producers and others were "forced to introduce excessive brutality into new programs by network fiat."

The report called on the networks to work together to program so-called adult shows at times when children are not ordinarily viewers.

Warning that the patience of Congress is not endless and "the public's demand for concrete results grows more intense" the report added: "If and when we recommend specific legislation, we will do so in full awareness of the fact that no Government agency has the right to control the content of specific programs and that freedom of speech and press are basic Constitutional guarantees, which must not be violated. However we will also continue to bear in mind that the broadcasting industry operates over channels which belong to the people and which must, we insist, be used to serve the public interest."

[From Variety, New York (N.Y.), Oct. 28, 1964]

SOLON WARNS ANEW THAT TV CLEAN UP "SEX AND VIOLENCE" BEFORE GOVERNMENT ACTS

WASHINGTON, October 27.—Thomas Dodd (D.-Conn.) clubbed the TV networks Monday (26) for cluttering the airways with sex and violence and warned Congress will act if the webs refuse to clean up their programming.

A premature release of the Senate Juvenile Delinquency subcommittee's TV report cited CBS for some improvements but slapped all three webs for policies featuring "excessive" crime and violence.

Though not recommending legislation for the moment, the subcommittee warned it would act if voluntary efforts by the nets don't bring a curb on blood-and-guts programming.

The industry has heard, but barely reacted, to such warnings since 1954 when the late Sen. Estes Kefauver (D.-Tenn.) probed morality on the tube. In an effort to ally this apathy, the subcommittee said its patience, "though considerable, is not endless."

The report covers the span from 1954 to the hearings initiated by Dodd in 1961 and wrapped up earlier this year.

Its release was not expected prior to the election for several reasons, among them Sen. Dodd's bid for reelection in Connecticut. A leak of the report, however, prompted its general release.

The sometimes-sensational hearings preceding the report caused several shakeups in network quarters, among them the resignation of ABC prexy Ollie Treyz.

The report is pegged to the assertion that a relationship has been "conclusively" established between TV violence and juvenile delinquency.

Averring the tube has served as a "school of violence," the subcommittee proposed five recommendations for a voluntary clean up of kid video.

The subcommittee called for:

1. A joint plan by the webs for prime time cultural and educational programs for juves offered at staggered times during the week. This could be accomplished without violating antitrust laws, the subcommittee said.

2. A revision of FCC's programming form with more specifics by applicants on how they will uphold their public interest responsibilities, particularly with kid programming.

3. Effective sanctions in NAB's codes and perhaps a revision of NAB along the pattern of the National Assn. of Securities Dealers.

The subcommittee said broadcasters should give "serious thought" to make code membership "mandatory."

4. More effective dialog between the public and stations. Two steps were recommended to implement this suggestion. First, stations would broadcast daily during prime time a reminder of their interest in public response to their children's programming. Second, stations "ought to be required" to annually conduct a poll of viewers toward their regular and children's programming.

5. Expanded research on the impact of television on children.

The subcommittee reviewed the programing policies and practices of each web and expressed particular pleasure with none of them. Much of the documentation came in subpoenaed interoffice correspondence.

ABC'S "PREOCCUPATION"

It noted cryptically the "preoccupation with crime and violence at top echelons" of ABC.

Rapping both "The Untouchables" and the "Bus Stop" seg, "A Lion Walks Among Us," the subcommittee swatted ABC for continually rejecting the blue-pencil advice of its own censors and for violating the NAB codes.

The subcommittee noted conditions at ABC have not changed "appreciably" since the 1960–62 era of the "Treyz trend."

Though noting CBS was the only web to significantly cut back on violent programing, the subcommittee said "there remains considerable room for improvement."

Like the other webs, CBS was "plagued" last year by a continuing battle between producers and its policing division, the subcommittee said.

"BROADS, BOSOMS, AND FUN"

Despite the off-handed praise, the report said the "broads, bosoms and fun" dictum of CBS–TV prexy James Aubrey "has not been dethroned at CBS . . . the code continues to be violated with distressing regularity," the subcommittee averred.

Drubbed for its "penchant for violence" was NBC. The subcommittee coupled the "Treyz trend" and "Aubrey dictum" with the "Kintner edict," an alleged demand in 1960–61 by NBC prexy Robert Kintner for sex, violence and brutality.

The subcommittee said whatever the actual fate of the "edict," the policy was "still very much alive" in last year's NBC schedule.

Concluding, the subcommittee said, "NBC had continued during 1963–64 to contribute all too substantially to the violence, crime and horror trend which monopolizes so much of the television fare to which the nation's children are regularly exposed."

Besides clouting the networks for the primary responsibility in violent program fare, the subcommittee also rebuked the rating services and program syndicators.

The subcommittee said "a large majority" of the syndicated films screened in 1963—64 "featured excessive violence" and were aired during prime time to largely juve audiences.

[From the Washington (D.C.) Star, Oct. 26, 1964]

VIOLENCE ON TV, DELINQUENCY LINKED IN SENATORS' REPORT

"Violence, crime, brutality and related antisocial behavior continue to dominate the dramatic presentations which appear on the nation's television screens," according to a report by the Senate Juvenile Delinquency subcommittee.

The report said there is impressive evidence that violence on television is directly related to juvenile delinquency.

"The excessive amount of televised crime, violence and brutality can and does contribute to the development of attitudes and actions in many young people which pave the way for delinquent behavior," the report said.

EXECUTIVES BLAMED

The report, not yet released by the committee, puts the blame for the continued violence on TV directly on the top executives of the three television networks.

Only the Columbia Broadcasting System has shown "any significant decline in programmed violence" between 1961 and 1964, according to the report. But, it continued:

"There remains considerable room for improvement. All too many CBS dramatic shows continue to violate various sections of the National Association of Broadcasters code."

At the American Broadcasting Co., the report said, the company's top echelons have a "preoccupation with crime and violence."

"KINTNER EDICT"

In 1962, the report said, the subcommittee found that the National Broadcasting Co. "clearly pursued a deliberate policy of emphasizing sex, violence and brutality on its dramatic shows." This was termed the "Kintner edict," after NBC president Robert Kintner.

"The subcommittee is convinced," the report added, "on the basis of its 1964 monitoring, its review of subpoenaed correspondence and the testimony of network officials, that, whatever the fate of the 'Kintner edict' per se, the policy which it enunciated was still very much alive during the 1963–64 season."

Six of the eight members of the subcommittee headed by Sen. Thomas J. Dodd, D-Conn., have signed the report. They are Dodd and Sens. Sam J. Ervin, D-N.C.; Philip A. Hart, D–Mich.; Birch Bayh, D-Ind.; Quentin N. Burdick, D-N.D., and Hiram L. Fong, R-Hawaii. Two others, Roman L. Hruska, R-Neb., and Kenneth B. Keating, R-N.Y., have been busy in the campaign and have not finished reviewing the 80-page report.

Drawing on testimony and research covering a period of more than three years, the report cites specific instances of top-level involvement in decisions to add crime and violence to television shows.

One letter obtained by the subcommittee quotes a West Coast CBS official as referring to "Mr. Aubrey's dictum of 'broads, bosoms and fun.'" James T. Aubrey, president of CBS, denied in testimony before the subcommittee that he had used those words, but "admits to asking for more 'glamor' and 'romantic interest,'" the report said.

Aubrey, according to the report, had a conference with producers of "Route 66" and this resulted in a memo from the West Coast official praising a subsequent show:

"I must acknowledge that 'Baby Doll' has more than a generous share of bosom amply displayed to a point where Program Practices is screaming in anguish and (she) wears over a pair of very spiked heels, the tightest pair of slacks ever to be entered by woman-kind without mechanical assistance."

DEVASTATING PROBLEM

"It is the subcommittee's view that the problem posed by excessive concentration on sex is more than just embarrassing and gratuitous," the report said. "In a program such as 'Route 66,' which is viewed by a very large children's audience, the impact on the moral standards and sensitivities of many viewers may well be a devastating one."

ABC, the report said, had its counterpart of the "Kintener Edicit" and the "Aubrey Dictum" in the "Treyz Trend," named for Oliver Treyz, former president of the network.

Frequently, the subcommittee found, network officials not only ignore the broadcasters code and viewer complaints, but even ignore complaints from sponsors and other advertisers.

An advertising agency complained to ABC about a scene in an "Untouchables" script entitled "The White Slavers" in which "a group of Mexican girls being imported to Chicago for use as prostitutes are machine-gunned by gangsters when it is found that they cannot get them across the border."

[From the New York Post, July 28, 1964]

ON THE AIR

(By Bob Williams)

Officials of the three networks and their film-syndication subsidiaries have been called for testimony in Washington Thursday before Chairman Dodd (D-Conn.) of the Senate subcommittee on Juvenile Delinquency. Dodd, who for years has been warring against excessive "sex and violence" on TV, is expected to ask what happened to the series he found objectionable in previous 1961 and 1962 hearings. What happened is that many of them were sold into syndication for the usual reruns on local channels.

[From the Washington Post, Dec. 7, 1964]

EVERYONE HAS ALIBI FOR NO KID SHOWS

(By Hal Humphrey)

HOLLYWOOD.—Everyone from J. Edgar Hoover to Ed Sullivan has condemned TV for not putting better children's programs on the air.

The Senate Juvenile Delinquency Subcommittee's recent TV report has even called for all three networks to put juvenile cultural and educational programs on prime time at staggered times during the week.

No more is likely to come of this than resulted from former FCC chairman Newton Minow's plea for better kids' shows a few years ago.

Cyril W. Plattes, vice president and director of marketing for General Mills, Inc., can tell you why. His firm has participating sponsorship of four daytime kids' shows besides such nighttime fare as "The Patty Duke Show," "Mr. Ed," "Johnny Quest" and "The Munsters."

"We at General Mills do care about educating children but at the same time we have to compete with the other shows. I believe the networks made a solid effort to go along with Minow, and they put on some fine shows, but they couldn't get a rating with them," says Plattes.

General Mills has a show going into its second season now which Plattes believes embodies the happy solution of entertaining and informing the child at the same time. It is a cartoon series called "Tennessee Tuxedo" on CBS–TV Saturday mornings.

The title role is played by an adventuresome penguin who before the half-hour is over is told how a telescope works, how to dig for gold or why gushers gush. These tidbits of knowledge are about as prominent as a raisin in a big piece of cake. It goes down when you swallow the cake, but you hardly notice it.

Plattes insists that General Mills feels a responsibility to its kid audiences beyond entertaining them for the sake of selling cereal. Of course, as he also points out, if the latter weren't accomplished, there would be no General Mills-sponsored shows.

Networks also claim they are not calloused to their responsibility for adding to our kids' cultural enrichment. They can list an imposing number of educational shows that have been beamed over the past dozen years. Unfortunately, compared to the total number of programs, this list is also the size of a raisin.

Both Plattes and the networks say the greatest failure is not theirs, but must be put on parents, enough of whom do not guide their kids into watching the better things.

"I can't blame a mother for using TV as a baby-sitter. She has all kinds of problems to face every day. But if a program is not watched, it can't survive, can it?" asks Plattes.

And the networks will tell Senator Dodd and his juvenile delinquency committee they cannot afford to put children's shows on a

prime-time evening hour. A low-rated show early in the prime-time, says the networks, wipes out the whole evening. The old "Firestone Hour" ultimately was booted off by all three networks through this reasoning.

As long as blame for this failure is being passed around, some of it must go to the creators of kids' shows. Most of them get too patronizing and forget that the young audiences they are aiming at are more sophisticated than most adults realize.

"Children are not children so long any more, and we do not always allow for this," observes cereal-seller Plattes.

He knows, because not only do kids quit eating cereal at a younger age today, they also quit swallowing dull lectures on things they already know from having watched "Popeye the Sailor Man."

[From the New York Herald Tribune, Oct. 13, 1964]

THE SOFT ONE-TWO PUNCH

(By Richard Doan)

And now kiddies, is there anything you want to know about the inner workings of the nasty old television business? The chicanery, the power struggles, the group-thinking routines, the character assassination, the easy morals, the cynical motives? Then pop down to any bookshop and pick up a couple of the latest hardcovers. TV has been exposed again, in lavender, with all the trimmings calculated to lure lip-smacking readers.

Both of the tomes, it should be noted for future references, are authored by losers, combatants in the TV area who met defeats in different ways, and promptly and consequently went forth to spread their hurt on paper. The similarities end there.

One of the books is a novel entitled *The Chameleons* (Dodd, Mead; $6.50). The author is David Levy, ousted programming boss of the NBC–TV network who now lives in Beverly Hills and is keeping his hands in TV by producing an ABC comedy series called *The Addams Family*. The other work is a non-fiction dubbed *Only You, Dick Darling! Or, how to write one television script and make $50,000,000.* (Sloane; $5.95.) It is characterized as "a true-life adventure by Merle Miller and Evan Rhodes." Actually it's Miller's story; he seems to have shared the byline with his pal Rhodes as some sort of gesture of gratitude. Miller is a working novelist of some repute (*A Day in Late September, A Gay and Melancholy Sound, That Winter, The Sure Thing* and others) who was engaged to write the pilot script for a proposed CBS hour-long dramatic series titled *Calhoun*, starring Jackie Cooper and Barbara Stanwyck. The show never saw the light of TV screens.

The fact that the two volumes hit the stalls almost simultaneously is, of course coincidental.

On the other hand, try as they did, they threw a soft one-two punch, devastatingly funny in Miller's case to be sure, but unlikely to unleash any severe repercussions. The trouble—if it's trouble they're after—is that there is really nothing illegal about the machinations described by the two writers. And informed citizens long ago came to know that the people who run radio and TV are no Boy Scouts. These two accounts, then, may add to the damning evidence, but they'll have to be added to a list of indictments as long as your arm.

Still, there is a certain textbook value in the works at hand. *The Chameleons* is dirtied up with some amateur sex writing, but it's nothing you can't skip over. It's just thrown in for the non-textbook readers. (It's rumored the publisher shipped the originally sexless manuscript back to the author with directions to sex it up quickly. It was a mistake. Having the hero lusting with his reluctant wife on page 2 only revealed what a naive soul Levy is as a bawdy litterateur. Probably the nicest compliment paid Levy since the book appeared was the observation of one of his former TV counterparts that "You can tell how much David has played around. None!")

Now Miller, an old pro at sexing-'em-up—Paragraph 2 on Page 1 of *The Sure Thing* begins, "Laurie edged her nude body up to a sitting position . . ."—Miller bothered with not Word One on sex in *Dick Daring*. (Or if he did it was mighty incidental.) This is not to say that he doesn't know how to juice a book up. With names, say. Big Names like James T. Aubrey jr., president of CBS–TV and boy wonder of all things video. And David Susskind, and Harry Truman, and Barry Goldwater (who got involved in an Ira Hayes story Miller was writing for TV in Arizona).

And people like Dick Dorso, Aubrey's pal and the United Artists TV whiz who unwittingly contributed the title for Miller's sharp-eyed inside story.

Dorso was telling Miller how the script he was going to do had to pass muster with five very bored men in a projection room. "These five men have seen hundreds of pilots, maybe thousands," Dorso counseled; "and they would much rather say *no* than yes. If they say yes, they're committed. They're in trouble. They've made a decision. Their ulcers start acting up." Miller never did find out *who* the five bored men were. Dorso went on:

"In the first 30 seconds the pilot should go like this, 'Fifty thousand murderous Berbers are headed toward Cairo, and only you, Dick Daring, can stop them.' Dick Daring, that's our hero, and in this case Jackie Cooper, county agent. 'Only *you*, Dick Daring, can stop them.' "

Cooper was to portray a county agricultural agent in New Mexico, a friend of the farmer. "I pictured Jackie Cooper, unarmed, wearing a Stetson and khaki pants, driving a dusty pickup straight through a howling, murderous mob of Berbers," says Miller.

"Are you with me so far?" asked Dorso.

"I said I was with him,' Miller reported. And he was with Dorso and producer Robert Alan Aurthur and Jackie Cooper and Aubrey and Mike Dann (described as CBS's vice-president in charge of public pronouncements) and sundry other people, and he made trips to New Mexico and Hollywood, and rewrote and rewrote and rewrote (once to inject "a *friendly* lynch mob" scene reportedly ordered by Aubrey), and months passed. And the whole thing fell through. Aubrey decided he didn't love the show, after all. And Miller took what was left of his $10,000 fee and went back to his glass house in the woods outside Brewster, up in Putnam County, and, with the aid of his trusty diary, turned out a 350-page piece that warms over every moment of the ordeal, as well as some assorted other ordeals.

Don't think it isn't fun. Miller is a handy one with the sarcasm. But don't expect to discover any white knight in the story save Sir Merle.

On the other hand, Miller has chronicled no momentous, or even unusual, event. Pilots get knocked in the head, by the dozens, every year. This one just happened to be our boy's brainchild. And as a guy who makes his living chanking out words, the author was able to capitalize on his sad disillusionment. Now he'll go on to other literary concerns, maybe never to darken Aubrey's doorway again, but undoubtedly not permanently injured by it, either.

Levy's case is something else. Unlike Miller, the Outsider, who popped in and out of the TV gamble in a few months, Levy is an Insider, a man whose whole career has been carved out in the broadcasting jungle, long as an ad agency executive, later as self-described "architect" of NBC's TV programming. Insiders shouldn't write exposes—at least until they're checking out. David Levy is a deeply wounded man. He feels he was the scapegoat for NBC's involvement in Sen. Thomas J. Dodd's famous "sex and violence" hearings, which also, incidentally, cost ABC-TV president Oliver Treyz his job, too. But Treyz has held his peace.

Levy's story deals with a fictional fourth network, called Federal Broadcasting, and the hero, naturally, is a fellow who bears a resemblance to Levy when he was NBC's programming chief. The book contains the standard disclaimer—the characters, places, incidents and situations . . . are imaginery, etc—but it is *some* coincidence, for example, that the Big Boss at NBC is Gen. David Sarnoff, while the board chairman of Levy's dream network is Admiral James H. Otis. Knowing readers have no trouble recognizing NBC's Bob Kintner in Levy's Joe Gratton, "inscrutable" president of Federal. Then there's Henry Hillman, "pious but headline-hunting amoral U.S. Senator who launches an investigation into the morality of the mass media." The characters, the plot, the action, all of it has a deadly familiar ring to attuned ears.

Strangely, in the world of *The Chameleons*, Levy's hero isn't shoved from the fold. The powers-that-be relent, see they need him, not only beg him to stay on, but give him Gratton's (Kintner's) job! Gratton is put under him.

What is Levy saying? Is this his manner of telling NBC how wrong they were about him? Is this his way of wish-fulfilling the outcome that never was and never will be? Or did he just want to spill the gory details, then give the whole thing a happy Hollywood ending? (The movies are reportedly interested.)

All we can say with certainty is that, of the two works in question, Miller's is far more delectable. But nobody on the Inside is going to let on, if he can help it, that either of these raps is anything to bat a CBS Eye at. Or to ruffle a peacock's feathers.

[From the New York World Telegram & Sun, Dec. 19, 1964]

THE TRUTH ABOUT TV—HOW IT COULD BE CHANGED

(By Richard K. Shull)

In the office of a Madison Ave. ad agency is a large full-color chart—a graphic picture of the new shows expected to be available next season to attract millions of viewers to sit through thousands of commercials during the evening hours.

Ninety new (and the word is used advisedly) situation comedies will be available.

A dozen Westerns.

More science-fiction tales.

More night-time serials, a la "Peyton Place."

Four more military situation comedies.

And at least five series based on successful movies.

If this list fails to make your saliva flow or your heart palpitate with expectation, don't feel badly. There are others who concur.

Sylvester L. (Pat) Weaver Jr., an ex-advertising man and president of NBC until 1958, says of commercial TV:

VALUES AND LIMITATIONS

"It is there, turned on, hour after hour, observed or not observed, but present. It has values, powerful and good. And it has limitations, severe and built-in.

"Some have tried, as I did, to build a schedule with heavy accent on coverage of the real world, showing in prime time at night programs rising from our cultural heritage, informational programs, and great theater; but, basically, these commercially supported programs are usually superficial and constantly interrupted.

"Esthetically, advertising is difficult to handle in combination with the more rewarding arts, and interruptions by commer-

cials are at best upsetting and at worst sickening."

Weaver's remarks, of course, may be prejudiced. He's now president of Subscription TV, a California pay-TV company, and he's in negotiation with various cable-TV and master antenna-TV companies around the country in hope of making pay-TV nationwide service vying for viewers in competition with commercial television.

FCC VIEW

But, Federal Communications Commission Chairman E. William Henry has on such outside or competitive interests.

He said, "The advertising supported system sets certain boundaries on the medium's ability to provide diversity.

"The main problem in commercial television is a lack of diversity. The majority of the programs are aimed at getting a mass audience. They have got to appeal to the masses, but not 100 percent of the time.

"The FCC will have before it soon the problem of how to let additional sources programming into the field," Henry said, referring to future FCC action on petitions for over-the-air pay-TV systems, expansion of educational TV to more areas, and the allocation of more ultra-high frequency channels throughout the land.

If the intimation by Weaver and Henry are true; that commercial television is fulfilling its destiny with "The Beverly Hillbillies" and 1001 variations on theme, then the meat for the discriminating viewer may have to come from elsewhere.

MORE CHANNELS

Carl Perian, the criminologist who is staff director for the Senate subcommittee on juvenile delinquency, said:

"I agree with some of the more creative people, like Pat Weaver. He says the way to diversity is through the spread of more channels.

"Weaver feels by giving a broader base to television, there will be more quality programming. That wouldn't necessarily reduce violence on television, but it would dilute it. Selective people in the audience would at least have the opportunity to go for the better offerings."

Weaver put his theory in practice last summer by launching three-channel direct-wire pay-TV circuits in Los Angeles and San Francisco.

His three channels offered a mixture of sports normally blacked-out in the areas, recent movies, and cultural items for minority tastes.

On Nov. 3, Weaver's pay system was put out of business when California voters balloted 2–1 against the pay-TV system in a referendum. Opponents of Weaver's system convinced a majority of voters that pay-TV eventually would wipe out free commercial TV.

"LIKE BOOK-BURNING"

"The California stand on Pay-TV was like book-burning," declared outspoken producer Herbert Brodkin, whose principal income is from shows he produces for the commercial networks.

Producer David Susskind took the attitude that the California vote didn't make a whole lot of difference because "pay-TV isn't going to be.

"It will be Pat Weaver's frustration. It ain't gonna happen because there ain't no half-billion dollars to bankroll it. There is no group with a big enough kitty to make it happen.

"Pay-TV is a great theory, but it needs $500 million to get off the ground. Grown men should stop theorizing about it.

"If one more pay-TV executive calls me to do the greatest show ever for $2124, I'll scream. When I did 'The Power and the Glory' for CBS it cost $400,000 and I would have liked to have doubled that.

"You cannot make pay-TV work with spit and good intentions," Susskind said.

WILL FIGHT VOTE

Weaver, of course, is continuing to pursue his dream. He'll fight the decision of the California voters, but meanwhile he's pushing ahead with plans for pay-TV in other parts of the country.

Weaver envisions a future in which all television will be directly wired into the homes with color pictures, stereophonic sound, and home videotape recorders so shows may be captured and held for later replay.

This sort of talk is too heady and too distant for some men who still hold hope for a reformation and change of attitude among today's commercial broadcasters.

Producer Brodkin would like to see the Academy of Television Arts and Sciences—the outfit which passes out the Emmys—become a virile conscience dedicated to upgrading the industry.

"The Academy holds dances and passes out trophies. It should be a fighting organization. It should be an industry association which would go into the abuses of commercials, which would fight the censorship of networks, which is terrible, which would fight the blacklisting of artists which still is going on, which would fight for good drama on TV.

QUALITY MISSING

"And the academy ought to be fighting now for minority representation in the craft unions.

"Name me one person on the academy board, except Rod Serling, who ever did a show of quality? The officers ought to be the best people in their fields.

"I can't understand why Serling, who says he has withdrawn from television, still is president of the academy," Brodkin snorted.

Of course, he's now talking as an outsider. He quit the academy last spring, contending the manner in which the Emmys were to be awarded was unfair. Since then, Serling led the academy to change its system. In the future, Emmys will not be awarded competitively, but only for excellence.

"I don't care for the new system either," Brodkin said. "How can you have a jury when all the best people are the nominees?"

WORK FROM WITHIN

While Brodkin chooses to fight by first refusing to participate in an organization; then attempting to reform it, there is one outfit in the country which persists on working to reform TV from within.

This group, under the clumsy initialed title of NAFBRAT—National Association For Better Radio And Television—refuses to be driven from its sets by anything, no matter how grisly or puerile.

The NAFBRAT philosophy is to aim its barbs at television's most sensitive area, the sponsor.

If its members don't care for a particular show, they write directly to the sponsors and briefly say so, mentioning also an intention to let their dissatisfaction carry over to the sponsors' products.

NAFBRAT's complaints also are registered with the FCC and to the local station license-holder.

The organization now in its 16th year, disclaims any desire to be a national censor or keeper of the morals.

DUAL OBJECTIVE

Its founder and president, Mrs. Clara Logan of Los Angeles, claims a two-fold objective—to restrain avaricious broadcasters from violating the bounds of good taste in their pursuit of money and to goad an apathetic public to demand better television.

Her battle cry is a quotation from George Bernard Shaw:

"Get what you like or you will learn to like what you get."

Among the directors of her organizations are such notables as former FCC Chairman Newton Minow, cartoonist Al Capp, James V. Bennett, director of the Federal Bureau of Prisons, and psychiatrist-author Dr. Fredric Wertham.

The television networks have displayed a monumental indifference to Mrs. Logan and her organization.

On another front, Peter Frievalds, a criminologist on the staff of the Senate subcommittee on juvenile delinquency, has hope the committee's report, issued in October after a 10-year probe, will have some effect on future commercial TV.

LINK CRIME, TV

The report of the subcommittee, headed by Sen. Thomas J. Dodd (D. Conn.) charges a direct link between the crime and violence displayed on TV and the rise in delinquency in the nation.

"After our hearings in 1960, there was a tendency to dismiss us rather lightly," Frievalds said. "But now there is a trend of public pressure. One way to get action is the public—individuals—protesting to the networks. The reaction now is that the public doesn't want violence.

"It's immature to hope for a rapid change, but maybe there will be a gradual change," Frievalds said.

He said so far the committee's activities regarding TV have centered on "violence, the negative shows. Maybe the next step is to look at the gray area," he said, referring to the endless hours of shallow comedy and superficial adventure which offer no thought, good or bad, for a viewer to absorb.

Frank Orme, executive director of NAFBRAT, contends there still is much to be done before sensational, unmotivated violence is eliminated from the regular TV diet.

Orme points out that although the networks are shifting away from violence, the local stations are boosting it more than ever through old movies and reruns of network shows produced in lustier earlier days.

[From Youth Program Service, January–February 1965]

DISCUSS TELEVISION AND JUVENILE DELINQUENCY

Does TV violence influence youth? According to the Senate's Subcommitee to Investigate Juvenile Delinquency, it does. Here is the summary of its most recent report on television and juvenile delinquency:

The subcommittee finds, on the basis of expert testimony and impressive research evidence, that a relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers.

The subcommittee does not believe that television is either the sole or most significant cause of juvenile delinquency. We are also well aware of the many worthwhile and enduring contributions the medium has made to American life. And we are greatly impressed by television's achievements in the public affairs areas and by its potential for good in both the education and entertainment fields.

Yet, it seems clear that television has been functioning as what one informed critic has termed "a school of violence." Writing recently in the New York Times, that critic, a practicing psychiatrist who has made an intensive study of the impact of television upon children, had this to say:

"Whether crime and violence programs arouse a lust for violence, reinforce it when it is present, show a way to carry it out, teach the best method to get away with it, or merely blunt the child's (and adult's) awareness of its wrongness, television has become a school for violence . . . We are training not only a peace corps but also a violence corps. I do not advocate that violence should be entirely eliminated from TV.

But it should be presented as a fact of life, not as life itself. We want to show younger people how the other half lives; but that does not mean we have to overload their imagination with images of how the other half dies."

The subcommittee is well aware that there is an ever-present conflict within television—as within any creative medium—between those who write and produce dramatic shows and those charged with seeing to it that the standards of good taste and morality are adhered to. The subcommittee is equally aware of the need to foster true creativity in all the arts and of the fact that violence in one form or another is to be found to some degree in all of them.

The pertinent point is simply that all too many television shows harp on and underscore crime and violence. All too often, televised violence is presented for its own sake; not because it is essential to adequate development of a sound plot or realistic characterization. In short, televised crime and violence have often been an end in themselves, rather than a means to an end.

Subcommittee members do not object to portrayal of violence to that degree truly consistent with bona fide dramatic needs. Our objection is to such portrayal which far exceeds any reasonable standard and which has been shown, both by testimony and careful monitoring to dominate network prime time programing to the virtual exclusion of shows specifically designed to meet the needs of children.

The current edition of the National Association of Broadcasters television code, in a section entitled "Responsibility Toward Children," states:

The education of children involves giving them a sense of the world at large. It is not enough that only those programs which are intended for viewing by children shall be suitable to the young and immature. In addition, those programs which might be reasonably expected to hold the attention of children and which are broadcast during times of the day when children may be normally expected to constitute a substantial part of the audience should be presented with due regard for their effect on children. Such subjects as violence and sex shall be presented without due emphasis and only as required by plot development or character delineation. Crime should not be presented as attractive or as a solution of human problems and the inevitable retribution should be made clear.

The subcommittee is fully in accord with this provision of the NAB code. The problem lies in the fact that, in practice, the television industry is not. The NAB code is well conceived but poorly enforced. In their chronic violation of it, the broadcasters render a patent disservice to the children and society of today. They also help pave the way for what may well be an even more distressing tomorrow. Ill effects, particularly where those affected are children, are not easily confined to one generation.

DISCUSSION QUESTIONS

1. Does television violence influence youth?
2. How much time do we spend watching TV?
3. Have we become "accustomed" to TV violence?
4. Will letters of protest to network and sponsor help?
5. What is the National Association of Broadcasters? What is the NAB code? Is it effective?
6. Is some sort of censorship desirable?
7. What is the quality of TV programs presently directed toward children?
8. How can we influence our families in regard to TV viewing?

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(Both of the above are available from the subcommittee to Investigate Juvenile Delinquency, U.S. Senate, Washington 25, D.C.)

[From the Indianapolis Times, Dec. 16, 1964]

WHAT HAPPENED TO QUALITY ON TV?

(By Richard K. Shull)

"Starting as many situation comedies as the networks did this year is like all the cars in the country going to three gas stations. We're running out of gas."

That explanation, offered by a network programing vice president, Mort Werner of NBC, is as good as any in explaining what happened to quality on television.

A scan across the TV dial almost any evening will find dozens of stereotyped characters treading their way toward some vague destiny, marching in time either to the cackle of the laughing machine or to the intrusive throb of dramatic background music.

There was a time when TV's artistry inspired other media. The movie business and the Broadway stage snapped up such items as "The Miracle Worker," "All The Way Home" and "No Time for Sergeants."

TV's most recent contribution to the movies was Yogi Bear.

What happened?

"The ABC network led the way with violence and sensationalism. The others picked it up," criminologist Peter Frievalds said. He's a staff member of the Senate Subcommittee on Juvenile Delinquency.

Carl Perian, also a criminologist, and staff director for the subcommittee, pointed out:

"The three men who operate the TV networks (Presidents Robert Kintner of NBC, James C. Aubrey of CBS and Thomas More of ABC) all grew up at ABC where they had the pulp magazine concept of programing—sex and violence.

"When we issued the subcommittee report (October, 1964) and said 50 per cent of the TV shows are devoted to crime and violence, that didn't mean the others were necessarily good," Perian said.

"We are concerned with juvenile delinquency. The fact that pap isn't harmful, but doesn't make a contribution, isn't our business," Perian said.

As Chairman E. William Henry of the Federal Communications Commission sees it, "The main problem with television is a lack of diversity. The majority of the programs in prime hours are aimed at getting mass audience.

"Whether it's 'Bonanza,' 'Lucy' or 'Burke's Law,' they're all catering to basically the same taste. Some say that's because of all the mass-goods advertisers on TV. On all networks, the idea is to get the kids to watch without scaring the adults away," Henry said.

And that brings up the matter of three little words which control most prime time television—"cost per thou."

That's a television trade expression for cost-per-thousand which, translated means the cost of a show to the advertiser per 1000 viewers delivered.

The larger the audience, the lower the cost-per-thousand becomes. When the sponsor is selling soap, cigarettes, deodorants and such, everyone is a potential customer and the advertiser isn't too concerned with the quality of his audience, merely its size.

This concern by the mass-goods advertiser with sheer volume of viewers gives rise to TV's pathological zeal for high ratings.

And the networks apparently are convinced the children in this child-worshipping nation are the key to big audience.

The kiddies either directly control the dials, or indulgent parents gravitate to shows they consider harmless—situation comedy—while the children are present.

"The reason situation comedies have drawn so much attention," said Michael Dann, the CBS programing vice president, is that they're popular with the whole family. Situation comedies are the big hits every year. Story forms rarely ever become major hits.

"We don't program for the kids in the early evening. We program for the entire family," Dann said. "There's no question we try to cater to the majority. Even so, we try to create an appetite for better things.

"The bad always outweighs the good in any media.

"In entertainment, no matter what TV does, it's there to make money. But people are just as critical of our loftiest efforts as they are of 'The Beverly Hillbillies'," Dann said.

To the contrary, advertising man Charles E. (Bud) Barry, head of television for Young & Rubicam Advertising, said:

"You writers don't seem to grasp the importance that the public is conditioned to advertiser-supported television. TV doesn't go above the average intellect's reach.

"There's no doubt, 7:30–8:30 p.m. is programed with kids in mind. Adults don't move in until 8:30," Barry said.

Werner of NBC said, "By nature, a kid audience is there in the early evening. We don't deliberately try to drive away the adult audience."

Since these gentlemen concur that the kiddies either control or have a large voice in early evening TV, you might wonder why the networks don't try to offer young minds something more intellectually rewarding than "The Munsters."

Perian said, "I don't believe it's possible for a network to build uplifting shows for children. The networks like it when their opponents program good kid shows or public affairs shows, because they can get bigger ratings against them.

"For example, the other two networks push hard against 'CBS Reports' because it's so vulnerable on ratings," Perian said.

Producer-packager Keefe Brasselle, who describes himself as "brutally candid," states it another way:

"People make the decision for what goes on TV. If the nation is backsliding in culture, it's because the public is boss.

"I give them what they want. The public is not an ignoramus, but if it wants cartoons, I'll make cartoons. I don't claim to be a brilliant man. I'm a showman."

Brasselle's offerings on television this season include "Baileys of Balboa," "The Cara Williams Show" and "The Reporter."

[From the Indianapolis Times, Dec. 20, 1964]

SHOULD GOVERNMENT TRY TO UPGRADE TV?

(By Richard K. Shull)

More than a year has passed since television experienced its greatest hours during those four incredibly grim days of November, 1963.

Indelible images hurtled one after another into America's living room as the whole theory of a nation under law was tested.

And ironically, television's finest hours also recorded the end of an era in which the industry had been badgered and cajoled to do better, in which the White House itself was the font of culture for the nation.

As part of the New Frontier program, President Kennedy appointed a Chicago lawyer, Newton M. Minow, as chairman of the Federal Communications Commission.

Minow's strategy for upgrading television was to operate from the lecture podium, to give the industry a raised eyebrow of disdain and embarrass the broadcasters into doing better.

His first public utterance drew a bellow of protest from the entire industry. Some broadcasters still turn florid and quiver at the mention of Minow's name.

Minow was invited to address a convention of the National Association of Broadcasters on May 9, 1961. The usual role for an FCC chairman at such a convention is

to praise the technical advances of the industry, adulate the statesmanlike activities of some of the members and sit down.

Minow gave them a ripper—his "vast wasteland" speech:

"I invite you to sit down in front of your television set when your station goes on the air and stay there without a book, magazine, newspaper, profit and loss sheet or rating book to distract you—and keep your eyes glued to that set until the station signs off. I can assure you that you will observe a vast wasteland," he told them.

Minow hammered away at his theme for two years, then resigned to go into private industry.

President Kennedy appointed E. William Henry, a Memphis lawyer, to replace Minow. Although Henry is outspoken about the broadcast industry, he hasn't spread his remarks about as frequently or as loudly as Minow did.

Ironically, after President Kennedy was murdered, the man who succeeded him in the White House was a broadcaster, through family controlled interests.

(The Texas TV empire owned by President Johnson's wife and daughters has been placed in the trust of two family acquaintances for the duration of the President's tenure in the White House.)

Was there a cultural renaissance in this country which died along with John Kennedy? Has commercial TV sagged into a cultural slump since his passing?

That depends on who is answering the questions.

"John Kennedy had the élan of making intellect and good taste respectable. He made them fashionable. Before John Kennedy, egghead was a term of derision," said producer David Susskind.

"Is it over? Not entirely. That's not a thought that can be erased. He initiated a new interest in culture. It's an idea whose time has arrived," Susskind said.

Ad man Charles E. (Bud) Barry feels there is a cultural backslide.

"I think John Kennedy was the first man of our times who had an air about him—like Franklin Roosevelt when he broke the depression.

"John Kennedy said Pablo Casals belonged in the White House. So he got him there. Lyndon Johnson will make the country go. But he's not culture-minded."

Mort Werner, NBC's programing vice president, contends any feeling of cultural letdown is "a delayed reaction" to the assassination.

"I think there was a delayed, shocked reaction when we lost John Kennedy. But, no, I don't think that has anything to do with the quality of television."

Concurring with him is Mike Dann, his CBS counterpart, who said, "Television's crisis cannot be linked to the loss of a president or costs, it has to be linked to a lack of good writers."

Ed Scherick, the ABC network programing vice president, sees it another way:

"A light went out when the presidency was handed back to an older generation. In terms of a leader, Lyndon Johnson is not as an exciting a man as John Kennedy.

"But, this country is in a cultural boom . . . theater, books, music . . . and not the least share of credit goes to television," Scherick said.

Had John Kennedy lived and continued his raised eyebrow technique of urging higher level TV for the nation, would our 21-inch world be a better place today?

"Of course the President can influence the nation's taste," replied E. William Henry, FCC chairman. "The same if the President said everyone should drink milk, they'd drink milk."

The prospect for the next four years is that President Johnson, because of his personal ties to the industry, will do his best to pretend TV doesn't exist, let alone comment on it.

"So far, his policy has been strictly hands off," said Robert E. Lee, veteran member of the Federal Communications Commission, referring to the President's attitude on the FCC.

In the year since he took office, President Johnson was forced once to act regarding the FCC.

The term of Commissioner Frederick W. Ford expired. Ford originally was appointed by President Eisenhower. President Johnson reappointed Ford.

Chairman Henry sees educational television as a prime factor in the future of all TV.

"Educational television is making great strides. Its total impact will be far less than commercial television, but its steady growth is good. I think educational television will upgrade all of television."

Henry also would like to see the FCC take a strong role in making public affairs shows actually get to the people.

He pointed out that although the networks are programing more public affairs shows, local stations don't necessarily carry them, frequently substituting something more lucrative which can be sold to local sponsors, such as an old Western, cartoon shows, etc.

"The stations have a responsibility to clear (agree to carry) network public service shows, and to create local public service shows," Henry said.

"If you don't do that, they're not serving the public. I'm not saying what should be put on. They have 360 degrees in which to turn. I'm not trying to dictate. But if they don't get into the area of public service regularly, they don't deserve licenses.

"If there are only two television outlets—New York and Los Angeles—we might as well throw a national switch and be done with it," Henry said.

The broadcasters themselves vociferously resist any attempt at outside interference with the affairs of their domain.

President Kennedy suffered his biggest Congressional defeat when he attempted to get legislation to strengthen the Federal Communications Commission.

This defeat was a testimonial to (1) the power of the broadcast lobby in Washington, and (2) the sympathy broadcasters receive from members of Congress who are directly involved in broadcasting through personal or family ownership or investment in broadcasting companies.

The broadcasters contend they are capable of self-policing through the National Association of Broadcasters, of which a majority of station license holders are members.

The NAB has a code to which members subscribe which essentially proclaims that all broadcasters will do good and think wholesome.

Gene Gleason, press representative for the Senate Subcommittee on Juvenile Delinquency, said the committee's long investigation and its blistering report against broadcasting which was released in October all was conducted on the basis of the broadcaster's ability to police themselves.

"We used the broadcasters' own criteria," Gleason said. "We have never gone beyond their own code. There never was a value judgment made by the subcommittee, except as it was measured by the NAB code.

"All we did was take their code and then looked at their shows. We reported the disparity.

"There is nothing more effective for an industry than self-regulation. The best regulation is self-regulation—if they will just do it," Gleason concluded.

Mr. DODD. Mr. President, finally, let me say that when I denounce him I am really not hateful about him. He is sick. I understand that he went back to my grammar school days trying to find something I did wrong, where I came from.

In all my life I do not believe there has ever been a man who has been subjected to more investigation and more scandal than I. I do not lament my fate. But I regret it. I think that many of my colleagues believe that.

Thus, it is not for me that I speak. It is for you. When he suggests that I am in some way responsible for the violence in this land, let me remind him that his hateful comments and columns written about Senator Robert F. Kennedy, our late deceased friend, and beloved colleague, probably had something to do with Senator Kennedy's assassination.

His evil hatred will go on until it is stopped. We cannot get peace and decency in this country because a vast number of our people do not know us individually and have no opportunity to do so. They believe what they read in the newspapers about us. This evil has got to stop. There has got to be more integrity in journalism. Most of it is honest and responsible. But that segment of it which is so dishonorable, so dishonest, so lying, and so false, has got to be stopped.

What has been the result?

Today, the life of every man in public life is in jeopardy.

Why?

Because people have been lying about us as if we are all thieves and rascals, and that everyone in politics is dishonorable. I know that is not true. I am sure that the President of the United States knows that is not true. I am sure that the Senator from Kentucky [Mr. COOPER], now in the Chamber, knows that is not true. But, the American people have been led to believe that it is true.

That is one of the reasons why we are having this terrible wave of assassinations. Pearson bears a terrible burden. I hope that God will be good to him. I want Him to be. He has lied about me. He has lied about my wife. He has lied about my children. He has lied about my friends.

Thus, this is a personal plea, Mr. President, that I make, and I hope that my colleagues will understand why I do so.

For 2 long years, I have remained silent, on the advice of others. I intend to do that no longer. I want the record written every time a false attack is made upon me. I should have spoken every time before. I know it now. But there were those who told me not to do so.

So, Mr. President, let us all hope and pray that there will be an end to this calumny and hate now so prevalent in the world and that honor and integrity will replace them.

That is the purpose for which I speak.

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. 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.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. DODD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 25 minutes p.m.) the Senate adjourned until Monday, June 17, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate June 13, 1968:

IN THE AIR FORCE

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

In the grade of lieutenant general

Lt. Gen. William K. Martin, [redacted] (major general, Regular Air Force) U.S. Air Force.

The following-named officer to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10 of the United States Code:

To the grade of lieutenant general

Maj. Gen. Gordon M. Graham, [redacted], Regular Air Force.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. William Raymond Peers, [redacted], Army of the United States (brigadier general, U.S. Army).

EXTENSIONS OF REMARKS

WHY RELIABILITY LAW IS NEEDED

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Thursday, June 13, 1968

Mr. METCALF. Mr. President, the Committee on Commerce is conducting field hearings on the proposed Electric Power Reliability Act, S. 1934. This proposed legislation, introduced last June by the Senator from Maine [Mr. MUSKIE] and cosponsored by myself and 15 other Senators, resulted from an extensive study by the Federal Power Commission after the severe Northeast blackout of November 1965. Field hearings in Seattle, Las Vegas, and Salt Lake City, following the hearings here last summer, have clearly emphasized the need for this legislation. However, the bill has tremendous obstacles to overcome in the opposition of the large and wealthy investor owned utilities.

The National Rural Electric Cooperative Association and its constituent members, together with the American Public Power Association, continue as the only major organizations in the utility industry which support the Electric Power Reliability Act.

During the April field hearings in Salt Lake City, testimony was presented by Mr. Fred Simonton, executive director of the Mid-West Electric Consumers Association, and by Mr. William C. Wise, counsel for Mid-West. I believe their statements contain some of the best arguments yet presented in favor of the Reliability Act.

Mr. President, I ask unanimous consent that the text of these two statements be printed in the RECORD.

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

STATEMENT OF FRED G. SIMONTON, EXECUTIVE DIRECTOR MID-WEST ELECTRIC CONSUMERS ASSOCIATION, INC., BEFORE SENATE COMMITTEE ON COMMERCE, SALT LAKE CITY, UTAH

My name is Fred G. Simonton, I am Executive Director of Mid-West Electric Consumers Association, with headquarters in Denver, Colorado.

Mid-West Electric Consumers Association is a regional organization representing 264 rural electric cooperatives, municipal systems, and public power districts engaged in the business of furnishing electric service in the Missouri River Basin. As a service association, our sole purpose is to further the interest of the electric consumers in the Basin. Our members are located in the states of Colorado, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wyoming and Kansas.

The Electric Power Reliability Act which was introduced in the Congress in 1967, is in our opinion, one of the most far-reaching legislative proposals which has been considered in recent years. It has been given careful attention by our Association.

Early in 1967, at the direction of the Board of Directors of Mid-West, a special study committee was established to examine S. 1934, and related bills. The Committee members are: *James Grahl*, General Manager, Basin Electric Power Cooperative, Bismarck, North Dakota; *V. T. Hanlon*, Manager, East River Electric Power Cooperative, Madison, South Dakota; *Arie Verrips*, General Manager, Missouri Basin Municipal Power Agency, Sioux Center, Iowa; *Charles Ham*, Manager, Wheatbelt Public Power District, Sidney, Nebraska; and *James McNear*, Director, Highline Rural Electric Cooperative, Sterling, Colorado. *James Grahl* served as Chairman of the Committee. *Ex Officio* members of this Special Study Committee were *Dennis Lindberg*, President of Mid-West Electric Consumers Association and President of the Missouri Basin Systems Group, Odebolt, Iowa; *Robert Marritz*, Executive Director and Staff Counsel, Missouri Basin Systems Group, Denver, Colorado; and me.

The Committee made several recommendations to the full Board of Directors of Mid-West Electric Consumers Association, which is made up of four directors from each of the nine states represented in our Association.

The recommendations were:

(1) Mid-West Electric Consumers Association should testify in favor of the purposes and objectives of the Electric Power Reliability Act. The Moss version of the bill (H.R. 12322) seemed to our Committee to be the best version, although important modifications are recommended.

The bill should give the regional councils advisory roles rather than making them a part of the regulatory process, as now provided by the bill. The language of the bill should be modified so that the regional transmission plans recommended to the Federal Power Commission by the regional councils would be advisory and for the approval of the Commission. However, the Commission should have the authority to study alternative lines and to finally certify those lines most in the public interest.

A power system's independent request for FPC certification of a transmission line should be treated by the Commission without prejudice although the proposed line may not correspond to the plan approved by the regional council.

A utility should be required to explain to the Federal Power Commission why its proposed line does not correspond to the regional plan, but its request should otherwise be handled under the same procedures as requests for certification for lines which do correspond to the regional plan. Otherwise, the rural electric cooperatives and public power systems will be at a disadvantage because they would be outvoted on the regional councils.

(2) To make the above provision workable, the Moss bill should be amended to provide that the Federal Power Commission establish a qualified staff of engineers to make studies and develop its own plans for transmission in the various regions as necessary. This would give FPC the technical competence needed to be independent of the proposals of the regional industry councils. This kind of provision also seems important because the Federal Power Commission is the only protection that most of the electric consumers in the country have.

As the protector of the consumer interests, the Commission should conduct its own studies with its own personnel to reach conclusions of its own.

(3) The Federal Power Commission should be empowered to require establishment of open connections between power systems which FPC can order closed in emergencies to provide assistance to systems experiencing an outage.

The public cannot be expected to tolerate an outage in one village or rural area when a neighboring power system has the capability of providing emergency power.

The Board of Directors of Mid-West Electric Consumers Association was authorized at our 10th Annual Meeting, December 6–8, 1967 to determine the position of Mid-West on the Electric Power Reliability legislation on the basis of the recommendations of our special Study Committee.

Consequently, at its regular quarterly Board Meeting, April 2 and 3, 1968, the following resolution was adopted unanimously:

RESOLUTION ON ELECTRIC POWER RELIABILITY ACT

Whereas there have been introduced into the 90th Congress several versions of a bill to amend the Federal Power Act, generally referred to as the Electric Power Reliability Act, which would grant to the Federal Power Commission broad new authority "to facilitate the provisions of reliable, abundant, and economical power supply."

Now, therefore, be it resolved that we endorse the principles and objectives of the Electric Power Reliability Act, as most clearly enunciated in H.R. 12322 introduced by Congressman Moss of California; and

Be it further resolved that we believe the legislation would more adequately protect consumer-owned electric systems if the bill were strengthened in certain respects, such as by giving the FPC greater regulatory au-