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Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

SENATE—*Thursday, September 5, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

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

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee, and worthily magnify Thy holy name.

Give, we beseech Thee, to these servants of the Commonwealth clear vision, clean hands, and pure hearts as, facing great tasks and grave responsibilities, they ascend this holy hill of the Nation's life.

In this age of ages telling, steady our purpose to give the best that is in us—body, mind, and spirit—to the right that needs assistance; against the wrong that needs resistance; to the future in the distance and the good that we may do.

Grant us to pass this day in glad service and in inner peace, without stumbling and without stain. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, September 4, 1968, be dispensed with.

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

MESSAGES FROM THE PRESIDENT

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

REPORT OF THE ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 380)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

I am transmitting the fourth annual report of the Atlantic-Pacific Interoceanic Canal Study Commission. The report covers the period July 1, 1967 to June 30, 1968.

During the past twelve months the Commission has made significant progress toward accomplishing the objectives of its investigation. The collection of data was substantially completed on Route 17 in Panama, one of the routes being considered for nuclear excavation. In the Canal Zone, subsurface drilling for geological data was completed and an evaluation made of the suitability and cost of conventional canal excavation along Route 14. In Colombia the first full year of data collection on Route 25 was accomplished.

The Commission has decided on a more extensive study of Route 10, a route for conventional excavation in the Republic of Panama close to the westerly limits of the Canal Zone. Extensive engineering measures would be required to insure the continued operation of the existing lock canal during the years of construction of a sea-level canal adjacent to and intersecting it. Also, the changeover to a sea-level canal on Route 14 would permanently close the existing canal. Route 10 would not have these disadvantages and could be competitive in cost. For these reasons, the Commission has now augmented its subsurface data collection program to produce a valid estimate of excavation costs on this route.

The Atomic Energy Commission has recently conducted the first two of the planned series of nuclear excavation experiments designed to determine the feasibility of nuclear excavation of a sea-level canal. The favorable results of these experiments are encouraging. Funds in the FY 1969 budget will permit continuation of this test program. I hope that the experiments will demonstrate the practical possibility of using this technique in building a new canal.

On June 22, 1968, I signed Public Law 90–359 in which the Congress granted an extension of the Commission's reporting date to December 1, 1970 and the additional appropriation authority needed by the Commission to complete its investigation. With this amending legislation, the Commission is now able to carry out its field surveys in both Panama and Colombia as originally planned to accomplish the mission given it by the Congress in Public Law 88–609.

The investigation has provided no final conclusions to date. However, no insurmountable technical problems are foreseen in the construction of a sea-level isthmian canal by conventional means. The best location for a new canal and the technical and political feasibility of construction by nuclear excavation are yet to be determined.

This anniversary sees the canal investigation well beyond the midpoint of its planned studies, and I take great pleasure in forwarding the Commission's fourth annual report to the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 5, 1968.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Doris L. Oldham to be postmaster at Fishertown, Pa., which nominating messages were referred to the appropriate committees.

(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, communicated to the Senate the intelligence of the death of Hon. Elmer J. Holland, late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

The message announced that the House had passed a bill (H.R. 14314) to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 14314) to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school-age dependents of employees, was read twice by its title and referred to the Committee on Labor and Public Welfare.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Committee on Government Operations be authorized to meet during the session of the Senate today.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1484 and 1485.

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

JUDICIAL REVIEW OF ORDERS OF THE INTERSTATE COMMERCE COMMISSION

The Senate proceeded to consider the bill (S. 2687) to amend section 17 of the Interstate Commerce Act to provide for judicial review of orders of the Interstate Commerce Commission, and for other purposes, which had been reported from the Committee on Commerce, with amendments on page 2, line 23, after the word "order" insert a colon and *"Provided,* That upon the filing of a petition within sixty days of the date of service of the order complained of, the court, for good cause shown, may extend the time for filing a petition to review such order for an additional period not exceeding sixty days."; on page 7, line 5, after the figure "23", strike out "and 43"; and in the same line after the word "Act" insert "and section 3 of the Act of February 19, 1903 (49 U.S.C. 43)"; so as to make the bill read:

S. 2687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Interstate Commerce Act (49 U.S.C. 17) is amended—

(1) by redesignating subsections (10) through (12) as subsections (11) through (13), respectively; and

(2) by inserting immediately after subsection (9) the following new subsection:

"(10)(a) The United States courts of appeals shall have exclusive jurisdiction to enjoin, set aside, annul, or suspend, in whole or in part, all final orders of the Interstate Commerce Commission made reviewable in accordance with the provisions of subsection (9) of this section: *Provided,* That orders of the Commission involving only the payment of money shall be subject to judicial review only in the district courts of the United States pursuant to sections 1336(a) and 1398(a) of title 28, United States Code, and orders of the Commission made pursuant to the referral of a question or issue by a district court or by the Court of Claims shall be subject to judicial review only in accordance with sections 1336 (b) and (c) and 1398(b) of title 28, United States Code, such jurisdiction shall be invoked by the filing of a petition as provided in this subsection.

"(b) The venue of any proceeding under this section shall be in the judicial circuit in which the residence or principal office of any of the parties filing the petition for review is located.

"(c)(1) Any party aggrieved by a final order reviewable under this subsection may, within sixty days from the date of service, file in the court of appeals, in which the venue prescribed by paragraph (b) lies, a petition to review such order: *Provided,* That, upon the filing of a petition within sixty days of the date of service of the order complained of, the court, for good cause shown, may extend the time for filing a petition to review such order for an additional period not exceeding sixty days. The petition shall contain a concise statement of (A) the nature of the proceedings as to which review is sought, (B) the facts upon which venue is based, (C) the grounds on which relief is sought, and (D) the relief requested. The petitioner shall attach to the petition, as exhibits, copies of the order, report, or decision of the Commission. The clerk of the court of appeals shall serve, by registered or certified mail, a true copy of the petition upon the Commission and the Attorney General of the United States.

"(i) Unless the proceeding has been terminated following grant of a motion to dismiss the petition, the Commission shall file in the office of the clerk of the court of appeals in which the proceeding is pending the record on review, as provided in section 2112 of title 28, United States Code. Until such record has been filed by the Commission, the Commission may at any time, upon such notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any order, report, or decision made or issued by it and which is attached in a petition for review. Upon the filing of such record with it, the jurisdiction of the court of appeals to enjoin, set aside, annul, or suspend orders of the Commission shall be exclusive.

"(d) Petitions to review orders reviewable under this section, unless determined on a motion to dismiss the petition, shall be heard in the court of appeals upon the record of the pleadings, evidence adduced, and proceedings before the Commission. If a party to a proceeding to review shall apply to the court of appeals, in which the proceeding is pending, for leave to adduce additional evidence and shall show to the satisfaction of such court (1) that such additional evidence is material, and (2) that there were reasonable grounds for failure to adduce such evidence before the Commission, such court may order such additional evidence and any evidence the opposite party desires to offer to be taken by the Commission. The Commission may modify its findings of fact, or make new findings, by reason of the additional evidence so taken and may modify or set aside its orders and shall file in the court such additional evidence, such modified findings or new findings, and such modified order or the order setting aside the original order.

"(e) The Commission may be represented by its own counsel, and the United States, through the Attorney General, shall be entitled to intervene in any proceeding. Any party or parties in interest in the proceeding before the Commission whose interests will be affected if an order of the Commission is or is not enjoined, set aside, or suspended, may appear as parties of their own motion and as of right, and be represented by counsel in any proceeding to review such order. Communities, associations, corporations, firms, and individuals whose interests are affected by the Commission's order may intervene in any proceeding to review such order.

"(f) The filing of the petition to review shall not of itself stay or suspend the operations of the order of the Commission, but the court of appeals in its discretion may restrain or suspend, in whole or in part, the operation of the order pending the final hearing and determination of the petition. Where the petitioner makes application for an interlocutory injunction suspending or restraining the enforcement, operation, or execution of, or setting aside, in whole or in part, any order reviewable under this section, at least five days' notice of the hearing thereon shall be given to the Commission and to the Attorney General of the United States. In cases where irreparable damage would otherwise ensue to the petitioner, the court of appeals may, on hearing, after reasonable notice to the Commission and to the Attorney General, order a temporary stay or suspension, in whole or in part, of the operation of the order of the Commission for not more than sixty days from the date of such order pending the hearing on the application for such interlocutory injunction, in which case such order of the court of appeals shall contain a specific finding, based on evidence submitted to the court of appeals, and identified by reference thereto, that such irreparable damage would result to the petitioner and specifying the nature of such damage. The court of appeals, at the time of hearing the application for an interlocutory injunction, upon a like finding, may continue the temporary stay or suspension, in whole or in part, until decision on the application. The hearing upon such an application for an interlocutory injunction shall be given preference and expedited and shall be heard at the earliest practicable date after the expiration of the notice of hearing on the application provided for above. Upon the final hearing of any proceeding to review any order under the provisions of this subsection the same requirements as to precedence and expedition shall apply.

"(g) An order granting or denying an interlocutory injunction under paragraph (f) of this subsection and a final judgment of the court of appeals shall be subject to review by the Supreme Court of the United States upon writ of certiorari as provided in section 1254(1) of title 28, United States Code: *Provided,* That application therefor be duly made within forty-five days after the entry of such order and within ninety days after entry of the judgment, as the case may be. The United States, the Commission, or an aggrieved party may file such petition for a writ of certiorari. The provisions of sections 1254(3) and 2101 (e) of title 28, United States Code, shall also apply to proceedings under this subsection.

"(h) The orders, writs, and process of the courts of appeals arising under this subsection and, of the district courts in cases arising under sections 20, 23, of this Act and section 3 of the Act of February 19, 1903 (49 U.S.C. 43) may run, be served, and be returnable anywhere in the United States."

SEC. 2. Chapter 157 of title 28, United States Code, and any other provision of law inconsistent with this Act are hereby repealed: *Provided,* That any proceeding or case pending before a district court under such chapter on the effective date of this Act shall remain under the jurisdiction of such court until a final order, judgment, decree, or decision is rendered by such court: *Provided further,* That any such cases or proceedings referred to in the first proviso may be appealed to the Supreme Court as provided by section 1253 of title 28, United States Code, and, if remanded, such case may be referred back to the court from which the appeal was taken or to the court of appeals for further proceedings as the Supreme Court may direct.

SEC. 3. This Act shall take effect on the sixtieth day after the date of the enactment of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed

for a third reading, was 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. 1499), explaining the purposes of the bill.

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

PURPOSE

The purpose of S. 2687 is to make orders of the Interstate Commerce Commission reviewable in the same general manner as the orders of all other major regulatory agencies. This would be accomplished by amending section 17 of the Interstate Commerce Act to provide for judicial review of ICC orders in the U.S. courts of appeals, with review by the Supreme Court by the discretionary writ of certiorari. At present, judicial review of ICC orders is under the jurisdiction of a district court of three judges, at least one of whom shall be a judge of the court of appeals. The decisions of such courts are reviewable in the Supreme Court by appeal, rather than by certiorari.

BACKGROUND AND NEED FOR LEGISLATION

At the present time, judicial review of the Commission's orders is governed by various sections of title 28 of the United States Code which are summarized in appendix A. Briefly, such review is in a U.S. district court of three judges, at least one of whom must be a judge of the court of appeals. The decisions of such courts are reviewable by the Supreme Court by appeal, rather than by the discretionary writ of certiorari. These provisions were initially enacted as part of the Urgent Deficiencies Act of 1913 and, with minor changes, have remained unchanged since that time.

The following year, in the Federal Trade Commission Act, the then circuit courts of appeals were designated to review orders of that agency. Thereafter, as new regulatory agencies were created, usually, judicial review of their orders was vested in the courts of appeals. While certain orders of the Federal Communications Commission, the Federal Maritime Commission, and the Department of Agriculture were originally made reviewable under the Urgent Deficiencies Act procedure, the so-called Hobbs Act or Judicial Review Act of 1950[1] transferred review of the orders of these agencies to the courts of appeals, thus leaving only orders of the Interstate Commerce Commission reviewable in the three-judge district courts.

In recent years, this procedure has been criticized by members of the Federal judiciary in the course of reviewing orders of the Commission as being "cumbersome" and "inefficient."[2] In an opinion dealing with a phase of the complex litigation arising out of the Commission's order approving the Penn-Central merger, the Court observed that counsel for all the parties participating in that litigation "* * * who have demonstrated that the long outmoded machinery for review of orders of the Interstate Commerce Commission by a suit before a three-judge court can be made to work although with creaks and strains that ought to be eliminated."[3]

In commenting on a provision requiring review by a three-judge court, the Supreme Court has stated that this mode of review "* * * particularly in regions where, despite modern facilities, distance still plays an important part in the effective administration of justice * * * [D]islocates the normal operations of the system of lower Federal courts."[4]

The existing procedures have also been criticized by the Administrative Conference of the United States which, in its report to Congress in 1962,[5] recommended legislation similar to that proposed in S. 2687. Legislation of this type was also recommended in 1962 by the Special Advisory Committee on Interstate Commerce Commission Practice and Procedure, an advisory committee of practitioners established by the Commission, and by several sessions of the Judicial Conference of the United States.

The most fundamental change in existing law made by S. 2687 would be to shift judicial review of the great majority of the Commission's cases from the district courts to the U.S. courts of appeals. In place of the existing law, which permits direct appeals from the district courts to the Supreme Court, review by that Court would be by the discretionary writ of certiorari. In so doing, this bill would make orders of the Interstate Commerce Commission reviewable in the same general manner as the orders of all other major Federal regulatory agencies, such as FPC, CAB, FCC, SEC, FMC, FTC, and NLRB.

The committee is advised that it is desirable for a number of reasons to provide for judicial review by the courts of appeals. Those courts are regularly engaged in the review of orders of various other Federal agencies, while most district courts rarely do so. The courts of appeals have rules governing judicial review proceedings. Before long, it is expected that they will be applying uniform rules for all of the courts of appeals, promulgated by the Supreme Court under the authority granted by Congress.[6] In contrast, there are no court rules governing judicial review proceedings in the three-judge courts, with the result that their procedures are on an ad hoc basis.

S. 2687 would amend section 17 of the Interstate Commerce Act, designated as section 17(10), so that the statutory provisions for the review of the Commission's orders will appear in the same statute which gives the Commission authority to make such orders, thus following the general pattern with respect to many other statutes creating administrative agencies and providing for judicial review of their orders.

ANALYSIS OF CHANGES IN PRESENT LAW

A comparative analysis of existing law of S. 2687 is set forth in appendix B. A summary of the more important changes proposed in S. 2687 follows.

JURISDICTION

The major change made by S. 2687 is the shifting of judicial review of the Commission's orders from district courts of three judges to the several courts of appeals. This change, summarized as item 1 in appendix B, is set forth in paragraph (a) of S. 2687. With certain specified exceptions, S. 2687 covers judicial review of all final orders of the Commission issued under any of the four parts of the Interstate Commerce Act. Specifically exempted from this paragraph are:

(1) Final orders involving reparations or other orders for the payment of money.

(2) Final orders made pursuant to a referral from a district court or the Court of Claims.

The purpose of these two specific exemptions is to preserve existing practice[7] wherein cases in these two categories are initially heard in either single-judge district courts or the Court of Claims as the case may be. Claims for reparations and other actions for money damages are essentially private actions and analogous to other types of civil damage actions, therefore, the committee deems it desirable to retain jurisdiction in the district courts for these cases. Nothing in S. 2687 would change the present jurisdiction of the district courts over criminal or civil cases involving only fines, penalties, or civil forfeitures for violations of the Interstate Commerce Act. The jurisdiction of a court of appeals would be invoked by the filing of a petition for review.

VENUE

The venue for filing a petition is set forth in paragraph (b) of S. 2687, summarized as item 2 of appendix B. This provision is derived from existing law[8] and provides that venue for a petition shall be in the judicial circuit wherein the party filing the petition for review either resides or has his principal office.

Paragraphs (c) and (d), summarized in item 3 of appendix B make a number of important changes in existing law and practice. Together, these two provisions specify the initial and subsequent procedural steps to be followed in a proceeding involving a Commission order.

Under the provisions of S. 2687, first, any party aggrieved by an order of the Commission will be required to file a petition for judicial review with the appropriate court of appeals within 60 days of the service order complained unless, for good cause shown, the court grants a 60-day extension for filing a petition. The purpose of this provision is to cure an omission in existing law which, except for the uncertain and rarely applied doctrine of laches, imposes no statute of limitations for judicial review of the Commission's orders. The 60-day limitation is found in most modern judicial review provisions. While still providing a reasonable opportunity for an appeal to be taken, the committee considers that such a provision is both desirable and useful in protecting the security of transactions authorized by the Commission and providing assurance to parties affected by a Commission order that it will not be challenged by a belated appeal.

Second, S. 2687 attempts to deal with the problem of appeals being taken in different courts over a single Commission order. The venue provisions of S. 2687, like existing law, permit an appeal to be taken in any court wherein any of the parties resides or has his principal office. Pursuant to this provision, any aggrieved party may pick any court meeting these requirements. Although this poses no problem in the majority of cases, in large and complex proceedings, such as a large railroad merger, this freedom in choosing a forum the committee has been advised can, and has, created serious problems because of the bringing of suits in different courts over a single Commission order. For example, in the recently concluded litigation[9] arising out of the Penn-Central merger, the Commission's order was challenged in three different courts.[10] Similarly, in the so-called Northern Lines merger, challenges were brought in the district courts in Washington, New York, and the District of Columbia. While the Commission has usually been successful in obtaining consolidation of multiple proceedings in one court by persuading the other courts to stay their proceedings, the process involved is time consuming for all

[1] 28 U.S.C. sec. 2341–2352 (supp. II, 1967).

[2] *Freight-Forwarders Institute* v. *United States*, 236 F. supp. 460, 462 (S.D.N.Y. 1967) (Feinberg J.).

[3] *Erie-Lackawanna R. Co.* v. *United States*, 279 F. Supp. 316, 324 (S.D.N.Y. 1967) (Friendly J.).

[4] *Philips* v. *United States*, 312 U.S. 246, 250–51 (1941).

[5] Administrative Conference, final report, S. Doc. No. 24, 88th Cong., first sess. (1963), VII, pp. 10–11. (Recommendations 3, 4, and 5.)

[6] 28 U.S.C. § 2072 (supp. II, 1967).

[7] U.S.C. sec. 1336(a) and 1398(a); 28 U.S.C. sec. 2321.

[8] 28 U.S.C. sec. 1398(a).

[9] *Penn-Central Merger* Cases, 389 U.S. 486 (1968) affirming *Erie-Lackawanna R. Co.* v. *U.S. et al.*, 279 F. Supp. 964 (S.D.N.Y.) (1967).

[10] In addition to the District Court for the Southern District of New York, appeals were docketed in the Eastern District of Virginia, and the Middle District of Pennsylvania.

concerned. Providing for judicial review in the courts of appeals the committee is advised would largely put an end to this problem. Upon the filing of a petition, any subsequent suits would, by virtue of 28 U.S.C. § 2112, which governs the procedure in the court of appeals in appeals from administrative agencies, be consolidated in the court in which the first suit is filed. This change in the present law the committee considers to be desirable.

This bill also changes existing case law with regard to the submission of the complete record of proceeding before the Commission to a reviewing court. Under existing practice, the person seeking review has the burden of filing a certified copy of the record with the reviewing court. Under S. 2687, the Commission would be required to file the record with the clerk of the court of appeals in which the proceeding is pending.

Upon the commencement of a review proceeding, the Commission would be required to file with the court the original or a certified copy of the record of the proceedings before the Commission except that the court may permit the filing of a certified list of the contents of the record in lieu of the record itself, a practice now widely followed and expected to be made uniform. Under the present review procedure, the plaintiff bears the burden of filing with the three-judge court a certified copy of the record before the Commission. Although this change may impose some additional burden on the Commission, it will bring its practice into line with present procedures for the review of all other Federal agency orders. While placing upon the Commission the burden of supplying the record could encourage court challenges to Commission orders, any such tendency will be offset by the requirements of the courts of appeals for the parties to reproduce, by printing or otherwise, the portions of the Commission record on which they are relying. Under the present three-judge court procedure, reproduction of the record is not required. The committee was informed that in the experience of other agencies, most of this reproduction cost falls upon the private appellants.

S. 2687 makes a further important change in existing law in the elimination of the United States as a statutory defendant, shown in item 4 of appendix B, thus eliminating the present requirement[11] whereby all court challenges to an order of the Commission are formally brought against the United States rather than the Commission itself. The elimination of the United States as a named respondent would mean that any petition for judicial review would be brought automatically against the Commission as the named respondent. This change brings the Commission into conformity with the present practice of such agencies as SEC, NLRB, FPC, CAB, and FCC, which are named as the respondents in suits seeking judicial review of their orders. The committee is advised that the Commission's attorneys today assume the primary and principal responsibility for the defense of its orders in the courts.

This feature of S. 2687, among others, is opposed by the Department of Justice. In a letter to the committee, dated May 15, 1968, from Deputy Attorney General Warren Christopher, the Department states:

"However, the legislation (S. 2687) is objectionable insofar as it would remove the United States as the statutory defendant and repeal the Attorney General's responsibility for primary control of this class of litigation. Such dispersion of responsibility for the conduct of litigation involving the Government conflicts with prior efforts of the Executive Department and the Congress to centralize control of the Government's litigation in the Attorney General."

[11] 28 U.S.C. sec. 2322.

In the alternative, the Department suggests that the Commission be brought under the Hobb's Act,[12] after which S. 2687 is modeled.

The committee does not concur in the suggestions of the Department. While generally, the Department of Justice and the Commission have worked together in the defense of the Commission's orders, from time to time, there have been differences of opinion between the Commission and the Department as to questions of policy and statutory construction with the result that the Department has declined to defend the Commission's order in court. There have been a number of such cases. Because Commission orders are generally immune from direct attack under the antitrust laws, many of these differences in recent years have involved the issue of competition and its evaluation by the Commission in such complex areas as intermodal rate competition and railroad mergers. Although the Supreme Court has held that in such a case the duty of the Commission to administer and enforce the act carries with it the right to defend its orders in its own name when the Department declines to do so, the committee does not believe it necessary or efficient to continue the present practice. For this reason, as well as to give a reviewing court the most assistance, the committee believes that the defense of ICC orders should be placed directly with the Commission. As shown in item 3(b) and 4 of appendix B, this bill fully protects the rights of the United States by requiring that a copy of the petition for review be served on the Attorney General as well as the Commission and by permitting the Attorney General to intervene in a Commission case as a matter of right.

The balance of S. 2687 deals with review of decisions by the courts of appeals in the Supreme Court and certain miscellaneous provisions.

REVIEW IN THE SUPREME COURT

Under the present law,[13] a decision of a three-judge district court is subject to a right of direct appeal to the Supreme Court. This is a so-called appeal as of right, in the sense that the Supreme Court does not purport to exercise discretion as to whether or not to review the case on its merits.

Paragraph (b) of S. 2687, summarized as item 6 of appendix B, would provide for Supreme Court review by certiorari, rather than by appeal. This conforms to the method of seeking Supreme Court review which is applicable to all other Federal agencies. This paragraph would also preserve the Commission's present right to seek review in the Supreme Court with or without the concurrence of the Department of Justice by stating that, "The United States or the Commission or an aggrieved party may file such petition for a writ of certiorari."

MISCELLANEOUS PROVISIONS

Paragraph (h) of S. 2687, shown in item 7 of appendix B, preserves a portion of the existing law,[14] the balance of which is repealed by section 2 of S. 2687. This paragraph provides for nationwide service of process, orders and writs issued by the courts of appeals in cases arising under final orders of the Commission covered by this bill and proceedings arising in the district courts under sections 20 and 23 of the act and section 3 of the Elkins Act, all of which deal with the enforcement of various accounting, reporting, and tariff requirements of the act and, the rights of the shippers to nondiscriminatory treatment by the carriers. This provision is an exception to the general rule that a court's process does not run outside the State in which it is located, in the case of the district courts, or the circuit, in the case of the courts of appeals. The committee believes its retention is desirable because of the widespread operations of the Nation's carriers.

[12] Ch. 158, 28 U.S.C.; 28 U.S.C. sec. 2341–2351.

[13] 28 U.S.C. sec. 1253.

[14] 28 U.S.C. sec. 2321.

As shown in item 8, of appendix B, section 2 of S. 2687 repeals those parts of existing law which contain the present procedure for review of the Commission's order in three-judge district courts. All of these provisions are superseded by the provisions of section 1 of S. 2687 and thus are rendered obsolete. S. 2687 does not change other sections of existing law which also deal with the review and enforcement of the Commission's orders since they will still be applicable to cases involving reparations, fines, penalties and forfeitures which are not transferred to the courts of appeals by this bill. In order to insure an orderly transition from the present mode of review in the district courts to the courts of appeals, S. 2687 provides for a 60-day transitional period and that cases pending in the district courts on the effective date of this act will be processed to conclusion in such courts with the right of direct appeal to the Supreme Court as under the present law.

AMENDMENT OF THE DEFINITION OF "FELONY"

The bill (S. 3738) to amend the definition of "felony" in title IV (adding chapter 44 of title 18, United States Code) and title VII of the Omnibus Crime Control and Safe Streets Act of 1968 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3738

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraphs (13) and (14) of section 921(a) of title 18, United States Code, are amended by striking out the phrase "by imprisonment for a term exceeding one year" wherever it appears and inserting in lieu thereof the words "as a felony".

(b) Subsection (a) of section 921 of such title is amended by adding at the end thereof the following new paragraph:

"(19) The term 'felony' means, in the case of a Federal law, an offense punishable by imprisonment for a term exceeding one year, and, in the case of a State law, an offense determined by the laws of the State to be a felony.".

(c) Paragraph (3) of section 921(b), subsections (c), (e), and (f) of section 922, section 924(b), and subsections (b) and (c) of section 925 of such title are amended by striking out the phrase "by imprisonment for a term exceeding one year" wherever it appears and inserting in lieu thereof the words "as a felony".

SEC. 2. Subsection (c)(2) of section 1202 of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351) is amended to read as follows:

"(2) 'felony' means, in the case of a Federal law, an offense punishable by imprisonment for a term exceeding one year and, in the case of a State law, an offense determined by the laws of such State to be a felony.".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1500) explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to amend the definition of "felony" in title IV (adding ch.

44 of title 18, U.S.C.) and title VIII of the Omnibus Crime Control and Safe Streets Act of 1968.

STATEMENT

In both titles IV and VII of the Omnibus Crime Control and Safe Streets of 1968, restrictions on the acquisition and ownership of firearms are placed upon persons convicted in either State or Federal courts of a felony which is defined as a crime punishable by imprisonment for a term exceeding 1 year. Title IV also places restrictions on persons under indictment or fugitives from justice as to such crimes.

After investigation of the applicable State laws, the Judiciary Committee has found that several State legislatures have a practice of making essentially trivial offenses broadly punishable in order to give the sentencing judge discretion in dealing with repeated offenders or particular cases involving aggravated circumstances. In other words, many crimes which would traditionally be classed as misdemeanors are punishable by more than 1 year in prison in some States.

Consequently, the committee believes that, the sections of the Omnibus Crime Control and Safe Streets Act of 1968 may have far-reaching consequences on the right of persons convicted under State law in the past of relatively minor misdemeanors to acquire and possess firearms.

The original act recognizes in part, that there should be a differentiation between right of those convicted of a serious crime and those convicted of a minor offense to acquire and possess firearms. For example, title IV excludes certain business and regulatory offenses from the act; however, this exclusion does not apply to title VII which would have the greatest impact on a citizens right to purchase a firearm.

Therefore, the committee feels that the purpose of titles IV and VII would be better served by changing the definition of the word "felony" as used in the act to mean, in the case of Federal law, an offense punishable by imprisonment for a term exceeding 1 year, and, in the case of State law, an offense determined by the laws of such State to be a felony.

PROPOSED CHANGES IN THE ELECTORAL SYSTEM

Mr. MANSFIELD. Mr. President, on June 17 of this year, the distinguished ranking Republican in this body, the senior Senator from Vermont [Mr. AIKEN], the distinguished junior Senator from Kansas [Mr. PEARSON], the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], and I introduced joint resolutions, seeking to bring about a change in the present electoral system. One of the resolutions provides for a national primary to replace the happenstance primaries which are used today, and which are so expensive and so inconclusive as well. This resolution would also abolish the electoral college. Another of these resolutions would extend the right to vote to 18-year-olds—a privilege our young people have earned for a number of well-authenticated reasons. Finally, there is included a resolution that calls for a limit on the Presidency of one 6-year term.

No mention was made of conventions in the resolutions, because the convention itself is an extralegal institution. Conventions do not come within the laws of the United States, either those enacted by Congress or under the Constitution.

With these resolutions, it was not necessarily our intention to abolish conventions as such, but simply to do away with the convention as it exists and is used today. However, it was our intention to provide that the national primaries—not the delegates—be the voice of the people in selecting the nominees for the Presidency and the Vice-Presidency of the major parties. It was our intention to provide that, once the choices had been made in the national primaries, a convention might then be convened and attended in the main by the State chairmen and chairwomen, the national committeemen and national committeewomen, and the members of the respective national committees located in Washington.

At the time it was thought that once the people, not the delegates, had made their choice, this convention of the major representatives of the parties in question could then determine what remained to be done.

Mr. President, I rise at this time to ask of the distinguished chairman of the full committee, the senior Senator from Mississippi [Mr. EASTLAND], and the chairman of the Subcommittee on Constitutional Amendments, the distinguished Senator from Indiana [Mr. BAYH], to hold hearings on these proposals this year; because, while we are approaching the end of a session, I believe it never will be too soon to face up to the problem which confronts us at this time, which was shown so graphically to the American people and to the world during the past several weeks and months.

A VETERANS' STANDING COMMITTEE IN THE SENATE

Mr. DIRKSEN. Mr. President, the fact that the American Legion convention will be held in New Orleans beginning Monday, September 9, is a reminder that we have never done anything with the resolution calling for the creation of a Veterans' Standing Committee in the Senate. That matter has been debated and discussed on the Senate floor and in committees, individual Members have ventilated their views on it from time to time, and several rather yeoman-like efforts have been made in order to consummate this matter.

I observe now that the convention of the majority party adopted in their platform a provision putting that party on record in favor of such a committee. We have been on record on that matter for quite a long time. My understanding is—and I am not sure whether I am correctly informed—that the resolution is presently pending before the majority policy committee, and therefore that committee has not reported on it, and that is the reason why the resolution is not on the Senate floor.

The distinguished majority leader could probably advise me about that. But it does take on a new character in view of what is recited in the 1968 platform of the majority party.

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

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, I can well appreciate the concern of the distinguished minority leader, and I am indebted to him for calling to my attention the fact that this particular plank is in the Democratic platform.

I would point out that this body, some months ago, passed a legislative reorganization bill in which it was stipulated that a Committee on Veterans' Affairs would be created.

It has been the hope of the policy committee, and it is still the hope of the policy committee, regardless of events over the past several weeks prior to the recess on August 2, that the House would see fit, in its wisdom, to take up this long overdue measure dealing with legislative reorganization and approve it, so that in that manner there would not be a duplication of effort on the part of the Senate through the consideration of a new proposal.

However, I wish to assure the distinguished minority leader that if the House of Representatives does not take any action, this matter will once again be brought before the policy committee and, hopefully, action will be taken then.

Mr. DIRKSEN. Mr. President, I am encouraged by the words of the distinguished majority leader. I am quite certain, from consultations with House leaders, that they will undertake nothing in this regard. They are reluctant at this stage of the session to undertake anything more, and I was afraid the matter probably would die by default.

I earnestly request the distinguished majority leader to ask his policy committee about this matter in the hope that we can at least make a start and get this matter before the Senate for approval and lift it out of the reorganization bill.

Mr. MANSFIELD. Is the Senator certain in his own mind that the House of Representatives will not consider the legislative reorganization bill which passed this body so overwhelmingly?

Mr. DIRKSEN. Based on the assertion of leaders there, that is correct.

Mr. MANSFIELD. On that basis I will once again be happy to take it up with the policy committee.

Mr. DIRKSEN. I thank the majority leader.

Mr. LAUSCHE. Mr. President, I should like to address myself briefly to the statement made by the majority leader, the Senator from Montana [Mr. MANSFIELD], concerning the joint resolutions which he and other Senators have presented to the Senate asking for the abolition of the electoral college and the provision that candidates for the presidency of the respective political parties shall be chosen by direct vote of the people rather than by delegates chosen by political bosses in big cities and having the delegates vote in accordance with what is sometimes a warped judgment and, in many instances, not at all reflecting the thinking of the people within their States.

It is rather an anomaly to believe that in this modern day, with all the talk about the one-man, one-vote principle applicable to many operations of Government, we still adhere to a policy adopted more than 180 years ago providing for an electoral college to choose the President.

Every bit of reasoning argues for the elimination of the electoral college. Cold rationalization, delicate consideration of justice, all cry out within our democracy that presidential nominees shall be chosen on the same basis as the eventual President is chosen; namely, by direct vote.

Mr. President, I do not know whether I can have my name added as a cosponsor of the joint resolution introduced by the Senator from Montana. If I can, I ask unanimous consent that I may be permitted to become a cosponsor.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, it is so ordered.

THE COMMUNIST WORLD IS BREAKING UP

Mr. YOUNG of Ohio. Mr. President, it is evident from the invasion of Czechoslovakia that the present rulers of the Kremlin are fearful that the Communist world is breaking up. The invasion and subjugation of Czechoslovakia, an independent nationalist Communist country and a part of the Soviet bloc of European nations, is the most shocking aggression that has occurred since Hitler's conquest of Czechoslovakia with his storm troopers and air power in 1939. This is a particularly shocking manifestation of the apparent fear on the part of leaders of the Kremlin of this small Communist nation displaying self-government free from Soviet domination.

Top officials in the British Foreign Office and some U.S. ambassadors in Europe are convinced that the invasion of Czechoslovakia marks the beginning of the end of international communism. Also, Prof. Zbigniew Brezezinski, for many years director of the Research Institute of Columbia University on Communist Affairs and regarded as an authority on international communism, stated:

> The Soviet Union had the choice of either accepting a community of independent Communist states and thereby acting in the spirit of Communist internationalism or of acting like a major imperialist power motivated purely by nationalist interests. The Soviet Union chose the latter course.

If the reactionary elements in the Kremlin prevail in subjugating Czechoslovakia, then it may be that they will commence to bring pressure against Rumania and Yugoslavia which, very definitely, are not Soviet satellites but are nationalist Communist countries.

Dubcek and other leaders in Czechoslovakia sought to transform communism in their own country on the model of Tito's Yugoslavia. They and Communist leaders in Rumania are veering toward capitalism. Evidently the hard-line Communists of the Soviet Union feared this further breaking away from the Soviet Communist orbit. It is terrifying that the Soviet leaders in apparent desperation are defying the opinion of the world by a military takeover of this little country seeking to pursue its own course of development and change. It appears that the forces of reaction, the old Stalinist crowd in the Kremlin, now becoming desperate and acting in disregard to world opinion, seek to extinguish by force the national aspirations for self-government which animate not only the leaders in Czechoslovakia but the leaders in Yugoslavia, Rumania, Hungary and other nations of Eastern Europe.

The frightened Communist leaders in the Soviet Union are seeking to preserve the old order. This will only speed its disintegration. Czechoslovakia sought to and will continue to be a nationalist Communist country on the order of Tito's Yugoslavia. The conservative Communist leaders in the Soviet Union, fearing that the liberalization of the Communist Party in Czechoslovakia was a threat to them, in desperation invaded this little country, tiny in comparison with the vast expanse of the Soviet Union and with a population of only 14 million. In the end they are bound to fail and the old communism of the Soviet Union, to use a Marxist phrase, is destined to the scrap heap of history.

This invasion and crushing of Czechoslovakia does not solve any problems for the Russians. It creates new problems. It may be, and let us hope this will happen, that reason will prevail in Moscow and that the Russians will withdraw their forces from Czechoslovakia. However, if they do not and if these bitter men continue to hold power in the Kremlin, then the entire free world has reason to be fearful of the Soviet Union. This was a blunder on the part of Communist leaders of Russia. Nevertheless, blunderers in charge of a powerful government such as the Soviet Union are even more dangerous to the peace of the world than wicked, but wise leaders. We know now that the present leadership in Moscow in some state of desperation was capable of committing this stupid act, so who knows but that they might try to pull the free world back to that era of Stalin which we all hoped was behind us.

The invasion and takeover of Czechoslovakia, an independent Communist nation, is an affront to national decency and a despicable act of aggression against a valiant, but defenseless people who seek to build a nation nominally dependent upon the Soviet Union but, in fact, free of domination on the part of that Communist giant. It is a grave misfortune that this little nation of Czechs and Slovaks who united in one nation total but 14 million people, has been taken over by 500,000 invading fighting men. If the United Nations offers any hope of maintaining peace in the world, the time is at hand for this agency to take appropriate and forthright action. The world should not be compelled to witness such a crude and brutal display of power and force and must not permit to be extinguished the national aspirations for self-government within the Soviet bloc which animate not only the Czechs and Slovaks but the Hungarians and Rumanians as well. No doubt it is for these reasons that the Soviets struck without warning.

The treachery of the Russian imperialists and their contrived transparent falsification of reasons for the invasion and occupation of Czechoslovakia have caused turmoil again in the cold war that envelops the world today. It was the hard-line attitude of a few members of the Central Committee of the Communist Party that was being challenged by the liberalism of the Czech party leader, Dubcek, and Premier Oldrich Cernik. This challenge was succeeding in its fight to liberate the soul of Czechoslovakia from its bondage to the Soviet Union. But the bellicose and reactionary men in the Kremlin saw this new political leadership as dangerous and too independent of the ideals and principles of the U.S.S.R.; therefore, they ordered the military invasion of Czechoslovakia. Their attempt to forcibly remove the specter of freedom from the Czech spirit has actually inadvertently succeeded in strengthening the Czechoslovaks' will to fight for freedom and independence of their homeland.

The chaotic events of the Russian-led occupation have made clear that the mood of the Czechoslovakians is not to be dominated by the sphere of Soviet influence or controlled by the military strength of Soviet forces. It is clearly evident that the Russians made a political blunder of unimaginable dimension when they first seized Dubcek and led him away manacled.

The people of Czechoslovakia have overwhelmingly rejected any denunciation of Dubcek and any compromise with Moscow. They seek and hope for full restoration of their political sovereignty and complete withdrawal of the Soviet occupation forces.

The courage of the Czechs has opened the eyes of all people to the deplorable and treacherous tactics used by the Soviet Union in order to exert her influence. It has also opened their eyes to the other deplorable situations existing throughout the world. Today the Russians stand side by side with the United States for condemnation by other countries for aggression. The circumstances of the Czechoslovakian invasion and the war in Vietnam are not directly similar, but their purposes are now seen as one by many people of this Nation and those of other nations. We, as well as the Russians, must desist from this violent and inexcusable use of force to spread our ideals and principles.

Alexander Dubcek is a true representative of the aspirations of his countrymen to throw off the yoke of Soviet control. He sought to humanize communism. He sought to bring some degree, even a small degree, of democracy and decency to his people and to deviate only slightly from the Leninist Communist doctrine. Because of this he was arrested, handcuffed and taken to Moscow. Now he has been returned to Prague. Let us hope this is a first step on the part of the Russians to permit the return of self-rule to that presently unhappy country. The entire civilized world should ring with condemnation of the Soviet Union. Then let us hope the Russians will withdraw from Czechoslovakia as they did from Cuba in October 1962.

BATTLE OF AVERASBORO

Mr. ERVIN. Mr. President, on August 18, 1968, I had the honor of making the dedicatory remarks at the unveiling of a beautiful monument to the memory of the soldiers of the Confederacy commanded by General Hardee who fought

the Union forces commanded by General Slocum at Averasboro in Harnett County, N.C., on March 15 and 16, 1865.

I ask unanimous consent that a copy of my remarks on that occasion be printed in the RECORD.

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

THE BATTLE OF AVERASBORO

As one who venerates the precious heritage of valor and sacrifice bequeathed to us by the men and women of the Confederacy, I am grateful for the privilege of being with you on this memorable occasion.

We meet upon an historic battlefield to dedicate a beautiful monument which pays reverence to the soldiers of the Confederacy who fought the Battle of Averasboro at this spot 103 years ago.

We do well to do this.

"If their memories part
From our land and Heart,
'Twould be a wrong to them,
And a shame for us."

It seems appropriate to consider the events which precipitated the Battle of Averasboro, and the role which those who fought the battle undertook to play.

After the fall of Atlanta on September 1, 1864, the victorious Union forces under General Sherman and their infamous camp followers, "the bummers", waged total war against the people of Georgia and the Carolinas. In so doing, they pillaged and burned and in that way lay waste the areas they traversed.

Their objective in carrying on this cruel form of warfare against the civilian population of Georgia and the Carolinas was twofold: First, to disable these States to continue supplying Lee's Army of Northern Virginia, which faced Grant's Army of the Potomac before Richmond and Petersburg; and, second, to weaken the will of the South to prolong the conflict.

As Sherman knew, nothing could have been more demoralizing to the thousands of Georgians and Carolinians fighting with Lee in Virginia than the sad tidings that the virtually defenseless folks they had left behind in comparative safety were being badgered and plundered by a relentless foe and its vicious camp followers.

With 60,000 combatants, Sherman ended his notorious "March to the Sea" at Savannah in December, 1864. Shortly thereafter, in January, 1865, he moved northward across South Carolina by way of Columbia, Florence, and Cheraw, looting and burning as he went. By March 8, his entire army reached the neighborhood of Laurel Hill in what is now Scotland County, North Carolina. From that place he proceeded to Fayetteville, which he occupied on March 11, destroying the public buildings and the industrial plants and extending his pillage throughout the adjacent area.

During the last part of his march from Savannah to Fayetteville, Sherman was preceded by a force of retreating Confederates, whom he outnumbered 10 to 1 and whose mission it was to watch and report his movements. These Confederates were commanded by an intrepid Georgian, General William J. Hardee, one-time commandant at West Point and author of "Hardee's Tactics."

Hardee crossed the Cape Fear River shortly before Sherman entered Fayetteville, and took position near Averasboro in Harnett County on the road leading from Fayetteville by way of Smithfield to Raleigh, which traversed at this point the area lying between the Cape Fear on the west and the Black River on the east.

At this time Hardee's command totaled 6,000 men. Among them were the officers and men of the Fiftieth North Carolina Regiment commanded by Colonel George Wortham, the Seventy-Seventh North Carolina Regiment commanded by Lieutenant Colonel Wheeler Hancock, and the Tenth North Carolina Battalion of Heavy Artillery commanded by Major Wilton L. Young. These North Caroline units constituted a part of the brigade commanded by Colonel Washington M. Hardy and of the division commanded by General Lafayette McLaws, one of the work horses of the Confederacy.

It is worthy of note that Company H of the Fiftieth North Carolina Regiment, which was captained by Joseph H. Adkinson, and Company B of the Tenth North Carolina Battalion, which was captained by H. M. Barnes, were composed in large measure of residents of Harnett County.

While Sherman was marching northward through South Carolina, General Lee had dispatched General Joseph E. Johnston, a tactician who could do much with little, to North Carolina with instructions that he should assemble all the available Confederate units operating in the area at some suitable place and obstruct Sherman's further advance.

Johnston was implementing Lee's instructions when Sherman seized Fayetteville. Being uncertain whether Sherman would attempt to capture Raleigh, the Capital of the State, or move on Goldsboro to join General Scofield, who had been directing Union operations in eastern North Carolina before his advent, Johnston undertook to concentrate the remanents of the once powerful Army of Tennessee, General Robert F. Hoke's division, General Wade Hampton's cavalry, and other units in the vicinity of Smithfield midway between Raleigh and Goldsboro. He expected Hardee to join him soon. Because of the disparity between the 14,000 men available to him and the 80,000 available to Sherman, Johnston realized that his hope of success was contingent on his striking and defeating separate columns of the foe while Sherman's forces were divided.

At this juncture Sherman turned his army east toward Goldsboro. His Fourteenth and Twentieth Corps under General Slocum undertook to proceed by way of Averasboro and Bentonville while his Fifteenth and Seventeenth Corps marched on a parallel road some miles to the South.

Johnston ordered Hardee to delay Slocum at Averasboro so that he could complete the concentration of his forces and be ready to strike the Fourteenth and Twentieth Corps on their arrival at Bentonville.

These events precipitated the Battle of Averasboro, which is well described in Captain Samuel A. Ashe's "History of North Carolina." I quote his words:

"Hardee, on crossing the Cape Fear, took the road leading to Smithfield and Raleigh. On the 15th of March he occupied a position four miles from Averasboro, and that evening a Federal column, being the Fourteenth and Twentieth Corps, approached and there was some skirmishing. Hardee's position was well chosen, the Black River nearly approaching the Cape Fear at that point, and he made excellent dispositions, but had only six thousand men. Early the next morning the Federals, General Sherman being on the field in person, attacked with vigor, using their artillery to advantage; but their infantry was always repulsed. In the early afternoon they moved a heavy force farther to the east, completely flanking the left of Hardee's position, which necessitated a retirement of that wing about four hundred yards to the main line. Here again and again, every assault was repulsed. During the night the Federals proceeded to fortify their position and threw heavy columns across Black River; and Hardee, being thus flanked, fell back towards Smithfield, leaving Wheeler's men in position."

Thus ended the Battle of Averasboro, a fight in which Union casualties totaled 682, and Confederate losses approximated 500.

By his gallant delaying action at Averasboro, Hardee enabled Johnston to concentrate his total available forces of 14,000 men and boys at Bentonville. Here, on March 19, Johnston surprised Sherman's Fourteenth Corps. John Gilchrist Barrett summarized the Battle of Bentonville in this wise in his "North Carolina as a Civil War Battleground":

"For awhile it looked as though the Confederates would carry the day, but Federal reinforcements late in the afternoon blunted the Confederate offensive. More Union troops reached the field during the 20th, and by the 21st Sherman had his entire Army at Bentonville. That night Johnston withdrew his forces to Smithfield. Sherman was victorious at Bentonville, the largest battle of the war fought on North Carolina soil, yet he failed to follow up his success by pursuing the enemy. Instead he marched his army into Goldsboro."

Bentonville was the bloodiest battle ever fought in North Carolina. Confederate casualties amounted to 2,606, and Union losses totaled 1,646.

Despite the valor displayed by her sons at Averasboro, and in hundreds of other engagements on land and sea, the doom of the Confederacy was sealed by Grant's war of attrition against Lee in Virginia, and Sherman's total war against the people of Georgia and the Carolinas. As a consequence, Lee capitulated to Grant at Appomattox on April 9th, and Johnston surrendered to Sherman at the Bennett House near Durham on April 26th.

The conquered banner was now furled.

When one ponders the story of the soldiers and sailors of the Confederacy who fought at Averasboro and in countless other engagements on land and sea, he cannot avoid putting this question to history: What inspired these men to fight so bravely, always against great odds and oftentimes unto death.

The assertion that they fought to perpetuate slavery does not suffice to answer the question. Most of them did not own or expect to own a single slave. Indeed, few of them had any material stake whatever in the victory of the Confederacy.

The question has been answered by one who knew these men well and loved them much. Almost 2 score and 10 years after he had served with gallantry as a lieutenant of the Confederacy at Gettysburg, Dr. Randolph McKim, a beloved Episcopal minister of Washington, answered the question in words of unforgettable beauty, which are engraved upon the memorial erected by the United Daughters of the Confederacy to the Confederate dead at Jackson Circle in Arlington National Cemetery.

Here are Dr. McKim's words:

"Not for fame or reward, not for place or for rank, not lured by ambition or goaded by necessity, but in simple obedience to duty as they understood it, these men suffered all, sacrificed all, dared all, and died."

As we meet upon this battlefield and dedicate this beautiful memorial to the soldiers of the Confederacy who fought here, we know that they and their comrades who fought elsewhere on land and sea taught by example this precept of their great chieftain, Robert E. Lee: "Duty * * * is the sublimest word in our language."

Like the memorial to the Spartans who fell at Thermopylae, this is a monument to the vanquished and not to the victors.

I end with a prayer. As long as fame her record keeps, may this memorial join history in bearing to the generations the message that the soldiers and sailors of the Confederacy fought for the cause they loved in simple obedience to duty as they understood it and that they illustrated by their lives and by their deaths in a fashion unsurpassed in the annals of time this eternal truth:

"Defeat may serve as well as victory,
To shake the soul and let the glory out."

OUR NATIONAL PARKS

Mr. SCOTT. Mr. President, our national parks are a source of pride to all as well as an oasis for healthful relaxation and enjoyment. I think it is especially noteworthy at this time that they will be the feature attraction of an event scheduled for the television screen. I refer specifically to the National Geographic special which will be seen as an hour-long color presentation over the full CBS national network on October 23. I consider this of such significance as to warrant our attention and endorsement for its educational and entertainment value.

The first of four National Geographic specials, this program will be an informative, entertaining, and realistic documentation of people, places, and events in our national parks. It will honor the men of our Park Service in telling their story of dedicated service. Its entire content will provide the kind of wholesome, worthwhile television fare that can be welcomed into every American home without question as to its appropriateness or propriety. This is in marked contrast to the all too familiar themes of violence and sex on television and is, I believe, worthy of our commendation.

It is a source of pride to me personally that one of the Nation's great corporations with headquarters in the Commonwealth of Pennsylvania, the Hamilton Watch Co., of Lancaster, has chosen to cosponsor these programs which represent television at its highest level of quality and good taste.

The very nature of the National Geographic specials, as well as their value to people of all ages throughout the country, inspired Hamilton sponsorship. Each of these programs offers an hour of great beauty and lasting value, qualities traditionally associated with Hamilton's fine watches.

There is evidence that the public recognizes and values these qualities. Last year, the National Geographic specials attracted audiences of up to 40 million people. One of the programs based on the Amazon River received the Peabody Award which is the television industry's highest honor for excellence. The series has been widely acclaimed by critics for the artistic merit reflected in its programs. It also has been praised by educators throughout the country for its significant treatment in dealing with subjects of lasting interest and importance. Many teachers assign National Geographic programs as required viewing, because they have found these shows stimulate students' curiosity and eagerness to learn through a fine combination of education, entertainment, and real-life adventure.

The National Geographic Society has been producing four television specials a year since the 1965–66 season. As Senators know, it is headquartered right here in the Nation's Capitol and has been a successful publisher for the past 80 years. During more than 60 years of this time Hamilton has supported the society with advertising. I believe this is the oldest advertiser-publisher relationship in the history of American magazine publishing. The extension of this fine relationship into television is a very favorable development toward assuring worthwhile programs and illustrates for us how commercial interests can produce both profits and artistry for the furtherment of man's knowledge and culture.

In this major investment in national television, Hamilton joins another outstanding American company—Encyclopædia Britannica, a continuing sponsor of the National Geographic specials. Encyclopædia Britannica's interest in education and in the youth of America is well known. Its standards of quality parallel those of Hamilton. Under the cosponsorship of these two great business organizations, the October 23 program on our national parks will take audiences on a trip of adventure from Hawaii to Cape Cod, from Maine to the Virgin Islands to show how the men of our Park Service face a continuing challenge, excitement, and even danger.

I feel these fine organizations are to be congratulated for their business statesmanship in selecting a television program that furthers the public's interest in and knowledge of our national parks, a source of great pride to all of us as individuals and as a nation.

NLRB INTERPRETS TAFT-HARTLEY ACT TO MEAN MORE THAN CONGRESS INTENDED, WISHED, OR IMAGINED

Mr. ERVIN. Mr. President, the current issue of the Small Business Bulletin, published by the National Small Business Association, contains an article written by me describing the recent hearings held by the Subcommittee on Separation of Powers on the National Labor Relations Board and its relationship to Congress and the courts.

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:

NLRB INTERPRETS TAFT-HARTLEY ACT TO MEAN MORE THAN CONGRESS "INTENDED, WISHED, OR IMAGINED"

(By Senator SAM J. ERVIN, Jr., Democrat of North Carolina, chairman, Senate Judiciary Subcommittee on Separation of Powers)

(About the author: Senator Ervin, always aware of and sympathetic to the problems of the small business man, has again rendered the country a great service by conducting hearings on the National Labor Relations Board and the way it functions. Labor law and its application by the NLRB is one of the most sensitive areas of government relations for the small business community, yet Congress, except for Senator Ervin's Subcommittee hearings, has given scant review to whether the NLRB is obeying the will of Congress.)

Earlier this spring the Senate Judiciary Subcommittee on Separation of Powers conducted a series of hearings on the National Labor Relations Board. The object was to determine how faithfully the agency has been performing its congressional mandate to administer the nation's labor statutes.

The Subcommittee on Separation of Powers is part of the Senate Judiciary Committee and, unlike the Labor Committee of Congress, is not expert in the field of labor law. Its study was undertaken to determine how well the Board has been performing its role—whether it has applied labor law as declared by Congress or whether, on the contrary, it has applied the law according to its own notions of proper national labor policy. The Subcommittee's object was not to evaluate the desirability of the congressional policy or to propose substantive changes in it.

Notwithstanding the many hours of hearings and hundreds of pages of testimony received in the past few months, the Subcommittee has barely scratched the surface of so complicated a subject as the NLRB's administration of labor law. A thorough review of this subject requires the full-time attention of a Senate subcommittee expert in the field. A number of tentative findings can be made, however, based on a preliminary evaluation of the testimony.

First, the Congress has been lax in the exercise of its responsibility to oversee the Board's administration of labor law.

Despite the continuous controversies surrounding its administration, there have been only a few congressional investigations of the Board since 1947 and these have been devoted to fairly limited aspects of its jurisdiction. The Board's actions have been subject only to restricted review by the courts. As the hearings demonstrated, judicial review is inadequate to ensure that Board-sponsored erosion of statutory language does not occur

Second, it is clear that in a number of areas the Board has developed a law governing labor relations which has little relevance to statutory language.

Union members no longer have the same right to obtain decertification elections that Congress provided in the Taft-Hartley Act. Their statutory rights have been narrowed and modified by a number of Board-evolved doctrines, with the end result that it is extremely difficult for employees to disestablish a union once it gains majority status. Similarly, employees' statutory rights to refrain from union activities have been qualified and limited by Board decisions which stress organized action. In some circumstances the right to refrain is, in practice, completely at the mercy of the union leadership. Language defining bargaining rights, the duty to bargain, and the class of topics which are subject to bargaining has been "interpreted" by the Board in such a way that the statutory phrases now mean more than Congress intended, or would have wished, or could have imagined. Employee election rights have also been adversely affected. The Board has developed a combination of doctrines which de-emphasize significance of elections, especially when the results of the election do not favor unionization.

These are just a few of the substantive areas where the testimony indicates a deviation by the Board from the intent of Congress as expressed in the Taft-Hartley Act.

I have not mentioned the Board's curious interpretations of "free speech"; the improper use of its judicial powers; its refusal to give force and effect to the rulemaking powers which Congress charged it to use; the apparent failure of the Board to act evenhandedly when different parties seek its protection; the political sensitivity of the Board as evidenced by the rapid changes of its decisions in response to changing political circumstances; the power of the General Counsel to bar or delay recourse to the Board; or the other unfortunate tendencies of the agency which were disclosed during the Subcommittee's sessions.

Obviously more is involved here than merely mistaken or inadequate administration by the NLRB. For example, National Small Business Association's strong statement to the Committee presented case after case showing alleged disregard of Congressional intent by the Board. If the NLRB or other administrative agencies do display a generous tendency to apply statutory law as they see fit, then this has serious implications for our governmental system. Instead of public policy being established according to the wishes of the people through the representatives they elect and send to Congress, policy is being made by a small group of government officials responsive not to the

American people but to other forces. It means that labor law is being devised to serve the interests of unions or management, or the Board itself, but not to serve those of the American working man.

If this is indeed true, then the fault ultimately lies with Congress. It is Congress's responsibility to take a greater interest in the work of the NLRB and other agencies, and to impress upon them Congress's determination to see that its legislative will is being obeyed.

THE NATURE OF THE HEARINGS

The recent hearings on the NLRB are part of a general study by Senator Ervin's Subcommittee into the present-day meaning and significance of the constitutional principle of "separation of powers". The National Labor Relations Board, like its sister agencies, the Federal Trade Commission, Securities Exchange Commission, and others, represents a deviation from a strict application of the separation of powers principle. The Board is, in theory at least, an organ of government combining portions of executive, legislative, and judicial powers. While it is independent of the direct control of the traditional branches, it is a creature of legislation and subject to a variety of controls and limitations imposed by the Congress, the courts, and the Executive. Controls imposed by Congress are, potentially at least, the most significant.

LOAN APPLICATION BY VALLEY CENTER MUNICIPAL WATER DISTRICT OF VALLEY CENTER, CALIF.

The PRESIDING OFFICER laid before the Senate a letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a copy of an application by the Valley Center Municipal Water District of Valley Center, Calif., for a loan to assist in financing the construction of emergency and operational storage facilities and pipelines to connect the storage facilities to its existing irrigation water distribution system, which, with an accompanying paper, was referred to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A resolution adopted by the 82d Airborne Division Association, Inc., Mansfield, Ohio, praying for the enactment of legislation to grant incentive pay to the airborne units of the Army Reserve; to the Committee on Armed Services.

A resolution adopted by the Board of Supervisors, County of Los Angeles, Calif., praying for the enactment of legislation to give a chance for homeownership to those who presently cannot achieve it; to the Committee on Banking and Currency.

A resolution adopted by the 82d Airborne Division Association, Inc., Mansfield, Ohio, commending the foreign policy of the United States relating to Vietnam; to the Committee on Foreign Relations.

A resolution adopted by the Tribal Council of the Jicarilla Apache Tribe of Indians, Dulce, N. Mex., requesting that appointments be made promptly to existing vacancies within the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Ninth Guam Legislature, praying for the enactment of legislation to establish a Status Commission for the Unincorporated Territory of Guam; to the Committee on Interior and Insular Affairs.

A letter, in the nature of a petition, from the Governmental Affairs Institute, Washington, D.C., praying for the enactment of legislation relating to certain immigrants; to the Committee on the Judiciary.

A resolution adopted by the chamber of commerce of the city of Porterville, Calif., protesting the secondary boycott of California table grapes by AFL–CIO unions; to the Committee on Labor and Public Welfare.

A petition, signed by Orlando E. Hartman, and sundry other citizens of the State of Iowa, praying for the enactment of legislation relating to extension of the National Labor Relations Act to cover farmworkers; to the Committee on Labor and Public Welfare.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Committee on Disposition of Papers in the Executive Departments, to which were referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated August 2, 1968, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Raymond H. Lapin, of California, to be President of the Federal National Mortgage Association.

Mr. McINTYRE. Mr. President, from the Committee on Armed Services I report favorably the nominations of 32 Army Reserve commissioned officers for promotion to the grade of major general and brigadier general.

I ask that these names be placed on the Executive Calendar.

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

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

Brig. Gen. John L. Boros, and sundry other U.S. Army Reserve officers, for promotion as Reserve commissioned officers of the Army;

Brig. Gen. Kenneth W. Brewer, and sundry other Army National Guard of the United States officers, for promotion as Reserve commissioned officers of the Army; and

Col. Harry W. Barnes, and Col. Robert F. Wilson, Army National Guard of the United States officers, for appointment as Reserve commissioned officers of the Army.

BILLS INTRODUCED

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

By Mr. FANNIN:

S. 3999. A bill for the relief of Vladko Dimitrov Denev; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 4000. A bill for the relief of Tsui Yan Wa; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 4001. A bill for the relief of Sangvian Boonbangkeng, Wea Lum Phian, Yau Fo, Shu Wah Ip; to the Committee on the Judiciary.

By Mr. MILLER:

S. 4002. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of establishing an Upper Mississippi Valley National Recreation Area between Wood River, Ill., and Minneapolis, Minn., and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. MONDALE:

S. 4003. A bill for the relief of Theodore Atsidakos, and his wife Helen, and two children, Mary and Erethilia; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 4004. A bill to amend the Internal Revenue Code of 1954 to eliminate certain inequities involved in the taxation of employee stock options; to the Committee on Finance.

By Mr. JACKSON:

S. 4005. A bill for the relief of certain individuals; to the Committee on the Judiciary.

FEASIBILITY OF AN UPPER MISSISSIPPI VALLEY NATIONAL RECREATION AREA

Mr. MILLER. Mr. President, I introduce, for appropriate reference, a bill which would authorize and direct the Secretary of the Interior to study, investigate, and formulate recommendations concerning the feasibility and desirability of establishing an Upper Mississippi Valley National Recreation Area. This area would cover all or parts of the segment of the Mississippi River and adjacent lands between Wood River, Ill., and Minneapolis, Minn. The area to be studied under the terms of my bill includes portions of my own State of Iowa, and the States of Missouri, Illinois, Wisconsin, and Minnesota. This area is readily accessible to more than 20 million people of the Midwest and comprises a wealth of American culture.

Although this area is already widely used for outdoor recreation purposes, such use is heavily concentrated and tends to disturb and destroy values which most people wish to use and enjoy. Because this area has so much to offer the Nation and millions of people living nearby, I feel that a comprehensive evaluation of its recreation potential should be concluded as soon as possible. One reason for such a survey is that adverse activities might endanger the prospects of future development of public outdoor recreation facilities.

The Corps of Engineers of the Department of the Army has conducted some significant studies in this regard. These studies should be more helpful in compiling a meaningful evaluation and report at the earliest possible time while also holding down the cost of the study called for in my bill—such cost being estimated at less than $100,000.

Mr. President, the House Committee on Interior and Insular Affairs has favorably reported a bill containing the same provisions as I am introducing. I urge the Senate Committee on Interior and Insular Affairs to consider this bill at the earliest opportunity.

Mr. President, I ask unanimous consent that the bill be printed in the

RECORD and also printed and appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD as requested by the Senator from Iowa.

The bill (S. 4002) to authorize the Secretary of the Interior to study the feasibility and desirability of establishing an Upper Mississippi Valley National Recreation Area between Wood River, Ill., and Minneapolis, Minn., and for other purposes, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 4002

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing as an Upper Mississippi Valley National Recreation Area all or parts of the segment of the Mississippi River and adjacent lands between Wood River, Illinois, and Minneapolis, Minnesota, in the States of Missouri, Iowa, Illinois, Wisconsin, and Minnesota. The Secretary shall cosult with other interested Federal agencies, and the State and local bodies and officials involved, and shall coordinate the study with applicable outdoor recreation plans, highway plans, and other planning activities relating to the region.

SEC. 2. The Secretary shall submit to the Congress, within two years after the date of this Act, a report of his findings and recommendations. The report of the Secretary shall contain, but not be limited to, findings with respect to—

(a) the scenic, scientific, historic, outdoor recreation, and the natural values of the water and related land resources involved, including their use for driving for pleasure, walking, hiking, riding, bicycling, boating, swimming, picnicking, camping, forest management, fish and wildlife management, scenic and historic site preservation, hunting, fishing, and winter sports;

(b) the potential alternative beneficial uses of the water and related land resources involved, taking into consideration appropriate uses of the land for residential, commercial, industrial, agricultural, and transportation purposes, and for public services; and

(c) the type of Federal, State, and local program that is feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values set forth in subsection (a), including alternative means of achieving these values, together with a comparison of the costs and effectiveness of these alternative means.

SEC. 3. Pending submission of the report of the Secretary to the Congress, the heads of Federal agencies having administrative jurisdiction over the Federal lands within the area referred to in section 1 of this Act shall, consistent with the purposes for which the lands were acquired or set aside by the United States and to the extent authorized by law, encourage and provide maximum opportunities for the types of recreation use of such lands referred to in section 2(a) of this Act.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed $100,000.

ADDITIONAL COSPONSOR OF BILL AND JOINT RESOLUTION

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas [Mr. YARBOROUGH] be added as a cosponsor of my bill (S. 3777) to establish the U.S. section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes.

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

Mr. LAUSCHE. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the joint resolution (S.J. Res. 179) proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States.

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

RESOLUTIONS

SENATE RESOLUTION 387—RESOLUTION CALLING FOR EMERGENCY MEETING OF GENERAL ASSEMBLY AND DECLARATION OF DAY OF SOLIDARITY WITH CZECHOSLOVAKIA

THE MEANING OF CZECHOSLOVAKIA

Mr. DODD. Mr. President, before the Kremlin staged its treacherous invasion of Czechoslovakia in the midnight hours of August 21, there were many in the Western World who believed that the Soviet leaders were reasonable men who were committed to the existence of the détente and who would therefore take no rash actions in Czechoslovakia.

Much more died in consequence of the Soviet invasion than the brave new freedom which had suddenly emerged in Czechoslovakia after its long totalitarian night.

The myth of the détente also died with it, as well as the false feeling of security which this myth had spawned.

I have no doubt that, when the present crisis has passed, this myth will burgeon again, just as it did in the period after the suppression of the Hungarian revolution. But, for the moment at least, the eyes of the free world have been opened to the harsh fact that there is no essential difference between the communism of Brezhnev and Kosygin and the communism of Joseph Stalin.

It remains committed to the destruction of freedom for the simple reason that the contagion of freedom constitutes a deadly menace to the total tyranny of communism.

This is something that I have been trying to tell the American people for many years now. Within the past 2 months alone I have taken the floor of the Senate on three occasions to warn against the myth of the détente and against the possibility that the Soviet Union would intervene by force to put down the freedom movement in Czechoslovakia.

I did so for the first time on July 15, in introducing a resolution reaffirming our support for Captive Nations Week. This resolution, in which I was honored to be joined by 13 other Senators, expressed the hope that the captive peoples would "in the years to come be permitted to determine their own future without the threat of external intervention."

On July 22, in speaking again about the crisis in Czechoslovakia, I submitted a resolution calling for the publication of the U.N. report on Hungary as a Senate document. I said that it was my hope that the republication of this report would serve the dual purpose of reminding world opinion about what happened in Hungary and that, if the Soviet leaders contemplated intervention, it would cause them to pause and reconsider.

Regrettably, this resolution was put over by the Rules Committee because of the pressure of last-minute business.

In the same speech I called for a more vigorous State Department policy, and said that the diplomacy of doing nothing will accomplish exactly nothing.

On this point, now that the deed has been done, I wish to read from an editorial assessment which appeared in the New York Times for September 3:

> As this melancholy political tragedy proceeds, Americans would do well to assess soberly this nation's responsibility for last month's rape of Czechoslovakia. From Mr. Dubcek's triumph last January until the Soviet invasion, Washington did almost nothing to show serious goodwill toward the liberal regime. The excuse offered then was that the State Department feared to provoke Moscow action against Prague. In the face of the devastating blow Soviet troops actually did deliver, a more tenable view is that Washington's studied near-indifference to Prague developments was correctly seen in Moscow as assurance the Kremlin could do as it pleased in bringing Czechoslovakia to heel. It is not a pretty chapter of American diplomacy.

On August 2, the final day before recess, I delivered a major speech on the myth of the détente in which I warned again that the Red army might invade Czechoslovakia.

And on August 21, on the heels of the invasion, I issued a statement calling for an emergency session of the U.N. General Assembly to deal with the matter of Soviet intervention in Czechoslovakia.

I still believe such a session should be convened, and this is a major purpose of the resolution which I am introducing today.

Essentially my resolution is an action resolution, because, in the situation that confronts us today, pious declarations of sympathy are not enough.

A member nation of the United Nations has been invaded without warning and without cause of any kind by the military forces of five other member nations.

And although, nominally, the Kremlin is permitting the Czechoslovak Government to continue in office, in practice it is enforcing a ruthless dictatorship.

It has compelled the Czechoslovak Government, against its will, to reintroduce a rigid censorship over press and radio.

It has demanded the banning of Czechoslovakia's most popular literary and political magazine, Literarni Listy.

It has virtually forbidden Czechoslovak trade with the West.

And according to recent information received by the American chapter of PEN, the world association of writers, Soviet intelligence agents, disguised as ambulance drivers, have been apprehending and beating up prominent Czech writers and removing them to undisclosed destinations.

Soviet aggression in Czechoslovakia,

moreover, has raised the specter of further Soviet aggression in Europe.

On the heels of their occupation of Czechoslovakia, the Red Army and its satellite armies embarked on a series of threatening maneuvers on the frontiers of Rumania and Yugoslavia, similar to the maneuvers which preceded the invasion of Czechoslovakia. And these activities are all the more alarming because they have been synchronized with a violent propaganda campaign against the Rumanian and Yugoslav leaders which resembles the propaganda campaign against the Czech leaders prior to the invasion.

Only yesterday the crisis in Europe was dangerously enlarged when the Soviet Ambassador to Bonn presented to the West German Government a list of arrogant demands which bore some of the earmarks of a ultimatum. Among other things, the Kremlin demanded that the Bonn government call off its efforts to establish normal cultural and trade relations with the Communist countries of Eastern Europe.

Against the background of Soviet intervention in Czechoslovakia no one can say for certain just how far the Soviets are prepared to go. Against this background, too, it becomes clear that Soviet promises and guarantees are utterly worthless.

The coming period will be a period of testing that will require all the wisdom and all the resolution of which we are capable.

There are many measures that must be taken to secure the peace and to deter the Soviets from further aggression. But, in my opinion, the first of these measures is resolute action on the part of the free world to condemn the Soviet occupation of Czechoslovakia, to bring the Kremlin to bar before the United Nations, and to mete out punishment in the form of economic sanctions.

That is why I am submitting my resolution.

My resolution calls upon the administration to designate September 30, the anniversary of the infamous Munich agreement, as a day of solidarity with the Czechoslovak people.

I think that it is altogether fitting that the enslavement of Czechoslovakia by the Soviet tyranny be observed in conjunction with the anniversary of the pact which paved the way to its enslavement by the Nazi tyranny.

On this day let us, by every proper means, tell the Czechoslovak people, that, in their battle to win for themselves the right to "life, liberty, and the pursuit of happiness," they have the fervent support of the American people.

Let us demonstrate.

Let us protest.

Let the church bells ring out across the country.

And let us as a nation reinforce our condemnation by taking those essential diplomatic, political, and economic actions spelled out in the resolution which I submit today.

Mr. President, I submit a resolution calling for an emergency meeting of the General Assembly and calling for the administration to declare September 30 as a day of solidarity with Czechoslovakia, because that is the date of the Munich betrayal.

Mr. President, in submitting my resolution I ask unanimous consent to insert into the RECORD a number of articles and editorials dealing with the Soviet invasion of Czechoslovakia, and with the intellectual ferment in the Soviet Union which made the Soviet leaders so fearful of the contagion of freedom.

I also ask unanimous consent to insert into the RECORD at the conclusion of my remarks the full text of my resolution.

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

The resolution (S. Res. 387) was referred to the Committee on Foreign Relations, as follows:

S. RES. 387

Whereas the Congress of the United States is on record as supporting the struggle of the captive nations to recover their national freedom and their basic human rights; and

Whereas the Soviet invasion of Czechoslovakia on August 21, abetted by the armies of four Communist satellite governments, constituted a flagrant violation of the United Nations Charter and of the rule of law in the affairs of nations; and

Whereas, as President Johnson has pointed out, "The excuses offered by the Soviet Union are patently contrived. The Czechoslovakian government did not request its allies to intervene in its internal affairs. No external aggression threatened Czechoslovakia"; and

Whereas the Soviet secret police, under the protection of the Red Army, are now in the process of liquidating the hard-won freedoms of the Czechoslovak people and reinstalling a police state dictatorship; and

Whereas, in the past fortnight, the Soviet Army and its satellite armies have been conducting threatening maneuvers on the frontiers of Romania and Yugoslavia, similar to the invasion of Czechoslovakia; and

Whereas the Soviet Government further enlarged the crisis by submitting a list of outrageous demands to the Government of West Germany: therefore be it

Resolved, That it is the sense of the Senate—

(1) that the administration should call for an emergency session of the U.N. General Assembly to deal with the Czechoslovak crisis and with the wider crisis this has produced throughout Central Europe;

(2) that at this session the administration, with the support of other free nations, should ask for the imposition of economic sanctions against the aggressor countries, until they abandon their aggression and remove their troops from Czechoslovakia; and that, despite any protests that may come from the now captive government of Czechoslovakia, the administration should also ask for the establishment of a special U.N. committee, similar to the U.N. Committee on Hungary, to gather all available information and to report back to the General Assembly;

(3) that, in advance of such action, the administration should impose an immediate embargo on the shipment of all industrial and technological equipment to the Soviet Union and to the communist bloc countries which participated in the invasion, and that it should invite the other free nations of the world to join in parallel action;

(4) that, in conjunction with the anniversary of the Munich agreement on September 30, the administration should proclaim a day of solidarity with the people of Czechoslovakia, to be manifested in appropriate observances across the country, and that it should invite the participation of other free governments with a view to making this day an international day of solidarity with the Czechoslovak people in their heroic struggle to retain their freedom; and, finally, be it

Resolved, That the Senate will support such measures as may be necessary to reduce the threat of further Soviet aggression in Europe.

The articles and editorials ordered to be printed in the RECORD, are as follows:

1. THE SOVIET OCCUPATION OF CZECHOSLOVAKIA

[From the New York Times, Aug. 31, 1968]

SADNESS AND FEAR ARE DESCENDING ON PRAGUE—CZECHS SEE THEIR 8 MONTHS OF LIBERTY IS NEAR AN END—HELPLESSNESS IS VOICED

(By Clyde H. Farnsworth)

PRAGUE, August 30.—A heavy sadness has descended on this beautiful city, which Goethe described as "a gem in the crown of the world." You feel the sadness when walking on the Charles Bridge across the Vitava with a young blond law student who says repeatedly, "I am not afraid"—but you know she is.

You pass several Russian soldiers munching bread at the entrance of a Soviet-occupied building on the Opera Square. She looks at them and then, almost with tears in her eyes, says, "It is terrible what they have done."

There is an older Czech talking quietly with an American in a coffee house near Maxim Gorki Square. A third party, unknown to either of them, sits down at their table. The older man suddenly finds an excuse to leave.

FEAR IS COMING BACK

It is the fear that personal liberties, so much enjoyed over the last eight months, are suddenly being taken away—the fear that the Government can never resist the overwhelming Russian military pressures to end the political reforms.

Now, Czechs are again afraid of being informed on, afraid of the secret police.

The Russians have pulled most of their troops out of the city. But the tanks are not far away and, three miles southeast of the city center in the suburb of Vrsovice, heavy mortars have been emplaced. They could fire their shells into Wenceslaus Square.

The informed Czech tells you that the plight is tragic. To prevent bloodshed the Government has to accept Russian demands and curb political freedom. But in doing this it loses the confidence of the people.

This reality, the feeling of helplessness beside the tremendous display of Russian power, explains the poignant sighs and pauses when Czechoslovak leaders address the nation.

It explains the bitter tone of the underground poetry plastered on the storefronts:

"Welcome friends—
You have come as brothers,
And now our blood lies on the ground.

"Welcome friends—
Thank you for the roses
On the graves of our children.

"Welcome friends—
With salt in our eyes
We welcome you."

Underground writers quote Talleyrand's words to Napoleon: "You can do everything with bayonets except sit on them."

The writers also refer to an old Czech saying: "After three days a guest and a fish begin to smell."

With most of the tanks removed, Prague looks normal again. During the day there is business as usual and there are traffic jams in the streets.

[From the New York Times, Aug. 31, 1968]

ELEVEN CZECH WRITERS REPORTED SEIZED—PEN IS INFORMED DISGUISED SOVIET AGENTS ARE BEATING AND ARRESTING AUTHORS

(By Henry Raymont)

The American chapter of P.E.N., the world association of writers, said last night it had received word that Soviet intelligence agents in Czechoslovakia, disguised as ambulance attendants, were secretly rounding up writers and journalists.

The report was received by Robert Halsband, president of the American center, in a cablegram from the association's international headquarters in London. Mr. Halsband said the cablegram was based on information given by "a reliable source," a writer who had just arrived from Prague.

The cablegram said that at least 11 Czech writers, including Ladislav Mnacko, the novelist, and Prof. Adolf Hoffmeister, president of the Czech center of P.E.N., had been beaten unconscious by Soviet secret "agents disguised as ambulance attendants" before they were driven to an undisclosed destination.

NOVEL SATIRIZED LEADERS

The cablegram asserted that ambulances were used for the arrests to "divert attention of Czechoslovak citizens and police." The following writers and newspapermen were listed as having been seized:

Professor Hoffmeister, Mr. Mnacko, Bohumil, Hrabal, Karel Kosk, Alexander Kliment, Vaclav Have, Ludvik Vaculik, Milan Uhde, Jiri Kolar, A. J. Liehm and Vladimir Blazek.

The report was the first indication of Mr. Mnacko's fate following the invasion Aug. 21. The stocky, 49-year-old former journalist fled Czechoslovakia last year in a protest against Prague's pro-Arab policies, but he returned some months ago to participate in the liberalization movement of Alexander Dubcek, First Secretary of the Czechoslovak Communist Party. He is best known in the West for his novel "The Taste of Power," a satire on the Communist party leadership that was published here earlier this year by Frederick A. Praeger, Inc.

The cablegram, signed by David Carver, the international secretary of P.E.N.—the initials stand for Poets, Essayists and Novelists—jolted American members of the association who had hoped conditions in Czechoslovakia would ease following the talks in Moscow last weekend.

"This is shocking news," said Arthur Miller, the playwright and president of the international P.E.N. Club.

Reached at his home in Connecticut, Mr. Miller said he would begin "right away" to gather signatures from American writers and poets for an appeal to the Soviet Government and the Union of Soviet Writers on behalf of their Czechoslovak colleagues.

PROTEST SENT TO PODGORNY

Mr. Carver's communication arrived shortly after Mr. Halsband and Mr. Miller had sent a routine protest to President Nikolai V. Podgorny appealing for the release of Czechoslovak writers arrested during the Soviet occupation. They said the information about the arrests was based on newspaper reports and had not been independently confirmed.

Several hours after receiving the report of the new arrests, Mr. Halsband and Mr. Miller sent two more protests, one to the president of the Soviet Writer's Union and another to the Ministry of Interior in Prague.

The message to President Podgorny was made public by Mr. Halsband early yesterday afternoon, a few hours before he received Mr. Carver's cable. The message said:

"P.E.N.'s American Center joins with International P.E.N. in urging release of Czech and Slovak writers reported held following occupation of Czechoslovakia. We ask this in a spirit of deep concern and hopefulness on behalf of the world community of letters."

Mr. Halsband, a professor of English literature at Columbia University, acknowledged that the association had been asked by several Czech writers to delay their protest, contending that it might further harden the Soviet attitude.

"We waited for almost a week, until we became convinced that the situation was not improving," he said.

APPEAL TO SOVIET WRITERS

The appeal to the Soviet writers said:

"As fellow writers, the American Center of P.E.N. urges you to exert your influence to protect writers in Prague from reported arrests. We make this appeal in the name of the world community of letters.

Mr. Miller said that, while his first protest to President Podgorny was based on rumors, "we now have concrete information just out of Czechoslovakia of a real wave of repression."

The author, who returned yesterday morning from Chicago, where he attended the Democratic National Convention as a delegate from Connecticut, said that he would probably have a new petition ready over the weekend.

Mr. Miller predicted that the Czechoslovak crisis would become a central issue at the annual meeting of P.E.N.'s executive committee, which opens in Geneva Oct. 6. The meeting is scheduled to be attended by at least a dozen from Eastern Europe.

[From the New York Times, Sept. 2, 1968]

SEVEN DAYS OF INTERVENTION IN CZECHOSLOVAKIA—ENTRY BY SOVIET-LED ARMIES STIRRED RISE OF WIDE RESISTANCE

(NOTE.—The following reconstruction of events in the first seven days of the occupation of Czechoslovakia was prepared by Tad Szulc and Clyde H. Farnsworth, New York Times correspondents in Prague.)

PRAGUE, September 1.—A Soviet MIG-21 jet fighter screeched over the roofs of sleeping Prague a few minutes after 1 o'clock on the morning of Wednesday, Aug. 21. As it landed at Ruzyne International Airport, its wing companion flew on a direct approach to the airport.

There was silence for a few minutes, and then the first Antonov-12 four-engined turbo-prop transport pierced the clear night sky over this city, its green and red running lights blinking against the darkness on its descent to Ruzyne.

Within a minute another heavy AN-12 followed from the east. Then, the roar over the capital was unabating as, at 50-second intervals, transport planes touched down at Prague Airport, disgorging crimson-bereted Soviet airborne troopers.

Two hours earlier, a column of Soviet T-55 tanks had crossed the Czechoslovak frontier from East Germany at Cinovec, a quiet village, 60 miles northwest of Prague, and now its forward elements were nearing the residential suburb of Kobylisy. Young Soviet tankmen in black leather headgear peered out of their turrets, their hands on their 50-caliber machine guns.

The invasion of Czechoslovakia had begun.

At 1:50 A.M., the city was told in a Prague radio broadcast, delivered in quiet tones:

"Last night, Aug. 21, about 11 P.M., the armies of the Soviet Union, the Polish People's Republic, the German Democratic Republic, the Hungarian People's Republic and the Bulgarian People's Republic crossed the national frontiers of Czechoslovakia without the knowledge of the President of the Republic, the National Assembly, the Government, the First Secretary of the Communist party or any of their bodies."

Then the radio station went off the air.

The airlift was the biggest ever carried out by the Soviet Union outside its frontiers. Within the first seven hours, 250 aircraft put down here a full airborne division complete with small armored vehicles, fuel and supplies.

Along with the Soviet, East German, Polish, Hungarian and Bulgarian columns entering Czechoslovakia through 18 crossing points from the north, northwest, south and east, this airlift formed the vanguard of what in days to come was a massive invading army reported to number 650,000 men equipped with the most modern and sophisticated weapons in the Soviet military catalogue.

Prague alone was filled and ringed with 100,000 troops and 2,000 tanks, while, at the Kremlin in the evening of Tuesday, Aug. 27, Czechoslovak leaders were being forced into signing an agreement giving Moscow total control over the destiny of this republic of 14 million people.

The events of the intervening seven days ranged from the drama of the early street battles in Prague and other Czechoslovak cities between Soviet tanks and youths armed with sticks and Molotov cocktails to the poignant tragedy of the secret Moscow negotiations with the Czechoslovak leaders freshly released from Soviet captivity.

RECONSTRUCTION OF 7 DAYS

This article is a reconstruction of the seven days based on the accounts of the Czechoslovak clandestine radio network formed after the invasion, the testimony of participants, information supplied by Communist sources and direct observations by correspondents of The New York Times.

As the Soviet columns rolled through Prague's darkened streets at dawn on Aug. 21 and as dozens of cars careened throughout the city with honking horns to summon the citizens to a protest meeting at the Old Town Square, 20 men were gathered in a four-story domed and marble-pillared building on the right bank of the Vltava River, which flows through Prague.

They were the 11 full members of the ruling Presidium of the Central Committee of the Czechoslovak Communist party, its three alternates and the party secretaries, and they had been meeting continuously since 2 o'clock in the afternoon to try to deal with the situation.

The meeting had been called by Alexander Dubcek, the First Secretary of the party, the man who personified Czechoslovakia's democratization effort begun last January and defiance of Moscow's orthodoxy.

DECEPTIVE MILDNESS

Mr. Dubcek, a deceptively mild-looking but tough man of 47, had called the session to debate a letter he had received the day before from Leonid I. Brezhnev, the General Secretary of the Soviet Communist party berating him for allegedly failing to honor agreements made at the confrontations in early August between the Czechoslovaks and their Soviet-led critics at Cierna and Bratislava.

These confrontations left the public impression that the Warsaw Pact nations had grudgingly accepted Czechoslovakia's democratization with some minimal restraints.

At the Presidium meeting, held in a small conference room with modern decor and heavy armchairs, the Dubcek liberals clashed with the pro-Moscow conservative members.

The principal battle was over a 13-page report on the internal situation in Czechoslovakia, prepared by Drahomir Kolder, a Presidium member, and Alois Indra, a party secretary. These two conservatives sought approval for their report, which in effect constituted acceptance of Soviet demands for eradication of the democratizing experiment.

Mr. Kolder and Mr. Indra suggested, in fact, that the Presidium lay aside the Bratislava agreement and reconsider instead the so-called Warsaw Letter sent by the Soviet Union and its four allies in mid-July and calling for a virtual political surrender.

EVENLY DIVIDED

The Czechoslovak party leadership was fairly evenly split between liberals and con-

servatives, but the moderates complicated the situation by their uncertainty. At one point, for example, Frantisek Barbirek, a Slovak member of the Presidium, deliberately absented himself for a prolonged period to avoid participating in several inconclusive votes.

Premier Oldrich Cernik, one of Mr. Dubcek's closest associates, called the Kolder-Indra proposal a "betrayal" of the Batislava accords. Frantisek Kriegel, another liberal member of the Presidium, said the proposal should be withdrawn because it "negates Cierna and Bratislava."

Vasil Bilak, then the Slovak party leader and a member of the national Presidium, took the side of Mr. Kolder and Mr. Indra. Antonin Kapek, an alternate Presidium member and head of the large C.K.D. machinery plant in Prague, also lined up with the conservatives.

The atmosphere in the room was reaching an explosive point when Premier Cernik went out to an adjoining office to make one of his periodic phone calls to Col. Gen. Martin Dzur, the Defense Minister.

SOVIET AIRLINERS LAND

Reports had been reaching the Presidium all day of Soviet troop movements along Czechoslovak frontiers. A Moscow report in mid-afternoon spoke of an urgent session of the Soviet party's Central Committee. Mr. Cernik knew that at 10 P.M. an unscheduled Soviet Aeroflot airliner had landed at Ruzyne Airport.

This was the first thing to alarm him. The plane, he had been told, did not unload passengers but simply sat in the darkness on a taxiway. At 11 P.M., Mr. Cernik was informed that another unscheduled Aeroflot flight had arrived from Lvov in the Soviet Ukraine.

A group of unidentified civilians left the airport and rushed to the city. Later it developed that they had gone to the Soviet Embassy, in the tree-shaded Bubenec district of Prague, which was to be the command post for the invasion.

The first Aeroflot plane, as Mr. Cernik and his friends discovered later, was a mobile air-traffic control post brought to Ruzyne to direct the airlift.

PRESIDIUM GETS NEWS

When Mr. Cernik returned to the meeting at 11:40 P.M. having spoken again with Defense Minister Dzur, he was pale. He whispered a few words to Mr. Dubcek. Visibly shaken, Mr. Dubcek rose and announced to the group:

"The armies of five countries have crossed the frontiers of our republic and are occupying us."

Commotion broke out in the room, and Mr. Dubcek tried to restore order.

"It is a tragedy," he said, his voice cracking. "I did not expect this to happen. I had no suspicion, not even the slightest hint that such a step could be taken against us."

The men were excited, talking, shouting, gesticulating. Some of them left the room to make telephone calls, then returned.

Tears were streaming down Mr. Dubcek's face. He said: "I have devoted my entire life to cooperation with the Soviet Union, and they have done this to me. It is my personal tragedy."

CONSERVATIVES NOT UPSET

An official who attended the meeting said later that the conservatives—Mr. Indra, Mr. Kolder, Mr. Bilak and Oldrich Svestka, a Presidium member and editor of the party newspaper Rude Pravo—"did not seem terribly upset or even surprised." They soon left the building.

Mr. Dubcek telephoned President Ludvik Svoboda at Hradcany Castle, and the two men discussed the situation. Then Mr. Dubcek and Premier Cernik drafted a proclamation to the nation that the Prague radio began to broadcast at 1:50 A.M.

After having stated that the invasion had taken place without the knowledge of the Czechoslovak authorities, the proclamation urged Czechoslovaks to remain calm and not to resist. The armed forces were given the same order.

The first elements of the Soviet airborne division had already secured the airport and were moving into the city.

Premier Cernik left for the one-story building housing the Straca Military Academy across the Vltava River from the Central Committee to preside over an emergency session of his Cabinet. Mr. Dubcek and his liberal colleagues remained in the Central Committee building to await developments.

LEADERS ARE SEIZED

These developments came quickly. At 3 A.M., as the capital was wide awake and stunned, Soviet armored personnel carriers and armored scout cars drew up at the Military Academy. Airborne troopers, their submachine guns at the ready, surrounded the building.

A detachment burst into the academy and arrested Mr. Cernik and the ministers with him. Soldiers tore up the telephone switchboard. At gunpoint, one witness said, they forced some of the ministers to give up their wristwatches. Mr. Cernik was led to an armored car and driven away.

Shortly after 4 A.M., airborne units and some of the tanks that had advanced from the East German border surrounded the Central Committee building. A few minutes later, three armored cars led by a black Soviet made Volga automobile arrived.

Mr. Dubcek, Mr. Kriegel, Josef Smrkovsky, the President of the National Assembly; Cestmir Cisar, a party secretary, and Vaclav Slavik, a member of the secretariat, were around a table discussing their next moves. They were the hard core of the party liberals.

A squad of Soviet soldiers and several civilians rushed into the meeting. They grabbed Mr. Dubcek, Mr. Kriegel and Mr. Smrkovsky and led them to one of the armored cars. Mr. Cisar was taken out separately. Somehow Mr. Slavik escaped detention.

The armored car with Mr. Cisar went to central police headquarters at Bartolomejska Street in midtown and he was placed in a cell. The vehicle carrying Mr. Dubcek, Mr. Smrkovsky and Mr. Kriegel drove to the airport. Premier Cernik was already there under guard.

The four men were led to a Soviet transport plane, pushed with rifle butts. The plane took off immediately, and one hour later it landed at Try Duby military airport in Slovakia. The four men were driven to a barn outside the nearby spa of Sliac and kept there under guard. They were treated harshly and insulted. As Premier Cernik was to tell the Cabinet later, "I feared for my life and that of my comrades."

As the news of the invasion spread in Prague by the clanking of the tanks, the roar of the troop transports and telephone calls from neighbors and friends, young workers and students rushed to the Prague radio building on Vinohradska Street to erect barricades.

So long as the radio continued broadcasting, the young people felt, the world would know what was happening. It was a race against time. The Russians had already achieved their first objectives by neutralizing the centers of the government. Later in the morning, they would surround Hradcany Castle and place the President under virtual house arrest.

Buses, trucks and the street cars were commandeered by the youths to try to block the progress of the tanks from the nearby National Museum toward the radio building.

As dawn broke, thousands of youngsters poured into Wenceslas Square just below the National Museum and moved toward Vinohradska to man the barricades. They hurled rocks at the tanks and waved the Czechoslovak flag while screaming defiance at the Russians, who were nervously manning their machine guns.

SHOOTING BREAKS OUT

Most of the Russians were puzzled by the reaction. They had been told that they had been invited to help crush a counterrevolution and they expected to be welcomed.

Tanks slipped through the barricades and fires ranged in the twisted wreckage of overturned buses and trams. By 7:25 A.M. the radio building was surrounded by infantry soldiers, and tanks were rampaging trying to scatter the crowds.

The first blood was spilled shortly after 7 A.M., when a tense Bulgarian tankman fired his machine-gun, first, above and, then, directly into people on the sidewalks. Two unarmed Czechoslovak soldiers and a woman were killed.

The radio station went off the air at 7:21 A.M. after a woman had announced in an emotion-choked voice: "This is the end."

There were a few bars of Smetana's "Vltava Suite," and then the Czechoslovak national anthem, and finally silence. But an hour later, the radio came surprisingly back on the air, demanding the departure of the invaders and calling for a national protest strike and for blood donors for the wounded.

"DO YOU WORK HERE?"

The Soviet forces seemed to lack instructions on how to proceed.

At the television station on Maxim Gorky Square, a Russian army captain named Orlov jumped down from his armored squad car and pounded on the door. After several minutes the nightwatchman appeared. Captain Orlov told him:

"Step out of the way, we are going to occupy the television station."

"Do you work here?" asked the elderly watchman.

"No," the stunned captain replied.

"Then you can't come in," said the watchman, slamming the door in the captain's face. The nonplused captain had to radio his command headquarters for further instructions.

The troops outside the radio building also did not seem quite sure what their mission was.

Tanks raced up and down the streets like charging bulls, while young men rushed out from the sidewalks with flaming gasoline-soaked rags trying to ignite the tanks' fuel stores. Five were set afire and one had to be abandoned. While the attacks went on, other tanks stood idle on the streets, their engines off, with crews quietly watching the show.

At 11 A.M. the troops surrounding the radio building finally got their orders to move inside and stop the broadcasting. The station went off the air, only to be replaced within a half hour by the first underground transmitter of the clandestine network.

The network, coordinating 15 stations around the country, not only provided news about the occupation, but became the chief rallying point for the developing passive resistance.

ADVANCE PLANNING

The planning behind it was the work of Jiri Pelikan, the articulate, bushy-haired, 42-year-old director of the state television. Weeks earlier he and his associates had devised a contingency plan. This advance planning and the services of professionals who went underground accounted for the high standards of the clandestine network.

The Russians tried to locate the stations but were slow in getting direction-finding gear to Prague. The radio itself was instrumental in delaying a train carrying the needed detection equipment. At Ceska Prevova, a rail junction 80 miles east of the capital, Czechoslovak railroad workers refused to man a train after having been alerted by the radio. For hours the train was left to sit in the yard.

FACTOR IN PROPAGANDA WAR

The clandestine network was a major element of the psychological warfare that was developing between the resistance leaders and the occupiers. Unable to stop the transmissions, the Russians began to seize portable radios from listeners in public places.

One of the memorable posters pasted up after the invasion portrayed Russian tank men as Arab merchants with displays of transistors on carpets laid out in the streets.

The Russians, in attempt to make themselves heard by the population, set up their own station, Radio Vltava, but hardly anyone listened to its announcements, delivered with a foreign accent.

The clandestine radio urged citizens to engage the Russian soldiers in discussion to try to convince them that there was no counterrevolution in the country. Hundreds of people sought out the tank crews, infantrymen and paratroopers and asked the basic question: "Why have you come here?"

Most Czechoslovaks speak Russian, which has been a compulsory foreign language in school since the Communist take-over in 1948.

Most of the discussions were friendly enough. However, the Czechs found that many of the young Russian soldiers knew little about the outside world. The reply to the basic question was usually "we follow orders."

Some of the Russians held up what they said were unfired weapons to show that they had not been among those who had taken blood or scarred buildings.

One sensitive noncommissioned officer said he wished he could doff his uniform and merge with the crowd.

On the second day of the occupation, the radio advised the people to ignore the Russians. Though discussions continued, the groups were smaller.

But on Friday a general strike emptied the streets, leaving Soviet troops isolated, surrounded by almost total silence, for an hour. Not knowing what to expect, many fired indiscriminately into the air.

ROAD SIGNS OBSCURED

The clandestine radio also promoted what was perhaps the cleverest of the passive resistence measures—the obscuring of street signs and house numbers to confuse the occupying troops.

People put up spurious detour signs to delay additional tank columns coming from Poland. In the streets of Prague, signs went up showing Soviet troops the shortest way home, "Moscow—1,500 kilometers."

The radio campaign was supplemented by underground newspapers, printed on flatbed presses in secret basement plants and distributed by factory workers. The papers bore the names of many of the newspapers closed by the occupying troops.

Young men in cars and trucks drove swiftly through the city center, dropping off bundles of newspapers and leaflets. Crowds surged on the sidewalks to gather them up.

The Russians countered by dropping some of their own leaflets from helicopters and having the troops distribute the Moscow newspaper Pravda. A Czechoslovak who accepted these publications often found them snatched from his hands and was accused of collaborating.

Like the clandestine radio network, the equestrian monument to St. Wenceslas in Wenceslas Square became a symbol of resistance.

Youths gathered there to make speeches denouncing the occupation. Despite a curfew, youths manned the monument 24 hours a day and defied Russians who tried to disperse them by shooting over their heads.

POLITICAL MOVE THWARTED

On Thursday, Aug. 23, as the defiance mounted in the streets and gunfire echoed through the city, the Soviet Union turned to the political aspects of the occupation.

Moscow had evidently expected to form a government under President Svoboda—to assure constitutional continuity—and to reorganize party leadership with trusted men.

Two steps were promptly taken by ambassador Stepan V. Chervonenko, the political chief of the invasion, and by Gen. Ivan G. Pavlovsky, a Soviet Defense Minister and commander of the invasion forces.

After reported consultations with the Russians, Jan Piller, a conservative Presidium member, called on President Svoboda at Hradcany Castle to present him with a list of a "worker and peasant" government with the request that he remain as chief of state.

President Svoboda, an army general, a convinced Communist and a Hero of the Soviet Union, refused. He said he would discuss nothing until the Czechoslovak leaders had been released. A message from Ambassador Chervonenko also failed to budge the President.

TROIKA IS SHORT-LIVED

Overnight Wednesday the Czechoslovak conservatives had met with Mr. Chervonenko and other Soviet officials at the Praha Hotel, which is used by the Central Committee. The Soviet group was disappointed by the small turnout and by the reluctance of the Czechoslovaks to join the leadership that the Russians proposed to establish.

After hours of deliberation it developed that only Mr. Bilak, Mr. Koldar and Mr. Indra were prepared to go on the new Presidium. To complicate matters, these three party officials apparently were unable to agree among themselves as to who would serve as First Secretary. The decision was made for the three to serve jointly as party leaders.

The announcement of the troika was greeted with public derision, and it vanished from sight almost as soon as it had been invented. The Soviet political maneuver had failed.

THE SECRET CONGRESS

In a countermove by the Czechoslovak liberals, hundreds of delegates began streaming secretly during the night to the huge C.K.D. plant in Prague to hold the extraordinary 14th congress of the party.

The congress had been originally scheduled for Sept. 9, and the delegates were elected during the summer. Most of them were pro-Dubcek and it was taken for granted that the new Central Committee and Presidium to be elected by the congress would be overwhelmingly liberal.

The delegates were informed by the clandestine radio that the congress would be held Thursday morning at the C.K.D. plant. The organizers assumed correctly that inasmuch as the radio was publicly announcing that the plant would be the site of the congress, the Russians would conclude it was being held elsewhere. This tactic worked.

The delegates were introduced into the plant disguised as workers. The plant's armed people's militia, traditionally supporters of the conservatives, stood guard.

The underground congress elected a liberal 160-man Central Committee, which in turn chose its 27-man Presidium. Mr. Dubcek was reelected First Secretary, but in his absence Venek Silhan, an economics professor, was chosen to act in his place.

At this stage, Mr. Dubcek and his colleagues were being moved from Sliac to Lvov, in the Soviet Ukraine, with a stop at Transcarpathian town of Mukachevo. They had not been permitted to change clothes; they were inadequately fed, and were exposed to insults and maltreatment.

SVOBODA FLIES TO MOSCOW

On Friday, Aug. 23, President Svoboda suddenly flew to Moscow following a 7 A.M. meeting in Hradcany Castle with Ambassador Chervenenko. Mr. Svoboda said in a brief statement that he was going to the Kremlin to seek a resolution of the crisis and that he would return the same evening.

Flying on the same plane were Mr. Indra and Mr. Bilak, but Czechoslovak Government spokesmen made it clear that they were not members of the Svoboda delegation. Among those actually accompanying the President were Deputy Premier Gustav Husak, a Slovak and a friend of Mr. Dubcek, and Defense Minister Dzur.

President Svoboda was received in Moscow with honors usually accorded a chief of state, but his Soviet hosts soon realized that he was in no mood for compromise. He made it clear from the outset that he would not undertake to negotiate until Mr. Dubcek and his colleagues were freed and invited to participate in the talks.

On Saturday Mr. Dubcek and the three other imprisoned liberal leaders were flown from Lvov to Moscow and driven to the Kremlin.

INTERNED AIDES HAGGARD

They were a haggard, mentally and physically exhausted group, but it was a victory for the Czechoslovaks to have won their freedom. President Svoboda sent a message to the nation that, in view of the arrival of the four men, he was remaining at least another day for additional talks.

In Prague, this news evoked the first moment of optimism since the invasion. But the Russians countered by sending additional forces to the capital. Soviet strength there rose from 35,000 men on Wednesday to 50,000 on Friday and 90,000 on Sunday as the talks dragged on.

Mr. Smrkovsky, the President of the National Assembly, was not exaggerating when he said later that the Czechoslovaks had negotiated "in the shadow of tanks and planes."

The pressure was so immense that on Monday, Aug. 26, Mr. Svoboda, Mr. Dubcek and the others agreed to sign the agreement. A communiqué gave no real indications of the substance of the accord.

CZECH LEADERS RETURN

At 5:20 A.M. Tuesday, President Svoboda and the others landed at Ruzyne Airport. By that time many of the tanks had disappeared from large parts of the city center and were assembled in parks and side streets. Trolleys and buses were running on normal schedules.

People seemed to be breathing a little easier and everyone seemed to be returning to work. At Hradcany Castle, a Czechoslovak honor guard once again took up its post and the presidential flag flew from the castle staff.

Under the Moscow accord, the Russians agreed to a gradual troop withdrawal in return for a renewal of press censorship, the disbanding of non-Communist political groups, the gradual removal of liberals from office and increasing Soviet control over administration. In addition, two Soviet divisions are to be permanently stationed along the border with West Germany.

It was a high price to pay to get the tanks out of Prague but the Czechoslovaks had evidently little choice but to pay it. Mr. Svoboda, Mr. Dubcek, Mr. Smrkovsky and the others made this clear in radio speeches last week.

The invasion, said Mr. Smrkovsky, was "a tragedy of small nations placed in the center of our continent."

BERLINERS DEMONSTRATE DURING "DAY OF GERMANS"

BERLIN, September 1.—Rightists and leftists demonstrated today at the annual "Day of the Germans" sponsored by refugee groups in West Berlin. The police kept the opposing groups apart and there were no serious incidents.

About 30 rightist youths showed up to cheer the appearance or representatives of the right-wing National Democratic party who

attended under a general invitation to all West German state legislatures.

The presence of the controversial rightists, plus rain, kept attendance to about 5,000 in an outdoor stadium seating 25,000.

Speakers emphasized German solidarity with the beleaguered Czechoslovak people. Mayor Klaus Schütz attacked East Germany, which joined the Soviet-led invasion of Czechoslovakia, saying the East Germans had forfeited every right to talk about the rights of peoples.

PRAVDA CRITICIZES A CZECH WEEKLY—ASKS FOR CLOSING OF LIBERAL WRITERS' PUBLICATION

(By Henry Kamm)

Moscow, September 1.—Pravda, the newspaper of the Communist party, complained today that the Czechoslovak press was slow to adapt itself to renewed censorship.

Pravda centered its attack on one of the most liberal of Czechoslovak publications, Literarni Listy, the weekly of the writers' union. Literarni Listy has been published clandestinely since the occupation and has not lost the sarcastic sting that made it a favorite of the intellectuals and youth.

The Soviet party organ characterized the underground weekly as a "wasps' nest" that "continues to exist somewhere in a backyard and continues to play its abject role as one of the main ideological centers of counterrevolution."

"Every sensible person understands, however, that such a game cannot continue," Pravda declared. "The counterrevolutionary forces must be and will be bridled."

EDITOR IS CRITICIZED

Jan Prochazka, a member of the weekly's editorial board, was singled out in Pravda for having "concocted an article containing revolting and mean slander of the Soviet Union and the international Communist movement" in last Wednesday's issue.

Literarni Listy has a history of suppression. Its current editors were responsible for the former weekly of the writers' union, Literarni Noviny, which was banned last summer by the regime of Antonin Novotny. Some of its editors, including A. J. Liehm and Ludvik Vaculik, were punished by or suspended from the party and not restored until after the start of the liberalization earlier this year.

Literarni Listy rose to a circulation of 300,000 in a country of 14.5 million and became a forum of liberal ideas. It maintained its political position in ironic language and savage cartoons. Its success was so great that before the invasion there were plans for English and German-language editions.

POLES ASSAIL WRITERS

(By Jonathan Randal)

WARSAW, September 1.—The state-controlled Polish television stepped up a resurgent "anti-Zionist" campaign today, charging "Zionists" with responsibility for the "counterrevolution" Czechoslovakia.

Branding some of the Czechoslovak liberal writers as Zionists, the Prague correspondent of Polish television linked them with Czechoslovak criticism this spring of what has been officially admitted was an anti-Semitic witchhunt in Poland.

The television man denounced Eduard Goldstuecker, the president of the Czechoslovak writers union; Ladislav Mnacko and Pavel Kohout, novelists, and Arnold Lustig and Jan Prochazka of the weekly literary Listy. [Mr. Lustig arrived in Israel on Sunday as an immigrant, the Associated Press reported from Haifa.]

"The Zionist forces were the most active of those who attacked Poland in March and allowed themselves in an atmosphere of intolerance and anti-Communism to designate the future Communist leaders of Czechoslovakia," the Polish correspondent Czeslaw Berenda said.

He said that many of these writers "do not share these difficult days with the citizens of Prague" and had fled to the West.

Defense Minister Wojciech Jaruzelski praised Polish occupation troops, believed to number 45,000 men, for fulfilling their "patriotic and internationalist duties."

Polish correspondents accused "counterrevolutionaries" of seeking to pit one occupying army against another by praising Polish troops as "cultured and chivalrous" and depicting the Soviet troops as "brutal and hostile."

Zygmunt Broniarek, writing in the party newspaper, Trybuna Ludu, said a Czechoslovak Army officer had denied that his country was heading toward counterrevolution or was about to leave the Warsaw Pact. These were among avowed reasons for the Soviet-led intervention.

Another correspondent denied rumors that Polish troops were going hungry and that an epidemic was raging in their ranks.

[From the New York Times, Sept. 3, 1968]

PRAVDA CAUTIONS CZECHS ON TRADE—ASSERTS ONLY "IGNORAMUSES" SEEK TIES WITH WEST

(By Raymond H. Anderson)

Moscow, September 2.—Pravda declared today that only a "pitiful handful of political ignoramuses" in Prague were interested in reorienting Czechoslovakia's trade toward the West and soliciting hard-currency credits.

A long article in the Soviet Communist party paper stressed that it was advantageous for Czechoslovakia to trade primarily with the Soviet Union and other Communist countries.

Shortly after Prague's reform program was undertaken last winter, leading economic officials began to speak of the urgency of obtaining up to $500-million in credits to modernize the Czechoslovak industry.

The possibility of the Soviet Government's supplying the hard-currency credit was raised during visits here by Czechoslovak leaders, but Moscow held back, apparently hoping to use the prospect of a loan to influence the Czechoslovaks to restrain their reforms.

Damage to Czechoslovakia's economy from the turmoil in the wake of invasion by troops of the Soviet Union and four Communist allies seems to have made foreign credit more urgent than ever. The Czechoslovaks have said that they expect to discuss the question of reparations with the Soviet Union.

OBLIGATION IS SEEN

Pravda emphasized that all Communist countries had an obligation to strengthen their bonds of political and economic cooperation "for the sake of the victory of our common goal."

The paper complained that some Czechoslovaks had joined a critical chorus against Comecon, the Soviet bloc's economy community, and it rejected protests that trade within the group was "one-sided, to the advantage of the Soviet Union."

Raw-material imports by Czechoslovakia from the Soviet Union, Pravda declared, have been at prices favorable to Czechoslovaks.

The Soviet Union, the paper continued, supplies 99.5 per cent of Czechoslovakia's needs in crude oil at a price of 273 crowns (about $40) a ton delivered to refineries. It quoted Rude Pravo, the Czechoslovak party paper, as having estimated that oil imported from Iran, for example, would cost the Czechoslovaks 408 crowns ($60) a ton.

OTHER IMPORTS LISTED

The paper said that the Soviet Union supplied the bulk of Czechoslovakia's other raw-material imports, including 83.6 per cent of the iron ore and 53.3 per cent of other metals, 53.8 per cent of the cotton imports and most of the country's wheat imports.

Many of the Soviet Union's exports to Czechoslovakia, the article declared pointedly, are scarce materials that Moscow could sell in hard-currency markets.

In the other direction, the paper continued, Czechoslovakia's industry benefits greatly from the large market afforded by the Soviet Union for industrial products.

"True patriots" in Czechoslovakia understand the importance of maintaining and expanding economic ties with the Soviet Union, Pravda emphasized. It added:

"Only a pitiful handful of political ignoramuses dream about 'broadening the scope' for flirtation with imperialist monopolies, which seduce simpletons with their big moneybags, 'fat' credits, 'advantageous deals,' and similar lavish promises that lead directly to the yoke of dependence on foreign capital."

CZECHS' FALL CONFIRMS RED DOMINO FEARS

(By Joseph Alsop)

WASHINGTON.—Freedom has died in Czechoslovakia, not drowned in brave and youthful blood as it was in Hungary, but brutally strangled with cold, inhuman power and calculation, only a few weeks after the wretched Czechs began rejoicing over their new birth of freedom.

The best evidence now is that this shocking deed began to be planned from the moment the members of the Soviet Presidium discovered, at the Cierna meeting, that they could not break the will and unity of their Czech colleagues. If that is true, the soothing Cierna communique was mere dust thrown in the eyes of the Czechs and the rest of the world, to give the Soviet leaders time to decide on their next move.

Certainly, the Soviet armies never ceased to be concentrated along the Czech frontiers, but were instead augmented and also went through exercises obviously preparatory to invasion. Perhaps the men in the Kremlin hoped, for a while, that Dubcek and the others would draw the correct inference and would move preventively to destroy their country's new-won freedom with their own hands.

At any rate, the thing has happened. A civilized and ancient country, in the very center of Europe, is now to be held down by a foreign occupying army and to be ruled by open hirelings of its foreign masters.

What, one wonders, will be the reaction of those men of the left whose indignation waxes so hot when it is a question of Western or even American "imperialism"? What difference will these people find, between the occupation of Czechoslovakia by Adolf Hitler and the occupation of Czechoslovakia by Leonid Brezhnev and his jolly crew?

One can already hear the self-deluding explanations, that the Soviets have made a "great mistake" (such a splendid silver lining for the Czechs!) because of "the effect on world opinion" of this piece of calculated ruthlessness. The same damn fools said the same things about Hungary.

But by their own grim standards, the Soviets have made no mistake at all. They do not parrot twaddle about the "discredited domino theory" (which always makes one wonder just who discredited it). They knew that sooner or later the dominoes would begin tumbling in Eastern Europe if freedom was permitted to be reborn there. And they therefore moved against the Czechs as they had moved against the Hungarians.

Such are the cruel realities. The prime question is whether the smallest notice will be taken of these cruel realities in the left-wing academic and intellectual circles in this country. The left-wing academics and intellectuals have more and more wallowed in self-deception throughout the last seven years; and by their wallowings they have managed to deceive millions of other rather more sensible people.

Seven years is the time-frame, because that

is the period that has elapsed since the Cuban missile crisis. President John Kennedy did not refer scornfully to the "discredited domino theory." He believed in it, as he once publicly testified; and for that very reason he risked a thermonuclear confrontation to get the Soviet missiles out of Cuba.

This great achievement led directly to the liquidation of the second Berlin crisis—that domino theory at work again! And these events produced what can only be called a widespread Dr. Pangloss-illusion. All was now supposed to be "for the best in this best of all possible worlds," as the good doctor kept telling poor Candide.

More specifically, the remorseless fangs of history were supposed to have been drawn. The cold war was supposed to be over. The Soviet Union was supposed to be rapidly evolving into the kind of peaceable, unmilitary, genially free society in which the left-wing academics and their chums, the liberal editorial writers, could give their egos runs in the yard with perfect impunity.

Well, who can believe this now? Brezhnev has demonstrated once again what everyone should have known all along—that the Soviets never hesitate to use military force if they think they do so with impunity; that they care not a snap of their fingers for "international morality" or "world opinion"; and that they will do anything they believe it is safe to do to serve their own hard interests.

Who can doubt, then, that they may one day support Arab genocide in Israel, which will give them the riches of the Middle East, if they begin to suspect that no one will interfere? And what can more rapidly nourish such Soviet suspicions than the kind of collapse of American resolve that Senators Eugene McCarthy, Ted Kennedy and others are now seeking to promote?

SOVIET UNION'S COUP DISPELS LIBERAL MYTH

(By David Lawrence)

WASHINGTON.—The "Communist myth," so often brushed aside by "liberals" as imaginary, has all of a sudden become a reality. The argument of the "doves" that the Soviet Union and most of the Communist-bloc states in Eastern Europe constitute no threat to world peace and that they should be given trade benefits and other concessions by the United States has evaporated overnight.

The world is back again to where it was more than a decade ago when the Soviet armies crushed an uprising of the people of Hungary. Then, after having connived to weaken the NATO alliance in Europe, the Soviets proceeded to build up North Vietnam and finally to provoke Hanoi's aggression against South Vietnam as a means of diverting American attention from Europe.

In virtually all free nations today a unanimous condemnation is being expressed against the Soviet Union for its invasion of Czechoslovakia and its attempts to suppress the few freedoms that have been allowed the people there. The hopes of the Czechs for a degree of independence from Soviet domination were abruptly shattered as the Soviet armies, aided by military forces of East Germany, Hungary, Bulgaria and Poland—puppets of Moscow—crossed the Czech border. In the capital at Prague the leaders who had dared to institute reforms in the Communist system have been imprisoned.

President Johnson stated the case clearly when he said that "a defenseless country" has been invaded in order to "stamp out a resurgence of ordinary human freedom." He added:

"The excuses offered by the Soviet Union are patently contrived. The Czechoslovakian government did not request its allies to intervene in its internal affairs. No external aggression threatened Czechoslovakia. The action of the Warsaw Pact allies is in flat violation of the United Nations Charter."

There are, of course, in the United States a few politically minded critics who immediately cried out that Russia is merely doing what the United States did in Vietnam. No parallel, however, exists because the South Vietnamese government formally requested the help of the United States after trying in vain to repel by itself the infiltration by the Communists from North Vietnam. The Moscow government makes no secret of the fact that within the last three years it has provided billions of dollars worth of munitions and supplies to the North Vietnamese to carry on the aggression against South Vietnam.

The case for American assistance to South Vietnam now will be strengthened before world opinion. It is clear that the Soviet government does not extend military or economic aid and then let go of its control over the smaller countries, but insists instead on dominating their governments and denying them a right to rule themselves. The United States has explicitly stated that its objective in South Vietnam is to assure the people there the right of self-determination and that, once this is accomplished, our troops will be withdrawn.

Since the Soviet Union has a veto in the Security Council of the United Nations, this leaves the question to be handled by the General Assembly of the U.N., which can adopt a resolution as it did in 1956 condemning the Soviet Union for "depriving Hungary of its liberty and independence." But it is doubtful that such a resolution will make any more impression today on Moscow than it did 12 years ago.

Meanwhile, the world has been awakened to the somber fact that military power exerted by the Soviets in defiance of the provisions of the United Nations Charter can at any moment break the peace on every continent. A stronger alliance of nations than the U.N. will have to be formed in order to be able to mobilize a military force of such strength as to command the respect of would-be aggressors.

The Soviet Union has not only made a big error in Czechoslovakia, but it has assumed that the United States is powerless to draw together the other nations of the world to thwart any further extension of Soviet imperialism. World opinion, however, can quickly be mobilized. For it now is evident that the policies of the present Moscow regime are no different from those which prevailed under Khrushchev or Stalin. The Communist drive for world domination still threatens the peace of mankind and makes a "detente" with the present leaders in the Kremlin a dangerous policy of acquiescence in Communist imperialism.

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2. THE THREAT TO RUMANIA AND YUGOSLAVIA

[From the New York Times, Aug. 25, 1968]

HUNGARY ACCUSES RUMANIA OF FOLLOWING THE IMPERIALISTS' LINE ON CZECHOSLOVAKIA—TWO NEWSPAPERS SCORE CEAUSESCU—BUCHAREST CROWDS OBSERVE NATIONAL HOLIDAY WEEKEND IN A CAREFREE MOOD

(By Israel Shenker)

BUDAPEST, August 24.—The Hungarian press sharply assailed President Nicolae Ceausescu of Rumania today for his stand in the Czechoslovak crisis.

Having withheld attack yesterday in deference to the Rumania National Day, the controlled press here accused Mr. Ceausescu of parroting the imperialist line on Czechoslovakia.

Magyar Memzet found it "very strange" that on the part of high-ranking leaders of Rumania, "incomprehension in the highest degree and even wilful misinterpretation can be experienced."

The newspaper added: "There is a strange similarity between the tone and the content of Ceausescu's speech and the phrases repeated a hundred times a day by Western radio stations."

On Wednesday, Mr. Ceausescu called the Soviet-led intervention in Czechoslovakia "a big mistake and a severe danger for peace in Europe and socialism in the world." He said that there was no justification for the occupation of Czechoslovakia and warned that "intervention into the internal affairs" of other Communist parties must end.

INDEPENDENT SPIRIT SHOWN

For several years Rumania has shown an increasing desire for independence from Soviet direction, but Mr. Ceausescu's views this week were unprecedentedly plainspoken. There was considerable speculation about how the Soviet Union would react to the Rumanian leader's utterances.

By degrees, Rumania has in fact managed a partial withdrawal from the hegemony of her powerful neighbor. The clearest and latest evidence was the failure of Bucharest to participate in the invasion of Czechoslovakia.

Until now, the Hungarian Communist party—along with fraternal parties elsewhere in Eastern Europe—has refrained from attacking Rumania.

With the wraps now off, the Budapest newspaper Esti Hirlap, organ of the Budapest Communist Party Committee, joined the fray. It, too, attacked Mr. Ceausescu by name—and said Rumania should remember that the Soviet Union liberated it from the Germans in World War II.

SOVIET DENOUNCES CEAUSESCU

Moscow, August 24.—The Soviet Government newspaper Izvestia denounced President Ceausescu today for aiding the Czechoslovak "counter-revolution" through his speeches.

As an example of Mr. Ceausescu's alleged help to counter-revolutionaries, Izvestia cited his statement that "no one can act as an advisor or mentor on how and in what way socialism should be built."

Izvestia, in an article by Vladimir Kudryavtsev, said that the thesis that each country chooses its own path to socialism was correct, but was being abused.

"Certain people so ignore the principles that are common to all socialist countries that they contribute to the Czechoslovak counter-revolution in its desire to break Czechoslovakia away from the socialist commonwealth, Izvestia said.

RUMANIANS ENJOY HOLIDAY

(By John M. Lee)

BUCHAREST, August 24.—Despite continuing anxiety over Czechoslovakia and possible repercussions for Rumania, Bucharest settled back today to enjoy a warm, sunny holiday weekend.

Seemingly carefree crowds in sports clothes swarmed through the lush Cismigiu Gardens in the downtown area, packed the sidewalk cafes and outdoor restaurants and strolled down the broad tree-lined Margheru Boulevard, the Champs-Elysées of Bucharest.

There were long lines for Italian movies and for a Tarzan picture so old that it starred Johnny Weismuller. The only uniforms in evidence were on traffic policemen and guards at Government buildings.

Yet, transistor radios brought newscasts to restaurant tables, and small crowds gathered to hear the latest bulletins. Almost every other person seemed to have a morning newspaper, turned to Czechoslovak developments.

PEOPLE TALK READILY

Rumanians talked readily to visitors and condemned the Soviet invasion of Czechoslovakia. "It is an impossible situation," said a young woman student. "How do the Russians think they can do this?"

How did she think Rumania had escaped a similar repression?

"Perhaps we are better diplomats," she smiled.

[From the New York Times, Aug. 29, 1968]

TITO SEES AIDES AS CONCERN OVER SOVIET GROWS—BELGRADE BELIEVED FEARFUL OF A SURGE IN NEO-STALINISM—BUT APPREHENSION OVER PERIL OF INVASION SEEMS EASED

(By Paul Hofmann)

BELGRADE, YUGOSLAVIA, August 28—President Tito reviewed the Czechoslovak situation with aides today amid apparently deepening concern within the Yugoslav regime over what it fears is a surge of Neo-Stalinism in the Soviet Union.

An official announcement said today that Marshal Tito had conferred with Trpe Javoklevski, the Yugoslav Ambassador in Prague, on the northern Adriatic Island of Brioni. The announcement conveyed to the public the information that the President was back in his summer residence after five days in and near Belgrade, and that he was still concerned about Czechoslovakia.

Many Yugoslavs saw Marshal Tito's return to Brioni as a sign that a crisis that they felt had menaced their country as well as Czechoslovakia had passed.

The President came to Belgrade from Brioni last week and warned in a speech Friday that Yugoslavia would fight against any threat to her indepedence. The clear implication was that Soviet political or military pressure might present such a threat.

REGIME SILENT ON ACCORD

Though many Yugoslav Army specialists who were recalled to active service over the weekend are still with their units, the feeling today was that if there ever had been a Soviet threat to attack Yugoslavia it had receded.

Government spokesmen would not comment on the agreement reached in Moscow to settle the dispute between Czechoslovakia and the Soviet Union. "There isn't even a Czechoslovak reaction yet," one official said.

Newspapers were cautious and skeptical on whether the Moscow agreement would work.

Borba, a Belgrade newspaper close to the Communist party apparatus, said that "time and practice" alone would tell the value of the accord.

Vecernje Novosti, the afternoon edition of Borba, said that socialism had in the past paid much too high a price to agree to return into Stalin's "pen of obedient sheep."

Anxiety here over a possible resurgence of Stalinism in the Soviet Communist party is caused by concern that Moscow may again tend to regard Yugoslavia as a part of the Soviet sphere of influence. This is a concept that led to the break between Stalin and Marshal Tito in 1948.

The Yugoslav Communist party is engaged in a nationwide campaign to remind its members and the people at large that the Yugoslav system is different from that of Soviet-bloc Communism, not only in its rejection of the Czechoslovak invasion but also in its social and economic institutions at home.

In the hundreds of local meetings that the Communist party is organizing these days, expressions of sympathy for Czechoslovakia are coupled with the praise for Yugoslavia's own "road toward socialism."

Self-management—the participation of Yugoslav workers in the managerial decisions affecting their plant or enterprises—is being hailed as the cornerstone of the Yugoslav system and as an example that the Czechoslovak reformers intend to follow.

RUMANIANS HEAR OF DEMAND

(Special to the New York Times)

BUCHAREST, August 28.—Rumors circulated in Bucharest today that the Soviet Union had commanded Rumania to allow Warsaw Pact military maneuvers on Rumanian territory. But Foreign Office officials said they had no information on such a demand.

Despite Rumania's strained relations with the Soviet Union, the Government has maintained nominal membership in the Warsaw Pact. However, Rumania has not participated in maneuvers under the treaty since 1962, and is generally inactive in Warsaw Pact affairs.

The new line of "continuing counterrevolution" is apparently designed to justify a lengthy stay of the Warsaw Pact occupation troops to "protect socialism" in Czechoslovakia. But for the young party member it only caused confusion.

[From the Wall Street Journal, Aug. 29, 1968]

RUMANIAN LEADERS BAR CZECH-TYPE LIBERALISM BUT VOW INDEPENDENCE—CITIZENS SAY THEY WOULD FIGHT RUSSIANS; NATION IS SEEKING CLOSE ECONOMIC TIES TO WEST

(By Ray Vicker)

BUCHAREST.—Unlike Czechoslovakia, Rumania poses few threats to the Soviet Union on purely ideological grounds.

Indeed, the leaders in this East European capital are about as eager to stray from orthodox Communist doctrine by eliminating press censorship and police powers as are the men in the Kremlin.

Yet Rumania exercises it own brand of national independence, free of Soviet domination. It was this strain of independence—with the determination to maintain it—that led President Nicolae Ceausescu to support the Czech regime so vigorously that he placed Rumania's army on alert "to defend our Socialist homeland" against a similar invasion.

Last week thousands of students, workers, soldiers and farmers marched in patriotic parades and staged political rallies in a show of unity behind President Ceausescu's government. Their fervor can't be misinterpreted. "If the Russians come," says a mechanic "we should fight them—everywhere."

That a clash of arms between Rumania and Russia will yet take place seems less likely than it did a few days ago. The uproar that greeted the Soviet-led invasion—and its limited success in de-liberalizing the Czech regime—makes this an increasingly unpopular form of political persuasion.

Moreover, in recent days, Rumanian leaders have considerably played down their criticism of the Soviets, possibly in response to Russian countercharges that any Rumanian fears of invasion are completely unwarranted.

AN END TO INTERFERENCE

But the more moderate Rumanian tone doesn't reflect any basic change in the sentiments of the government or the 19 million citizens. "An end must be put for good and all to interference in the affairs of other states and of other parties," declares Mr. Ceausescu, who is Communist Party leader as well as Rumania's president.

An architect, Theodor Sturdza, simply asks: "Who can trust the Russians after the invasion of Czechoslovakia?"

Not that Russians were winning popularity contests here even before their misadventure in Czechoslovakia. Rumania's independent position began taking shape in 1961, in fact, as a reaction to a Soviet master plan calling on her to concentrate on agricultural and raw materials production for trade with other Communist bloc countries. Instead, Rumania adopted its own economic program, emphasizing industry and closer trade relations with the West.

By 1967, Rumania had asserted itself to the point that only 47% of its trade was with Socialist countries. The first of six British-made jets have been delivered to Rumania's airline—with Yugoslavia the only other East European nation to utilize Western aircraft.

Rather than purchase oil from Russia, Rumania recently concluded a substantial contract to buy from Iran. And an American concern, Universal Oil Products Co. of Des Plaines, Ill., has built a $22 million oil refinery for Rumania—which again snubbed Russia on the deal.

VISITING THE UNITED STATES

Talks with trade officials here clearly indicate that Rumania would like even closer economic relations with the U.S. Recently Deputy Premier Alexandru Birladeanu spent several weeks in the U.S. investigating ways Rumania might acquire more technical equipment for developing industries.

There is also an emotional aspect to Rumania's current dispute with the Soviet Union. "Nobody in Rumania likes the Russians," says a student at Bucharest University. He says that after Russian was dropped as a compulsory second language a few years ago, "nobody would take it—English and French are the languages we study."

To be sure, a visitor from the West is quickly reminded that this Communist country still maintains tight central controls and all the trappings of a police state.

When a foreigner began snapping photographs not long ago of a barefoot woman in a marketplace in the city of Craiova, a policeman briefly placed him under arrest. Later, when he dropped in on friends in Tirgu Jiu, a police car pulled up at the door within minutes to investigate.

The press is not free in a Western or even Czechoslovakian sense. But during the current crisis the Ceausescu government has permitted newspapers the exceptional freedom of reporting all Czech developments. Radio Bucharest similarly has transmitted all available statements by Czech leaders and all clandestine radio broadcasts.

Unlike the Czechs, the Rumanians have almost no concept of democracy and practically none of the thirst for personal liberty that was demonstrated in Czechoslovakia. Rumania has never experienced a Western-style democracy, and there are few demands for political change.

[From the New York Times, Aug. 30, 1968]

RUMANIANS FIRM; WARN RUSSIANS—AGAIN URGE TROOPS PULL OUT—TELL OF BLOC "TENSION"

(By John M. Lee)

BUCHAREST, August 29.—Rumanian Communist leaders declared today that they attached the "utmost importance" to the complete withdrawal of Warsaw Pact forces from Czechoslovakia "in the shortest time."

The officials also appeared to warn the Soviet Union against further incursions that might exacerbate relations between Communist countries. They asserted:

"It is imperative that absolutely nothing should be undertaken that might worsen these relations or deepen the divergencies and breed fresh sources of tension."

The firm declarations were contained in a statement by the Executive Commitee of the party's Central Committee, published in the party newspaper. Scinteia and other papers. It was the first Rumanian comment on the Soviet-Czechoslovak agreement reached in Moscow on Tuesday.

The agreement called for the gradual withdrawal of forces as soon as conditions in Czechoslovakia are "normalized." Two divisions are to remain behind to help guard the West German border.

TONE TERMED RESOLUTE

Western diplomats were impressed by the resolute tone of the Rumanian comment. In their view, Rumania is continuing to insist that each national Communist party should be able to determine its own development, as the Rumanian party has done, free from outside interference.

The statement did nothing to yield to criticism by the Soviet Union, Hungary and Poland of Rumania's breakaway stance.

"The Executive Committee expresses to the Communists of Czechoslovakia, to the Czech

and Slovak people, its feelings of warm sympathy, of support and full internationalist solidarity," the statement said.

It recalled that Rumania had expressed "anxiety and disapproval" over the invasion of Czechoslovakia Aug. 20, and it noted that the return to office of Czechoslovak leaders and the resumption of activity by party and government bodies "create conditions for undertaking the complex tasks facing them."

"At the same time," the statement went on, "the Executive Committee considers of utmost importance the carrying into effect of the complete withdrawal, in the shortest time, of the armed forces of the five socialist countries from Czechoslovakia."

POLAND ASSAILS RUMANIA

(By Jonathan Randal)

WARSAW, August 29.—Poland assailed Rumania today for having placed "sovereignty and independence" above allegiance to Soviet-led Communism. The criticism came in an article observers interpreted as a possible prelude to further pressures on the Bucharest regime by the orthodox Communist nations.

An unsigned 2,500-word article in the party newspaper, Trybuna Ludu, reflecting the views of the Polish leadership, castigated Rumania for having denounced the invasion of Czechoslovakia in disregard of the "supreme dictate of the moment."

In language that recalled the strong words employed in the state-controlled Polish press against Czechoslovakia in past months, the article, also attacked President Nicolae Ceausescu of Rumania by name for the first time since the invasion last week.

Observers said that this was a practice normally reserved for the most serious interparty polemics.

Also for the first time since the invasion, Wladyslaw Gomulka, the Polish party leader, consulted with members of the ruling 12-man Politburo. The official Polish press agency limited its report to noting that he had discussed "present problems of the international situation."

Also present were five other Politburo members, regional party leaders, Central Committee department directors and others who were described as certain ministers.

Trybuna Lubu also criticized Rumania for having established diplomatic relations with West Germany last year and for having failed to break diplomatic ties with Israel after the war in the Middle East in June 1967.

Rumania is the only Eastern European country that has established relations with Bonn and the only one that did not follow Moscow's lead in breaking with Israel last year.

The newspaper said that Rumanian support for Czechoslovakia "indicates that the objective was not 'defense of democracy and sovereignty" but disintegration of the socialist commonwealth."

[From the Baltimore Sun, Aug. 31, 1968]

BLOC TROOPS SAID TO MOVE ON ROMANIA—CZECH RADIO REPORTS NINE RUSSIAN DIVISIONS NEAR BORDER

(By Stuart S. Smith)

PRAGUE, August 30.—A Czechoslovak radio station transmitting from somewhere in Bohemia said today that the Warsaw powers are massing troops along their borders with Romania.

According to the broadcast, the Soviet Union has moved nine military divisions into Bucovina alone. Bulgaria, it said, has transferred two divisions of troops to its frontier with Romania and Hungary has deployed three divisions along its eastern boundary.

COOPERATION CALL

In London, Joseph Luns, the Dutch Foreign Minister, said the situation in the Balkans is a serious cause for concern and called for improved Atlantic alliance cooperation.

In New York, Corneliu Manescu, the Romanian Foreign Minister and current United Nations General Assembly president, held talks with United Nations officials to sound out their attitude toward a possible invasion of his country. Mr. Manescu also spoke with George W. Ball, the United States Ambassador to the United Nations.

TROOP WITHDRAWAL

Bucovina and Moldavia are former Romanian provinces which the Soviet Union took from Romania at the close of World War II.

Two weeks ago, President Nicolae Ceausescu indicated that the Romanian military forces had been withdrawn from the Warsaw Pact command and simultaneously ordered the immediate arming of the country's Workers' Militia.

TANK PULLOUT TERMS ARE SET FOR PRAGUE

(By a Sun staff correspondent)

PRAGUE, August 30.—The Soviet military commander here warned today that Russia will keep its tanks in the Czechoslovak capital until the citizens remove the anti-Soviet slogans from the city's wall.

The Czechoslovak National Front Organization later appealed to the people to remove the offending placards.

Radio Prague quoted the commander, Gen. Ivan Velichkp, as saying all posters, signs and banners would have to be taken down or painted over before he would transfer his forces.

DUBCEK POSITION

The announcement conflicts with Alexander Dubcek's speech Tuesday which said the invading military units were to be removed forthwith.

Shortly after his return from his Moscow negotiations with the Kremlin's top officials, Mr. Dubcek, the Czechoslovak Communist party leader, said "we agreed" that the occupation forces "in the towns and villages will immediately depart to designated areas. This is naturally connected with the extent to which our own Czechoslovak authorities will themselves be capable in individual towns of insuring order and normal life."

Except for the first few days immediately following the Warsaw powers' attack, there has been no public disorder in Czechoslovakia, and some major cities, Pilsen, for example, have had no sizable occupation units since the middle of last week.

TWO HUNDRED TANKS REMAIN

Prague, however, is still jammed with Soviet military equipment, including at least 200 battle tanks, more than that many armored cars, numerous howitzers, one or more heavy motar batteries, machine gun emplacements and other heavy arms.

Although the soldiers and their weapons are no longer occupying the Government and party headquarters, they still hold most of the capital's newspaper offices, radio and television stations, printing plants and other key communications points, including the Prague airport.

Many large fields within easy firing range of the city's heart are full of Soviet troops, helicopters, military communications equipment and other paraphernalia.

REBUKE ON INVASION

The Czechoslovak National Front's central committee also rebuked the Warsaw powers, declaring that their invasion violated the "basic norms of international law."

The committee also called upon the occupation authorities to release the political prisoners they have arrested during the last ten days and to refrain from interfering any longer in the nation's affairs.

Soviet officials have demanded that what they call the "illegal" newspapers here stop publishing and that the free Czechoslovak radio stations be silenced.

CZECHOSLOVAKIA BEFORE THE OCCUPATION

[From the New York Times, Sept. 20, 1967]

A CZECH WRITER DESCRIBES HIS INNER STRUGGLE

(By Richard Eder)

PRAGUE, September 19.—"The social revolution has triumphed in our country, but the problem of power is still with us. We have taken the bull by the horns and we are holding on, and yet something keeps butting us in the seat of the pants."

With these words Ludvik Vaculik, a 41-year-old Prague writer, began a speech, delivered two and a half months ago, whose repercussions are still agitating party and intellectual circles in Czechoslovakia. Spoken at the writers' congress at the end of June, the words of Mr. Vaculik and four or five other writers transformed what had been expected to be a stormy session into something verging on a revolution.

For the last three years or so, Czechoslovak cultural activity has been the freest and most inventive in Eastern Europe, in striking contrast to the conservative attitude of most party leaders. Films, plays, novels and literary essays have, with varying degrees of directness, voiced demands for personal freedom and the supremacy of private values.

DIRECT CHALLENGE TO REGIME

At the writers' congress those themes were distilled into a far more direct challenge to the regime. In essence Mr. Vaculik and others insisted that freedom as a concession was not enough, and that the regime must recognize freedom as a right, surrendering part of its power through such a recognition.

Mr. Vaculik's speech, as well as the other speeches at the congress, have not been published in Czechoslovakia, but word of them has spread. Reports of the speech have appeared in West German and Swiss papers.

Mr. Vaculik, who has been denounced by President Antonin Novotny and other high party officials, and who faces party disciplinary action, told the congress that the party monopoly of power made its liberalizing gestures suspect.

FIRM GUARANTEES DEMANDED

"I can see a continual attempt, with all the dangers it implies, to bring back the bad times," he said, "What use is it that we have been given the literary fund, the publishing houses, the journals. Behind all this is the threat that they will take it back if we are unruly."

"We are told that the old abuses are not being committed," he continued. "Am I supposed to feel grateful? I don't, I see no real guarantees.

"Why can't we live where we want? Why can't tailors spend three years in Vienna, and painters 30 years in Paris, and come back to live here without being regarded as criminals?"

He went on to speak of the effect that the party monopoly of power had on the country.

"Power is a specific human condition," he said. "It overwhelms the rulers and the ruled and threatens the health of both."

He suggested that the instability of a democracy was preferable to the rigidity of the present system.

CITIZEN IS RENEWED

"There the government falls, but the citizen is renewed," he said. "On the contrary, where the government remains continually in power, the citizen falls.

"He does not fall at the execution post. That happens perhaps to a few dozen or a few hundred only, but this is enough. For this is followed by the whole nation's falling into fear, into political apathy, into trivial

concerns and into a growing dependence on smaller and smaller masters."

Speaking "as a citizen of a state that I will not renounce, but in which I cannot live happily," he assailed the mediocrity to which life had been reduced.

"I believe that the citizen is extinct in our country," he said. "We are joined by the most despicable of ties: a common frustration."

He said the system elevated "the most pedestrian types" and submerged "the complex personalities, individuals with personal attractiveness, and most of all those whose character and deeds had become an unspoken standard of decency."

Mr. Vaculik, who played an active role in the party when younger, said that the party did not hesitate to use threats of torture or blackmail as well as temptation to hold its followers. It appeals to the ambitious and the greedy, as well as to "the selfless but poorly informed enthusiasts of whom I am one."

ANSWER: "I DON'T KNOW"

He told the Congress that he was criticizing not Socialism but power, even though the organs of power tried to confuse the two. As to whether they could be disentangled at this late date, in order, as he put it, to "translate the dream into reality," he said the only answer he could give was, "I don't know."

Though his views are widely echoed, Czech writers and intellectuals have disavowed as a fraud a purported protest manifesto attributed to more than 400 intellectuals and printed in the West. The document accused the party of a "witch hunt."

After the writers' Congress there was an immediate effort by the party to condemn Mr. Vaculik and three other speakers, Pavel Kohout, Ivan Kline and A. J. Liehm all were replaced as candidates for the Central Committee of the Writers Union.

The literary magazines and the newspapers came out with editorials attacking the speakers, following the lead of President Novotny and of the party's cultural overseer, Jiri Hendrych.

Nevertheless, it was noted that the editorials were not so strong as they might have been. There is, in fact, a tendency among a number of more conservative writers who have good party connections to defend the right of Mr. Vaculik and the others to speak as they did while disagreeing with what they said.

The party Central Committee is expected to announce its verdict at the end of the month, both on the individual writers and on the broader question of whether there is to be a formal curtailing of intellectual freedom. Despite the anger of the party leaders, there are widespread reports that the efforts of the more influential members of the intellectual community to prevent a crackdown will succeed, at least partly, and that the party decision will be some form of compromise.

PREPARED FOR WHAT COMES

Mr. Vaculik, a pale, casually dressed man who speaks modestly of his work—he has published two novels, the most recent of which won wide praise—says he is prepared for whatever comes. Sitting in the writers' club over a lemonade, and pausing to talk with fellow writers who came up to greet him affectionately, he spoke briefly of himself.

The son of a carpenter in a Moravian village, he worked as an apprentice in a shoe factory and, when World War II ended, came to Prague to study.

"I joined the party in 1946—back when there were a number of choices," he said. "I thought it had the most courageous program, the most logical one. As time went by and things didn't work, I thought it was because certain figures were no good.

"Later I began to suspect that the system itself was * * *

"I would start over again from the beginning," he said with a smile, "from where I was in 1946. I would try to work, to write, to see what I could do, I would be free."

Expulsion from the party would jeopardize his job on the editorial board of Literarni Noviny, the principal literary magazine. Other members of the board, including the editor, Dusan Hamsik, said, however, that they saw no reason why he should be removed.

Asked why, in view of his opinion of the party structure, he did not resign, Mr. Vaculik answered:

"If the people who think as I do, and there are very many, would stay in the party and work, perhaps we could make the party what it ought to be."

He said this tentatively, as if not especially convinced, and added: "But I wouldn't advise young people to join it. Three years ago, perhaps I would have. Now I think it is too difficult."

What should young people do if they do not join the party?

"I have no answer," he said. "Perhaps that is why they are so apathetic, so selfish, because they have no answer either. They do not have the illusion about the party that we did, and they don't believe in anything else."

He paused, and then said with the mixture of puzzlement and regret that Czechoslovaks of his generation use when they speak of the people in their twenties: "They are so poor. And so free."

[From the Baltimore Sun, July 11, 1968]

RED TROOPS MOVING IN, CZECHS HEAR—RADIO PRAGUE QUOTES NEWS REPORTS FROM WEST GERMANY

(By Stuart S. Smith)

BONN, July 10.—Quoting West German news reports, Radio Prague said tonight that more foreign Warsaw Pact troops are marching into Czechoslovakia.

"We can only hope there is no reason to worry," Radio Prague commented.

Earlier this evening the Czechoslovak Defense Ministry admitted the Soviet Union is balking over the withdrawal of its soldiers. Soviet, Polish and Hungarian units entered Czechoslovakia in May and June for the Warsaw Pact "staff exercises."

NEW SITUATION

"A new situation has arisen," a ministry spokesman explained during an interview with Radio Prague. "The whole matter is being negotiated anew," he said.

On July 2 Major General Josef Cepicky, the Czechoslovak spokesman for last month's Warsaw Pact maneuvers, said during a television program "all foreign armies will be out of our territory within three days."

Asked about this statement during tonight's broadcast, the Defense Ministry official commented: "Since it [the Soviet withdrawal] has not yet achieved, it means a new situation has arisen. The whole matter is being discussed anew. I cannot make a comment at this time. Perhaps tomorrow."

SOME 27,000 SOVIET TROOPS

Prague sources said that as of last night there were 27,000 Soviet troops in Czechoslovakia but added that additional troops, particularly from Hungary, are currently marching into the country.

Reliable Communist officials said Monday that Czechoslovak leaders had capitulated to Kremlin demands that foreign Warsaw Pact troops remain on Czechoslovak territory until further notice.

Soviet Marshal Ivan I. Yakubovsky, the Warsaw Alliance military commander, has reportedly refused to recall his men from Czechoslovakia on the grounds that Antonin Novotny, the discredited former president and party chief, agreed that the maneuvers could continue through August.

BEGAN JUNE 20

The maneuvers began June 20. On June 30 the Polish, Czechoslovak and Soviet news agencies announced that the maneuvers had ended. Soon thereafter, however, Tass, the official Soviet agency, withdrew the story, even though it had already been printed in *Pravda*, the Soviet party newspaper, and stated the maneuvers would continue. Czechoslovak officials immediately said the maneuvers were over, all reports to the contrary notwithstanding.

Yesterday Col. Gen. Martin Dzur, the Czechoslovak Defense Minister, said that 35 per cent of the foreign troops had left the country and that discussions with the Warsaw Pact command were taking place about sending the rest home.

WRITERS' UNION OBJECTS

Today, though, Prague officials close to the Czechoslovak Communist party leadership said the foreign troops will remain and will be reinforced. General Dzur, it was added, has threatened to resign.

The Czechoslovak Writers' Union has sent a letter to the Soviet Embassy in Prague warning that the continued presence of Russian soldiers in the country might cause "indignation" among the Czechoslovak citizens. This, however, may well be what the Kremlin is waiting for as an excuse to stamp out the democratization movement.

This morning Prague newspapers demanded that their Government announce a definite date for the departure of the last foreign soldiers. There have been no foreign garrisons in Czechoslovakia since the end of World War II. The limited number of Soviet officers who advised the Czechoslovak Army left the country some years ago and there is no plan to ask them to return, Czechoslovak officials say.

Several offices have been flooded with letters. Their telephone switchboards have been swamped with calls asking when the foreign soldiers are to leave.

"If everything is all right what is preventing the officials of our Army from giving precise information?" inquired *Mlad Fronta*, the Czechoslovak Youth Union Daily. "Unclear and contradictory information only increases the uncertainty and plays into the hands of those who spread alarming reports."

The East German, Polish, Hungarian, Bulgarian and Soviet Communist parties have written notes to the Czechoslovak Communist party expressing their concern about the liberalization movement. The letters differ in tone. The Ulbricht regime's is said to be the toughest, allegedly accusing the Czechoslovak leadership of being revisionists.

SUMMIT REJECTED

Late Monday the Czechoslovak party Central Committee Presidium reportedly rejected demands to attend a Communist summit conference this week.

The Prague newspaper *Zemedelske Noviny* commented: "It would hardly be of any use if we were to go to the conference table in the role of . . . heretics." The newspaper said Czechoslovakia is ready to have bilateral talks with any interested party provided the country's sovereignty is respected.

In Moscow this morning *Literaturnaya Gazeta*, a political and literary newspaper, charged that counter-revolutionary forces have developed in Czechoslovakia. The term is reserved only for the Kremlin's worst enemies. It was applied once to describe the Hungarian uprising which the U.S.S.R. crushed with its tanks in 1956.

MANIFESTO ASSAILED

Literaturnaya Gazeta asserted that the recent Czechoslovak "Two Thousand Words" manifesto signed by the country's leading intellectuals and sportsmen was a "Provoc-

ative, inflammatory, anti-Communist, counter-revolutionary action program."

The manifesto has found wide support among the Czechoslovak citizens even though the party Presidium said it went too far. It called for strikes in the event the new leadership is unable to purge the Czechoslovak party of the foot-dragging conservatives.

Thus far, however, Prague has been exceptionally quiet. The citizens there are well aware of what is at stake and are not going to be provoked into anti-Soviet demonstrations. What might happen if the conservatives deliberately staged an anti-Russian incident as an excuse for bringing the Soviet troops into the city is another question.

[From the Baltimore Sun, July 15, 1968]

BLOC TROOPS REMAIN ON CZECH SOIL—SOVIET, POLISH FORCES DELAY PULLOUT; REDS MEET IN WARSAW

(By Stuart S. Smith)

BONN, July 14.—The withdrawal of Soviet and Polish troops from Czechoslovakia has been postponed because of heavy weekend traffic, CTK, the Czechoslovak news agency, announced tonight.

Prague television said the Warsaw Pact military command ordered the recall put off "until the evening and night hours." "Not a single foreign soldier left Czechoslovak state territory today," the station reported.

TUESDAY TIME SET

Yesterday *Vecerni Praha*, a Prague evening newspaper, said the last foreign units would cross the Czechoslovak frontier at 9 A.M. Tuesday.

Meanwhile, Soviet, East German, Polish, Bulgarian and Hungarian Communist party and Government leaders met in Warsaw today to discuss once again the Czechoslovak liberalization movement.

Czechoslovak officials boycotted the meeting. Romania was apparently not even invited.

LETTERS WERE SENT

Radio Prague noted that the five countries had earlier sent letters to the Czechoslovak party Presidium expressing fears about the fate of Czechoslovak socialism.

"Negotiations were to be held on the subject of these fears," a Radio Prague political commentator said, adding: "We have not accepted this invitation."

Today's meeting in Warsaw was the fourth Communist summit conference since Alexander Dubcek ousted Antonin Novotny from his position as Czechoslovak party secretary January 5.

ROSTER OF HIGH REDS

Among those attending the Warsaw talks were Leonid I. Brezhnev, Soviet party chief; Nikolai V. Podgorny, Soviet President; Alexei N. Kosygin, Soviet Premier; Walter Ulbricht, East German party boss; Willi Stoph, East German Premier; Janos Kadar, Hungarian party leader; Todor Zhivkov, Bulgarian party chief and Premier; Wladislaw Gomulka, Polish party leader, and numerous other top officials.

The presence of so many high-ranking persons indicates the seriousness with which some of Czechoslovakia's Warsaw Pact allies take Mr. Dubcek's demands that the Communist movement permit his country to develop a system of democratic socialism without outside interference.

NEVER BEEN SO UNITED

This morning *Prace*, the Czechoslovak trade union newspaper, carried a report from the Polish capital reporting, "In Warsaw they will negotiate about us without us."

An accompanying editorial asserted that "our nation has never before in its history been so united and of the same opinion as it is today."

The nation, *Prace* declared, stands firmly behind Mr. Dubcek, Premier Oldrich Cernik; Josef Smrkovsky, the National Assembly president, "and the progressive representatives of the Communist party and Government."

These forward-looking leaders, the paper said, quite clearly showed our friends, as well as those who criticized our liberalization process, that they represent a sovereign people and a sovereign state.

Prace and other newspapers were again full of resolutions from the public declaring that Czechoslovakia will go its way come what may.

The Czechoslovak Academy of Science, for example, wrote to the Soviet Academy of Science, one of whose members recently accused Czechoslovakia of betraying the Communist cause. "The friendship with your country," the Czechoslovak scientists pointed out, "is still the basis" of the policy. However, the letter added, "we insist that you try to better understand what is going on in our country."

The Czechoslovak academicians invited their Soviet colleagues to send a delegation "to visit us" so that the Soviet scientists would "not only get the information about our country that is being greatly distorted in your press."

A letter from the Prague Hospital staff read in part: "We reject all the slander concerning our leading representatives." The letter rebuked the Soviet for accusing Czechoslovak officials of revisionism and counter-revolutionism, asserting, "we are also a cultured nation with a tradition of many centuries and with a high average intelligence."

REMOVE FOREIGN SOLDIERS

"We want to build Socialism, but on the basis of the highest freedom for man and on humanist values. We demand that everyone take our liberalization process for what it is. Leave us our Sovereignty and remove all foreign soldiers from our territory."

A *Prace* reporter talked with some Soviet Army officers yesterday, reporting that they had packed and expected to be gone within two days. "This is your affair and we wish you much luck," the *Prace* reporter said the Soviet officer told him.

ANTI-BONN POSITION

Trybuna Luda said it was especially concerned by the efforts of certain Czechoslovak officials to revise the Warsaw Pact's common stand against the Federal Republic of West Germany.

Shortly after Romania recognized West Germany, the other Eastern European alliance states met and reached a secret agreement that none of them would exchange ambassadors with Bonn unless the Federal Republic:

1. Formally recognized the East German Government.
2. Recognized the Oder-Neisse line as Germany's permanent frontier with Poland.
3. Renounced all access to nuclear weapons.
4. Declared the 1938 Munich treaty invalid from its inception.

WARSAW ATTACK

In Warsaw this morning an unsigned but plainly official article in *Trybuna Luda*, the Polish Communist party newspaper, sharply attacked Czechoslovakia, warning that no country can be permitted to break out of the common front.

"If in a Socialist country the forces of reaction threaten the basis of socialism it is at the same time an assault on the interests of the other Socialist countries," *Trybuna Luda* asserted.

The paper clearly showed that the five orthodox Communist nations are deeply concerned about the very existence of the Warsaw Pact, commenting: "Its strength and ability to endure" depends upon the internal developments in each member country.

THREATENS SECURITY

"He who would break the backbone of the Socialist States threatens the basis of our alliance, our unity and the security of our fraternal countries," the newspaper declared, adding:

" 'It is NOT so much the fact that the anti-Communist reaction is rising against socialism, for this it does all the time everywhere, but above all that its activity and its appeals are tolerated "in Czechoslovakia" within the framework of 'democratization' and are not met with determined resistance.' "

Trybuna Ludu complained that the anti-communist reaction is finding a "favorable tribune" in the "columns of the Czechoslovak press, on the radio and on television" as well as "in the ranks of the party itself."

[From the Washington Evening Star, July 18, 1968]

CZECHS AGAIN DEFY SOVIET BLOC, STICK TO LIBERAL POLICY

PRAGUE.—Bolstered by the support of President Tito and Western Europe's two biggest Communist parties, Czechoslovakia's liberal Communist leadership defied the Kremlin and its orthodox allies in Eastern Europe again today.

The Czechoslovak party's presidium replied to the tough demands from the Soviet Union and four other Red governments for reversal of Prague's liberal course by declaring there is nothing "counter-revolutionary" about it.

"We don't see any realistic reasons permitting our present situation to be called counter-revolutionary," the party presidium said in a statement published by the Czechoslovak news agency CTK.

FEAR SPREAD OF DRIVE

The statement replied to a letter from the Warsaw conference Sunday and Monday of Communist leaders from the Soviet Union, East Germany, Poland, Hungary and Bulgaria. The Russians, Germans and Poles particularly fear the liberal ferment in Czechoslovakia will spread to their own potentially restive people.

The Czechoslovak reformist regime of Alexander Dubcek already had pledged to continue liberalization, saying it had full support of the people.

The Warsaw letter and a further declaration by the Soviet Communist party's central commitee were published in the Soviet press today. They amounted to the strongest and most extraordinary public demands made on a Soviet ally in recent years.

CLAIMS REJECTED

The Czechoslovak presidium called the party central committee to meet tomorrow to approve the reply to the Warsaw letter.

The reply rejected claims by the fearful orthodox that the Communist system in Czechoslovakia was in danger, that the country was preparing to change its foreign policy and "that there is concrete danger of separating our country from the Socialist society."

It expressed surprise at the criticism and said the Czechoslovak Communists consistently base their actions on the principles of Socialist internationalism, the Warsaw Pact alliance and the development of friendly relations with the Soviet Union and other Socialist states.

PURGE DEMANDED

The demands by the Soviet Union and hard-line allies called for Dubcek to restore dictatorial party control, reimpose press censorship and purge liberals from the party. The Warsaw letter accused the Czechoslovak leaders of failing to correct an "absolutely unacceptable" situation.

It also vowed support for the remaining conservatives whom the liberals hoped to oust from the party central committee at a party congress in September.

Neither the letter nor the resolution of the Soviet party, urging "a decisive struggle," said what action would be taken if the

Dubcek regime did not give in to the demands.

Meanwhile, the Italian Communist party reaffirmed its solidarity with the Czechoslovak liberalization drive today and called for independence for every Communist party in the world.

BACK CZECH COURSE

The Italian Communist leadership said it "is convinced that the understanding and fraternal and faithful support by the other Communist parties can make a valid contribution to the Czechoslovak Communist party to fight the dangers present in this process of renewal."

An Italian delegation and French Communist party chief Waldeck Rochet were in Moscow earlier this week to urge that the Czechoslovaks be left alone to develop their own policies.

The Prague government announced that Rochet will arrive tomorrow.

Sources in Belgrade disclosed plans to visit Prague by both Tito, who has taken his country along an independent course since he broke with Stalin in 1948, and Romanian Communist leader Nicolae Ceausescu, who has been increasingly defiant of Kremlin control.

A public opinion poll published in Prague yesterday showed the people are overwhelmingly behind Dubcek;, and 91 percent of those queried asked that Russian troops withdraw as soon as possible.

The Czechoslovak army said Soviet troops who stayed after the end of Warsaw Pact maneuvers last month were moving out "according to schedule." It said "all Soviet troops" would leave the country but gave no date.

[From the Washington Evening Star, July 30, 1968]

THREAT TO CZECHS MUTES LIBERALS

(By David Lawrence)

Paradoxes are numerous these days, but none is more conspicuous than the absolute silence about Czechoslovakia which is being maintanied by virtually all the groups, organizations, college professors, liberals and others in America who zealously expound the doctrine that people have a right to determine their own form of government.

No such silence prevailed when Rhodesia, for example, tried to solve its internal problems with respect to racial relations. In fact, the United States has joined with other members of the United Nations in imposing almost total sanctions on trade with Rhodesia.

But here is Czechoslovakia threatened by military intervention by the Soviet government if something in line with Moscow-style communism is not adopted. Yet no voices are raised anywhere in Europe or in this country even to express sympathy with the democratic elements in Czechoslovakia which are trying to modify their form of government. Meanwhile, the Soviets are making military threats and have actually mobilized troops on the border of Czechoslovakia to coerce the latter into acceptance of Moscow's dictatorial policies.

The Czech leaders are not trying to abolish communism, but seeking to modify it so that it will be more democratic. They already are permitting considerable freedom of speech, freedom of assembly, and freedom of the press. The Soviet government, however, apparently feels it has the right to dictate to the leaders in Prague what they may or may not do in domestic policies.

Members of the 11-man Communist body ruling Czechoslovakia are conferring with top Soviet leaders who have come from Moscow to a meeting on Czech territory near the Soviet border. Upon the outcome of this conference depends whether the Soviet Union will intervene militarily to force the present government to come to terms or will establish a new regime that will adhere to the kind of communism which the Soviets apply throughout the areas they control. Moscow is being supported by Poland, East Germany and Bulgaria—over which it maintains an iron hand—and to a lesser extent by Hungary, which is still occupied by Soviet troops.

The Kremlin leaders are demanding of Czech officials that they turn back toward the Soviet kind of communism—including a resumption of press censorship and the suppression of all non-Communist political activities. Even more, the Czechs are being coerced into maintaining their alliance with the Communist-bloc nations and are being warned about getting too friendly with West Germany or other non-Communist countries. The threat of Soviet military intervention is constant.

The crisis is bound to affect the future of the satellite states in Eastern Europe. Yugoslavia under Tito long ago broke away from Soviet domination, but does have friendly relations with Moscow. Rumania, too, has in recent years asserted more and more independence.

It is understandable that the American government would, for diplomatic reasons, choose to be silent. Washington has kept a hands-off policy in the Czechoslovak controversy because of a belief that nothing should be done that would give Moscow a chance to blame Western governments for what is happening in Czechoslovakia.

When the United States goes to the assistance of a country which is trying to determine its own form of government—such as South Vietnam—"liberals" denounce this as "aggression." Yet they remain silent as the Soviets seek to deny even to "liberal" Communists the right to set up their own system of government within Czechoslovakia. The mobilization of Soviet military forces is plainly a threat of aggression against Czechoslovakia, but none of the Communist parties—in France, Italy or this country—is willing to recognize it.

Certainly there is nothing to prevent private organizations and some of the articulate professors and scholars in America and Western Europe from condemning publicly in most vehement terms the Soviet intervention in the internal affairs of Czechoslovakia. But silence seems to be the rule.

[From the New Leader, Aug. 26, 1968]

WHY MOSCOW FEARS THE CZECHS

(By Victor A. Velen)

The New Course in Czechoslovakia is one of the most important political and social phenomena of the postwar period. Should it be repressed by Soviet intimidation or armed intervention, the repercussions could cause a serious regression in international relations. Should it succeed, this union of democracy and socialism could become a political model for other countries to follow, in the West as well as in the East.

In the effort to explain their position to the Russians, the present Czech leaders have portrayed the New Course as a revival rather than a betrayal of socialism—a revolution aimed at transforming an authoritarian, pseudo-socialist society into a humanitarian "socialist democracy." That the Russians have been incapable of grasping its real nature is understandable, since recent events in Czechoslovakia represent the antithesis of the evolution of Soviet society. Their fear is also understandable, since these events call into question the very viability of the Soviet political system. For they offer proof once again that freedom is a basic motive in history, that the more a society advances, the more imperative the need for freedom becomes.

Throughout their 20-year history, a chronic ailment of the so-called "peoples' democracies" has been a steadily diminishing national consensus. Immediately after World War II, power in these countries was held by a relatively large number of disciplined, idealistic Communists backed by the mass of the working class and the intellectuals. The period of Stalinist terror, and the years of uninspiring collective rule, narrowed down this base of power to an ossified governmental bureaucracy and a sterile Party apparatus. The average citizen became alienated from public life, concerned only with his personal economic and political survival.

In the past decade, however, a new political consciousness has been awakening among the younger generations, who have begun to reject the system that raised and indoctrinated them. They have come to recognize that "man does not live by bread alone": A comparatively secure job and an advanced social security system has not been able to replace their yearning for certain fundamental political ideals.

The revolutionary rumbling in Hungary and Poland following Stalin's death were efforts to broaden the bases of these regimes by eliminating Stalinist methods and practices. But in both cases the primary motivating factor was nationalist sentiment in defiance of Russian domination. The common denominator of the Hungarian Freedom Fighters and the Polish reformists was that they were anti-Russian, and to the extent that they identified the Russians with socialism, also anti-socialist.

The historical and social premises of the Czech revolution are entirely different, as have been its results. Except for East Germany, Czechoslovakia is the only country in Eastern Europe with an old artisan and industrial—as opposed to a rural—tradition. It shared in the general Western European Enlightenment, and has had experience in the formation of democratic ideas and institutions. That is why, incidentally, Czechoslovakia was one of the few countries in Eastern Europe to have a prewar Communist party—the third strongest in the country—represented in Parliament. Thus the search for a new social pattern has not sprung from national aspirations or hatred of the Russians, but from a desire to combine socialism with the older Czechoslovak humanitarian, democratic heritage.

This combination is basically nothing more than a return to pre-Marxian socialism, usually regarded by Communists as petit bourgeois and utopian. It is predicated on the belief that modern socialism can move forward only on the basis of the freedoms (the bourgeois freedoms, as Marx called them) wrung from the ruling classes in the course of centuries of struggle—out of which emerged the great principles of modern democracy that invest sovereignty in the people.

These principles have surfaced spontaneously in Czechoslovakia since last January, but naturally they will not suffice in themselves. They must be anchored in institutions so that no change in line can sweep them away administratively, as has happened in Poland, for example. The road traveled from the "Polish October" of 1956, with its affirmation of free speech, to the anti-Semitic, fascistic campaign waged by the Polish regime in repressing the students during the Warsaw riots of 1968, is ample proof that to survive principles must be transformed into legislation.

The Czechs fully recognize this. That is why their first concern, after they eliminated the most powerful Stalinist elements in the highest echelons, was to establish the freedoms of speech and assembly as law. In place of Lenin's simplistic equation, "socialism plus electrification equals communism," the Czechs have devised a more advanced and at the same time more ancient equation, which could be rendered: "Human rights guaranteed in a democratic state, plus scientific progress, plus socialism might at some future date become communism."

The Czechs are probably the first modern society to transform a totalitarian state into one where the citizens actively and effectively

participate in the *res publica*. Translated into terms of East European politics, totalitarianism has meant the uncontested rule of an oligarchy—neither elected nor revocable—which claims not only to rule in the name of the proletariat but also to be its supreme expression. In fact, this oligarchy has no connection with the proletariat and maintains its power monopoly for the sake of power alone. The elevation of Marxist theory into a state religion—an empty conglomerate of hollow phrases and formulae—has precluded the objective analysis of real problems and consequently any attempt to solve them.

Czech philosophers have worked for the past eight years to break through this totalitarian vise, and the Prague spring owes much to their conclusions. Writing in the Italian Communist weekly *Rinascita* last June, Karel Kosik went to the heart of the matter: "The Czechoslovak events do not constitute one of the *usual* political crises, one of the *usual* economic crises, but rather a crisis in the underlying premises of contemporary ideas on reality as a system of general manipulation, Humanistic socialism, for whose existence or non-existence the struggle is taking place now in Czechoslovakia, is a revolutionary and liberating alternative. . . . If the Czechoslovak experiment should succeed—and its success depends on whether it will be realized without compromise and half-solutions—we shall be confronted with practical proof that the system of general manipulation may be overcome in its own main contemporary forms: bureaucratic Stalinism and capitalist democracy. . . ."

From January 1968 on, the Czechoslovak public has become aware of the beginnings of "participatory democracy": Political and special interest groups have mushroomed, the organizational and ideological activities of the Communist party have included a greater percentage of its membership. At no time since the Russian Revolution (with the exception of the resistance movements in World War II), has a European Communist party known such an abrupt increase in popular support. According to a public opinion survey published in *Rude Pravo* on July 13, in January only 17 percent of the population had confidence in the ability of the Party to lead the state; by July this figure had increased to 51 percent, with 89 percent supporting the policies of the government.

If widespread participation and support continues, the Czechoslovak experiment may provide a solution to crises that have plagued the social systems of both East and West. Since World War I, for example, it has become increasingly evident that Western parliamentry rule is an inadequate instrument of modern government. Indeed, the more a society relies on scientific solutions, the more "partitocracy" (to use the Italian expression for party rule) comes to resemble authoritarian rule, though still retaining its democratic image in the minds of the people.

Conceivably, the replacement of parties by autonomous political and economic interest groups, intellectual clubs, youth circles, trade unions, agricultural cooperatives, etc., would constitute a permanent forum for national policy and planning much more responsive to the will of the people than the congresses and parliaments of the west. The kind of political stagnation that took place in France under the party rule of the Fourth Republic might no longer be possible. This remodeling of the political organs of state, based on the direct participation of all strata of the population, is a modernized version of the principles set forth by the early humanitarian socialists and anarchists: Saint-Simon, Fourier, Proudhon and Kropotkin.

All speculation is idle, of course, so long as Czechoslovakia remains in an almost impossible political situation. It is virtually surrounded by hostile governments which, in the name of socialism, fear any form of revitalization based on popular expression and assent. The Soviet Union is far less concerned about the independent course taken by Rumania, for instance, because the authoritarian, bureaucratic structure of the state has so far not been challenged there.

The possibility of direct Soviet intervention in Czechoslovakia now appears to depend largely on Russia's judgment of its feasibility. Every likely protest for intervention—including clumsy and obvious attempts at provocation—has certainly been sought. As the war of nerves continues, the world is witnessing new and unequivocal proof of the fundamental differences between libertarian socialism and the authoritarianism of the Soviet stamp.

Although Lenin can in no sense be considered a democrat (when Spanish Socialist leader Urrutia de los Rios asked him about freedom in the Soviet state, he answered, *"La liberte? Pour quoi faire?"*), he conceived of the dictatorship of the proletariat as a temporary institution, lasting only until socialism had been established. He also envisaged restrictions on freedom of the press as temporary. Both of Lenin's views are now major heresies in Soviet thinking. The distance that separates the first government *équipe* of the Soviet Union, composed of such brilliant intellectuals as Bukharin, Zinoviev and Lunacharski from the Brezhnev-Kosygin team is a measure of the extent to which the Soviet ruling class has been transformed into a mediocre and self-perpetuating bureaucracy, imprisoned in its own rigid ideological armor.

Despite the short period of reform and thaw under Khrushchev, the present Russian leadership not only identifies increasingly with the Stalinist past but is also reverting to Stalinist practices. The repression of dissent, started with the sentencing of writers. Andrei Sinyavsky and Yuli Daniel, has continued in a succession of other trials and condemnations designed to bring recalcitrant intellectuals into line. In contrast to Czechoslovakia, the protests of a few intellectuals and students have been lost among the believing mass. The sociological conditions needed to foster a widespread demand for democratization of the Soviet system are not as yet present.

Formalized, primitive Marxism continues to be accepted unquestioningly, as well as credited with the great technological advances made by the Russians. Lenins' mummy is still the most revered ikon of the Russian cathedral. And the fumes of self adulation have not begun to clear the altars. Polemicizing against the Czech philosopher Vaclav Hencl, who affirmed that socialism can be divided into authoritarian and democratic models, *Pravda* stated flatly: "There can be only one kind of socialism and that is Soviet socialism, which is the supreme form of democracy."

So long as the present Soviet leadership is in power, Russian opposition to the New Course in Czechoslovakia is not likely to soften. Nor is there much chance of a similar evolution taking place in the Soviet Union in the near future, for it would be contrary to the almost exclusively autocratic Russian historical tradition. Nevertheless, while the Czechoslovak experiment may not guarantee the jobs of the party bosses, if allowed to survive, it may well guarantee the future of socialism.

EXCERPTS FROM A SPECIAL EDITION OF THE CZECHOSLOVAK NEWSPAPER, TRIBUNA OTEVRENOSTI

"What is happening here is not a movement whose aim is the restoration of the old order, but a movement which is meant to carry the socialist revolution to a higher, more perfect stage of development, closer to its aims. . . ."

EDUARD GOLDSTUCKER,
President of the Writers Union.

"One of the basic interests, and hence one of the necessities of a country having the cultural and industrial level of Czechoslovakia should be to open its borders to the entire world. I believe that to enclose oneself within a Chinese wall is an expression of weakness. . . ."

JIRI HANZELKA,
Engineer.

"Today the matter of democratization is no longer only an affair of the [mythical] seven courageous men. I would say that it is a concern of all of us, of the hundreds of thousands, I would even say, millions of people in our country. . . . I would like to express my conviction that either we will live in this country in freedom, or we will not live at all. . . . In a revolution of the type which we are now experiencing—a revolution of the word, a revolution of ideas and not of barbaric, violent acts—the solution cannot be simply that the old caste system give way to new privilges, in order solely that new groups take over the power positions and others again appropriate the monopoly of ideas, the implementation of justice, and the education of our children. The solution is that today and tomorrow the entire nation should partake in these duties and responsibilities. . . .

"Socialism, if it wants to succeed, if it wants to be an attraction center for the world, cannot be built on hatred, suspicion, lies and violence, but, on the contrary, should offer man more freedom than any other system, because otherwise its creation would have been useless. . . .

"They are asking us whom we side with in this world. We are with those who, as we, have not renounced the struggle, have not given up the hope that our life could be better. We are on the side of the enslaved, of the suffering, of the unhappy. We are with those who reject the curse of racism, the humiliation of anti-Semitism, persecution and chauvinism, and the conceit of narrow nationalism. We are with those who, gathered around the declaration of human rights, want our time to be friendlier than Hell."

JAN PROCHAZKA,
Author.

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4. INTELLECTUAL FERMENT IN THE SOVIET UNION

[From the New York Times Magazine]

THE NEW TRIALS IN RUSSIA STIR MEMORIES OF STALIN'S DAYS: THIS IS THE WINTER OF MOSCOW'S DISSENT

(By Patricia Blake)

Moscow has just experienced an unusually fierce winter, many smaller towns were snowbound, and grave concern is being expressed in the press about air pollution—all of which is very convenient for Russian intellectuals, who commonly characterize their conditions in meteorological images.

For example, Vladimir Bukovsky, who was sentenced last September to three years in prison for having organized a demonstration protesting the arrest of writers, has offered a comment on the miasma of intellectual life. In a sketch called "A Stupid Question," which appeared before his arrest in the underground magazine Phoenix, Bukovsky complained to a physician: "I just can't stand it any longer. I tried at first to ignore it but I couldn't. . . . I can't, you see, take a really deep breath. . . . The doctors can't help me. . . . But I do so want to take a deep breath sometimes, you know, with all my lungs—especially in the spring. . . . There seems to be some obstruction to breathing. Or isn't there enough air?"

Recently, Yevgeni Yevtushenko complained of the same trouble. In "Smog," a poem datelined Moscow-New York, published in the Soviet magazine Znamya in January of this year, he writes that he is gasping for air. The locale is purportedly New York, but the weather conditions are Russian and clearly

recognizable as such by the Soviet reader. Notices have been posted in bars, the poet says, which read: "You can breathe easily only through vodka."

Yevtushenko uses the device of putting words in the mouths of American writers. Allen Ginsberg is made to say: "Darkness is descending,/ darkness!/ This is the smell of outer hell./ There is no excuse for those/ who can breathe in this stench! In a world of moral vacuum/, in a world of fog and chaos/ the only halfway decent person/ is he who suffocates." In the same poem, Arthur Miller (who has publicly spoken out against the trials of writers in Russia) is described as "stern in his terrible prophecy." Miller supposedly says: "There will be still more burnings at the stake/ by Inquisitions./ Smog/ is the smoke of these stakes to come."

The atmosphere is indeed heavy with menace. Not since 1963, when Khrushchev carried on a ferocious campaign against the liberal intelligentsia, has creative life in Russia seemed in such jeopardy. The two recent trials of writers in Moscow represent only the most visible surface of what is actually taking place. The arrests of hundreds of intellectuals, for offenses ranging from the distribution of anti-Soviet propaganda to armed conspiracy, and other sinister signals suggest that a policy decision has been made, at the highest level, to reintroduce terroristic methods to stifle dissent.

These attempts at coercion have produced, not submission, but defiance more open and more widespread than at any time in the Soviet Union's entire history of persecution of intellectuals. The Communist leadership in Russia, and in parts of Eastern Europe as well, is being confronted with such spectacles as street demonstrations in Moscow, student riots in Warsaw and, in Prague, a resistance among intellectuals so massive that, in Czechoslovakia's newly favorable political climate, it appears to have succeeded in obtaining a reversal of cultural policy.

The pattern of repression, as it has evolved under Brezhnev and Kosygin, is not so easily charted as it was under Khrushchev. For one thing, the style of new leadership in dealing with the unruly intelligentsia is more subdued. No longer is the chief of state heard denouncing abstract painters as homosexuals who (in Khrushchev's words) use human excrement instead of paint. There are no more mass meetings with writers and artists in the Kremlin, no more vast campaigns in the press against internationally known literary figures like Voznesensky and Yevtushenko.

Aims and methods have changed as well. Khrushchev believed for a time that he could turn the aspirations of the liberal intellectuals to his own political purposes; he attempted to gain their support by offering them a measure of freedom, but when they responded, not with gratitude but with ever greater demands, he turned on them with the full range of his celebrated invective. These repeated attempts to woo, then subdue, the intelligentsia produced the seasonal "thaws" and "freezes" that characterized cultural life under Khrushchev.

In contrast, the new leaders have always shown a determination not to allow the intelligentsia to play any sort of political role. Plagued with other problems inherited from Khrushchev, they at first seemed merely to be trying (with little success) to contain the most vociferous libertarians among the intellectuals. Now, however, they have been compelled to take notice of three problems that have strikingly intensified in the post-Khrushchev era: (1) the spread of dissent; (2) the breakdown of controls over the intelligentsia; (3) the publication abroad of suppressed works by Russian writers, much of which is damaging to the prestige of the Soviet leadership, the system and the ideology.

Thus, while Khrushchev relied largely on bombast and threats against dissidents (which he was unwilling or unable to carry out) the present leaders have introduced the technique of staging political trials of intellectuals, while at the same time giving the K.G.B. (Committee for State Security—the secret police) far greater powers in dealing with the intelligentsia than at any time since Stalin's death.

The fact that this policy of selective terror was applied with increasing intensity in 1967, the year of the 50th anniversary of the Bolshevik Revolution, is a measure of the leadership's alarm over large-scale and unrestrained expressions of dissent. The crackdown has, in fact, come as a surprise to Western observers, and to many people in Russian literary circles who believed that the Soviet leadership would make no move to repress the intellectuals until after the anniversary celebrations last November. The existence of dissent would be played down, they said; an appearance of national unity had to be maintained, as well as a semblance of solidarity among the foreign Communist parties still more or less loyal to Moscow. The trial of the writers Andrei Sinyavsky and Yuli Daniel in 1966 had provoked such vehement opposition among foreign Communist leaders that it seemed unlikely the Soviet authorities would invite further embarrassment along these lines.

A number of officially inspired attempts were made before the anniversary to still the continued reverberations of that trial. Many newsmen in Moscow, and visitors from abroad, were systematically informed that Sinyavsky and Daniel would be released on the occasion of the general amnesty in November, provided the Western press would stop reporting the plight of the two writers and left-wing intellectuals would stop agitating about the case. "Dr. Zhivago," The recent writings of Alexander Solzhenitsyn and other suppressed works would soon be published, they were told. It was even suggested that censorship was about to be abolished, the only impediment to complete cultural freedom in the Soviet Union being the meddlesomeness of foreigners.

Nothing of the sort, of course, took place. Instead, the dawn of the anniversary year 1967 was marked by the arrest of a large group of intellectuals in Leningrad whose number has been estimated at from 150 to 300 persons. Precautions were taken by the authorities to prevent this action from causing an international sensation. The arrests were made among obscure persons, in a city where foreign journalists are not stationed. No mention of the arrests was made in the Soviet press. It is only recently, therefore, that some details of the Leningrad case have become known.

The roundup took place in late February or early March, 1967. Among those arrested were a number of Leningrad University professors, law and philosophy students at the university, poets, literary critics and magazine editors. At least one closed trial of four persons is known to have been held, and another is said to be in preparation now. Among those already tried, one is a Professor Ogurtsov, a specialist on Tibet at the university, who was condemned to 15 years at hard labor—the maximum sentence, short of death. A second, Yevgeni Vagin, an editor of a multivolume edition of Dostoyevsky, was sentenced to 13 years.

Those arrested were charged with conspiracy to armed rebellion. It was alleged that they were members of a terrorist network, with contacts abroad, which operated under the guise of various philosophical societies, including a "Berdyayev Circle," named after Nikolai Berdyayev, the Christian philosopher who was an opponent of the Soviet regime because of its suppression of freedom. Members of similar groups, said to be linked with the Leningrad organizations, have reportedly been arrested in Sverdlovsk and in several towns in the Ukraine.

The Leningrad arrests are clearly the most menacing of the coercive actions against intellectuals that have been undertaken in the post-Khruschev period. This is the first time in Soviet history that intellectuals are known to have been arrested and tried for possession of arms for the purpose of rebellion against the state. The charge is indeed so grave that it irresistibly raises the question of whether the arms case was not fabricated by the K.G.B. The purpose of such a provocation would be to smear the whole liberal intelligentsia, which, it might now be alleged, is so disaffected as to be capable of armed rebellion—thus opening the way to arrests on a much larger scale. The attempt by the K.G.B. to connect the Leningrad organizations with groups in other parts of the country suggests that something along these lines is in progress. Moreover, the possession of small arms, of which the Leningrad intellectuals are accused (in Sverdlovsk, they allegedly acquired machine guns), appears preposterous. Under peacetime conditions it would be extremely difficult to smuggle arms into the Soviet Union, and the rigid system of arms control in the police and armed forces requires the strictest accountability for every weapon and every bullet.

Although the arms case in Leningrad carries with it the most fearful implications, the area where selective terror has been applied most intensively under Brezhnev and Kosygin has been the Ukraine. Here, aspirations for intellectual freedom are mixed with demands for cultural autonomy, sometimes shading into Ukraining nationalism. The wave of arrests began in January, 1966, when more than 200 university professors, students, journalists, writers and scientists were secretly tried for having distributed pamphlets in defense of Ukrainian culture and of the use of the Ukrainian language in the Ukrainian Republic. Public protest demonstrations took place in various cities in the wake of these trials. In Lvov, a crowd outside the courtroom showered the van carrying the prisoners with flowers.

The main point made in one letter of protest by a Ukrainian intellectual, Vyacheslav Chernovil, was to be echoed later by defendants at the Moscow trials—i.e., that the freedoms guaranteed by the Soviet Constitution are precisely those that are held to be criminal offenses in court: freedom of press and assembly, and freedom to hold demonstrations. Of judicial procedure, Chernovil wrote: "The secret trial reminds one of a boa constrictor to which a rabbit is thrown for the boa's breakfast, the rabbit having first been granted permission to present the hungry beast with arguments to prove his innocence."

The K.G.B.'s far greater freedom of action in dealing with intellectuals, as evidenced by these cases, appears all the more remarkable in view of the sharp limitation of police power that was established after Stalin's death. No longer does the secret police penetrate all governing institutions and wield extraordinary political power. Mass police terror exists no more. At the same time, however, the Second Chief Directorate of the K.G.B. has a continuity of function that goes back to the old Cheka, the first Soviet secret police, of which it is the direct descendant. It gathers information and prepares dossiers on individuals, regardless of the political climate and of reforms in the society.

Built into the K.G.B., then, is a potential of extreme, oppressive action. It is a ready tool, when a political decision is made to use it, as has apparently happened now, to a still limited but highly suggestive degree. It is significant that the K.G.B. has been unleashed on two groups alone, where dissent runs high: the liberal intelligentsia and Russia's Protestants (particularly the Evan-

gelical Christians and the Reform Baptists), who have been suffering from greatly intensified repression since 1966.

The year 1967 saw a major attempt to rehabilitate the secret service, which, for the Soviet people, is quite properly associated with revolutionary violence, the bloody horror of the great purges, and the 20-year Stalinist terror. All the vast propaganda resources of the Soviet state were mobilized for this purpose. Countless books and articles glorifying the exploits of secret-service agents were cranked out by the state publishing houses during the past year. If this campaign was intended to popularize the K.G.B., it was naive, to say the least. Its main purpose appeared, rather, to rebuild the morale of the secret service and thus increase its efficiency.

The climax of this operation came in December, on the 50th anniversary of the founding of the Cheka, when Yuri Andropov, the head of the K.G.B., addressed Government and K.G.B. leaders in the Kremlin. Andropov assured his listeners that "in recent years our party has done an enormous amount of work to strengthen Socialist legality. . . . Thus our party has shown that there is and can be no reversion in any violation of Socialist legality whatsoever."

How this new Socialist legality actually works has perhaps never been better exemplified in the post-Khrushchev period than by the trial of Sinyavsky and Daniel for having circulated "anti-Soviet" works that were published abroad. A patently prejudicial press campaign took place before and during the trial. The presiding judge, Lev Smirnov, continuously interrupted the proceedings with grossly insulting or ironic interjections about the accused. As scores of Soviet intellectuals have pointed out, the verdict of guilty was clearly prearranged.

Having manufactured the case against Sinyavsky and Daniel, and persuaded the political leadership to make it a show trial, the K.G.B. proceeded to attempt to deal with the consequences. Sergei Bannikov, the general of state security in charge of the intelligentsia, called meetings at which he warned writers in the strongest terms against protesting about the trial. Then, on the eve of the anniversary of the revolution, it was officially announced that two K.G.B. generals had been named to the U.S.S.R. Supreme Court. One was a Maj. Gen. Nikolai Chestyakov. The other was Bannikov, who was designated vice president—one of the three top positions on the court.

Such K.G.B. appointments were unprecedented since Stalin's time; until now the court has maintained a semblance, at least, of judicial objectivity. Certainly the meaning of Bannikov's appointment was not lost on the public: more trials on the Sinyavsky-Daniel model could be expected. In case anyone missed the point, it was made abundantly clear when the Order of Lenin was bestowed on Smirnov, the judge at the Sinyavsky-Daniel trial, "for his services in strengthening Socialist legality."

The most striking aspect of these coercive tactics is that they are not producing the desired results. The simple fact is that the Russian intellectual has, by and large, ceased to be afraid. The old, fearful sense of isolation from which writers and readers, teachers and students, scholars, scientists and artists suffered under Stalin has gradually been replaced by a sense of community that now gives them the courage to risk prison for the sake of commonly shared principle. This change seems very nearly miraculous when one considers how intellectually, artistically and morally stupefying was Stalin's terror. "They only ask you," said Boris Pasternak of the Soviet authorities, "to praise what you hate most and grovel before what makes you most unhappy."

Today intellectuals of all ages are openly calling, not only for greater intellectual and artistic freedom, but, increasingly, for fundamental changes in Soviet society. They are fighting for their beliefs from the prisoner's dock, on the streets, in underground books and magazines and, indeed, on any tribune they can find—including the foreign press. They throw flowers on paddy wagons, demonstrate outside courtrooms, and assemble in public squares carrying placards calling for adherence to the Constitution. They hold illegal press conferences for Western newsmen where they accuse Soviet newspapers of slander, and threaten to sue. They draft letters, signed by a who's who of Soviet literature, science and scholarship, demanding an end to violations of the law, and address them to Brezhnev and Kosygin, the Politiburo, the Supreme Court, Pravda and Izvestia, and circulate them all over Moscow. In short, the liberal intelligentsia is confronting the Soviet leadership with its own myths.

The evolution of courage and conscience that has made these events possible in the present period of severe repression began much earlier in the post-Stalin era. The most obvious, and crucial, precondition was, of course, the elimination of mass police terror after Stalin's death. This, however, did not immediately lift the pall on the Soviet people; terror had been internalized far too long. For those intellectuals who had survived the purges, the reflex of distrust and deception was not easy to master. Soon, however, there were some stirrings of dissatisfaction—but these were limited to the cultural sphere, to censorship and other forms of artistic control. Skepticism about the basic values of the system began to become apparent only after Khrushchev's revelations of Stalin's crimes in 1956.

The scope of the reaction among intellectuals—and, indeed, among the public at large—may be appreciated when one considers that the whole ideological schema of Communism and the entire political and economic system had been for 30 years inextricably linked with the person of Stalin. The destruction of the Stalin myth put into question the legitimacy of the new leadership and, in fact, nothing less than the *raison d'etre* of the Soviet system.

At this juncture, writers and poets began to command considerable influence over public opinion. A policy of relative permissiveness from 1956 to the end of 1962 (with some seasonal setbacks) resulted in the appearance of a mass of books and articles which criticized, in scarcely veiled terms, virtually every aspect of Soviet society, and which attracted a mass readership running into the millions. The publication in November, 1962, of Alexander Solzhenitsyn's harrowing novel of a Stalinist concentration camp, "One Day in the Life of Ivan Denisovich," led writers and readers to believe that the whole bloody history of the Stalin era could at last be publicly ventilated, and the most wicked of Stalin's accomplices purged from the governing bureaucracies.

Khrushchev, alarmed by the scope of expectations of the intellectuals, reversed himself in 1963. There followed a seven-month press campaign which excoriated intellectuals, and which was accompanied by censure meetings held all over the country. Liberals who had captured positions of influence in the cultural organizations (like the Writers Unions) were replaced by diehard Stalinists, and all references to Stalin's crimes were banned from literature. It was then, in response to Khrushchev's offensive, that intellectuals began to develop the sense of common cause they are so dramatically demonstrating today. The writers and other intellectuals under fire in 1963 steadfastly refused to recant, despite fearful pressures. Some remained silent; others counterattacked and defended one another.

During the first year after Khrushchev's fall in 1964, it became clear that administrative controls were inadequate to contain public expressions of dissent. Literary works of a highly unorthodox and critical nature were slipping past the censorship, and selling out at once, often in editions of 100,000 copies.

The distribution of mimeographed underground magazines and books had reached such proportions that the great Russian poet Anna Akhmatova, before her death in 1966, could airily say on a visit to Europe that "our literature has no need of Gutenberg's invention." Perhaps most galling of all, works unpublished in Russia, like those of Abram Tertz and Nikolai Arzhak, were reaching Western publishers almost as fast as they were being written.

The turning point of cultural policy under Brezhnev and Kosygin came in February, 1966, when the leadership gave the K.G.B. license to step in where nonterroristic controls had failed. The show trial of Sinyavsky and Daniel was the immediate consequence. All the subsequent arrests and trials of writers and intellectuals in Moscow in 1967 and 1968 proceed directly from this case.

The trial of Sinyavsky and Daniel was an event equivalent in its divisive impact on Soviet society to that of the Dreyfus case on France in the eighteen-nineties. The reaction to it both reflected and intensified the struggle between the liberal intellectuals and other people of conscience and vested authority. It served to mobilize the intelligentsia already united by the onslaughts of 1963, into expressing its indignation almost with a single voice. It made many older intellectuals, silent until then with their fearful memories of Stalinism, openly commit themselves to the liberal camp. And it raised the issue, in the most compelling public fashion, of the contradiction between "Socialist justice" and brutal reality.

The significant fact about the trial is that the two writers, charged with circulating "anti-Soviet" writings, readily admitted that they were the pseudonymous authors of the works in question, but denied that they were guilty of a crime. Their testimony and final pleas constitute a defense less of themselves than of literature itself, and a condemnation, in overwhelmingly eloquent terms, of the grossly simplistic and Philistine criteria applied to literature by the Soviet authorities for the past 30 years. Had they pleaded guilty, as the court evidently expected, they would have got off with lighter sentences. (Sinyavsky was condemned to seven years of hard labor and Daniel to five.)

It was clear that they wished to make examples of themselves, so that others might carry on after them. This hope was completely realized. The trial utterly failed in its purpose of terrorizing intellectuals. On the contrary, the behavior of the defendants infused the liberal intellectuals community with a new sense of pride and honor. Sinyavsky and Daniel had established a standard of conduct which henceforth others would strive to meet. In sum, the moral quality of intellectual life in Russia was immeasurably raised by their action.

Not one prominent writer in Russia, except Mikhail Sholokhov, could be found to endorse the trial, while protests signed by hundreds of famous writers, scholars and scientists poured into Government agencies and newspapers. Opposition to the trial by European Communists became so strident that foreign Communist newspapers were banned for a time from Soviet newsstands. But, substituting for a free press, the foreign short-wave radio stations, the Voice of America, Radio Liberty, the B.B.C. and Deutsche Welle repeatedly beamed the trial transcript (which had been smuggled abroad) and the text of all the protests to their millions of listeners in Russia.

Thus the Sinyavsky-Daniel trial boomeranged by causing a national and international scandal, as well as by stiffening the intelligentsia's resistance. In May, the Congress of the Stalinist-dominated Soviet Writers Union was boycotted by leading liberals, and

Alexander Solzhenitsyn, Russia's finest living prose writer, addressed his now-famous letter to the congress demanding the abolition of censorship. He charged that the K.G.B. had confiscated his manuscripts and that the leadership of the Writers Union, far from defending authors from such outrages, had a long history of being "always first among the persecutors" of writers who were slandered, exiled, imprisoned and executed. The reaction of the authorities was simply to hit harder—in Moscow, at the heart of resistance.

The first of the Moscow trials, in September, 1967, involved three young men charged with organizing a demonstration on Pushkin Square against the arrest of some literary figures a few days earlier. In the second trial, at the beginning of January, 1968, four young people, including two underground writers, Alexander Ginzburg and Yuri Galanskov, were accused of circulating an underground magazine, Phoenix '66.

Galanskov was said to have privately drafted a new constitution for the Soviet Union and distributed it among his friends. Ginzburg was also charged with editing and circulating a "White Book" on the Sinyavsky-Daniel case, consisting of the trial transcript, protests by Soviet intellectuals and a letter of his own to Kosygin in which he said: "I love my country and I do not wish to see its reputation damaged by the latest uncontrolled activities of the K.G.B. I love Russian literature and I do not wish to see two more of its representatives sent off to fell trees under police guard."

Ginzburg was sentenced to five years and Galanskov to seven. The third defendant, who turned state's evidence, was let off with two years, while the fourth, who was accused merely of typing manuscripts for the others, received a one-year suspended sentence.

In these trials, the authorities made determined efforts to seal off the proceedings so that any resistance on the part of the defendants would not become public. Except for a handful of relatives of the accused, the courtrooms were packed with preselected persons, who, according to one witness, read magazines or dozed during the trials, rousing themselves from time to time to utter "animal-like hoots and cries for severe penalties." The September trial received a brief mention in a Moscow newspaper, which stated that the accused had confessed their crime.

Thereupon, a 30-year-old physicist, Pavel Litvinov, the grandson of the late Foreign Minister Maxim Litvinov, saw to it that the actual testimony of one defendant was communicated to the foreign press.

It showed that the defendant, the 25-year-old writer Vladimir Bukovsky, not only had pleaded not guilty but had defended his right to demonstrate publicly under the Soviet Constitution. He protested that the investigation of his case had been conducted, not by the prosecutor's office, but by the K.G.B., in violation of the law. Bukovsky, who was sentenced to three years, ended his plea as follows: "I absolutely do not repent for organizing the demonstration. I find that it accomplished what it had to accomplish, and when I am free again, I shall again organize demonstrations—of course, in complete observance of the law, as before."

Litvinov further made public the record of his interrogation by a K.G.B. officer in which he defied a threat to arrest him if he circulated the Bukovsky transcript. After it was sent abroad, Litvinov told an American newsman that he had not been bothered since by the K.G.B. "When the K.G.B. sees that a man is not afraid of them, they do not call him in any more for more conversation. When they call him again, it's for good." Litvinov was immediately fired from his teaching job.

Ginzburg and Galanskov pleaded not guilty at the five-day trial in January. Said Ginzburg of the contents of his White Book. "Any patriot is obliged to give up his life for his country—but not to lie for it."

News of the defendants' resistance quickly leaked out to the crowd of some 200 sympathizers who gathered on the street, in freezing weather, outside the courtroom. What took place was tantamount to a five-day press conference by friends of the accused with foreign journalists. K.G.B. men continuously mingled in the crowd, taking pictures of the protesters. Shouted a former major general, Pyotr Grigorenko: "You can't intimidate me. I bled for this country!" As the defense lawyers filed out of the courtroom, they were given red carnations by persons in the crowd.

Among those who kept a vigil outside the courtroom were Alexander Yesenin-Volpin, the son of the famous poet Sergei Yesenin, who committed suicide in 1925 and Pyotr Yakir, the son of Maj. Gen. Iona Yakir, who was executed during the purges of the Red Army in 1937, then "posthumously rehabilitated" after Stalin's death. Yakir distributed an appeal saying that the trial "has gone beyond all bounds in suppressing human rights. Even Andrei Vyshinsky would have envied the organization of this trial."

Shortly before the court sentenced the defendants, Pavel Litvinov and Mrs. Yuli Daniel issued a statement to foreign journalists, asking that it be published and broadcast as soon as possible. "We are not sending this request to Soviet newspapers because that is hopeless," they said. They called the trial "a wild mockery of justice . . . no better than the celebrated trials of the nineteen-thirties, which involved us in so much blood that we still have not recovered from them." The judge, they said, allowed only evidence "which fits in the program already prepared by the K.G.B."

Following this, 12 intellectuals, including Litvinov, Yesenin-Volpin, Yakir and Grigorenko addressed a similar statement about the trial to the Presidium of the conference of 66 Communist parties that opened at the end of February in Budapest for the purpose of strengthening their unity. One can imagine the reaction of the Soviet authorities on learning that the first news to reach the world of this parley consisted in front-page stories in The New York Times and other Western papers of an appeal by 12 Russian intellectuals to the conference's participants "to consider fully the perils caused by the trampling of man in our country."

One consequence of the Moscow trials was that the convicted writers gathered support from persons completely outside Moscow literary and intellectual circles, and for entirely extra-literary reasons. For example, among the signers of the appeal to the Budapest Conference were a former major general, the son of a general and the son of a Foreign Minister, a leader of the Crimean Tartar minority and a Russian Orthodox priest.

From as far away as Latvia came a letter to Mikhail Suslov, the Politburo member and party ideologist, from the chairman of a model collective farm who, in 1964, had been highly praised in the Soviet press. This letter, which was published, not in Russia but in The New York Times, called on the party to reach an understanding with the young rebels, rather than put them on trial. "Such dissenters will," the writer predicted, "inevitably create a new party. Ideas cannot be murdered with bullets, prison or exile." After describing the remoteness of the countryside where he lives, he said, addressing the Central Committee of the party, "If information has reached us on the broadest scale, you can well imagine what kind of seeds you have sown throughout the country. Have the courage to correct the mistakes that you have made, before the workers and peasants take a hand in this affair."

Protest against the trial also brought together two formerly distinct and antithetical groups within the intelligentsia itself. Until now, only one group, the "loyal opposition"—well-known published writers and respected scholars and scientists—had publicly expressed resistance, in relatively moderate terms, against attempts at coercion by the authorities. Now another group, "the underground"—dissidents who despair of effecting change through established channels—was making itself heard with unprecedented boldness in response to the persecution of Ginzburg and others among their members.

These two groups were first seen to join forces when 31 leading writers, scholars and scientists (including three members of the Academy of Sciences) addressed a protest against the Ginzburg trial to the Moscow City Court. Later appeals by loyal oppositionists included one signed by 80 more prominent intellectuals, and another signed by 220 top scientists and artists, from Moscow, Leningrad, Kharkov, Magadan and Dubna, the Soviet atomic center. In mid-March, 99 mathematicians, including seven Lenin Prize winners, rallied around Yesenin-Volpin (who is both an underground poet and a mathematician) in a protest aginst his forcible confinement in a lunatic asylum after he had participated in the demonstration outside the courtroom at the Ginzburg trial.

The central issue raised by all these protests (none of which was even mentioned in the Soviet press) was perhaps most eloquently defined by Pyotr Yakir in an appeal which is now being widely circulated in Moscow. "The inhuman punishment of members of the intelligentsia is a logical extension of the atmosphere of public life in recent year," he wrote. "The process of the restoration of Stalinism is going on—slowly but remorselessly." "The naive hopes" encouraged by de-Stalinization in 1956 and 1961 have not been realized. On the contrary, "the name of Stalin is being pronounced from the highest platforms in an entirely positive context."

Yakir, who spent 17 years in a Stalinist camp, deplores the fact that 10th-rate books praising Stalin are being published, while those that describe his crimes are being suppressed. His statement ends with an appeal to creative people in Russia to "raise your voices against the impending danger of new Stalins and Yezhovs. . . . We remind you that people who dared to think are now languishing in harsh forced-labor camps. Every time you are silent, another stepping-stone is added, leading to new trial of a Daniel or a Ginzburg. Little by little, with your acquiescence, a new 1937 may come upon us."

Does the future hold a return to terror on the scale of the great purges of 1937–38? Clearly, the Soviet leadership finds itself in an impossible dilemma. On the one hand, it must now be clear that much larger doses of terror must be administered if the intelligentsia is to be silenced, and its influence on public opinion curbed. One sinister omen was contained in an article in Pravda last March 3, in which the recent Moscow trials were said to be as justified as the purge trials of the thirties—trials that have scarcely been mentioned favorably in the Soviet press since Khrushchev's de-Stalinization speech in 1956. On the other hand, the cost of a return to mass police terror would be incalculably high. It would reverse the effect of all Soviet policies designed to bring Russia into competition with the modern world, including those that offer individual incentives for industrial production and technological and scientific creativity. Moreover, the internal dynamic of the Stalinist police state, once provided by the myth of Stalin and by ideology, could not be restored in a society now rent by skepticism and dissent. Finally, a powerful secret police apparatus on the Stalinist model might well devour the political leaders who had revived it.

How Brezhnev and Kosygin will deal with this critical situation is still unclear. On the surface it would seem that a brutal showdown

is at hand. Yet the Soviet leaders may be borne by the force of inertia and indecision that has determined their handling of other crises, both domestic and foreign. If so, we may be certain that the aspirations of the liberal intelligentsia, rising now for more than a decade, will continue to confront the leadership in irreversible and irremediable conflict.

[From the New York Times, July 22, 1968]

TEXT OF ESSAY BY RUSSIAN NUCLEAR PHYSICIST URGING SOVIET-AMERICAN COOPERATION

(NOTE.—Following is the text of an essay, titled "Thoughts on Progress, Peaceful Coexistence and Intellectual Freedom," by Academician Andrei D. Sakharov, Soviet physicist, as translated by The New York Times from the Russian manuscript.)

The views of the author were formed in the milieu of the scientific and scientific-technological intelligentsia, which manifests much anxiety over the principles and specific aspects of foreign and domestic policy and over the future of mankind. This anxiety is nourished, in particular, by a realization that the scientific method of directing policy, the economy, arts, education and military affairs still has not become a reality.

We regard as "scientific" a method based on deep analysis of facts, theories and views, presupposing unprejudiced, unfearing open discussion and conclusions. The complexity and diversity of all the phenomena of modern life, the great possibilities and dangers linked with the scientific-technical revolution and with a number of social tendencies demand precisely such an approach, as has been acknowledged in a number of official statements.

In this pamphlet, advanced for discussion by its readers, the author has set himself the goal to present, with the greatest conviction and frankness, two theses that are supported by many people in the world. The theses are:

[1]

The division of mankind threatens it with destruction. Civilization is imperiled by: a universal thermonuclear war, catastrophic hunger for most of mankind, stupefaction from the narcotic of "mass culture" and bureaucratized dogmatism, a spreading of mass myths that put entire peoples and continents under the power of cruel and treacherous demagogues, and destruction or degeneration from the unforeseeable consequences of swift changes in the conditions of life on our planet.

In the face of these perils, any action increasing the division of mankind, any preaching of the incompatibility of world ideologies and nations is madness and a crime. Only universal cooperation under conditions of intellectual freedom and the lofty moral ideals of socialism and labor, accompanied by the elimination of dogmatism and pressures of the concealed interests of ruling classes, will preserve civilization.

The reader will understand that ideological collaboration cannot apply to those fanatical, sectarian and extremist ideologies that reject all possibility of rapprochement, discussion and compromise, for example, the ideologies of Fascist, racist, militaristic and Maoist demagogy.

Millions of people throughout the world are striving to put an end to poverty. They despise oppression, dogmatism and demagogy (and their more extreme manifestations—racism, Fascism, Stalinism and Maoism). They believe in progress based on the use, under conditions of social justice and intellectual freedom, of all the positive experience accumulated by mankind.

The second basic thesis is that intellectual freedom is essential to human society—freedom to obtain and distribute information, freedom for open-minded and unfearing debate and freedom from pressure by officialdom and prejudices. Such a trinity of freedom of thought is the only guarantee against an infection of people by mass myths, which, in the hands of treacherous hypocrites and demagogues, can be transformed into bloody dictatorship. Freedom of thought is the only guarantee of the feasibility of a scientific democratic approach to politics, economy and culture.

But freedom of thought is under a triple threat in modern society—from the opium of mass culture, from cowardly, egotistic and narrow-minded ideologies and from the ossified dogmatism of a bureaucratic oligarchy and its favorite weapon, ideological censorship. Therefore, freedom of thought requires the defense of all thinking and honest people. This is a mission not only for the intelligentsia but for all strata of society, particularly its most active and organized stratum, the working class. The worldwide dangers of war, famine, cults of personality and bureaucracy—these are perils for all of mankind.

Recognition by the working class and the intelligentsia of their common interests has been a striking phenomenon of the present day. The most progressive, internationalist and dedicated element of the intelligentsia is, in essence, part of the working class, and the most advanced, educated, internationalist, and broad-minded part of the working class is part of the intelligentsia.

This position of the intelligentsia in society renders senseless any loud demands that the intelligentsia subordinate its strivings to the will and interests of the working class (in the Soviet Union, Poland and other socialist countries). What these demands really mean is subordination to the will of the party or, even more specifically, to the party's central apparatus and its officials. Who will guarantee that these officials always express the genuine interests of the working class as a whole and the genuine interests of progress rather than their own caste interests?

We will divide this pamphlet into two parts. The first we will title "Dangers," and the second, "The Basis of Hope."

DANGERS

The threat of nuclear war

Three technical aspects of thermonuclear weapons have made thermonuclear war a peril to the very existence of humanity. These aspects are: the enormous destructive power of a thermonuclear explosion, the relative cheapness of rocket-thermonuclear weapons and the practical impossibility of an effective defense against a massive rocket-nuclear attack.

[1]

Today one can consider a three-megaton nuclear warhead as "typical" (this is somewhere between the warhead of a Minuteman and of a Titan II). The area of fires from the explosion of such a warhead is 150 times greater than from the Hiroshima bomb and the area of destruction is 30 times greater. The detonation of such a warhead over a city would create a 100-square-kilometer [40 square-mile] area of total destruction and fire.

Tens of millions of square meters of living space would be destroyed. No fewer than a million people would perish under the ruins of buildings, from fire and radiation, suffocate in the dust and smoke or die in shelters buried under debris. In the event of a ground-level explosion, the fallout of radioactive dust would create a danger of fatal exposure in an area of tens of thousands of square kilometers.

[2]

A few words about the cost and the possible number of explosions.

After the stage of research and development has been passed, mass production of thermonuclear weapons and carrier rockets is no more complex and expensive than, for example, the production of military aircraft, which were produced by the tens of thousands during the war.

The annual production of plutonium in the world now is in the tens of thousands of tons. If one assumes that half this output goes for military purposes and that an average of serveal kilograms of plutonium goes into one warhead, then enough warheads have already been accumulated to destroy mankind many times over.

[3]

The third aspect of thermonuclear peril (along with the power and cheapness of warheads) is what we term the practical impossibility of preventing a massive rocket attack. This situation is well known to specialists. In the popular scientific literature, for example, one can read this in an article by Richard L. Garwin and Hans A. Bethe in the Scientific American of March, 1968.

The technology and tactics of attack have now far surpassed the technology of defense despite the development of highly maneuverable and powerful antimissiles with nuclear warheads and despite other technical ideas, such as the use of laser rays and so forth.

Improvements in the resistance of warheads to shock waves and to the radiation effects of neutron and x-ray exposure, the possibility of mass use of relatively light and inexpensive decoys that are virtually indistinguishable from warheads and exhaust the capabilities of an antimissile defense system, a perfection of tactics of massed and concentrated attacks, in time and space, that overstrain the defense detection centers, the use of orbital and fractional-orbital attacks, the use of active and passive jamming and other methods not disclosed in the press—all this has created technical and economic obstacles to an effective missile defense that, at the present time, are virtually insurmountable.

The experience of past wars shows that the first use of a new technical or tactical method of attack is usually highly effective even if a simple antidote can soon be developed. But in a thermonuclear war the first blow may be the decisive one and render null and void years of work and billions spent on creation of an antimissile system.

An exception to this would be the case of a great technical and economic difference in the potentials of two enemies. In such a case, the stronger side, creating an antimissile defense system with a multiple reserve, would face the temptation of ending the dangerous and unstable balance once and for all by embarking on a pre-emptive adventure, expending part of its attack potential on destruction of most of the enemy's launching bases and counting on impunity for the last stage of escalation, i.e., the destruction of the cities and industry of the enemy.

Fortunately for the stability of the world, the difference between the technical-economic potentials of the Soviet Union and the United States is not so great that one of the sides could undertake a "preventive aggression" without an almost inevitable risk of a destructive retaliatory blow. This situation would not be changed by a broadening of the arms race through the development of antimissile defenses.

In the opinion of many people, an opinion shared by the author, a diplomatic formulation of this mutually comprehended situation for example, in the form of a moratorium on the construction of antimisile systems, would be a useful demonstration of a desire of the Soviet Union and the United States to preserve the status quo and not to widen the arms race for senselessly expensive antimissile systems. It would be a demonstration of a desire to cooperate not to fight.

Two Doctrines Decried

A thermonuclear war cannot be considered a continuation of politics by other means (according to the formula of Clausewitz). It would be a means of universal suicide.

Two kinds of attempts are being made to portray thermonuclear war as an "ordinary" political act in the eyes of public opinion. One is the concept of the "paper tiger," the concept of the irresponsible Maoist adventurists. The other is the strategic doctrine of escalation, worked out by scientific and militarist circles in the United States. Without minimizing the seriousness of the challenge inherent in that doctrine, we will just note that the political strategy of peaceful coexistence is an effective counterweight to the doctrine.

A complete destruction of cities, industry, transport and systems of education, a poisoning of fields, water and air by radioactivity, a physical destruction of the large part of mankind, poverty, barbarism, a return to savagery and a genetic degeneracy of the survivors under the impact of radiation, a destruction of the material and information basis of civilization—this is a measure of the peril that threatens the world as a result of the estrangement of the world's two superpowers.

Every rational creature, finding itself on the brink of a disaster, first tries to get away from the brink and only then does it think about the satisfaction of its other needs. If mankind is to get away from the brink, it must overcome its divisions.

A vital step would be a review of the traditional method of international affairs, which may be termed "empirical-competitive." In the simplest definition, this is a method aiming at maximum improvement of one's position everywhere possible and, simultaneously, a method of causing maximum unpleasantness to opposing forces without consideration of common welfare and common interests.

If politics were a game of two gamblers, then this would be the only possible method. But where does such a method lead in the present unprecedented situation?

The War in Vietnam

In Vietnam, the forces of reaction lacking hope for an expression of national will in their favor, are using the force of military pressure. They are violating all legal and moral norms and are carrying out flagrant crimes against humanity. An entire people is being sacrificed to the proclaimed goal of stopping the "communist tide."

They strive to conceal from the American people considerations of personal and party prestige, the cynicism and cruelty, the hopelessness and ineffectiveness of the anti-Communist tasks of American policy in Vietnam, as well as the harm this war is doing to the true goals of the American people, which coincide with the universal tasks of bolstering peaceful coexistence.

To end the war in Vietnam would first of all save the people perishing there. But it also is a matter of saving peace in all the world. Nothing undermines the possibilities of peaceful coexistence more than a continuation of the war in Vietnam.

The Middle East

Another tragic example is the Middle East. If direct responsibility on Vietnam rests with the United States, in the Middle East direct responsibility rests not with the United States but with the Soviet Union (and with Britain in 1948 and 1956).

On one hand, there was an irresponsible encouragement of so-called Arab unity (which in no way had a socialist character—look at Jordan—but was purely nationalist and anti-Israel). It was said that the struggle of the Arabs had an essentially anti-imperialist character. On the other hand, there was an equally irresponsible encouragement of Israeli extremists.

We cannot here analyze the entire contradictory and tragic history of the events of the last 20 years, in the course of which the Arabs and Israel, along with historically justified actions, carried out reprehensible deeds, often brought about by the actions of external forces.

Thus in 1948, Israel waged a defensive war. But in 1956, the actions of Israel appeared reprehensible. The preventive six-day war in the face of threats of destruction by merciless, numerically vastly superior forces of the Arab coalition could have been justifiable. But the cruelty to refugees and prisoners of war and the striving to settle territorial questions by military means must be condemned. Despite this condemnation, the breaking of relations with Israel appears a mistake, complicating a peaceful settlement in this region and complicating a necessary diplomatic recognition of Israel by the Arab governments.

In our opinion, certain changes must be made in the conduct of international affairs, systematically subordinating all concrete aims and local tasks to the basic task of actively preventing an aggravation of the international situation, of actively pursuing and expanding peaceful coexistence to the level of cooperation, of making policy in such a way that its immediate and long-range effects will in no way sharpen international tensions and will not create difficulties for either side that would strengthen the forces of reaction, militarism, nationalism, Fascism and revanchism.

International affairs must be completely permeated with scientific methodology and a democratic spirit, with a fearless weighing of all facts, views and theories, with maximum publicity of ultimate and intermediate goals and with a consistency of principles.

New Principles Proposed

The international policies of the world's two leading superpowers (the United States and the Soviet Union) must be based on a universal acceptance of unified and general principles, which we initially would formulate as follows:

[1]

All peoples have the right to decide their own fate with a free expression of will. This right is guaranteed by international control over observance by all governments of the "Declaration of the Rights of Man." International control presupposes the use of economic sanctions as well as the use of military forces of the United Nations in defense of "the rights of man."

[2]

All military and military-economic forms of export of revolution and counterrevolution are illegal and are tantamount to aggression.

[3]

All countries strive toward mutual help in economic, cultural and general organizational problems with the aim of eliminating painlessly all domestic and international difficulties and preventing a sharpening of international tensions and a strengthening of the forces of reaction.

[4]

International policy does not aim at exploiting local, specific conditions to widen zones of influence and create difficulties for another country. The goal of international policy is to insure universal fulfillment of the "Declaration of the Rights of Man" and to prevent a sharpening of international tensions and a strengthening of militarist and nationalist tendencies.

Such a set of principles would in no way be a betrayal of the revolutionary and national liberation struggle, the struggle against reaction and counterrevolution. On the contrary, with the elimination of all doubtful cases, it would be easier to take decisive action in those extreme cases of reaction, racism and militarism that allow no course other than armed struggle. A strengthening of peaceful coexistence would create an opportunity to avert such tragic events as those in Greece and Indonesia.

Such a set of principles would present the Soviet armed forces with a precisely defined defensive mission, a mission of defending our country and our allies from aggression. As history has shown, our people and their armed forces are unconquerable when they are defending their homeland and its great social and cultural achievements.

Hunger and overpopulation

Specialists are paying attention to a growing threat of hunger in the poorer half of the world. Although the 50 per cent increase of the world's population in the last 30 years has been accompanied by a 70 per cent increase in food production, the balance in the poorer half of the world has been unfavorable. The situation in India, Indonesia, in a number of countries of Latin America and in a large number of other underdeveloped countries—the absence of technical-economic reserves, competent officials and cultural skills, social backwardness, a high birth rate—all this systematically worsens the food balance and without doubt will continue to worsen it in the coming years.

The answer would be a wide application of fertilizers, an improvement of irrigation systems, better farm technology, wider use of the resources of the oceans and a gradual perfection of the production, already technically feasible, of synthetic foods, primarily amino acids. However, this is all fine for the rich nations. In the more backward countries, it is apparent from an analysis of the situation and existing trends that an improvement cannot be achieved in the near future, before the expected date of tragedy, 1975–80.

What is involved is a prognosticated deterioration of the average food balance in which localized food crises merge into a sea of hunger, intolerable suffering and desperation, the grief and fury of millions of people. This is a tragic threat to all mankind. A catastrophe of such dimensions cannot but have profound consequences for the entire world and for every human being. It will provoke a wave of wars and hatred, a decline of standards of living throughout the world and will leave a tragic, cynical and anti-Communist mark on the life of future generations.

The first reaction of a Philistine in hearing about the problem is that "they" are responsible for their plight because "they" reproduce so rapidly. Unquestionably, control of the birth rate is important and the people, in India for example, are taking steps in this direction. But these steps remain largely ineffective under social and economic backwardness, surviving traditions of large families, an absence of old-age benefits, a high infant mortality rate until, quite recently, and a continuing threat of death from starvation.

It is apparently futile only to insist that the more backward countries restrict their birth rates. What is needed most of all is economic and technical assistance to these countries. This assistance must be of such scale and generosity that it is absolutely impossible before the estrangement in the world and the egotistical, narrow-minded approach to relations between nations and races is eliminated. It is impossible as long as the United States and the Soviet Union, the world's two great superpowers, look upon each other as rivals and opponents.

Social factors play an important role in the tragic present situation and the still more tragic future of the poor regions. It must be clearly understood that if a threat of hunger is, along with a striving toward national independence, the main cause of "agrarian" revolution, the "agrarian" revolution in itself will not eliminate the threat of hunger, at least not in the immediate future. The threat of hunger cannot be eliminated without the assistance of the developed countries, and this requires significant changes in their foreign and domestic policies.

Inequality of American Negroes

At this time, the white citizens of the United States are unwilling to accept even minimum sacrifices to eliminate the unequal economic and cultural position of the country's black citizens, who make up 10 per cent of the population.

It is necessary to change the psychology of the American citizens so that they will voluntarily and generously support their government and worldwide efforts to change the economy, technology and level of living of billions of people. This, of course, would entail a serious decline in the United States rate of economic growth. The Americans should be willing to do this solely for the sake of lofty and distant goals, for the sake of preserving civilization and mankind on our planet.

Similar changes in the psychology of people and practical activities of governments must be achieved in the Soviet Union and other developed countries.

In the opinion of the author, a 15-year tax equal to 20 per cent of national incomes must be imposed on developed nations. The imposition of such a tax would automatically lead to a significant reduction in expenditures for weapons. Such common assistance would have an important effect of stabilizing and improving the situation in the most under-developed countries, restricting the influence of extremists of all types.

Changes in the economic situation of underdeveloped countries would solve the problem of high birth rates with relative ease, as has been shown by the experience of developed countries, without the barbaric method of sterilization.

Certain changes in the policies, viewpoints and traditions on this delicate question are inescapable in the advanced countries as well. Mankind can develop smoothly only if it looks upon itself in a demographic sense as a unit, a single family without divisions into nations other than in matters of history and traditions.

Therefore, government policy, legislation on the family and marriage and propaganda should not encourage an increase in the birth rates of advanced countries while demanding that it be curtailed in underdeveloped countries that are receiving assistance. Such a two-faced game would produce nothing but bitterness and nationalism.

In conclusion on that point, I want to emphasize that the question of regulating birth rates is highly complex and that any standardized, dogmatic solution "for all time and all peoples" would be wrong. All the foregoing, incidentally, should be accepted with the reservation that it is somewhat of a simplification.

Pollution of Environment

We live in a swiftly changing world. Industrial and water-engineering projects, cutting of forests, plowing up of virgin lands, the use of poisonous chemicals—all this is changing the face of the earth, our "habitat."

Scientific study of all the interrelationships in nature and the consequences of our interference clearly lag behind the changes. Large amounts of harmful wastes of industry and transport are being dumped into the air and water, including cancer-inducing substances. Will the safe limit be passed everywhere, as has already happened in a number of places?

Carbon dioxide from the burning of coal is altering the heat-reflecting qualities of the atmosphere. Sooner or later, this will reach a dangerous level. But we do not know when. Poisonous chemicals used in agriculture are penetrating into the body of man and animals directly and in more dangerous modified compounds, causing serious damage to the brain, the nervous system, blood-forming organs, the liver and other organs. Here, too, the safe limit can be easily crossed, but the question has not been fully studied and it is difficult to control all these processes.

The use of antibiotics in poultry raising has led to the development of new disease-causing microbes that are resistant to antibiotics.

I could also mention the problems of dumping detergents and radioactive wastes, erosion and salinization of soils, the flooding of meadows, the cutting of forests on mountain slopes and in watersheds, the destruction of birds and other useful wildlife like toads and frogs and many other examples of senseless despoliation caused by local, temporary, bureaucratic and egotistical interest and sometimes simply by questions of bureaucratic prestige, as in the sad fate of Lake Baikal.

The problem of geohygiene (earth hygiene) is highly complex and closely tied to economic and social problems. This problem can therefore not be solved on a national and especially not on a local basis. The salvation of our environment requires that we overcome our divisions and the pressure of temporary, local interests. Otherwise, the Soviet Union will poison the United States with its wastes and vice versa. At present, this is a hyperbole. But with a 10 per cent annual increase of wastes, the increase over 100 years will be 20,000 times.

Police dictatorships

An extreme reflection of the dangers confronting modern social development is the growth of racism, nationalism and militarism and, in particular, the rise of demagogic, hypocritical and monstrously cruel dictatorial police regimes. Foremost are the regimes of Stalin, Hitler and Mao Tse-tung, and a number of extremely reactionary regimes in smaller countries, Spain, Portugal, South Africa, Greece, Albania, Haiti and other Latin American countries.

These tragic developments have always derived from the struggle of egotistical and group interests, the struggle for unlimited power, suppression of intellectual freedom, a spread of intellectually simplified, narrow-minded mass myths (the myth of race, of land and blood, the myth about the Jewish danger, anti-intellectualism, the concept of lebensraum in Germany, the myth about the sharpening of the class struggle and proletarian infallibility bolstered by the cult of Stalin and by exaggeration of the contradictions with capitalism in the Soviet Union, the myth about Mao Tse-tung, extreme Chinese nationalism and the resurrection of the lebensraum concept, of anti-intellectualism, extreme antihumanism and certain prejudices of peasant socialism in China).

The usual practice is the use of demagogy, storm troopers and Red Guards in the first stage and terrorist bureaucracy with reliable cadres of the type of Eichmann, Himmler, Yezhov and Beria at the summit of the deification of unlimited power.

The Rule of Hitler

The world will never forget the burning of books in the squares of German cities, the hysterical cannibalistic speeches of the Fascist "fuehrers" and their even more cannibalistic plans for the destruction of entire peoples, including the Russians. Fascism began a partial realization of these plans during the war it unleashed, annihilating prisoners of war and hostages, burning villages, carrying out a criminal policy of genocide (during the war, the main blow of genocide was aimed at the Jews, a policy that apparently was also meant to be provocative, especially in the Ukraine and Poland).

We shall never forget the kilometer-long trenches filled with bodies, the gas chambers, the SS dogs, the fanatical doctors, the piles of women's hair, suitcases with gold teeth and fertilizer from the factories of death.

Analyzing the causes of Hitler's coming to power, we will never forget the role of German and international monopolist capital. We also will not forget the criminally sectarian and dogmatically narrow policies of Stalin and his associates, setting Socialists and Communists against one another (this has been well related in the famous letter to Ilya Ehrenburg by Ernst Henri).

The Stalinist Period

Fascism lasted 12 years in Germany. Stalinism lasted twice as long in the Soviet Union. There are many common features but also certain differences. Stalinism exhibited a much more subtle kind of hypocrisy and demagogy, with reliance not on an openly cannibalistic program like Hitler's but on a progressive, scientific and popular socialist ideology.

This served as a convenient screen for deceiving the working class, for weakening the vigilance of the intellectuals and other rivals in the struggle for power, with the treacherous and sudden use of the machinery of torture, execution and informants, intimidating and making fools of millions of people, the majority of whom were neither cowards nor fools. As a consequence of this "specific feature" of Stalinism, it was the Soviet people, its most active, talented and honest representatives, who suffered the most terrible blow.

At least 10 to 15 million people perished in the torture chambers of the N.K.V.D. [secret police] from torture and execution, in camps for exiled kulaks [rich peasants] and so-called semi-kulaks and members of their families and in camps "without the right of correspondence" (which were in fact the prototypes of the Fascist death camps where, for example, thousands of prisoners were machine-gunned because of "overcrowding" or as a result of "special orders").

People perished in the mines of Norilsk and Vorkuta from freezing, starvation and exhausting labor, at countless construction projects, in timber cutting, building of canals or simply during transportation in prison trains, in the overcrowded holds of "death ships" in the Sea of Okhotsk and during the resettlement of entire peoples, the Crimean Tatars, the Volga Germans, the Kalmyks and other Caucasus peoples. Readers of the literary journal Novy Mir recently could read for themselves a description of the "road of death" between Norilsk and Igarka [in northern Siberia].

Temporary masters were replaced (Yagoda, Molotov, Yezhov, Zhdanov, Malenkov, Beria), but the antipeople's regime of Stalin remain equally cruel and at the same time dogmatically narrow and blind in its cruelty. The killing of military and engineering officials before the war, the blind faith in the "reasonableness" of the colleague in crime, Hitler, and the other reasons for the national tragedy of 1941 have been well described in the book by Nekrich, in the notes of Maj. Gen. Grigorenko and other publications—these are far from the only examples of the combination of crime, narrow-mindedness and short-sightedness.

Stalinist dogmatism and isolation from real life was demonstrated particularly in the countryside, in the policy of unlimited exploitation and the predatory forced deliveries at "symbolic" prices, in the almost serf-like enslavement of the peasantry, the depriving of peasants of the most simple means of mechanization and the appointment of collective-farm chairmen on the basis of their cunning and obsequiousness. The results are evident—a profound and hard-to-correct destruction of the economy and way of life in the countryside, which, by the law of interconnected vessels, damaged industry as well.

The inhuman character of Stalinism was demonstrated by the repressions of prisoners of war who survived Fascist camps and then

were thrown into Stalinist camps, the anti-worker "decrees," the criminal exile of entire peoples condemned to slow death, the unenlightened zoological kind of anti-semitism that was characteristic of Stalinist bureaucracy and the N.K.V.D. (and Stalin personally), the Ukrainophobia characteristic of Stalin and the draconian laws for the protection of socialist property (five years' imprisonment for stealing some grain from the fields and so forth) that served mainly as a means of fulfilling the demands of the "slave market."

An Unpublished History

A profound analysis of the origin and development of Stalinism is contained in the 1,000-page monograph of R. Medvedev. This was written from a socialist, Marxist point of view and is a successful work, but unfortunately it has not yet been published. The present author is not likely to receive such a compliment from Comrade Medvedev, who finds elements of "Westernism" in his views. Well, there is nothing like controversy! Actually the views of the present author are profoundly socialist and he hopes that the attentive reader will understand this.

The author is quite aware of the monstrous relations in human and international affairs brought forth by the egotistical principle of capital when it is not under pressure from socialist and progressive forces. He also thinks however, that progressives in the West understand this better than he does and are waging a struggle against these manifestations. The author is concentrating his attention on what is before his eyes and on what is obstructing, from his point of view, a worldwide overcoming of estrangement, obstructing the struggle for democracy, social progress and intellectual freedom.

Our country has started on the path of cleansing away the foulness of Stalinism. "We are squeezing the slave out of ourselves drop by drop" (an expression of Anton Chekhov). We are learning to express our opinions, without taking the lead from the bosses and without fearing for our lives.

Khrushchev Is Credited

The beginning of this arduous and far from straight path evidently dates from the report of Nikita S. Khrushchev to the 20th congress of the Soviet Communist party. This bold speech, which came as a surprise to Stalin's accomplices in crime, and a number of associated measures—the release of hundreds of thousands of political prisoners and their rehabilitation, steps toward a revival of the principles of peaceful coexistence and toward a revival of democracy—oblige us to value highly the historic role of Khrushchev despite his regretable mistakes of a voluntarist character in subsequent years and despite the fact that Khrushchev, while Stalin was alive, was one of his collaborators in crime, occupying a number of influential posts.

The exposure of Stalinism in our country still has a long way to go. It is imperative, of course, that we publish all authentic documents, including the archives of the N.K.V.D., and conduct nationwide investigations. It would be highly useful for the international authority of the Soviet Communist party and the ideals of socialism if, as was planned in 1964 but never carried out, the party were to announce the "symbolic" expulsion of Stalin, murderer of millions of party members, and at the same time the political rehabilitation of the victims of Stalinism.

In 1936–39 alone more than 1.2 million party members, half of the total membership, were arrested. Only 50,000 regained freedom; the others were tortured during interrogation or were shot (600,000) or died in camps. Only in isolated cases were the rehabilitated allowed to assume responsible posts; even fewer were permitted to take part in the investigation of crimes of which they had been witnesses or victims.

We are often told lately not to "rub salt into wounds." This is usually being said by people who suffered no wounds. Actually only the most meticulous analysis of the past and of its consequences will now enable us to wash off the blood and dirt that befouled our banner.

It is sometimes suggested in the literature that the political manifestations of Stalinism represented a sort of superstructure over the economic basis of an anti-Leninist pseudosocialism that led to the formation in the Soviet Union of a distinct class—a bureaucratic elite from which all key positions are filled and which is rewarded for its work through open and concealed privileges. I cannot deny that there is some (but not the whole) truth in such an interpretation, which would help explain the vitality of neo-Stalinism, but a full analysis of this issue would go beyond the scope of this article, which focuses on another aspect of the problem.

It is imperative that we restrict in every possible way the influence of neo-Stalinists in our political life. Here we are compelled to mention a specific person. One of the most influential representatives of neo-Stalinism at the present time is the director of the Science Department of the Communist party's Central Committee, Sergei P. Trapeznikov. The leadership of our country and our people should know that the views of this unquestionably intelligent, shrewd and highly consistent man are basically Stalinist (from our point of view, they reflect the interests of the bureaucratic elite).

His views differ fundamentally from the dreams and aspirations of the majority and most active section of the intelligentsia, which, in our opinion, reflect the true interests of all our people and progressive mankind. The leadership of our country should understand that as long as such a man (if I correctly understand the nature of his views) exercises influence, it is impossible to hope for a strengthening of the party's position among scientific and artistic intellectuals. An indication of this was given at the last elections in the Academy of Sciences when S.P. Trapeznikov was rejected by a substantial majority of votes, but this hint was not "understood" by the leadership.

The issue does not involve the professional or personal qualities of Trapeznikov, about which I know little. The issue involves his political views. I have based the foregoing on word-of-mouth evidence. Therefore, I cannot in principle exclude the possibility (although it is unlikely) that in reality everything is quite the opposite. In that pleasant event, I would beg forgiveness and retract what I have written.

THE CULT OF MAOISM

In recent years, demagogy, violence, cruelty and vileness have seized a great country that had embarked on the path of socialist development. I refer, of course, to China. It is impossible without horror and pain to read about the mass contagion of antihumanism being spread by "the great helmsman" and his accomplices, about the Red Guards who, according to the Chinese radio, "jumped with joy" during public executions of "ideological enemies" of Chairman Mao.

The idiocy of the cult of personality has assumed in China monstrous, grotesquely tragicomic forms, carrying to the point of absurdity many of the traits of Stalinism and Hitlerism. But this absurdity has proved effective in making fools of tens of millions of people and in destroying and humiliating millions of more honest and more intelligent people.

The full picture of the tragedy in China is unclear. But in any case, it is impossible to look at it in isolation from the internal economic difficulties of China after the collapse of the adventure of "the great leap forward," in isolation from the struggle by various groups for power, or in isolation from the foreign political situation—the war in Vietnam, the estrangement in the world and the inadequate and lagging struggle against Stalinism in the Soviet Union.

The greatest damage from Maoism is often seen in the split of the world Communist movement. That is, of course, not so. The split is the result of a disease and to some extent represents the way to treat that disease. In the presence of the disease a formal unity would have been a dangerous, unprincipled compromise that would have led the world Communist movement into a blind alley once and for all.

Actually the crimes of the Maoists against human rights have gone much too far, and the Chinese people are now in much greater need of help from the world's democratic forces to defend their rights than in need of the unity of the world's Communist forces, in the Maoist sense, for the purpose of combatting the so-called imperialist peril somewhere in Africa or in Latin America, or in the Middle East.

The threat to intellectual freedom

This is a threat to the independence and worth of the human personality, a threat to the meaning of human life.

Nothing threatens freedom of the personality and the meaning of life like war, poverty, terror. But there are also indirect and only slightly more remote dangers.

One of these is the stupefaction of man (the "gray mass", to use the cynical term of bourgeois prognosticators) by mass culture with its intentional or commercially motivated lowering of intellectual level and content, with its stress on entertainment or utilitarianism, and with its carefully protective censorship.

Another example is related to the question of education. A system of education under government control, separation of school and church, universal free education—all these are great achievements of social progress. But everything has a reverse side. In this case it is excessive standardization, extending to the teaching process itself, to the curriculum, especially in literature, history, civics, geography, and to the system of examinations.

One cannot but see a danger in excessive reference to authority and in the limitation of discussion and intellectual boldness at an age when personal convictions are beginning to be formed. In the old China, the system of examinations for official positions led to mental stagnation and to the canonizing of the reactionary aspects of Confucianism. It is highly undesirable to have anything like that in a modern society.

Modern technology and mass psychology constantly suggest new possibilities of managing the norms of behavior, the strivings and convictions of masses of people. This involves not only management through information based on the theory of advertising and mass psychology, but also more technical methods that are widely discussed in the press abroad. Examples are biochemical control of the birth rate, biochemical control of psychic processes and electronic control of such processes.

Warns on Experiments

It seems to me that we cannot completely ignore these new methods or prohibit the progress of science and technology, but we must be clearly aware of the awesome dangers to basic human values and to the meaning of life that may be concealed in the misuse of technical and biochemical methods and the methods of mass psychology.

Man must not be turned into a chicken or a rat as in the well known experiments in which elation is induced electrically through electrodes inserted into the brain. Related to this is the question of the ever increasing

use of tranquillizers and antidepressants, legal and illegal narcotics, and so forth.

We also must not forget the very real danger mentioned by Norbert Wiener in his book "Cybernetics," namely the absence in cybernetic machines of stable human norms of behavior. The tempting, unprecedented power that mankind, or, even worse, a particular group in a divided mankind, may derive from the wise counsels of its future intellectual aides, the artificial "thinking" automata, may be, as Wiener warned, become a fatal trap; the counsels may turn out to be incredibly insidious and, instead of pursuing human objectives, may pursue completely abstract problems that had been transformed in an unforeseen manner in the artificial brain.

Such a danger will become quite real in a few decades if human values, particularly freedom of thought, will not be strengthened, if alienation will not be eliminated.

Let us now return to the dangers of today, to the need for intellectual freedom, which will enable the public at large and the intelligentsia to control and assess all acts, designs and decisions of the ruling group.

Marx and Lenin Quoted

Marx once wrote that the illusion that the "bosses know everything best" and "only the higher circles familiar with the official nature of things can pass judgment" was held by officials who equate the public weal with governmental authority.

Both Marx and Lenin always stressed the viciousness of a bureaucratic system as the opposite of a democratic system. Lenin used to say that every cook should learn how to govern. Now the diversity and complexity of social phenomena and the dangers facing mankind have become immeasurably greater; and it is therefore all the more important that mankind be protected against the danger of dogmatic and voluntaristic errors, which are inevitable when decisions are reached in a closed circle of secret advisers or shadow cabinets.

It is no wonder that the problem of censorship (in the broadest sense of the word) has been one of the central issues in the ideological struggle of the last few years. Here is what a progressive American sociologist, Lewis A. Coser, has to say on this point:

"It would be absurd to attribute the alienation of many avant-garde authors solely to the battle with the censors, yet one may well maintain that those battles contributed in no mean measure to such alienation. To these authors, the censor came to be the very symbol of the Phillistinism, hypocrisy and meanness of bourgeois society.

"Many an author who was initially apolitical was drawn to the political left in the United States because the left was in the forefront of the battle against censorship. The close alliance of avant-garde art with avant-garde political and social radicalism can be accounted for, at least in part, by the fact that they came to be merged in the mind of many as a single battle for freedom against all repression" (I quote from an article by Igor Kon, published in Novy Mir in January, 1968).

We are all familiar with the passionate and closely argued appeal against censorship by the outstanding Soviet writer A. Solzhenitsyn. He as well as G. Vladimov, G. Svirsky and other writers who have spoken out on the subject have clearly shown how incompetent censorship destroys the living soul of Soviet literature; but the same applies, of course, to all other manifestations of social thought, causing stagnation and dullness and preventing fresh and deep ideas.

Such ideas, after all, can arise only in discussion, in the face of objections, only if there is a potential possibility of expressing not only true, but also dubious ideas. This was clear to the philosophers of ancient Greece and hardly anyone nowadays would have any doubts on that score. But after 50 years of complete domination over the minds of an entire nation, our leaders seem to fear even allusions to such a discussion.

At this point we must touch on some disgraceful tendencies that have become evident in the last few years. We will cite only a few isolated examples without trying to create a whole picture. The crippling censorship of Soviet artistic and political literature has again been intensified. Dozens of brilliant writings cannot see the light of day. They include some of the best of Solzhenitsyn's works, executed with great artistic and moral force and containing profound artistic and philosophical generalizations. Is this not a disgrace?

Wide indignation has been aroused by the recent decree adopted by the Supreme Soviet of the Russian Republic, amending the Criminal Code in direct contravention of the civil rights proclaimed by our Constitution. [The decree included literary protests among acts punishable under Article 190, which deals with failure to report crimes.]

Literary Trials Assailed

The Daniel-Sinyavsky trial, which has been condemned by the progressive public in the Soviet Union and abroad (from Louis Aragon to Graham Greene) and has compromised the Communist system, has still not been reviewed. The two writers languish in a camp with a strict regime and are being subjected (especially Daniel) to harsh humiliations and ordeals.

Most political prisoners are now kept in a group of camps in the Mordvinian Republic, where the total number of prisoners, including criminals, is about 50,000. According to available information, the regime has become increasingly severe in these camps, with personnel left over from Stalinist times playing an increasing role. It should be said, in all fairness, that a certain improvement has been noted very recently; it is to be hoped that this turn of events will continue.

The restoration of Leninist principles of public control over places of imprisonment would undoubtedly be a healthy development. Equally important would be a complete amnesty of political prisoners, and not just the recent limited amnesty, which was proclaimed on the 50th anniversary of the October Revolution as a result of a temporary victory of rightist tendencies in our leadership. There should also be a review of all political trials that are still raising doubts among the progressive public.

Was it not disgraceful to allow the arrest, 12-month detention without trial and then the conviction and sentencing to terms of five to seven years of Ginzburg, Galanskov and others for activities that actually amounted to a defense of civil liberties and (partly, as an example) of Daniel and Sinyavsky personally. The author of these lines sent an appeal to the party's Central Committee on Feb. 11, 1967, asking that the Ginzburg-Galanskov case be closed. He received no reply and no explanations on the substance of the case. It was only later that he heard that there had been an attempt (apparently inspired by Semichastny, the former chairman of the K.G.B.) to slander the present writer and several other persons on the basis of inspired false testimony by one of the accused in the Galanskov-Ginzburg case. Subsequently the testimony of that person—Dobrovolsky—was used at the trial as evidence to show that Ginzburg and Galanskov had ties with a foreign anti-Soviet organization, which one cannot help but doubt.

[The reference here is to evidence given by Dobrovolsky in the pretrial investigation of the case of Vladimir Bukovsky, Vadim Delone and Yevgeny Kushev in early 1967. Dobrovolsky said there allegedly existed "a single anti-Communist front ranging from Academicians Sakharov and Leontovich to SMOG," an illegal group of young writers and artists.]

Persecution Is Charged

Was it not disgraceful to permit the conviction and sentencing (to three years in camps) of Khaustov and Bukovsky for participation in a meeting in defense of their comrades? Was it not disgraceful to allow persecution, in the best witchhunt tradition, of dozens of members of the Soviet intelligentsia who spoke out against the arbitrariness of judicial and psychiatric agencies, to attempt to force honorable people to sign false, hypocritical "retractions," to dismiss and blacklist people, to deprive young writers, editors and other members of the intelligentsia of all means of existence?

Here is a typical example of this kind of activity.

Comrade B., a woman editor of books on motion pictures, was summoned to the party's district committee. The first question was, Who gave you the letter in defense of Ginzburg to sign? Allow me not to reply to that question, she answered. All right, you can go, we want to talk this over, she was told. The decision was to expel the woman from the party and to recommend that she be dismissed from her job and barred from working anywhere else in the field of culture.

With such methods of persuasion and indoctrination the party can hardly expect to claim the role of spiritual leaders of mankind.

Was it not disgraceful to have the speech at the Moscow party conference by the president of the Academy of Sciences (Mstislav V. Keldysh), who is evidently either too intimidated or too dogmatic in his views? Is it not disgraceful to allow another backsliding into anti-Semitism in our appointments policy (incidentally, in the highest bureaucratic elite of our government, the spirit of anti-Semitism was never fully dispelled after the nineteen thirties).

Was it not disgraceful to continue to restrict the civil rights of the Crimean Tatars, who lost about 46 per cent of their numbers (mainly children and old people) in the Stalinist repressions? Nationality problems will continue to be a reason for unrest and dissatisfaction unless all departures from Leninist principles are acknowledged and analyzed and firm steps are taken to correct mistakes.

Is it not highly disgraceful and dangerous to make increasingly frequent attempts, either directly or indirectly (through silence), to publicly rehabilitate Stalin, his associates and his policy, his pseudosocialism of terroristic bureaucracy, a socialism of hyprocrisy and ostentatious growth that was at best a quantitative and one-sided growth involving the loss of many qualitative features? (This is a reference to the basic tendencies and consequences of Stalin's policy, or Stalinism, rather than a comprehensive assessment of the entire diversified situation in a huge country with 200 million people.)

Although all these disgraceful phenomena are still far from the monstrous scale of the crimes of Stalinism and rather resemble in scope the sadly famous McCarthyism of the cold war era, the Soviet public cannot but be highly disturbed and indignant and display vigilance even in the face of insignificant manifestations of neo-Stalinism in our country.

EFFECT ON OTHER PARTIES

We are convinced that the world's Communists will also view negatively any attempts to revive Stalinism in our country, which would, after all, be an awful blow to the attractive force of Communist ideas throughout the world.

Today the key to a progressive restructuring of the system of government in the interests of mankind lies in intellectual freedom. This has been understood, in particular, by the Czechoslovaks and there can be no doubt that we should support their bold initiative, which is so valuable for the future of socialism and all mankind. That support

should be political and, in the early stages, include increased economic aid.

The situation involving censorship (Glavlit) in our country is such that it can hardly be corrected for any length of time simply by "liberalized" directives. Major organizational and legislative measures are required, for example, adoption of a special law on press and information that would clearly and convincingly define what can and what cannot be printed and would place the responsibility on competent people who would be under public control. It is essential that the exchange of information on an international scale (press, tourism and so forth) be expanded in every way, that we get to know ourselves better, that we not try to save on sociological, political and economic research and surveys, which should be conducted not only according to government-controlled programs (otherwise we might be tempted to avoid "unpleasant" subjects and questions).

The basis for hope

The prospects of socialism now depend on whether socialism can be made attractive, whether the moral attractiveness of the ideas of socialism and the glorification of labor, compared with the egotistical ideas of private ownership and the glorification of capital, will be the decisive factors that people will bear in mind when comparing socialism and capitalism, or whether people will remember mainly the limitations of intellectual freedom under socialism or, even worse, the fascistic regime of the cult [of personality.]

I am placing the accent on the moral aspect because, when it comes to achieving a high productivity of social labor or developing all productive forces or insuring a high standard of living for most of the population, capitalism and socialism seem to have "played to a tie." Let us examine this question in detail.

The United States-Soviet Ski Race

Imagine two skiers racing through deep snow. At the start of the race, one of them, in striped jacket, was many kilometers ahead, but now the skier in the red jacket is catching up to the leader. What can we say about their relative strength? Not very much, since each skier is racing under different conditions. The striped one broke the snow, and the red one did not have to. (The reader will understand that this ski race symbolizes the burden of research and development costs that the country leading in technology has to bear.) All one can say about the race is that there is not much difference in strength between the two skiers.

The parable does not, of course, reflect the whole complexity of comparing economic and technological progress in the United States and the Soviet Union, the relative vitality of RRS and AME (Russian Revolutionary Sweep and American Efficiency.)

We cannot forget that during much of the period in question the Soviet Union waged a hard war and then healed its wounds; we cannot forget that some absurdities in our development were not an inherent aspect of the socialist course of development, but a tragic accident, a serious, though not inevitable, disease.

On the other hand, any comparison must take account of the fact that we are now catching up with the United States only in some of the old, traditional industries, which are no longer as important as they used to be for the United States (for example, coal and steel). In some of the newer fields, for example, automation, computers, petrochemicals and especially in industrial research and development, we are not only lagging behind but are also growing more slowly, so that a complete victory of our economy in the next few decades is unlikely.

It must also be borne in mind that our nation is endowed with vast natural resources, from fertile black earth to coal and forest, from oil to manganese and diamonds. It must be borne in mind that during the period under review our people worked to the limit of its capacity, which resulted in a certain depletion of resources.

We must also bear in mind the ski-track effect, in which the Soviet Union adopted principles of industrial organization and technological and development previously tested in the United States. Examples are the method of calculating the national fuel budget, assembly-line techniques, antibiotics, nuclear power, oxygen converters in steelmaking, hybrid corn, self-propelled harvester combines, strip mining of coal, rotary excavators, semiconductors in electronics, the shift from steam to diesel locomotives, and much more.

There is only one justifiable conclusion and it can be formulated cautiously as follows:

1. We have demonstrated the vitality of the socialist course, which has done a great deal for the people materially, culturally and socially and, like no other system, has glorified the moral significance of labor.

2. There are no grounds for asserting, as is often done in the dogmatic vein, that the capitalist mode of production leads the economy into a blind alley or that it is obviously inferior to the socialist mode in labor productivity, and there are certainly no grounds for asserting that capitalism always leads to absolute impoverishment of the working class.

Progress by Capitalism

The continuing economic progress being achieved under capitalism should be a fact of great theoretical significance for any nondogmatic Marxist. It is precisely this fact that lies at the basis of peaceful coexistence and it suggests, in principle, that if capitalism ever runs into an economic blind alley it will not necessarily have to leap into a desperate military adventure. Both capitalism and socialism are capable of long-term development, borrowing positive elements from each other and actually coming closer to each other in a number of essential aspects.

I can just hear the outcries about revisionism and blunting of the class approach to this issue; I can just see the smirks about political naiveté and immaturity. But the facts suggest that there is real economic progress in the United States and other capitalist countries, that the capitalists are actually using the social principles of socialism, and that there has been real improvement of the position of the working people. More important, the facts suggest that on any other course except ever-increasing coexistence and collaboration between the two systems and the two superpowers, with a smoothing of contradictions and with mutual assistance, on any other course annihilation awaits mankind. There is no other way out.

Two Systems Compared

We will now compare the distribution of personal income and consumption for various social groups in the United States and the Soviet Union. Our propaganda materials usually assert that there is crying inequality in the United States, while the Soviet Union has something entirely just, entirely in the interests of the working people. Actually both statements contain halftruths and a fair amount of hypocritical evasion.

I have no intention of minimizing the tragic aspects of the poverty, lack of rights and humiliation of the 22 million American Negroes. But we must clearly understand that this problem is not primarily a class problem, but a racial problem, involving the racism and egotism of white workers, and that the ruling group in the United States is interested in solving this problem. To be sure the government has not been as active as it should be; this may be related to fears of an electoral character and to fears of upsetting the unstable equilibrium in the country and thus activate extreme leftist and especially extreme rightist parties. It seems to me that we in the socialist camp should be interested in letting the ruling group in the United States settle the Negro problem without aggravating the situation in the country.

At the other extreme, the presence of millionaires in the United States is not a serious economic burden in view of their small number. The total consumption of the rich is less than 20 percent, that is, less than the total rise of national consumption over a five-year period. From this point of view, a revolution, which would be likely to halt economic progress for more than five years, does not appear to be an economically advantageous move for the working people. And I am not even talking of the blood-letting that is inevitable in a revolution. And I am not talking of the danger of the "irony of history," about which Friedrich Engels wrote so well in his famous letter to V. Zasulich, the "irony" that took the form of Stalinism in our country.

There are, of course, situations where revolution is the only way out. This applies especially to national uprisings. But that is not the case in the United States and other developed capitalist countries, as suggested, incidentally, in the programs of the Communist parties of these countries.

As far as our country is concerned, here, too, we should avoid painting an idyllic picture. There is still great inequality in property between the city and the countryside, especially in rural areas that lack a transport outlet to the private market or do not produce any goods in demand in private trade. There are great differences between cities with some of the new, privileged industries and those with older, antiquated industries. As a result 40 percent of the Soviet population is in difficult economic circumstances. In the United States about 25 percent of the population is on the verge of poverty. On the other hand the 5 percent of the Soviet population that belong to the managerial group is as privileged as its counterpart in the United States.

The Managerial Group

The development of modern society in both the Soviet Union and the United States is now following the same course of increasing complexity of structure and of industrial management, giving rise in both countries to managerial groups that are similar in social character.

We must therefore acknowledge that there is no qualitative difference in the structure of society of the two countries in terms of distribution of consumption. Unfortunately, the effectiveness of the managerial group in the Soviet Union (and, to a lesser extent, in the United States) is measured not only in purely economic or productive terms. This group also performs a concealed protective function that is rewarded in the sphere of consumption by concealed privileges.

Few people are aware of the practice under Stalin of paying salaries in sealed envelopes, of the constantly recurring concealed distribution of scarce foods and goods for various services, privileges in vacation resorts, and so forth.

I want to emphasize that I am not opposed to the socialist principle of payment based on the amount and quality of labor. Relatively higher wages for better administrators, for highly skilled workers, teachers and physicians, for workers in dangerous or harmful occupations, for workers in science, culture and the arts, all of whom account for a relatively small part of the total wage bill, do not threaten society if they are not accompanied by concealed privileges; moreover, higher wages benefit society if they are deserved.

The point is that every wasted minute of a leading administrator represents a major material loss for the economy and every

wasted minute of a leading figure in the arts means a loss in the emotional, philosophical and artistic wealth of society. But when something is done in secret, the suspicion inevitably arises that things are not clean, that loyal servants of the existing system are being bribed.

It seems to me that the rational way of solving this touchy problem would be not the setting of income ceilings for party members or some such measure, but simply the prohibition of all privileges and the establishment of unified wage rates based on the social value of labor and an economic market approach to the wage problem.

I consider that further advances in our economic reform and a greater role for economic and market factors accompanied by increased public control over the managerial group (which, incidentally, is also essential in capitalist countries) will help eliminate all the roughness in our present distribution pattern.

An even more important aspect of the economic reform for the regulation and stimulation of production is the establishment of a correct system of market prices, proper allocation and rapid utilization of investment funds and proper use of natural and human resources based on appropriate rents in the interest of our society.

A number of socialist countries, including the Soviet Union, Yugoslavia and Czechoslovakia are now experimenting with basic economic problems of the role of planning and of the market, government and cooperative ownership, and so forth. These experiments are of great significance.

Rapprochement Advocated

Summing up we now come to our basic conclusion about the moral and ethical character of the advantages of the socialist course of development of human society. In our view, this does not in any way minimize the significance of socialism. Without socialism bourgeois practicism and the egotistical principle of private ownership gave rise to the "people of the abyss" described by Jack London and earlier by Engels.

Only the competition with socialism and the pressure of the working class made possible the social progress of the 20th century and, all the more, will insure the now inevitable process of rapprochement of the two systems. It took socialism to raise the meaning of labor to the heights of a moral feat. Before the advent of socialism, national egotism gave rise to colonial oppression, nationalism and racism. By now it has become clear that victory is on the side of the humanistic, international approach.

The capitalist world could not help giving birth to the socialist, but now the socialist world should not seek to destroy by force the ground from which it grew. Under the present conditions this would be tantamount to suicide of mankind. Socialism should ennoble that ground by its example and other indirect forms of pressure and then merge with it.

The rapprochement with the capitalist world should not be an unprincipled antipopular plot between ruling groups, as happened in the extreme case [of the Soviet-Nazi rapprochement] of 1939–40. Such a rapprochement must rest not only on a socialist, but on a popular democratic foundation, under the control of public opinion, as expressed through publicity, elections and so forth.

Such a rapprochement implies not only wide social reforms in the capitalist countries, but also substantial changes in the structure of ownership, with a greater role played by government and cooperative ownership, and the preservation of the basic present features of ownership of the means of production in the socialist countries.

Our allies along this road are not only the working class and the progressive intelligentsia, which are interested in peaceful coexistence and social progress and in a democratic peaceful transition to socialism (as reflected in the programs of the Communist parties of the developed countries), but also the reformist part of the bourgeoisie, which supports such a program of "convergence." Although I am using this term, taken from the Western literature, it is clear from the foregoing that I have given it a socialist and democratic meaning.

Typical representatives of the reformist bourgeoisie are Cyrus Eaton, President Franklin D. Roosevelt, and, especially, President John F. Kennedy. Without wishing to cast a stone in the direction of Comrade N. S. Khrushchev (our high esteem of his services was expressed earlier), I cannot help recalling one of his statements, which may have been more typical of his entourage than of him personally.

On July 10, 1961, in speaking at a reception of specialists about his meeting with Kennedy in Vienna, Comrade Khrushchev recalled Kennedy's request that the Soviet Union, in conducting policy and making demands, consider the actual possibilities and the difficulties of the new Kennedy Administration and refrain from demanding more than it could grant without courting the danger of being defeated in elections and being replaced by rightist forces. At that time, Khrushchev did not give Kennedy's unprecedented request the proper attention, to put it mildly, and began to rail. And now, after the shots in Dallas, who can say what auspicious opportunities in world history have been, if not destroyed, but, at any rate, set back because of a lack of understanding.

Bertrand Russell once told a peace congress in Moscow that "the world will be saved from thermonuclear annihilation if the leaders of each of the two systems prefer complete victory of the other system to a thermonuclear war I am quoting from memory." It seems to me that such a solution would be acceptable to the majority of people in any country, whether capitalist or socialist. I consider that the leaders of the capitalist and socialist systems by the very nature of things will gradually be forced to adopt the point of view of the majority of mankind.

Intellectual freedom of society will facilitate and smooth the way for this trend toward patience, flexibility and a security from dogmatism, fear and adventurism. All mankind, including its best organized and active forces, the working class and the intelligentsia, is interested in freedom and security.

Four-stage plan for cooperation

Having examined in the first part of this essay the development of mankind according to the worse alternative, leading to annihilation, we must now attempt, even schematically, to suggest the better alternative. (The author concedes the primitiveness of his attempts at prognostication, which requires the joint efforts of many specialists, and here, even more than elsewhere, invites positive criticism.)

[1]

In the first stage, a growing ideological struggle in the socialist countries between Stalinist and Maoist forces, on the one hand, and the realistic forces of leftist Leninist Communists (and leftist Westerners), on the other, will lead to a deep ideological split on an international, national and intraparty scale.

In the Soviet Union and other socialist countries, this process will lead first to a multiparty system (here and there) and to acute ideological struggle and discussions, and then to the ideological victory of the realists, affirming the policy of increasing peaceful coexistence, strengthening democracy and expanding economic reforms (1960–80). The dates reflect the most optimistic unrolling of events.

The author, incidentally, is not one of those who consider the multiparty system to be an essential stage in the development of the socialist system or, even less, a panacea for all ills, but he assumes that in some cases a multiparty system may be an inevitable consequence of the course of events when a ruling Communist party refuses for one reason or another to rule by the scientific democratic method required by history.

In the second stage, persistent demands for social progress and peaceful coexistence in the United States and other capitalist countries, and pressure exerted by the example of the socialist countries and by internal progressive forces (the working class and the intelligentsia) will lead to the victory of the leftist reformist wing of the bourgeoisie, which will begin to implement a program of rapprochement (convergence) with socialism, i.e., social progress, peaceful coexistence and collaboration with socialism on a world scale and changes in the structure of ownership. This phase includes an expanded role for the intelligentsia and an attack on the forces of racism and militarism (1972–85). (The various stages overlaps.)

In the third stage, the Soviet Union and the United States, having overcome their alienation, solve the problem of saving the poorer half of the world. The above-mentioned 20 per cent tax on the national income of developed countries is applied. Gigantic fertilizer factories and irrigations systems using atomic power will be built [in the developing countries], the resources of the sea will be used to a vastly greater extent, indigenous personnel will be trained, and industrialization will be carried out. Gigantic factories will produce synthetic amino acids, and synthesize proteins, fats and carbohydrates. At the same time disarmament will proceed (1972–90).

In the fourth stage, the socialist convergence will reduce differences in social structure, promote intellectual freedom, science and economic progress and lead to creation of a world government and the smoothing of national contradictions (1980–2000). During this period decisive progress can be expected in the field of nuclear power, both on the basis of uranium and thorium and, probably, deuterium and lithium.

Some authors consider it likely that explosive breeding (the reproduction of active materials such as plutonium, uranium 233 and tritium) may be used in subterranean or other enclosed explosions.

During this period the expansion of space exploration will require thousands of people to work and live continuously on other planets and on the moon, on artificial satellites and on asteroids whose orbits will have been changed by nuclear explosions.

The synthesis of materials that are superconductors at room temperature may completely revolutionize electrical technology, cybernetics, transportation and communications. Progress in biology (in this and subsequent periods) will make possible effective control and direction of all life processes at the levels of the cell, organism, ecology and society, from fertility and aging to psychic processes and heredity.

If such an all-encompassing scientific and technological revolution, promising uncounted benefits for mankind, is to be possible and safe, it will require the greatest possible scientific foresight and care and concern for human values of a moral, ethical and personal character. (I touched briefly on the danger of a thoughtless bureaucratic use of the scientific and technological revolution in a divided world in the section on "Dangers," but could add a great deal more.) Such a revolution will be possible and safe only under highly intelligent worldwide guidance.

The foregoing program presumes:

(a) worldwide interest in overcoming the present divisions;

(b) the expectation that modifications in both the socialist and capitalist countries will tend to reduce contradictions and differences;

(c) worldwide interest of the intelligentsia, the working class and other progressive forces in a scientific democratic approach to politics, economics and culture;

(d) the absence of unsurmountable obstacles to economic development in both world economic systems that might otherwise lead inevitably into a blind alley, despair and adventurism.

Every honorable and thinking person who has not been poisoned by narrow-minded indifference will seek to insure that future development will be along the lines of the better alternative. However only broad, open discussion, without the pressure of fear and prejudice, will help the majority to adopt the correct and best course of action.

Proposals summarized

In conclusion, I will sum up some of the concrete proposals of varying degrees of importance that have been discussed in the text. These proposals, addressed to the leadership of the country, do not exhaust the content of the article.

[1]

The strategy of peaceful coexistence and collaboration must be deepened in every way. Scientific methods and principles of international policy will have to be worked out, based on scientific prediction of the immediate and more distant consequences.

[2]

The initiative must be seized in working out a broad program of struggle against hunger.

[3]

A law on press and information must be drafted, widely discussed and adopted, with the aim not only of ending irresponsible and irrational censorship, but of encouraging self-study in our society, fearless discussion and the search for truth. The law must provide for the material resources of freedom of thought.

[4]

All anticonstitutional laws and decrees violating human rights must be abrogated.

[5]

Political prisoners must be amnestied and some of the recent political trials must be reviewed (for example, the Daniel-Sinyavsky and Galanskov-Ginzburg cases). The camp regime of political prisoners must be promptly relaxed.

[6]

The exposure of Stalin must be carried through to the end, to the complete truth, and not just to the carefully weighted half-truth dictated by case considerations. The influence of neo-Stalinists in our political life must be restricted in every way (the text mentioned, as an example, the case of S. Trapeznikow, who enjoys too much influence).

[7]

The economic reform must be deepened in every way and the area of experimentation expanded, with conclusions based on the results.

[8]

A law on geohygiene must be adopted after broad discussion, and ultimately become part of world efforts in this area.

With this article the author addresses the leadership of our country and all its citizens as well as all people of goodwill throughout the world. The author is aware of the controversial character of many of his statements. His purpose is open, frank discussion under conditions of publicity.

In conclusion a textological comment. In the process of discussion of previous drafts of this article, some incomplete and in some respects one-sided texts have been circulated. Some of them contained certain passages that were inept in form and tact and were included through oversight. The author asks readers to bear this in mind. The author is deeply grateful to readers of preliminary drafts who communicated their friendly comments and thus helped improve the article and refine a number of basic statements.—A. Sakharov

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PEOPLE MENTIONED IN SAKHAROV MANUSCRIPT

Aragon, Louis (born 1895): French Communist writer, who protested Soviet literary trials.

Beria, Lavrenti P. (1899–1953): Stalin's chief of secret police; executed by Stalin's successors.

Bukovsky, Vladimir: young Soviet writer; sentenced in September, 1967 to three years' imprisonment for participation in an unauthorized demonstration.

Clausewitz, Karl Von (1780–1831): Prussian general and military writer.

Crimean Tatars: Soviet ethnic minority, exiled in World War II for alleged collaboration with the Germans; fully cleared of accusation in July, 1967.

Daniel, Yuli M.: Soviet writer, sentenced in February, 1966, to five years' imprisonment on charges of having slandered the Soviet Union in books published abroad under the pen name Nikolai Arzhak.

Delone, Vadim: young Soviet poet; sentenced with Bukovsky to one year's imprisonment.

Dobrovolsky, Aleksei: contributor to Soviet underground magazine Phoenix 1966; arrested January, 1967 with Ginzburg and Galanskov; turned state's evidence; sentenced in January, 1968, to two years.

Ehrenburg, Ilya: the Soviet novelist who died last August at the age of 76.

Eichmann, Adolf: SS colonel who headed Gestapo's Jewish section; arrested by Israel in May, 1960; tried and executed in May, 1962.

Galanskov, Yuri: editor of Soviet underground magazine Phoenix 1966; sentenced in January, 1968 to seven years' imprisonment for anti-Soviet activity.

Ginzburg, Aleksandr: author of a book on the Sinyavsky-Daniel case that was published abroad; sentenced in January, 1968, to five years' imprisonment for anti-Soviet activity.

Glavlit: the Soviet censorship agency.

Greene, Graham: the British novelist, who protested Soviet literary trials.

Grigorenko, Pyotr G.: former major general in World War II; cashiered in 1964 on charges of anti-Soviet activity.

Henri, Ernst: pseudonym for a Soviet commentator; Semyon Rostovsky, who contributes frequently to the weekly Literaturnaya Gazeta.

Himmler, Heinrich: Hitler's secret police chief; suicide in 1945.

Khaustov, Viktor: sentenced in February, 1967, to three years' imprisonment for organizing demonstration on behalf of arrested writers.

Kushev, Yevgeny: young Soviet poet; sentenced in September, 1967, to one year's imprisonment for participation of protest demonstration.

Leontovich, Mikhail A. (born 1903): Soviet nuclear physicist; an associate of Andrei D. Sakharov.

Malenkov, Georgi M. (born 1902): a close associate of Stalin; expelled from the Soviet leadership by Nikita S. Khrushchev in 1957.

Molotov, Vyacheslav M. (born 1890): a close associate of Stalin; expelled from the Soviet leadership by Nikita S. Khrushchev in 1957.

Nekrich, Aleksandr M.: Soviet historian, author of book on the German attack on the Soviet Union in 1941; reported criticized and ousted from Communist party in 1967.

Semichastny, Vladimir Y.: chairman of the K.G.B., Soviet secret police from 1961 until relieved of his post in May, 1967.

Sinyavsky, Andrei D.: Soviet writer, sentenced in February, 1968, to seven years' imprisonment on charges of having slandered the Soviet Union in books published abroad under the pen name of Abram Tertza.

Solzhenitsyn, Aleksandr I.: Soviet writer; author of "One Day in the Life of Ivan Denisovich"; in official disfavor and unpublished in recent years.

Wiener, Norbert (1894–1964): American mathematician; founder of the science of cybernetics, which laid the basis for computer technology.

Yagoda, Genrikh G.: Stalin's chief of secret police from 1934 to 1936; supervised early phase of great purges; was himself purged and executed in 1938.

Yezhov, Nikolai I.: Stalin's chief of secret police from 1936 to 1938; supervised the main phase of great purges; disappeared in 1939.

Zasulich, Vera I. (1851–1919): early Russian Marxist who had correspondence with Marx and Engels; she opposed terrorism as a revolutionary tactic and joined Menshevik faction against Lenin.

Zhdanov, Andrei A. (1896–1948): a close associate of Stalin, in charge of artistic and scientific policies at height of his career from 1945 to 1948.

OUTSPOKEN SOVIET SCIENTIST: ANDREI DMITRIYEVICH SAKHAROV

In the fall of 1958, the Soviet Communist party newspaper, Pravda, opened its authoritative pages to the views of two prominent nuclear physicists in a nationwide debate on educational reform.

Academician Andrei D. Sakharov, then 37 years old, and a fellow academician, Yakov B. Zeldovich, urged separate schools for specially gifted children to train the future generation of scientists at an early age.

The authors contended that it was indisputable that mathematicians and physicists, at least, were most productive in the early stages of their careers and that many of the great discoveries in those fields had been made by scientists aged 22 to 26.

Dr. Sakharov, for one, was reasoning from personal experience. He earned his doctorate in physics at the age of 26, joined in making a major physical discovery at the age of 29 and, at 32, was elected a member of the Academy of Sciences, the most prestigious position for a Soviet scientist, having skipped the usual intermediate stage of corresponding member.

In recent years Dr. Sakharov (pronounced SAH-khah-roff) has continued to voice his views on public affairs. But instead of being officially sanctioned by publication in Pravda, his opinions, often critical of domestic and foreign policy, were circulating in manuscript among friends and associates.

His latest essay, written last month and now available here, outlines a plan for Soviet-American cooperation and ultimate rapprochement that he views as the only way to save mankind from thermonuclear war, overpopulation and famine, and pollution of the environment.

MEMBER OF THE ELITE

As a member of the scientific and technological elite of Soviet society, and as a man with broad intellectual horizons and range of interests, Dr. Sakharov has not been afraid to speak out, even if his views are in conflict with official policy.

In the spring of 1966, as the new Soviet leadership was preparing to convoke the 23d congress of the Communist party, the country was abuzz with rumors that Mr. Khrushchev's successors were planning to rectify his unqualified 1956 condemnation of Stalin's rule.

Academician Sakharov then joined fellow nuclear physicists and other intellectuals in a petition sent to Leonid I. Brezhnev, the new party chief, opposing any planned restoration of Stalin's status. The petitioners said the Soviet people "will never understand or accept" a rehabilitation of Stalin and they warned of a new split in Communist ranks, between the Soviet party and the Communist parties of the West, if such a step were taken.

It is unclear whether the high prestige of the signers and their argument proved per-

suasive, but no dramatic steps to change Stalin's status were taken at the congress in 1966.

Later that year, Dr. Sakharov again joined a group of petitioners, this time to object to a newly adopted decree that made unauthorized protest demonstrations a crime.

Entirely the product of the Soviet period, Andrei Dmitriyevich Sakharov was born May 21, 1921, and was graduated from Moscow University during the war year of 1942. Scarce published biographical data contain no information about his personal life or family background.

He joined the Lebedev Institute of Physics in Moscow, where he earned his doctorate in 1947 while working with Dr. Igor Y. Tamm, a specialist in quantum mechanics who, in 1958, became one of three Russians to share the Nobel Prize in Physics.

Research by Dr. Tamm and his students led in 1950 to a proposal that provided the theoretical basis for controlled thermonuclear fusion—the harnessing of the power of the hydrogen bomb for the generation of electricity for peaceful purposes.

The principle, involving the use of an electrical discharge in plasma (ionized gas) and heat containment by a magnetic field, furnished the basis for much subsequent controlled-fusion research, in which a breakthrough to commercial application is yet to be achieved.

For their work, both Dr. Sakharov and his teacher were elected full members of the Soviet Academy of Sciences in 1953. While Dr. Tamm had held the probationary corresponding membership for 20 years, his young associate moved directly into the highest level of the Soviet scientific elite.

Since 1959, Dr. Sakharov has been associated with Academician Mikhail A. Leontovich in research on the theoretical aspects of controlled fusion.

Dr. Sakharov's work has been publicized in the popular literature. A book for the general reader by V. P. Kartsev, entitled "Stories About Physics," scheduled for publication in Moscow later this year, describes his design for an "explosive-magnetic generator," a device that would produce electricity from an explosion contained by a magnetic field.

Dr. Sakharov was probably influenced in his outlook by Dr. Tamm, himself a candidate and courageous scholar who has attended some of the Pugwash conferences on science and international affairs. The meetings, which brought together scientists of East and West, were named for Pugwash, N.S., a Canadian village where the first conference was sponsored by Cyrus S. Eaton, the Cleveland industrialist.

SENATE RESOLUTION 388—RESOLUTION RELATIVE TO DEATH OF REPRESENTATIVE ELMER J. HOLLAND OF PENNSYLVANIA

Mr. BYRD of West Virginia (for Mr. CLARK and Mr. SCOTT) submitted a resolution (S. Res. 388) relative to the death of Representative Elmer J. Holland of Pennsylvania, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. BYRD of West Virginia, which appears under a separate heading.)

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1969—AMENDMENT

AMENDMENT NO. 939

Mr. PASTORE (for himself and Mr. JAVITS) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. PASTORE, which appears under a separate heading.)

AMENDMENT NO. 941

Mr. MUNDT (for himself, Mr. MURPHY, and Mr. YOUNG of North Dakota) proposed an amendment to House bill 18037, supra, which was ordered to be printed.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO CERTAIN DEDUCTION BY FARMERS—AMENDMENT

AMENDMENT NO. 940

Mr. MILLER. Mr. President, I submit an amendment to H.R. 2767, to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts, a bill which is pending on the Senate calendar.

My amendment is designed to remove a present inequity in our Federal income tax law with respect to the tax treatment of insurance proceeds received by farmers resulting from the destruction and damage of crops by hail.

Mr. President, the technical problem arises when a farmer produces crops and, quite often, does not sell those crops until the following year. When those crops are destroyed in the same year in which he sells the previous year's crop, under the present tax law, he is required to report and pay tax on the insurance proceeds, which are a substitute for the income from the crops, and the income from the present year's crops in the same year.

If the farmer had not been subject to the vicissitudes of hail, his crops would have been raised and he would have sold them in the following year. There would then have been no doubling up of income.

All my amendment does is to give the farmer the opportunity, where he has consistently followed the practice of selling crops produced in one year in the following year, of avoiding this doubling up hardship.

I trust that the Members of the Senate will recognize this inequity and see fit to agree to my amendment. I propose to call it up at the appropriate time.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

NOTICE OF HEARINGS

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Thursday, September 12, 1968, at 10:30 a.m., in room 2228, New Senate Office Building on the following nominations:

William J. Holloway, Jr., of Oklahoma, to be U.S. circuit judge, 10th circuit, vice a new position created under Public Law 90-347 approved June 18, 1968.

Lawrence Gubow, of Michigan, to be U.S. district judge, eastern district of Michigan, vice Wade H. McCree, Jr., elevated.

David G. Bress, of the District of Columbia, to be U.S. district judge, District of Columbia, vice Joseph C. McGarraghy.

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

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Nebraska [Mr. HRUSKA] may be allowed to proceed for 15 minutes.

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

Mr. HRUSKA. I thank the majority leader.

THE TEST OF COURAGE

Mr. HRUSKA. Mr. President, the first 8 months of 1968 produced one of the greatest tests of courage in this century. January saw the first halting step of a small country toward the goal of freedom. As the months passed, Czechoslovakia moved a little closer to its goal, and each month the Soviet Union became more threatening. The test of courage for the Czechs and Slovaks was whether, in the name of human dignity, they could stand face to face with an overpowering foe. The test of courage for totalitarian Russia was whether it dared allow one small country even a taste of freedom. Czechoslovakia won that test of courage.

The Russians used military force ruthlessly, not to suppress an armed rebellion as in Hungary, but to halt the mellowing of Communist Party rule of a satellite.

Freedom of expression for the Czechoslovak people, in the view of the Kremlin, was the most dangerous threat to the Soviet system. So the armed forces were ordered to crush the modest reform movement of Alexander Dubcek's Communist government.

The world watched the rape of Czechoslovakia. The courage of these people was magnificent. The cowardice of Russia was blatant. The President of the United States announced that the actions of the Soviet Union shocked the conscience of the world. Other countries, including Communist countries and Communist organizations, joined in the condemnation of this brazen act of oppression.

Western Europe, the United States, and the NATO organization were powerless to do little more than offer sympathy, express admiration for the heroic resistance by the Czechoslovak people, and issue statements criticizing the Kremlin.

The Kremlin may have underestimated the fierceness of the resistance of the people of Czechoslovakia, but I do not

believe for a moment that these leaders miscalculated the reaction of the rest of the world.

For our own Nation that has thrived in freedom, it is especially painful to see the small spark of freedom's light crushed by the tread of Soviet tanks.

The proclaimed threat to Socialist order that was being put down by military might was the hint of freedom. Newspapers, intellectuals, students, men in the street wanted to be able to talk and think. At its best, the January movement was not fredom as we know it—for example, over 900 specific categories of news were still to be censored in the press. However, it was an important first step in the relaxation of Soviet control.

Here in the United States, in our schools, in our Labor Day speeches, we talk of the spirit of freedom and the drive within men to be free. Perhaps, in this modern cradle of freedom, we have forgotten how powerful a force freedom can be.

There is a lesson we can learn: Freedom, decency, and dignity are incompatible with the Communist system. Russia has not forgotten that freedom—national and individual—is its natural enemy. In the Soviet view, their system was threatened, and they struck fast and hard to preserve it.

The harshness with which the suppression was carried out suggests that there has been little erosion in the historic ruthlessness of Soviet Communist leadership.

DÉTENTE

The brutal suppression of Czechoslovakia not only shocked the conscience of the world; it shocked the policymakers in the White House. A military invasion was, in their reasoning, the one step the Soviet Union could not take because it would threaten all the recent peaceful developments and destroy efforts or pretentions at détente.

For several years, the United States has followed what has been called a policy of convergence. It assumes that as Russia develops and prospers, its interests will converge with those of the western democracies and the United States, and détente will result.

To further this convergence, the United States has gone more than half way in seeking accommodation in many ways including working for East-West trade. No treaty or agreement was too miniscule, because the steps were supposed to lead to peaceful coexistence, as we understand the term, and ultimately even to close friendship.

Sensible men cannot fault such attempts to negotiate peacefully with the Communists. But the degree of reliance placed on the assumptions of convergence in attaining our foreign policy objectives has long been in question.

The subjugation of the Czechoslovak people should force second thoughts on even the most ardent disciples of the theory of Soviet meloriation.

Let me review briefly six major assumptions underlying the United States recent attempts at détente, and let us consider them in the aftermath of Czechoslovakia:

First. The growing independence of Eastern European Communist countries, "polycentricism" as this loosening process is known, has convinced the Soviet Union that it cannot maintain an empire in which its own power is the final determinant.

This tenet of détente has been proven wrong.

Second. The growing demands of Soviet citizens for consumer goods has brought about an economic rationalism in the Soviet economy and forced the country to adopt certain capitalist techniques. It has become increasingly apparent that external aggression and revolution are incompatible with the wants and needs of the Soviet people.

The need of international Communist power dictated external aggression against Czechoslovakia without regard to economic rationalism.

Third. After the years of Stalinist terror, liberalization is the only path which the Soviet Union can follow.

Terror is still an effective weapon in the hands of those ruthless enough to use it.

Fourth. After disappointments in attempting to use Communist ideology, the Soviets have turned to realpolitik in world affairs. They will conduct international relations in terms of enlightened self-interest and settle back into conventional patterns of international politics observed by traditional nation states.

"Enlightened self-interest" this time meant a violent reaction wrought by fear of freedom.

Fifth. Faced with a "China" problem, the Soviet Union has realized the necessity of seeking aid from the West.

Russia deliberately alienated the West in order to control Eastern Europe.

Sixth. The Soviets admitted during the Cuban missile crisis they could not match the strategic power of the United States. Logically, then, Russia must come to terms with the United States.

Strategic power was irrelevant in this crisis, and the Soviet Union continues to ignore the United States and NATO as it threatens Rumania.

Mr. President, the deliberate, indefensible attack on Czechoslovakia has shown each of the premises to be wrong or misinterpreted. The conclusion drawn from them was a miscalculation. Russia has not been forced to follow peaceful ways.

It is these premises, nonetheless, that have guided the détente mentality of our relations with the Soviet Union in recent years. Always fearing to offend, we pursued foreign relations and national security from a position of self-effacing courtesy rather than a position of strength and firmness.

It is under the protective umbrella of détente that we have allowed NATO to deteriorate, that we have redeployed military forces in Europe, and that we have considered substantial troop reductions.

It is under the protective umbrella of détente that our Nation has announced and pursued a program and policy of building bridges from West to East.

On August 20, 1968, it became fatefully obvious that the umbrella was illusory. The premises on which our détente policy was based were swept away when Warsaw Pact troops crossed the borders of Czechoslovakia.

OUR RESPONSE

Mr. President, our policymakers have had a rude shock, and it is time to reevaluate and reexamine their decisions. I urge, therefore, thoughtful and serious review of U.S. policy in two critical areas:

First. A full-scale conference of North Atlantic Treaty Organization foreign ministers and defense ministers should be convened to review mutual defense arrangements in Europe.

Second. Concurrently, the United States must review, in depth, its current policy of bridgebuilding to the Soviets.

The announcement this past weekend that NATO is reviewing defense arrangements is a welcome one. But there was no sense of urgency in that action. The response belies the seriousness of the situation.

I am not suggesting a provocative overreaction by NATO to events in Eastern Europe. I am suggesting that the invasion of Czechoslovakia, the rumored threats to Rumania, and the admitted shift in the balance of power in Eastern Europe requires a response equal to the gravity of the situation.

The policy of silence followed by the administration in the Czechoslovak crisis was obviously ineffective as a deterrent to the Soviet power play. The President's warning not to loose the dogs of war in Europe indicates concern over the continuing crisis. But we must go further and take those nonaggressive steps which will demonstrate the serious view which the United States and its NATO allies take of the actions by the "new" Russia.

NATO's effectiveness must be scrutinized in the light of this most recent Soviet action as a testimonial to Soviet intentions. It ranks alongside the smashing of Hungary, the installation of missiles in Cuba, the underwriting of North Vietnam's war effort, the recent increase in the Soviet military budget, and the building and deployment in new locations of formidable naval power.

The strength or, more accurately, the weakness of NATO military forces apparently gave the Soviets little cause for concern. The Communist armies moved with impunity on Czechoslovakia. They will have similar freedom of action if they decide to punish Rumania.

Cognizance should be taken of the recent buildup of Soviet naval power in the Mediterranean because it has further upset the balance of power in Europe and the Middle East. The Mediterranean is no longer a Western lake. Russia also has made striking gains in the Middle East, where her influence is substantial for the first time in U.S. history.

The nuclear superiority enjoyed by the United States immediately after World War II, and well into the 1950's, is gone. Our nuclear deterrent, although vital, is deterred. The balance of power in Europe now rests with nonnuclear forces. And the Soviets have an abundance of superiority on the ground. Our belief in the theory of Soviet mellowing has debilitated our entire military strategy. Now it appears that NATO must be revitalized.

Strengthening NATO does not mean larger U.S. forces and support. We are contributing our share or more than

our share now. It does mean greater cooperation by our European partners.

A reappraisal of NATO should look carefully into the reasons for the lack of enthusiasm in Western Europe for support of this organization for common defense. Has, for example, U.S. strategy made NATO uncreditable in Europe? Did General de Gaulle order NATO forces from France from mere petulance, or did he distrust the strategy that we dictated in NATO? If so, does the credibility gap extend to our other partners? These are questions the answers to which have been made urgent by Soviet actions.

Mr. President, I will not attempt to examine all facets of the need for reevaluation of our foreign policy in the light of our horror over Czechoslovakia. I do not have enough information or resources to carry out an exhaustive examination. But I do feel that the repressive steps taken by the Warsaw Pact nations are a clear and obvious rebuke to those who contend that communism is mellowing. It is in this light that we must review our policy of "building bridges" to the East.

The implication of Czechoslovakia, as well as other Soviet actions, suggest to me that U.S. policy toward Russia in recent years has been based on erroneous assumptions, and has been dangerous to our own best interests.

Seventeen months ago, I argued in this Chamber that the Communist threat to the free world had become greater and not less; that the increased threat was not just military, or political, or economic, but all of these—a strategic threat.

I raise this subject not as a partisan issue. Indeed, both party platforms recognize the real dangers offered by Russia today. The occupation of Czechoslovakia was called by the Democrats "a shocking reminder that we live in a dangerous and unpredictable world. The reimposition of Soviet tyranny raises the specter of the darkest days of the Stalin era and increases the risk of war in central Europe, a war that could become a nuclear holocaust."

The Republican platform, written before the invasion of Czechoslovakia, pledges that:

> Only when Communist nations prove by actual deeds that they genuinely seek world peace and will live in harmony with the rest of the world, will we support expansion of East-West trade.

Candor is necessary to unravel the issues of détente, and without recrimination, I refer to my remarks on the floor of this Senate on March 14, 1967, during the debate on the Consular Treaty. Today, I repeat in part what I said then:

> Basically, the entire matter boils down to how one views the Soviet Union and the international Communist movement today. If the Soviet Union is truly undergoing a period of deep and profound change, and if it is now charting a course of cooperation with emphasis on peace rather than conflict, then those who argue in the spirit of the "detente mentality" for "restraint" on the part of the United States and for expanded East-West trade are entirely correct. If, on the other hand, the Soviet Union has not undergone a meaningful change in terms of its long-range goals vis-a-vis the world, and if it persists in declaring that its ultimate goal is victory over the United States and other non-Communist countries, then the decisions made in the spirit of the detente and in such important matters as expanded East-West trade are wrong and, therefore, endanger in a most meaningful way our national security.
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> If we were in fact prepared to pursue, in the most consistent and dynamic fashion certain political objectives vis-a-vis Eastern Europe and the Soviet Union in return for expanded East-West trade, then a very strong case could be made for a cautious and systematic expansion of the trade pattern with those nations. Thus, if we are prepared to make certain precise demands upon those countries which want and need our trade and credits necessary to support that trade, then our objectives should be clearly spelled out to the Congress of the United States and to the American people. Mere expansion of trade without accompanying concrete political goals will come to naught. Only the interests of the Communists will be served if we are not in fact able to achieve the political objectives which the Administration currently promises.
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> Far from manifesting good will, the Communists repeatedly underscore their own desire to "win" over us, to defeat us thoroughly, and to see us "buried." The latter statement has been rationalized by those who share the detente mentality as a misunderstanding on our part, or a slip of the tongue by its author, Khrushchev. That such is not the case is clearly indicated by the mountains of evidence which have accumulated in Communist documents and other Communist sources over the past years.

Mr. President, in Vietnam American troops are being killed by Soviet-produced and Soviet-financed equipment.

From Cuba subversion is being exported throughout South America.

In Guatemala City, the U.S. Ambassador John Mein was machinegunned to death by Castroite guerrillas.

In the Middle East, Egypt rearms and Soviet ships ply the Mediterranean.

These are facts about the Soviet Union that must be weighed today.

Czech and Slovak patriots did not achieve freedom for themselves. They did, however, reach up to the Russian giant and strip away the mask of decency and reason. In this nuclear age, we must be willing to negotiate, but let us recognize the ruthless nature of our adversary.

OUR TEST OF COURAGE

In the light of this most recent shock of reality, I call upon the President to request a meeting of foreign ministers and defense ministers of the NATO countries; I call upon the Congress and the administration to reexamine the goals, the premises, and the interpretation underlying our policy toward the Soviet Union.

Just as for a man, it is difficult for a government to admit it was wrong. It is hard to search for realistic peace against a ruthless adversary. Regrettably, the optimists have nearly always been wrong concerning Soviet intentions. The threat has not diminished but has been successively intensified—politically, economically, and now militarily.

This Nation cannot allow wishful thinking to color the facts and obliterate obstacles. We must accept reality. This, Mr. President, is the test of courage for the United States.

Mr. DIRKSEN. Mr. President, will the distinguished Senator from Nebraska yield?

Mr. HRUSKA. I yield.

Mr. DIRKSEN. I wish to compliment the Senator and commend him for this very hard-hitting and forceful statement with respect to the crisis that has been engendered in Czechoslovakia.

I think it is patent now in every part of the world that, little by little, a ferment has developed in the Soviet Union as the people there reach out, not merely for more consumer goods, but also for the chance to express themselves; and the very fact that they have carried on these programs against the authors and the writers of the Soviet Union who speak out freely is the best evidence I can think of as to whether or not the old Stalinist viewpoint is coming back.

The only sin that was charged against Czechoslovakia, certainly, was that Dubcek, their leader, refused to discipline at least 60 editors who were bold and courageous enough to present, all over again, the story of Jan Masaryk, the great Czech hero, on the front pages of their newspapers. When the Soviet demand was made that Dubcek discipline those editors, he very forthrightly refused to do so.

I noticed that of the five items that seemed to be at the base of this matter and its motivation, three of them, certainly, deal with freedom of expression, whether by individuals or by groups, or whether through the publications that are published in Czechoslovakia.

On the heels of this matter comes Rumania and the threat to her freedom. Freedom is an indivisible fabric, Mr. President, and we do have to take account of it. I am glad that the distinguished Senator from Nebraska has suggested that the President now convene our leaders and take a new look at our policy so far as it appertains to the Soviet Union, because if this destruction of freedom can go on, then, of course, freedom is in jeopardy in every part of the world, including the United States of America.

We have those who think that communism is not a threat in this country, and who shrug off and laugh off the suggestions that it is. Mr. President, I went to a lot of trouble and took an awful scolding to carry on and keep alive the Subversive Activities Control Board. I do not know how much I was pilloried in the press and in the letters of people; but I was determined to keep it alive, because it is the only board in the executive branch of the Government that deals with the matter of subversion and our internal security; and if it had done even less than was alleged, I still would have made that struggle to keep it alive.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The Senator's time has expired.

Mr. HRUSKA. I ask unanimous consent to proceed for 5 additional minutes.

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

Mr. DIRKSEN. I commend the distinguished Senator from Nebraska.

Mr. HRUSKA. I thank the Senator from Illinois for his kind remarks.

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

Mr. HRUSKA. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. I, too, wish to express commendation to the Senator from Nebraska [Mr. HRUSKA] for the very forceful statement which he has made about the grave injustice perpetrated by imperialistic Russia upon the Czechoslovak people. I treasure what the Senator has said because I know of his Czech background. Probably more than any other Member of the Senate, Senator HRUSKA is sensitive to the heartbeat of the Czech people. He knows the ordeals through which they have gone in their history, in the effort to achieve freedom for themselves and other people around the world.

I am especially impressed by certain aspects of what the Senator has just said. He stated, if I may quote from his speech:

> We must go further and take those nonaggressive steps which will demonstrate the serious view which the United States and its NATO allies take of the actions by the "new" Russia.

The Senator further stated:

> But I do feel that the repressive steps taken by the Warsaw Pact nations are a clear and obvious rebuke to those who contend that Communism is mellowing.

I concur with what the Senator from Illinois said a moment ago, that too many in high public office in this country have taken the attitude that we have no cause for fear of Russia.

The Senator from Nebraska further stated:

> It is in this light that we must review our policy of "building bridges" to the East.

Can we, Mr. President, continue telling our people throughout this Nation, "Russia has mellowed, and the communistic world is not a monolithic aggregation of nations"? Should we not rather tell them to dismiss the idea that communism is content to remain where it is, and that we have no reason to be fearful of it?

The Senator has sounded a call to awaken Americans to understand that the maw of communism will never be satisfied until it has attained domination of free people, their souls, and their purposes everywhere, and it does not contemplate sparing the United States.

I now go to the conclusion of the Senator's statement:

> It is hard to search for realistic peace against a ruthless adversary.

We have yielded time and again. We have gone forward under the assumption that there has been a relaxation of Russian hostility to free people. Then the Senator makes the significant statement that "regrettably, the optimists have nearly always been wrong concerning Soviet intentions."

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUSCHE. May we have 3 more minutes?

Mr. HRUSKA. I ask unanimous consent to proceed for 3 additional minutes.

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

Mr. LAUSCHE. Mr. President, I have been the object of abuse in the Foreign Relations Committee and on the floor of the Senate because I do not believe that Russia has relented.

The argument was made in a discussion in the Foreign Relations Committee that there is no communism in this world, that there is only socialism. It was stated that those governments in the Warsaw Pact with Russia are contemplating only to improve the economic and social conditions of their people.

The distinguished Senator from Illinois [Mr. DIRKSEN] stated that the crisis was created in Czechoslovakia a brief time ago. I do not agree with him on that statement. The crisis has been with us. It was with us in 1962 when we thought we had triumphed in Cuba by having them pull out their missiles. However, the fact is that Cuban military power was greatly strengthened at that time.

The crisis has been with us. This is merely another incident that demonstrates that the purpose of Russia is to conquer the world.

I commend the Senator for his statement. My own view is that Russia's veto of the action taken by the Security Council revealed the weakness of its position.

I deeply hope that our Government will go to the General Assembly and cause its members to go on record as to whether in the spirit of the United Nations they tolerate the action of one world power descending upon a little nation and telling that little nation: "You shall not think. You shall not speak. You shall not pray except in conformity with the dictates that come from on high, out of Russia."

Mr. HRUSKA. Mr. President, I ask unanimous consent that I may have an additional 5 minutes, during which time I shall yield to the distinguished Senator from Iowa, the ranking minority member of the Committee on Foreign Relations.

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

Mr. HICKENLOOPER. Mr. President, I shall not take a great deal of the time of the Senate. I commend the Senator most highly for presenting not only a well organized but also a most perceptive analysis of the situation in which we find ourselves.

Many people have been saying for years that Russian imperialism has not changed in the slightest, that only the raiments, the approach, and the propaganda have changed from time to time. However, this travesty recently committed in Czechoslovakia indicates that when a country or an area over which the Russians have taken control deviates in the slightest from the basic principles of Socialist imperialism laid down by Russia, Russia then moves, if it possibly can, to squelch the freedom that is being developed in that country.

I think the six points developed by the Senator from Nebraska should be taken to heart by every American. I certainly urge the reading of his remarks not only by every Member of Congress, but also by every citizen of our country that has access to the CONGRESSIONAL RECORD.

There are those in this country who keep preaching that there is a detente of sorts in existence now between our country and Russia. Nothing could be further from the truth. There is no more intention on the part of the Russians to accommodate themselves to an association with civilized freedom than there ever has been. Their purpose has been world dominion, and it continues to be world dominion. Every so often their fangs show, as they did in this travesty involving Czechoslovakia.

I know the world grieves about this matter. But public opinion has very little effect on Russian imperialism. The truth of that statement has been shown from time to time. It is only the opinion within the Russian orbit itself that, I think, may eventually have some effect on Russian attitude. The opinion of democracy means nothing. The attitude and public opinion of the free nations of the world have no real effect on them. They could not care less, and they have proven that so many times.

I only hope that a great many of the people who are saying that we should soften our association with NATO and build bridges with Russia will realize their mistake.

Successful building of bridges depends upon the solid foundation of each abutment. If we have a solid foundation at our end of the bridge but the foundation on the other side, in the Socialist country, is based upon quicksand, we have no bridge and no comity of action or approach.

I again congratulate the Senator from Nebraska on his very able presentation and on his perception.

Mr. HRUSKA. Mr. President, the Senator speaks from a long background in the field of international affairs. I am very grateful to him for his fine remarks.

Mr. BYRD of Virginia. Mr. President, I concur in many of the remarks just made by the distinguished Senator from Nebraska and the distinguished Senator from Iowa. The world was shocked at the invasion of Czechoslovakia by the Soviet Union.

I was in Czechoslovakia several years ago, and I have a warm feeling for the people of that land.

It was 30 years ago, in 1938, that Czechoslovakia was sold down the river by the leaders of four great nations. Then, 20 years ago, in 1948, as a result of a coalition government, the Communists were permitted to take over that fine little country. Now again, in 1968, the heavy, mailed might of the Soviet Union is running roughshod over the people of Czechoslovakia.

Mr. President, the Soviet Union is doing great damage in Europe. However, it is also doing great damage in the furnishing of supplies to the North Vietnamese who, in turn, are causing great casualties to the American troops.

Mr. President, for more than 3 years now I have been, almost every week, inviting attention to the casualty figures.

This past week, the U.S. troops in Vietnam suffered 2,921 casualties. Mr. President (Mr. GORE in the chair), during the first 8 months of 1968, January 1 through August 31, the United States suffered 83,533 casualties.

The significant part of this, to me, is that of all the casualties we have suf-

fered in Vietnam, 41 percent have occurred during the first 8 months of 1968—namely, January 1 through August 31. We have been engaged in Vietnam, in one form or another, approximately 7 years, but we have been heavily engaged there for more than 3 years. Yet, during the first 8 months of 1968, we suffered 83,533 casualties, which represents 41.6 percent of all the casualties we have suffered during this war.

In that connection, Mr. President, during the same 8 months, January through August, the number of free-world ships going into the ports and harbors of North Vietnam totaled 98.

The figure of 98 free-world ships going into the North Vietnamese ports during the first 8 months of this year compares with a total of 50 ships which went into those ports during the first 8 months of 1967. So we can see that the amount of free-world shipping going into the North Vietnamese ports has practically doubled during 1968.

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

Mr. BYRD of Virginia. I yield.

Mr. LAUSCHE. Can the Senator state the nations whose ships are going in there? Which are the principal participants?

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. BYRD of Virginia. I ask unanimous consent that I may proceed for 3 additional minutes.

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

Mr. BYRD of Virginia. I shall be glad to supply those figures.

During this 8-month period, January through August, a total of 98 ships carried cargo into those ports. Of those 98 ships, 77 flew the flag of Great Britain. These 77 ships, 77 ships flying the flag of Great Britain, which carried cargo to and from the North Vietnamese ports during the first 8 months of 1968, compare with 41 ships flying the British flag which carried cargo to those ports during the first 8 months of 1967.

Here, again, we see that the number of ships going into the enemy port of Haiphong has almost doubled during the first 8 months of this year compared with the same time last year.

Is there any wonder that our casualties are increasing?

Is there any wonder that more and more Americans are being killed and wounded? Forty-one percent of all the casualties we have suffered during the Vietnamese war have occurred during the first 8 months of 1968.

It seems to me, Mr. President, that while the peace talks are going on in Paris—and certainly we want to do everything possible in the way of negotiations and in the way of discussions in an effort to bring the Vietnam war to a conclusion—we must not let the troops in Vietnam become the forgotten men.

I submit that these casualty figures—2,921 killed and wounded last week—suggest that we are permitting our troops to become the forgotten men. We are being lulled into a false sense of security and as a result we are suffering heavier casualties.

VIOLENCE IN CHICAGO

Mr. MOSS. Mr. President, with many of my Democratic colleagues, I spent most of last week in Chicago at our national convention. A celebrated former Senator and a distinguished Member of this body were nominated to head our ticket. But these nominations seem to have been overshadowed by the public outcry over the television reporting of the proceedings and of the confrontation outside between the police and the collection of just plain observers, the protesters, and the troublemakers.

Some reporters from my hometown press have strong opinions on this matter, and I have in my hand three columns which I submit for the information of the Senate. I call attention particularly to the column by Dan Valentine. I do so because the title "Nothing Serious" implies that this is a humorous column. Dan ordinarily writes in a humorous vein. I do not believe he has written more than three columns of straight serious comment in a decade. But this time his report is straight and serious, and it comes from personal observation at the convention. The column by Gordon White also comes from personal exposure in Chicago.

I ask unanimous consent that these two columns and a column by Harold Schindler be printed in the RECORD at this point.

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

NOTHING SERIOUS

(By Dan Valentine)

I return from five days at the 1968 Democratic convention in Chicago disenchanted, disappointed . . . and with a deep feeling of despair.

I have seen the sleaziest element of our unthinking youth, manipulated by professional rabble rousers, defy all standards of decency—while adults cheered them on.

The real heroes of the Democratic convention in Chicago are the thousands of Chicago police officers—who laid their lives on the line for unholy stretches of time to maintain law and order.

And let's praise the soldiers of the National Guard units who stood strong against the barrages of vile language and tasteless actions of the "Hippies" and the "Yippies."

Yet, thanks to biased, emotional, undisciplined electronic reporting, the police officers and National Guardsmen have been pegged as the villains of this unsavory chapter in American history.

Television, by its very nature, has only one eye. Because it is essentially show business, and not a news media, it can show only the dramatic end-results of what is taking place.

TV viewers were treated to segments of young "Yippies" demonstrating in Chicago being dragged and kicked while being arrested.

But the other side of the story is not shown—the provocation!

IT WORKED LIKE THIS:

For stretches of three and four hours at a time police officers and National Guardsmen stood silent and stolid facing the "Yippies." The police were stoned and mauled. Their authority was flouted. Obscene taunts were yelled at them by thousands of young malcontents.

Finally, after hours of this, a youth races up to a police officer and slashes at him with his foot—on the edge of the shoe is a sharp razor blade. To protect himself, the police officer subdues the youth. This is the part filmed by the TV reporters and flashed on the air—just the incident of the youth being arrested—not the provocation!

In another isolated incident, a "Yippie" throws a brick at the head of a young police officer. The police officer is taken to the hospital. In retaliation, other officers drag the youth to a police van.

The TV cameras shoot the segment of the youth being dragged to jail. But no picture of the police officer hit on the head by a brick.

The TV newsmen interview the poor lad in jail . . . and he relates how the police were brutal to him. But the TV cameras do not interview the injured police officer in the hospital.

To make things worse, these sequences of so-called brutality, are shown over and over again to the TV viewers across the nation—creating an unfair sympathy for the "Yippies."

When I left Chicago Friday afternoon, more than 50 Chicago policemen were hospitalized with wounds from bouts with the the "innocent young people" protesting for a better world. Two Chicago policemen reportedly had lye thrown in their faces by "Yippies."

An innocent woman was hit on the head by a glass thrown from a top story of the Hilton Hotel . . . Most of the lobbies in major Chicago hotels were made unbearable by the throwing of "stink" bombs by the young hoodlums.

One of the "cute" devices used by the protesting youths who keep shouting for a better America was to fling a large potato into a group of policemen or National Guardsmen. Sticking out of the potato are several razor blades, the sharp sides pointing out . . .

Chicago's Mayor Daley has been labeled "a Hitler" for his tough police enforcement during the convention. But without it, the city would have been riot-torn. And perhaps the rest of the nation, too.

The long-haired hoodlums had vowed publicly to "tear-up Chicago" . . . The police kept them from doing it. That's their job.

The 1968 Democratic convention in Chicago is an ugly chapter in the saga of the United States. It will be a long time before the bad taste is out of America's mouth.

ANOTHER SIDE TO VIOLENCE IN CHICAGO

(By Gordon Eliot White)

CHICAGO.—The Democratic Party and Mayor Richard J. Daley of Chicago took a partly bum rap here on charges of racism and Gestapo tactics during the nominating session Wednesday night.

National television coverage of the riot areas was so restricted that only the final stages of the protest could be shown, when some Chicago police had lost their self-control and were using their nightsticks freely in a confused melee.

Earlier, thousands of Yippies had charged into police lines with rocks, sticks, and bottles flying. In a rapidly shifting pattern, the protesters had outflanked the police and National Guardsmen to get into the downtown Loop area across an unguarded Chicago River bridge.

What was shown on television in the International Amphitheatre consisted of scenes of helmeted Chicago police beating the demonstrators as they attempted to load them into paddy wagons, plus shots of the police using chemical Mace and tear gas on crowds, some of which were only bystanders. Some film footage showed the police working over reporters and cameramen.

There was, clearly, some brutality by the police, who finally attacked almost anyone in the riot area.

At the same time, bitterly disappointed backers of Sen. Kennedy, Sen. McCarthy, Sen. McGovern and Rev. Channing Phillips turn-

ed the rioters downtown into a symbol of their own defeat.

Even though the police lost control at the climax of the riot, when the demonstrators had moved within range of cameras at the Hilton Hotel, the television film could not show the hail of bottles, rocks and caustic solutions being tossed by the rioters, nor the water glasses being dropped on police from windows in the Hilton itself.

The police clearly made serious mistakes in beating newsmen and bystanders, and their strategy was faulty: If the bridges into the Loop area had all been blocked, only a few score of the rioters would have been able to confront the police at the Hilton.

Also, the police several times hemmed in groups of relatively passive demonstrators who appeared to panic and try to break through the police lines. Crowd dispersal tactics generally call for leaving open an avenue of escape through which demonstrators may be channeled harmlessly away.

But the Hippies were not innocent. They tossed stinkbombs into the Hilton and the Palmer House and other Loop hotels, broke scores of windows, smashed police car windshields, and themselves manhandled many bystanders.

The militants—nearly all of them white—appeared to oppose the war in Vietnam, but did not back any of the Democratic candidates. At one point earlier in the week they had threatened to mob Sen. McCarthy in the Hilton, and jeered him as a Fascist, finally chanting Ho Chi Minh, Ho Chi Minh, Ho Chi Minh, at the Minnesota senator.

Yippie publications bitterly wrote off McCarthy, McGovern, and even Sen. Kennedy as members of the "establishment" who had voted for military spending bills in the Senate.

At two points the police called in National Guardsmen, who stood shoulder to shoulder with fixed bayonets on their weapons. The appearance of the guard in late afternoon quieted the demonstrations, which later resumed when the guard was withdrawn. The troops returned after midnight and quickly restored order at the Hilton.

The Yippies had threatened violence in Chicago for weeks, and had trained their cadres in guerrilla tactics in Chicago parks. Led by Tom Mayden, of the Students for the Democratic Society, David Dellinger, a self-described Communist who headed the 1967 march on the Pentagon, and Jerry Rubin, of the Youth International Party, the protesters were carrying out what Staughton Lynd has called the "politics of confrontation."

The liberal wing of the party threw the disturbances at Mr. Humphrey's supporters all night Wednesday, attempting to hang "police state," "Gestapo," and "mindless brutality" tags on their party's nominee. Humphrey opponents spoke of "racism," and an "aura of suspicion" as though the Vice President were responsible for the demonstrations, the police tactics, and all else that the liberals objected to.

Some of the beaten newsmen may have been mistaken by police for rioters. Large numbers of cameramen, from both national media and the Hippie press, plus some reporters, have been covering the convention in tattered old cloths, sandals, and long hair that could easily be mistaken for Hippie attire. Some, at least appear to have actually taken part in the rock-throwing, though at least 35 legitimate accredited reporters were beaten in Tuesday's and Wednesday's rioting.

CONVENTION COVERAGE: WHAT REALLY HAPPENED?

(By Harold Schindler)

The International Amphitheatre is empty, the last gavel has sounded, and while Hippies and Chicago police lick their wounds perhaps this is the time—here in the Demilitarized Zone—to pause for a more penetrating look at television's coverage of the Democratic National Convention.

Millions of stunned Americans watched last week as the convention and its accompanying scenes of violence unfolded before their eyes. But now, after sober reflection, many of those viewers are wondering just exactly what it was they did see, for reports filed out of Chicago during the weekend are beginning to paint a substantially different picture than the one which dominated living rooms screens five days ago.

More disturbing than the incidents themselves is the nagging notion that much of the convention confusion and police confrontation with demonstrators—both on the floor and beyond the Amphitheatre's doors—may have in a large part been brought about by the presence of television.

(Sunday night the networks denied an allegation by Chicago police that militant demonstrators had been able to learn beforehand the location of television cameras outside convention hall.)

Since its appearance 20 years ago, commercial television has been considered an entertainment medium; an industry which accepts or discards programs solely on the basis of rating, with an almost fierce disregard for quality.

For weeks the political conventions have been a source of heated competition between the Big Three, each network scrambling for viewers. NBC alone budgeted seven million dollars for the Miami Beach and Chicago sessions, exclusive of regular schedule preemptions and the resultant loss of sponsor money.

With that kind of cash at stake, the networks went all out to enliven Chicago coverage rather than risk a repeat of the GOP convention, described by Vice President Humphrey as "a wake."

Once on convention floor, harried network reporters, admittedly rankled because Chicago Mayor Daley had restricted their numbers, flagrantly created, nurtured and mongered rumors among the delegates while anchormen treated these manufactured myths as legitimate leads.

One video reporter nailed a delegate with this pertinent query: "And you're here on the floor for what purpose, Senator?"

To which the bemused Democrat responded. "Frankly, Dan, I came down because you asked me."

"Of course," said the reporter.

That delegates were taking advantage of the TV situation became obvious as the convention continued. United Press International writer Robert Musel wondered, "Since most other delegates had gone to dinner, would the New York delegation mixed choir have continued singing and swaying as long as they did in the emptying amphitheatre if the cameras had stopped?"

Efforts to sustain coverage from gavel-to-gavel reached a low water mark when actress Shirley MacLaine, attending as a delegate, twittered, "I keep abreast of what's happening on my little TV set over there."

David Brinkley solemnly confided that "nameless, faceless men" were dogging his floor reporters, eavesdropping on interviewers. "We don't know who they are," he said. And on CBS Walter Cronkite noted the convention was being conducted "in a police state."

For a man anchored to one spot during the entire proceedings, he editorialized more than homeviewers would have dared with the facilities of all three channels and newspaper coverage available to them.

Through it all the networks had a single overrriding concern—one best summarized by this lead paragraph from a publicity release:

"NBC News' television coverage of the four days of the Democratic National Convention attracted a national audience 16 percent greater than CBS-TV's convention coverage and beat ABC-TV's combination of entertainment convention by 17 per cent during the 20½ hours of coverage estimated by National Arbitron (a rating service)."

Would you believe that single sentence is worth seven million dollars?

QUESTIONS AND ANSWERS ON THE NATIONAL GUN CRIME PREVENTION ACT—THE TYDINGS BILL

Mr. MANSFIELD. Mr. President, along with 17 other Senators, I have joined the distinguished Senator from Maryland [Mr. TYDINGS] in introducing S. 3634, the National Gun Crime Prevention Act, which provides for firearms registration and licensing. To answer the questions most frequently asked about the National Gun Crime Prevention Act, I have, with the assistance of Senator TYDINGS, prepared a brief document entitled "Questions and Answers on the National Gun Crime Prevention Act," which I ask unanimous consent to have printed at this point in the RECORD.

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

QUESTIONS AND ANSWERS ON THE NATIONAL GUN CRIME PREVENTION ACT

INDEX OF QUESTIONS AND ANSWERS

1. What is the National Gun Crime Prevention Act?
2. Why not just enforce existing state gun laws?
3. Congress just passed a gun law. Why do we need another?
4. Are registration and licensing proposals merely steps toward confiscation of all firearms?
5. Aren't registration and licensing bills actually just taxation measures?
6. Are registration and licensing constitutional?
7. What will the National Gun Crime Prevention Act cost the gun owner?
8. How does registration work?
9. Must every firearm be registered?
10. Would private firearms sales be registered too?
11. Doesn't registration impose a burden on the law-abiding?
12. But won't criminals refuse to register their guns?
13. Must an owner of several guns register each of them?
14. What about weapons which have no serial number?
15. What about antiques?
16. How does licensing work?
17. How about my son under 18 years old? Could he still hunt and shoot?
18. What's the difference between registration and licensing? Do we need both?
19. Must every gun be separately licensed?
20. Would there be any discretion to deny a license?
21. Won't criminals get guns anyway?
22. Why not just punish gun crimes more severely?
23. What about the argument that "guns don't commit crimes, people do"?
24. What about the argument that "No dictatorship has ever been imposed on a nation of free men who have not just been required to register their privately owned firearms?"

1. *What is the National Gun Crime Prevention Act?*

The National Gun Crime Prevention Act is a bill introduced by 19 Senators to help detect and deter gun crime. It provides for registration of all firearms and licensing of all firearms owners and ammunition users. It encourages state action by providing for state pre-emption of the federal law. Where a state enacts its own registration and licens-

ing law, the federal law would not apply. Where a state fails to act to protect its own citizens, the bill would provide a minimum floor of federal protection in that state.

Registration of all firearms will give the police the means to quickly trace guns used in crime to their owner.

Licensing of gun users will weed out persons who, by reason of criminal record, drug addiction, alcoholism, mental incompetence, or age should not be entrusted with a gun in the first place.

2. *Why not just enforce existing state gun laws?*

Most states' gun laws are totally inadequate to protect their citizens. Many states have practically no gun laws at all, eight states have no law against felons buying firearms. In 35 states lunatics can legally own guns. Only 3 states require a license to own or possess a gun.

Most state gun laws are either obsolete or meaningless, such as a Texas law forbidding carrying guns in a saddlebag, except when you are traveling, Vermont's law forbidding schoolchildren to have guns in the classroom, or Arkansas' law forbidding using a machine gun for offensive purposes. Clearly, existing state firearms laws are totally inadequate to protect the public.

3. *Congress just passed a gun law. Why do we need another?*

The law Congress enacted as part of the Omnibus Crime Bill in June was a watered-down compromise which, while worthwhile, for practical purposes only requires that pistol purchases be made in the purchaser's home state. The new law does make it illegal to transport or possess a gun if you are under indictment, a fugitive, a felon, an adjudged mental incompetent, an illegally entered alien, have renounced U.S. citizenship, or have been dishonorably discharged from the armed forces, but provides no means to actually prevent such persons from making firearms purchases.

The provisions of the Omnibus Crime Bill do *not* provide any way to trace a gun lost, stolen, or used in crime. They provide no way for gun dealers to determine whether the man they are selling to is who he says he is, does not intend to use the gun in crime, is not a felon, addict, or mental patient or otherwise disqualified from gun ownership. These dangerous people can still get guns by simply lying.

To make the law passed in June enforceable, we need firearms registration and licensing. Firearms user licensing would prevent criminals, addicts, lunatics, and juveniles from purchasing firearms, and registration would help find them if they used a gun in crime.

4. *Are registration and licensing proposals merely steps toward confiscation of all firearms?*

Certainly not. Firearms ownership and use by law-abiding citizens is a healthful recreation and does not contribute to the gun crime problem. But we urgently need adequate records of gun ownership to help trace guns used in crime to their criminal users. Registration of all firearms is the only way to gather these records. And we urgently need to deny access to firearms by criminals, addicts and mental incompetents. A licensing system, in which all law-abiding citizens automatically are entitled to licenses and all criminals, addicts and mental incompetents are automatically denied licenses, and which punishes purchase, possession or use of a firearm without a license, will severely inhibit criminal access to guns.

Those who oppose reasonable firearms control because they fear "confiscation" should be much more concerned that the rapidly rising gun crime rate may well lead to public demand for confiscation if reasonable measures to stem the gun crime rate are not taken now. The threat of confiscation arises not from reasonable action to stem the gun crime rate, but rather from no action at all.

5. *Aren't registration and licensing bills actually just taxation measures?*

No. The National Gun Crime Prevention Act contains no fee at all for either licensing or registration. It would be paid for out of the general revenues. Direct controls against criminal access to guns and good records for tracing guns used in crime—not taxes—are the best way to control the gun crime rate.

6. *Are registration and licensing constitutional?*

Yes, without question. Here's what the Library of Congress says about the National Gun Crime Prevention Act and the Second Amendment's "right to bear arms"; "From what we know of the history and construction of the Second Amendment, it would seem that the major current proposals for gun control are not subject to any serious Second Amendment challenges." (Library of Congress Study UC460B, 450/77 A-251: "The Second Amendment as a Limitation on Federal Firearms Legislation," July 8, 1968)

The U.S. Attorney General has stated: "A federal system requiring the registration and licensing of firearms is a necessary and proper means to two legitimate legislative goals, the regulation and protection of interstate commerce and the preservation of the peace of the United States . . . it is within the power of Congress to enact."

The bill also contains a special provision, Section 935(c), to conform to recent Supreme Court decisions (*Haynes* v. *U.S.*) dealing with the Bill of Rights provision on self-incrimination.

7. *What will the National Gun Crime Prevention Act cost the gun owner?*

The bill imposes no fees. The operation of the licensing and registration system proposed by the National Gun Crime Prevention Act would be paid for out of the general tax receipts of the country. As a law enforcement and public safety measure, the cost of the Act should be borne by all citizens. As originally introduced, the Act did provide a $1 fee for licensing and registration, but this provision has been deleted.

8. *How does registration work?*

A gun owner simply sends a law enforcement agency the makes, models, and serial numbers of his guns and his own name and address. It can be done completely by mail. Then, when a lost or stolen gun is found, its true owner can be discovered and his gun returned to him. If a gun is found at the scene of a crime, its last known owner can be quickly traced. When a suspicious character is arrested with a gun in his possession, its ownership can be quickly determined. If the gun has been stolen or is unregistered, the suspect can be booked for possession of stolen goods or possession of an unregistered weapon.

If a state enacts its own registration law, guns would be registered with whatever state agency the law designated. If the state failed to act, guns would be registered with the federal government.

9. *Must every firearm be registered?*

Yes, otherwise many guns lost, stolen, or used in crime could not be traced.

10. *Would private firearms sales be registered too?*

Yes. All firearms transfers, by dealers and private persons, would be registered so that up-to-date records of actual gun ownership could be maintained.

11. *Doesn't registration impose a burden on the law-abiding?*

Not a significant one. Everything can be done by mail on a form like this:

FIREARMS REGISTRATION FORM

Name: _____
Address: _____
Firearm:
Make: _____
Model: _____
Serial #: _____

The registration would be free and permanent. No fees. No renewals.

12. *But won't criminals refuse to register their guns?*

Some criminals may refuse to register their guns and risk being jailed for having an unregistered gun. But any suspected criminal found with an unregistered weapon can be jailed on that charge alone, *even if no other crime can be proved*. So it will become very risky for a criminal to have an unregistered weapon.

13. *Must an owner of several guns register each of them?*

He must supply the make, model, and serial number of each, but could do so for all his guns on a single form.

14. *What about weapons which have no serial number?*

The bill provides that firearms dealers can imprint serial numbers on such weapons for identification purposes.

15. *What about antiques?*

No firearm manufactured prior to 1898 is covered by the bill.

16. *How does licensing work?*

Licensing is simply a way of denying fugitives, criminals, addicts, and mental defectives access to firearms and ammunition. Every purchaser, possessor, or user of firearms or ammunition would have to have a license, except for juveniles with their parents' consent and hunters or sportsmen who have borrowed a weapon for temporary use.

To get a license, you would simply submit a statement affirming that you are over 18, have never been convicted of a felony or committed to an institution by a court on the grounds of alcoholism, narcotics addiction, or mental incompetence, that you are not under indictment or a fugitive, and are not otherwise prohibited by law from obtaining a weapon. In addition, you would supply a physical description like that required for a driver's license and proof of identity (in the form of a draft card, driver's license, social security card, etc.).

If a state enacted a licensing law, the statement and identification would be supplied to whatever agency the state prescribed, but if the state does not act, then to any federal firearms dealer. The entire transaction could be conducted by mail.

Issuance of licenses would be automatic to all law-abiding citizens, without any discretion on the part of the issuing officer. Denial of a license would be automatic in the case of felons, fugitives, adjudged alcoholics addicts and mental incompetents, and those under 18.

17. *How about my son under 18 years old? Could he still hunt and shoot?*

Yes, definitely. Although he could not own a gun in his own name, the bill expressly provides that he will be able to hunt and shoot with his parents' consent.

18. *What's the difference between registration and licensing? Do we need both?*

Registration is a means of tracing guns used in crime. *Licensing* is a means of reducing the gun crime rate itself by denying access to guns by known criminals, addicts, and mental defectives. *Registration* is a means to *solve* gun crime once it has been committed. *Licensing* is a means to *prevent* gun crime from being committed in the first place.

19. *Must every gun be separately licensed?*

No. Firearms purchasers, owners and users are licensed, not the guns themselves. The purpose is to deny licenses to criminals, addicts and mental defectives.

20. *Would there be any discretion to deny a license?*

Not where the federal law applies. If the applicant is not under indictment, or a fugitive, a felon, an adjudged addict, alcoholic or mental incompetent, or under 18, the license must be issued. The state could establish a different system, if they wish, just as they can today.

21. *But won't criminals get guns anyway?*

If a licensing law were in effect a criminal, addict, or mental defective could not legally purchase, own or use a gun, because he would not be entitled to a license. Thus, lawful channels of purchase would be cut off to him. Today they are not.

Today, in most states, criminals, addicts and idiots have access to guns on the same basis as the law-abiding. Even if, after enactment of the National Gun Crime Prevention Act hard-core criminals may be able to get some guns, the small-time but frequently deadly crook who holds up liquor stores, bus drivers and filling stations or housebreaks will find it much harder and much riskier to possess a gun.

No one claims gun laws are airtight or foolproof. The question is whether we should do what we can to detect and prevent gun crime or continue to do nothing, as we do today.

22. *Why not just punish gun crimes more severely?*

Heavier penalties for gun crimes already exist, but haven't answered the gun crime problem. Armed robbery is a more serious offense than simple robbery; aggravated assault is more heavily punished than simple assault. Murder is the most heavily punished crime of all. Yet the commission rates of all these crimes are climbing intolerably. Armed robbery increased from 42,600 crimes a year in 1964 to 71,000 in 1967; aggravated assault by gun from 27,700 cases in 1964 to 55,000 in 1967; murder by gun from 5,000 in 1964 to 7,700 in 1967.

Gun crimes should be more heavily punished. But clearly, heavier penalties do not answer the gun crime epidemic. They do not help solve gun crimes, as registration would. They do not prevent criminal access to guns, as licensing would. They do not bring gun crime victims back to life, repair their wounds, or return their property. Only disarming the criminal can do that.

23. *What about the argument that "guns don't commit crimes, people do"?*

Of course, guns don't commit crimes, but *people using guns certainly do.* People using guns last year alone robbed 71,000 Americans, assaulted 55,000 Americans and murdered 7,700 Americans. People using guns murdered John Kennedy, Martin Luther King, and Robert Kennedy, along with more than 25,000 other Americans between 1963 and 1967.

24. *What about the argument that "No dictatorship has ever been imposed on a nation of free men who have not just been required to register their privately owned firearms?"*

That argument does not hold water. It is unsupported by fact and refuted by history. For example, regarding the German occupations of Europe, the Library of Congress has concluded:

"We can make no positive correlation between gun laws and dictatorships, as the following examples will show.

"First, four countries were examined which are democracies now, but in recent history came under Nazi dictatorships (Germany, Italy, France, and Austria). One may reasonably assume that if gun registration laws constituted a primary factor in the rise of dictatorships, these countries would have since revised their laws to prevent future dictatorships. This has not been the case. The four countries today have substantially the same gun laws as those in force prior to the advent of dictatorship. In fact, in Italy, where gun laws were relaxed by Mussolini, they have recently been restrengthened approximately to their pre-Mussolini level.

Secondly, two democracies were examined which have not suffered dictatorships in their recent history (England and Switzerland). Switzerland has had gun registration laws since 1874, England since 1831.

* * * * *

"It would be inaccurate of course to suggest that a dictatorship would be unconcerned about the possession of firearms by its populace. Nevertheless these few examples would seem to indicate fairly conclusively that there is no significant relationship between gun laws and the rise of dictatorships at least in these countries."

TRIBUTE TO SENATOR HILL

Mr. SPARKMAN. Mr. President, a recent issue of the Tennessee Valley Public Power Association News contained an editorial saluting Alabama's retiring senior Senator, Hon. LISTER HILL, and his identification with the Tennessee Valley Authority during all of the years of the life of TVA. The editorial recalled that Senator HILL, who was then a Member of the House, coauthored the TVA Act which was signed into law by President Roosevelt on May 18, 1933. The editorial is a fitting tribute to one whose congressional efforts have meant so much to the Tennessee Valley. I ask unanimous consent that the editorial may be printed in the RECORD.

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

HISTORIC HEARING

An era in the development of the Tennessee Valley and TVA came to an end last month.

It appeared to be a routine hearing on the 1969 TVA budget before a subcommittee of the Senate Appropriations Committee.

But this hearing had significance far beyond the TVA budget request for the new fiscal year. It marked the final appearance of U.S. Senator Lister Hill as Chairman of the Appropriations Committee subcommittee on TVA matters.

Senator Lister Hill is not running for reelection. His term as Senator expires before the next Congress goes to work.

And when he is no longer in the Congress, TVA will have lost the best friend it ever had. This is a broad statement, because TVA has had—and still has—many knowledgeable, capable Senators and Congressman supporting its multipurpose program. But close observers agree that no member of the Congress has done as much for TVA as Senator Lister Hill.

There was no major production made of the fact that the June 28 hearing was the last TVA hearing at which Sen. Hill would preside. TVA Board Chairman A. J. (Red) Wagner and Board Member Frank Smith paid brief tributes to the Senator, who responded by thanking them "for those kind and gentle words."

Red Wagner said there were developments all over the Tennessee Valley which stood as tributes to Senator Hill and his work. Director Smith said that few things in American government could equal Senator Hill's leadership on TVA matters.

But Wagner and Smith knew full well that they had not adequately stated the significance of Senator Hill's years of work in behalf of TVA. It was impossible, with ordinary words, to do so.

It was typical that at this appropriations hearing Senator Hill was asking probing questions about the need for added funds for TVA's fertilizer and chemical facilities at Muscle Shoals. The smile, the gentle manner and voice, the occasional "uh-wuh" as he searched for the exact word he wanted—these were familiar to those who have attended TVA hearings over the years. And the Senator displayed his usual vast knowledge of TVA and its programs.

But with Lister Hill it was more than knowledge. With him it was understanding. He knows, more than any other member of the Congress, why TVA carries on its multipurpose program of water and power and resource development.

He should know why. He was—with Nebraska Republican Senator George Norris—a co-author of the TVA Act, signed into law on May 18, 1933 by President Franklin D. Roosevelt. He was a member of the House-Senate conference committee which threshed out the final specifics of the TVA Act; and today he is the only member of that important conference committee still serving in the Congress.

He once said:

"In TVA we tried something new and bold. The heart of the concept lies in the fact that for the first time in the history of Federal legislation Congress accepted the unity of nature. For this one river basin the interrelationship of land and water, of trees and pastures, of men and nature, was recognized in a Federal statute."

"We gave one agency responsibility to inaugurate a total program committed to the full development of all nature's resources for all the people."

On May 18 of this year, TVA completed its 35th year.

During every one of those years, Lister Hill has been in the Congress—as a member of the House, and, since 1938, as a U.S. Senator. He helped write the TVA Act . . . he fought, year after year, to keep TVA moving ahead, to help it fight off its powerful enemies . . . he used his great prestige and influence, time after time, to pull TVA out of a legislative problem . . . he was the moving spirit and inspiration on TVA for new members of the Senate and House who turned to him for guidance.

Next May 18, when TVA observes its 36th birthday, Lister Hill will not be in the Congress. And TVA will, it deserves repeating, have lost its best friend.

For Senator Hill and for TVA, this should be an occasion for celebration, not sadness. For Senator Hill, there is a record unparalleled in American history in support of his unique Federal agency. A plaque on his office wall from the Tennessee Valley Public Power Association makes some small attempt to give him credit.

But the real credit, over the years, will be—as TVA Chairman Wagner put it—the developed resources, the controlled floods, the low-cost power, the growing, thriving region—all tributes to the genius and the dedication of this brilliant, mild-mannered gentleman from Alabama.

The Tennessee Valley salutes its greatest TVA statesman.

WYOMING RANCH WIFE "TELLS IT LIKE IT IS"

Mr. HANSEN. Mr. President, in these times of depressed prices for America's livestock producers, many persons and organizations have presumed to speak or write at length about the causes of this worsening situation.

Cattle producers themselves know their problem and what causes it, but because they comprise such a small portion of the country's population, their voice is usually lost in the din from the consumer and from others who seek to advise the world about the cattle industry.

Every now and then someone comes forth with a hard-hitting, right-to-the-point explanation of the reasons for low income to cattlemen and the ties that bind the consumer and the producer.

Such an explanation was recently presented to a group of women consumers by Mrs. James May, of Laramie—the articulate wife of a cattleman in my State of Wyoming.

In comments directed at "Mrs. American Housewife," Mrs. May bridged that mysterious gap between the beef grazing on the range and the beef sizzling on the patio barbeque grill.

In "straight from the hip" language, she told the housewives why it would be to their benefit to know the facts about cattle production and income and why factors which hurt the livestock industry, such as inflation, have a direct bearing on the price of food.

Noting that the double-edged sword of inflation cuts into the already low income of the producer, while adding to the food costs of the consumer, Mrs. May said:

. . . Let's go where the action is to protest—not to the supermarkets, but to Washington, D.C., where inflation should be attacked.

Mr. President, I ask unanimous consent that Mrs. May's excellent speech be printed in the RECORD.

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

A SPEECH BY MRS. JAMES MAY OF LARAMIE, WYO.

There is an old story that says you can't kill a frog by dropping him in boiling water. He reacts so quickly to the sudden heat that he jumps out before he is hurt. But if you put him in cold water and warm it up gradually, he never decides to jump until it is too late. By then he is cooked! People are just as foolish. Take away their freedom over night and you have a violent revolution. But steal it from them gradually (under the guise of "security," "peace," or "progress") and you can paralize an entire generation. Look at the income tax. It started with a harmless sounding 1%. It would have been easy to have jumped out of water as warm as this, but like the frog, we waited while it climbed ever higher. Try jumping now!

Worst of all we never learn. Even today we cannot believe that Medicare is the same warm water that will one day boil us in socialized medicine. We see no connection between farm price supports and nationalized agriculture. And if we draw a parallel between subsidized teachers' pay and federal control of education, we are called "extremists." The tragedies of history are always repeated by those who refuse to learn. To seek guidance from the past is not turning back the clock as we are so often told. It is merely a good way to stay out of hot water.

I want to visit with you about an aspect of Beef which probably interests you most—the price. I don't claim to fully understand *why beef costs so* much in the market but I'll relate some of the things that are involved. We, the rancher, receive a small amount of the price you pay retail. So what happens between us and you, the consumer? In the first place, only 60% of a carcass is edible meat and in the second place, only a small part of a carcass is steak, and there are many necessary costs between beef on the hoof and meat on the table.

Let's say the packer pays 25 cents a pound for the whole steer—the meat, but every other pound too—the hide, the hoofs, the head, the bone, the blood, the water, etc. So from a 1000 lb. steer he has only 600 lbs. of salable beef left. This has brought the price up to about 45 cents a pound. The packer has had the costs of buying, slaughtering, selling, delivering, etc., so he has to make a few cents to cover these costs before it goes to the retailer.

The retailer has many costs to prepare the beef for the consumer. Rent, help, taxes, equipment, refrigeration, supplies, advertising, losses due to trimming, shrinkage, etc. Now I believe the housewife asks for some of these costs because she wants her meat packaged and pan ready, and she has to pay for it. I call it built-in maid service.

When the retailer buys the carcass he pays the same price for every pound. But a carcass yields much more of some cuts than others; some cuts are in greater demand than others. He has to sell the cuts at varying prices—some for nearly twice as much and some for less than half. The more desirable and higher priced cuts represent a small portion, while the medium priced roasts, stew meat and hamburger, make up a larger part of the carcass. The price the retailer gets must average out to cover the original cost plus the cost of marketing.

Consumer boycotts of food stores might eliminate trading stamps and other gimmicks designed to build sales, but there is virtually no chance that consumers will be getting cheaper food in the future. Elimination of trading stamps and other promotion might cut 20 cents from a $10 grocery bill. Retail profits, food advertising, transportation and storing food amounts to 50 cents of a $10 grocery bill. So here is a total of 70 cents or 7% from the grocery prices without taking price cuts back to the farm. But of this total, only the stamps and gimmicks could be eliminated without also eliminating the food processors, storers, transporters and retailers. Food industries are simply low profit operations and modest levels of profit are necessary to keep them in business.

We'd like to boycott along with the women who have this in mind. But first we'd have to get together on what we are actually trying to accomplish. They have elected to boycott the supermarkets in protest of high food prices. This is quite understandable because that is where they feel the pinch. We'd like to register our protest in Washington, D.C. against the basic cause of the "symptom" toward which they have directed their boycott.

Let me, a cattleman's wife, tell you how it looks out in the country. For the past six years our husband's share of the food dollar has consistently gone down. This has meant that the budget to run our ranch, feed and clothe our family, has been mighty tight. Meanwhile, we are told your husband's pay has been increasing. Chances are, as in many reports, the increase is bigger in the report than in the pay envelope. Even so, we on the farms and ranches have not generally shared in the recent American affluence. We are receiving the same price today that we did 20 years ago, while our production costs have gone up 25%.

These are the facts—from ranch to plate is a small profit operation; at the ranch level it has been a hand to mouth deal for years. The cattle feeder has lost more than he has made in recent years; the meat packing business has the lowest net earnings of any similar sized business in the nation; the net earnings of the wholesalers and retailers would amaze you because they are so slim.

What you are looking at is inflation. Inflation finally catching up with the market basket. You've been spared that unpleasantness up to now by every one on the food team foregoing reasonable profits. But we are backed to the wall now and boycotts which might momentarily depress food prices cannot provide a permanent solution.

So let's go where the action is to protest—not to the supermarkets, but to Washington, D.C. where inflation should be attacked.

Farmers and ranchers are a minority group, but don't sell them short. Agriculture's progress has resulted in sharply *lowered* food prices *relative* to *income*. This both reduces inflationary tendencies and provides a larger market for industry. U.S. consumers last year paid out only 17.7% of their disposable income for food, and most of this went for marketing and other services. The world average is 60% of disposable income spent for food.

All of this points up the tremendous job that American agriculture has done during the past twenty years. If this job is to continue on into the future, it is absolutely mandatory that the profit motive be once again shared by American agricultural producers.

PRESIDENT'S COMMISSION FOR HUMAN RIGHTS AGAIN CALLS FOR RATIFICATION OF CONVENTIONS

Mr. PROXMIRE. Mr. President, on August 9 of this year, during the congressional adjournment for the conventions, the President's Commission for the Observance of Human Rights Year issued another public call for Senate ratification of the pending human rights conventions.

Time and time again the Commission, the President, and the Secretary of State have called for ratification of these conventions. A number of Senators, including myself, have called for a vote on these international guarantees of the rights of all men everywhere. Yet the Senate continues to abdicate its responsibility to again place the United States in a position of leadership in human rights and their protection.

We have before us the tragic examples of Biafra and Czechoslovakia. In these two areas the basic rights of man are being trampled. The existence of these basic rights are being effectively denied, and to some degree the responsibility for that denial is ours.

We have, as of now, failed to do everything within our power to guarantee to individuals those rights, which when secure, provide the foundation for national tranquillity and world peace.

As the resolution of the President's Commission clearly states:

It is generally recognized that peace is related to progress and ultimately depends on the quality of life of the people governed. The quality of that life depends on the interest and willingness and capacity of each country to assure and to respect human rights. In a world in which enlightened and effective government is such an important and such an elusive goal, *cooperative* efforts to help countries promote internal tranquillity and progress are proper activities for our Government.

Mr. President, surely guaranteeing the rights of man and insuring world peace are proper activities for a government built and maintained on principles enunciated in the Declaration of Independence and the Constitution.

Mr. President, I ask unanimous consent that the press statement of the President's Commission, their resolution calling for ratification, the list of Commission membership, and the status report of the pending conventions be printed in the RECORD.

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

THE PRESIDENT'S COMMISSION FOR THE OBSERVANCE OF HUMAN RIGHTS YEAR, 1968, WASHINGTON, D.C., AUGUST 9, 1968

The President's Commission for the Observance of Human Rights Year 1968 announced today its support of President Johnson's appeal for Senate approval of the human rights conventions. The Commission ex-

pressed "its strong hope" that the Senate Foreign Relations Committee would "act favorably at its earliest opportunity" on the seven conventions pending before the Senate.

Since the founding of the United Nations, eight human rights conventions (treaties) have been submitted to the Senate by Truman, Kennedy and Johnson Administrations. Hearings were held on the Genocide Convention, in 1950; on the Convention on Employment Policy, in 1966; and on the Supplementary Convention on Slavery, the Forced Labor Convention, the United Nations Convention on Political Rights of Women, in 1967. However, the Senate Foreign Relations Committee recommended approval of only the Slavery Convention, which was ratified in 1967. The Committee has never held public hearings on two other conventions: the Inter-American Convention on Political Rights of Women and the Convention on Freedom of Association. The eighth of these conventions, the Protocol relating to the Status of Refugees, was sent to the Senate on August 1, 1968.

President Johnson urged the Senate to act on the human rights conventions last October 11, when he proclaimed 1968 as Human Rights Year in the United States. He repeated this appeal on January 30, when he established the President's Commission for Observance of Human Rights Year 1968. The Commission agreed at its third meeting, on June 11, to give public support to the President's position.

The Commission was established to help celebrate the 20th Anniversary of the Universal Declaration of Human Rights. The Commission is headed by W. Averell Harriman, Ambassador at Large, who is currently in Paris conducting peace talks with North Viet-Nam. The Vice Chairman is Mrs. Anna Roosevelt Halsted, daughter of President and Mrs. Franklin D. Roosevelt. In addition, the Commission is composed of the heads of seven Government agencies and nine other public members. Its purpose, as stated by the President, is to "enlarge our people's understanding of the principles of human rights, as expressed in the Universal Declaration and the Constitution and in the laws of the United States."

(Attachments: (1) Resolution adopted by the President's Commission; (2) Members of the President's Commission; (3) Status of the Human Rights Conventions.)

RESOLUTION ADOPTED BY THE PRESIDENT'S COMMISSION FOR THE OBSERVANCE OF HUMAN RIGHTS YEAR, 1968, WASHINGTON, D.C.

At the third meeting of the President's Commission for the Observance of Human Rights Year 1968 it was decided that the Commission should give the strongest support to the President in his call for the ratification of human rights conventions by the United States Senate.

The year 1968 was designated International Year for Human Rights by the United Nations General Assembly. The General Assembly in connection therewith requested Member States to ratify certain of the human rights conventions before 1968. In his Proclamation of Human Rights Year, the President also called for the ratification of human rights conventions. He stated:

"American ratification of these Conventions is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world.

"It is my continuing hope that the United States Senate will ratify these conventions . . ."

This call to the Senate to ratify human rights conventions was repeated by the President on January 30, 1968, when he signed the Executive Order establishing the President's Commission for the Observance of Human Rights Year 1968.

The United States played a leading role in the drafting of the Charter of the United Nations and of the Universal Declaration of Human Rights. In the United Nations Charter we as a nation undertook to take joint and separate action with other members to promote "universal respect for, and observance of, human rights and fundamental freedoms for all. . . ." The United States also played an active part in the drafting of international conventions that would give legal force to some of the standards in the Universal Declaration. Thus far, however, the United States has ratified only one human rights convention—the Supplementary Convention on Slavery, in 1967.

It is generally recognized that peace is related to progress and ultimately depends on the quality of life of the people governed. The quality of that life depends on the interest and willingness and capacity of each country to assure and to respect human rights. In a world in which enlightened and effective government is such an important and such an elusive goal, cooperative efforts to help countries promote internal tranquility and progress are proper activities for our Government.

These human rights conventions are an expression of principles that have guided our own citizens in the development of a progressive and enlightened government. The fact that United States law is in accord with the provisions of these conventions does not mean that there is no necessity for this country to participate in them. It is the nature of international obligations, designed to promote a common objective, that they be cooperative in purpose and reciprocal in effect. Therefore, in the pursuit of world order and the welfare of all countries the United States must not deny to others its participation. By this participation the United States would not impose, or seek to impose, its laws or traditions upon any country; nor would any country impose its laws or traditions upon the United States.

The United States Senate should move forward on international human rights conventions, just as the Congress has moved forward on human rights legislation at home. Ratification of these conventions would help to set and uphold international standards. Ratification of these conventions would demonstrate once again our national commitment to a stable and democratic world order.

Therefore, the President's Commission for the Observance of Human Rights Year 1968 endorses the President's "earnest hope that the Senate will complete the tasks before it by ratifying the remaining Human Rights Conventions" and expresses its strong hope that the Senate Foreign Relations Committee will act favorably at its earliest opportunity on the six * conventions that are pending before it:

The Convention on Freedom of Association and Protection of the Right to Organize

The Convention on the Prevention and Punishment of the Crime of Genocide

The Inter-American Convention on the Granting of Political Rights to Women

The Convention on the Abolition of Forced Labor

The Convention on the Political Rights of Women

The Convention Concerning Employment Policy

THE PRESIDENT'S COMMISSION FOR THE OBSERVANCE OF HUMAN RIGHTS YEAR 1968, WASHINGTON, D.C.

Chairman: The Honorable W. Averell Harriman.

Vice Chairman: Anna Roosevelt Halsted.

The Secretary of State.

The Attorney General.

The Secretary of Labor.

The Secretary of Health, Education, and Welfare.

The Secretary of Housing and Urban Development.

The Staff Director for the Commission on Civil Rights.

The Chairman of the Equal Employment Opportunity Commission.

Bruno V. Bitker.

The Honorable Tom C. Clark.

Mrs. Elinor L. Gordon.

Dr. J. Willis Hurst.

Ralph E. McGill.

George Meany.

The Honorable Robert B. Meyner

A. Philip Randolph.

Maurice Tempelsman.

STATUS OF HUMAN RIGHTS CONVENTIONS

I. *Ratified* with advice and consent of the Senate: Slavery Convention, 1929; Nationality of Women, 1934; Supplementary Convention on Slavery; 1967.

II. *Pending in the Senate* (Date Transmitted by the President): Freedom of Association, 1949; Genocide, 1949; Political Rights of Women (Inter-American), 1949; Forced Labor, 1963; Political Rights of Women (UN), 1963; Employment Policy, 1966; Protocol relating to the Status of Refugees, 1968.

*The Protocol relating to the Status of Refugees was sent to the Senate on August 1, 1968.

FOREST FIREFIGHTING

Mr. HATFIELD. Mr. President, an editorial written by William E. Towell and published in the July 1968 issue of American Forests magazine points up the fact that there is no national plan for dealing with fire emergencies. Disaster fires are bound to occur. Yet there is no program or organization set up to handle them.

Mr. Towell, who is chairman of the task force on a national program for wildfire control, has stated that national legislation will be needed to give the developing national program for wildfire control official recognition, emergency authority, and the financial capability to carry out its mission.

The National Governors' Conference, in July, adopted a resolution calling upon Congress to enact legislation promptly to provide a law similar to Public Law 99—relating to flood crises—which would make available to the States the services and resources of the U.S. Forest Service and other Federal agencies when fires become beyond the abilities and resources of the States to handle adequately.

I ask unanimous consent that both the resolution and the article be printed in the RECORD.

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

FOREST FIRE FIGHTING

(A resolution adopted at the 60th annual meeting of the National Governors' Conference, Cincinnati, Ohio, July 21–24, 1968)

Whereas, in most instances and in most years the several states have been able to handle their fire fighting problems adequately; and

Whereas, in major emergency years, such as 1967, the resources of the states, particularly in the West but potentially throughout the Nation, become exhausted in manpower and money; and

Whereas, the federal government, a major landowner in the West, but also represented throughout the Nation with the national forests and other federal ownerships, has ex-

tensive resources for use in times of emergencies; and

Whereas, the Corps of Engineers under Public Law 99 has rendered invaluable services to the states in times of flood crises; and

Whereas, these same services are vitally needed by the states from the U.S. Forest Service and other agencies of the federal government in times of fire crises:

Now, therefore, be it resolved by the National Governors' Conference that the U.S. Congress enact legislation as soon as possible to provide a law similar to Public Law 99 which would make available to the states the services and resources of the U.S. Forest Service and other federal agencies when fires become beyond the control of the abilities and resources of the states to handle adequately; and

Be it further resolved that each state establish eligibility by implementing a basic fire plan for state and private forest land, embodying generally accepted minimum standards; and

Be it further resolved that all states cooperate in interstate forest fire training programs; and

Be it further resolved that copies of this resolution be sent to the President of the United States, Members of Congress, the Secretaries of Agriculture and Interior and all other persons concerned with enactment of this proposed legislation.

[From the American Forests, July 1968]

DISASTER FIRES—A NATIONAL PROGRAM FOR WILDFIRE CONTROL

(By William E. Towell, Chairman, Task Force on a National Program for Wildfire Control)

There's a hush in Northwest forests today. Fear is there. Even the wild things are infected with it. And with reason. Forests were as tindery dry in the spring as they would normally be on the Fourth of July. The snow pack was light last winter following an abnormally bad fire season. Now it's worse. "Hoot owl" rules are certain to be in effect again this summer. That means loggers will go to work long before dawn and close down in mid-day when the burning index rises to a critical level. Closures are certain to rise due to dangerous conditions. There will be disappointed children as camping families are turned away from favorite campsites.

The New York *Times* on May 18 took cognizance of this grim picture. Other newspapers followed suit. But members of The American Forestry Association had done so many months before. These members are worried and have been for a long time. Idaho's widely-publicized Sundance fire last year scared them stiff. They don't pretend to know what went wrong there or in other places. They only know that fires got away and they want something done about it—and *soon*.

This concern is getting results. Competent fire people are getting together to explore needs and prescribe remedial action. I am happy to report that all groups concerned, federal, state and private, have rallied behind the call of The American Forestry Association for corrective action. In fact, they all are ready to go.

To my mind, the most serious aspects in the present crisis is simply this: there is presently no national plan for dealing with fire emergencies and there should be. Disaster fires may not occur too frequently. When they do there is no program or organization set up to handle them. It seems incredible in a country that has become as conservation conscious as America that no system has yet been developed for putting out wildfires that exceed the capabilities of regular fire-fighting agencies. But that is the case. Even if an effective team of men and fire-fighting equipment can be mustered after fires get out of control, there is no reliable source of funds for paying the bill.

One thing is certain. Disaster fires are bound to occur. That is one of the weak links in our fire-fighting armor. In spite of our best efforts to prevent forest fires; in spite of research and better methods of fire control; in spite of a public awareness and determination to protect our natural resources, *there will be disaster fire situations*. There will be more Bar Harbors; more Los Angeles conflagrations (yes, suburban and even urban needs are tied into this picture, too), more Sundances!

Disaster fires occurring in the Northwest during the summer of 1967 attracted nationwide attention and pointed to the serious gap in fire control planning. Although voluntary cooperation is good between governmental and private fire control agencies, there is little or no planning for the emergency situations that involve many ownerships at one time and perhaps even adjoining states or our neighbors, Canada and Mexico.

Concern has been expressed, too, for the hesitancy on the part of fire control agencies to commit their manpower and equipment to fires under another authority's jurisdiction. If they do, who is in charge and who pays for them? Such problems as legal liability and financing make such decisions difficult even under disaster conditions.

There is need also for advanced research in fire control methods that will be more effective under "blowup" conditions. We need better methods of forecasting or anticipating fire emergencies so that some disasters might be avoided. The problem is not one of forests alone but all open lands that will burn under conditions of high winds and low humidities—prairies and grasslands, farm crops and buildings, and chaparrals and brushlands of the arid West.

Several recent actions further emphasize the need for a national wildfire control program. At the National Governors' Conference in October, 1967, a resolution urged that "the U.S. Congress enact legislation, before the 1968 fire season, to provide a law similar to Public Law 99 which would make available to the States the services and resources of the Bureau of Land Management and Forest Service when fires become beyond the control of the abilities and resources of the states to handle adequately." (P.L. 99 is the law under which the Corps of Engineers steps in to help when there is threat of floods.)

On May 5, 1967, Farris Bryant, Director of the Office of Emergency Planning, submitted to Congress "A Report on the Investigative Study of Forest and Grass Fires," pursuant to Public Law 89-769, Section 13. One recommendation contained in this report was that "the U.S. Forest Service establish a well-defined and aggressive program, supported by necessary administrative and budgetary measures to enhance the capabilities of existing interstate compacts and foster the development of new ones." The formation of these mutual aid groups recognized the need for emergency coordination and use of manpower, equipment and supplies.

In 1966, the National Association of State Foresters adopted a resolution calling for: "A Task Force to be designated to study the possibilities of a national program of state mutual aid through regional compacts or other organizational means to reduce losses from disaster fires." The State Foresters have not been able to come up with an acceptable solution and are still working on the problem.

Senator Jordan of Idaho, as an aftermath of the 1967 Idaho fires for which there are nearly $5 million suppression costs still outstanding, introduced an amendment to a bill (S. 438) in the 90th Congress that would provide that "The Office of Emergency Planning is authorized to make grants and loans to any state to assist such state in the suppression of a fire or fires on privately owned forest or grasslands which threatens destruction of such proportions to constitute a major disaster."

Such authorization is not necessary, however, as the President has such authority already under Public Law 85-875, the Federal Disaster Act administered by the Office of Emergency Planning. But, the only way O.E.P. funds can be made available to the states is through a declaration of disaster by the President upon request of a Governor. Fire disaster often cannot be recognized until the damage already has been done or the emergency is over. Often, the greatest need for emergency help is to prevent a fire situation from becoming a disaster. As valuable as they might be in times of real disasters, O.E.P. funds alone are not the answer to emergency fire needs.

Forest and grasslands must be protected against the destructive effect of fire in order to fulfill their role in the nation's economy. With rising standards of living increasing the drain upon our natural resources, there is also greater demand for and use of forest and water areas for recreation. Equally important is the role forests and grasslands play in the conservation of our water resources.

Adequate fire control is the essential foundation for all other conservation activities. Long recognized as the first requirement in natural resource management, however, fire control has been neglected for more sophisticated conservation problems such as air and water pollution control, natural beauty and outdoor recreation. The American public has taken fire control for granted or just left it to Smokey Bear. Unless public apathy and priority of resource management needs are reversed, we could encounter serious depletion of forests and grasslands through their oldest enemy, fire.

Recently, Dr. Maurice Goddard, Commissioner of Forests and Parks in Pennsylvania and a Director of AFA, told a group of professional foresters that forest fire control was taking a back seat in state conservation budgets. Growing needs for new parks and recreation areas, water pollution control and other natural resources programs, worthy as they all are, were making it difficult to obtain more than a bare minimum of state funds for fire control, an activity upon which all other resource values depend. "We are year after year fighting fires on a static budget while other resource needs attract any increases available in conservation appropriations," Goddard said.

Fire control agencies actually are the victims of their own efficiency because serious forest fires have become so infrequent. But, with added years of fire protection and the accumulation of forest fuels the potential danger increases. The need for fire control funds cannot be measured by the number of fires or the acreage burned each year but must be gauged by the hazard and the risk of keeping the forest unburned. Goddard's plea to fellow foresters was for some way to impress his needs upon both the public and state legislators who control public expenditures. What he feared most, of course, was being caught unprepared for the "blowup" or disaster fire situation that poses a constant threat to all forest areas.

Responsibility for fire protection on federal lands is centered primarily in the Department of Agriculture, Department of the Interior, and to a lesser degree in other agencies such as the Department of Defense and the Tennessee Valley Authority. The states have recognized their own responsibilities on state and private lands through the passage of numerous state laws and the development of state forestry agencies geared to protect these resources. Also, in many instances, private interests have established their own fire control organizations. As the protection of forests and wild lands often transcends property boundaries and even state lines, a

strong link of coordination and cooperation between private, local, state and federal agencies has developed.

The disastrous fires which occurred during 1967 brought forth critical comment from the press, conservation organizations, forest industries and the forest-using public. They raise the question: "Why are the existing fire organizations unable to cope with emergency fire situations?" Many others besides The American Forestry Association have expressed deep interest in this situation and have indicated the need for a hard look at the problem. Why, it is asked, with our ability to send men and rockets to the moon and to explore eight miles below the surface of the oceans, are we unable to control one of man's oldest and most familiar enemies, fire in the forest? Is it lack of money? Or is it shortage of manpower, training, or research into more effective fire-fighting techniques? America must find out and prepare for such emergencies.

Late in 1967 a small group of interested people got together to discuss the problem. Merle Lowden, Chief of Fire Protection on the National Forests, suggested that The American Forestry Association could perform a much needed public service by directing its attention to a National Forest Fire Emergency Program. Participating in early informal discussions of the proposed program along with Lowden were Gordon Zimmerman of the National Association of Soil and Water Conservation Districts; Joe Penfold of the Izaak Walton League and President of the Natural Resources Council; Bill Bacon, head of state cooperation in the U.S. Forest Service; Osal Capps, President of the National Association of State Foresters; and AFA's staff.

It was decided to call together an ad-hoc group, assembled for the first meeting in Washington on February 27, 1968, which resulted in the formation of a continuing Task Force on a National Program for Wildlife Control. To the original group were added Art Roberts of the Western Forestry and Conservation Association; Jack Muench of Forest Industries Council; George Kelly and Jim McClellan of the American Forest Products Industries; Jim Johnson of the National Governors' Conference, Mitchell Wendell, Council of State Governments; Ernest Palmer of the Bureau of Land Management; Vernon McKee, U.S. Dept. of Agriculture; John Witherspoon of the Southern Pulpwood Conservation Association; Eliot Zimmerman of the Forest Service; Earl Plourde, State Forester of Alaska; with Tom Casey of the Office of Emergency Planning meeting with the group as an advisor. In subsequent meetings additional representation has been added and as the National Plan is developed others will be invited.

The need for a disaster fire plan is national in scope. Every forest region could experience a major fire situation and will be included in the planning.

Acknowledging the need for an emergency fire plan is not a criticism of any state or any region for past fires or how they were handled. It is an admission, however, that previous planning has not been adequate to handle all fires under the most extreme conditions. Even if our national fire record had been perfect we would still need to anticipate the catastrophe that can occur under the right combination of fuels, winds, humidity, topography and other factors that affect forest fire behavior. This is the purpose of the proposal for a National Program for Wildlife Control, and the Task Force will direct its efforts toward such a program.

Considerable progress already has been made by committees serving as a "Working Group" within the Task Force. It has already been agreed that a National Wildfire Advisory Committee is necessary and that it must be representative of federal, state and private fire control agencies as well as other organizations and government interests concerned with fire protection. Its purpose will be to develop general broad policies, guidelines and standards for preparing for and handling fire disasters, including dispersal of emergency funds. Regional and state coordinating committees also will be required to implement the plan at the local level, with the State Forester serving a key role in organizing an emergency plan in each state.

A reliable source of emergency firefighting funds must be provided and made available when disaster fires strike. The source of these funds must be worked out but an underlying principle will be to strengthen existing fire control organizations so that they are better able to handle their own emergency situations before they are eligible for outside assistance. Planning for the unexpected disaster fire will be a necessary prerequisite to participation in the program.

National legislation eventually will be needed to give the program official recognition, emergency authority, and the financial capability to carry out its mission. Regional fire compacts will need to be encouraged and strengthened where they exist. State laws may need changing in order for the states to participate in regional fire control activities and to permit movement of men and equipment across state lines.

Four committees now at work within the Task Force are directing their attention to these phases of the problem: 1) Organization and Planning; 2) Financing; 3) Legislation; and 4) Public Information.

All of their work is coordinated and directed by frequent meetings of the full Task Force. A study is being made of existing laws and federal programs for dealing with disaster situations in order to avoid conflicts or duplications.

The American Forestry Association occupies a key role in this effort to develop a National Program for Wildfire Control. It has been my privilege to serve as Chairman of the Task Force since its inception and both Jim Craig and Ken Pomeroy have been active in meetings of the Task Force and the Working Group. Our aim is to act as a catalyst to see this urgent natural resource problem through to a successful conclusion. Not being a land management agency itself, AFA can perform a great public service in helping to solve this national conservation problem by bringing together all those that are responsible for the wild lands of our country. AFA intends to do just that. But it cannot be overstressed that this is a *national*, not a regional or local problem. Right now, the crisis in Northwest forests is particularly acute. Next year it may be in the South, the Northeast, or the Lake States. Nor is it a problem to be relegated to Indian firefighting tribes in a far away state. It is as close to you as your nearest volunteer fire department. Yes, we've got to get them into the act, too, and train them to fight fires on our suburban fringes.

The plain truth is that Smokey needs some help. He's had it before and he will have it again. The Dixie Crusaders in the South, the Clarke-McNary Act for federal-state fire control, the Southern Fire Conference of 1965—these were all proud chapters in AFA and forest protection history.

Now we need a new chapter—a new awakening. Its main thrust must be to curb the disaster fire in the United States wherever it may strike and *do it now!*

TRIBUTE TO MISS MELINDA VON THRASHER OF ROSSTON, OKLA.

Mr. HARRIS. Mr. President, members of the Oklahoma congressional delegation recently hosted a coffee for members of the Oklahoma Farmers Union. At that time we were fortunate to have presented to us several prize winning speeches by Farmers Union Youth of Oklahoma. One such speaker was Miss Melinda Von Thrasher, of Rosston, Okla. I feel that her presentation was very outstanding, and I would, therefore, request that the text of her speech be inserted in the CONGRESSIONAL RECORD.

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

FARMERS UNION

(By Melinda Von Thrasher, Rosston, Okla., year 1968)

As a 4-H member or Farmers Union member, how are you promoting good community living? We, as Americans, are aware of our many blessings. They could not all be listed this morning, but one of them is the very foundation of our democratic way of life—the acceptance of each individual as a person of dignity and worth. In much of the world this ideal is unknown. In some parts of the world it is accepted, for men and boys, but not for women and girls. In our country, it's accepted for all of us. Today, both girls and fellows can have equal opportunity to enjoy a wonderful nation, to choose the type of education or career we like. It is not the opportunities we have, but what we do with them that counts.

4-H members are the back bone of industries and farm communities. It develops, trains, and opens doors to many career possibilities. 4-H has grown from its grass roots, so has the great organization Farmers Union. It is the largest and most influential farm organization in Oklahoma. Farmers Union is a great supporter of and encouragement to our 4-H members, not only state but county, and local.

Through 4-H work, I was privileged this last summer to attend the National 4-H Citizenship Short Course in which Harper County Farmers Union was my cosponsor. I have been made to realize that citizenship just isn't something to talk about but needs to be practiced everyday. So many times we take our American Heritage for granted, but ignorance is the great enemy of democracy. No person has ever understood this fact so basically as our forefathers who fought and even died to make America as great a nation as it stands today. Yet servicemen are fighting and giving their lives today to preserve this freedom we so cherish as our American Heritage.

Our nation was founded on the firm foundation of fundamental belief in God with the United States Constitution designed to serve the people. A strong democracy needs a pledge of loyalties from all its people and a determination on the part of all citizens to learn the ways of democracy and to apply their knowledge wisely and courageously. Only by cooperation and giving of ourselves and time are we able to strive to make the best better. Without cooperation we cannot reach our goals. A century and half ago Thomas Jefferson said, "The fate of our democratic government rests on the hope that every citizen does his own thinking." You and only you can fulfill this obligation.

As a recent area winner of the 4-H Personality Improvement Program, I've been made aware that each of us has a body, a mind, and a soul, and each of us has a responsiblity to make the most of what he has. Some poet said, "Use what talents you possess; how silent the woods would be if only those birds sang who sing the best."

Our body can be considered as our "social self." If our social self is in the right orbit, our goals will be chosen because of what they will do for someone else, rather than what they will do for ourselves.

Our spiritual being, our soul, is the most important. If we keep it on the right track, we will move in a positive direction—that is we will make the right decision to do the

right thing. Our ethics, moral, and our religious training are a significant part of our life.

I'd like to challenge all of you, whether you are a leader or a follower, a boy or a girl, to be the kind of person who:

Is generous, and wants others to have a place in the limelight;

Is fair, and wants to see justice done;

Is honest, and not afraid to say, "That was my mistake;"

Is humble, and willing to be one of the group;

Is courageous and takes a stand for what is right;

Is patient, and willing to help a person who is less able;

Is tactful, and considerate of the feeling of others.

If you accept this challenge, you'll make your corner of the world a better place in which to be.

Farmers Union has been an inspiration to my local 4-H club by presenting 4-H jackets, plaques, awards of ribbons and gift certificates. Yes, 4-H members can depend on Farmers Union to give us a guiding and helpful hand in promoting good community living.

Again, I say my organization, 4-H Club, as Farmers Union, is the back bone of all progress. What we do now will make tomorrow.

BRITISH THINKING TAKES STRONG LEAP RIGHT

Mr. BYRD of West Virginia. Mr. President, last month while I was in the British Isles, my attention was attracted by a public opinion poll reporting a strong leap to the right in British thinking.

As stated in the Sunday Times, London, England, on August 25, that newspaper's opinion research center found that—

Anglo-Saxon attitudes on a wide range of social and economic issues are fundamentally far more rightwing than might be suggested by the division of voting allegiances between the right and the leftwing political parties.

This summation was supported by a tabulation of opinions on a number of issues of major interest to the British people. Notably, these issues parallel those currently provoking deep concern here in our own United States. And I believe, too, that the conclusions drawn—that there should be a crackdown on crime, a cutback on the dole, that welfare services should be pegged, and that a great majority of the people oppose their Government's policy against the Rhodesian Government—closely parallel U.S. public thinking.

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:

THE GREAT LEAP RIGHT: CRACK DOWN ON CRIME—CUT BACK ON THE DOLE—PEG WELFARE SERVICES—SUPPORT THE WHITES IN RHODESIA—REDUCE PLANNING

(By Ronald Butt)

Anglo-Saxon attitudes on a wide range of social and economic issues are fundamentally far more Right-wing than might be suggested by the division of voting allegiances between the Right and the Left-wing political parties.

This is revealed by a special Sunday Times poll, conducted by Opinion Research Centre, which has put questions designed to separate "Right" from "Left," "conservative" from "radical" or (to use another pair of convenient alternatives accepted by some sociologists) "tough" from "tender" political attitudes.

The results of this survey reveal a much heavier Right-inclination on these issues than might be suggested by the voting intentions now being shown by the public opinion polls—which give the Conservative Party a substantial lead over Labour.

But, in addition, when compared with what is known about public responses three or four years ago—when Labour was at the peak of its popularity—the survey also shows a distinct movement towards the Right on particular issues as well as in general voting intentions.

In only one respect is the advantage now clearly with the "Left-inclined" but it could conceivably be a decisive one for the Labour Party. The poll showed that 54 percent. thought that "understanding ordinary people" was more important than "education and experience of governing" while only 36 percent made the opposite assessment.

On most particular issues, however the electorate normally feels more Right-wing than it votes—and this discrepancy has almost certainly been accentuated by the experience of Labour Government in the last four years.

This could have a profound significance for the Conservative Party's prospects. For it means that the electorate has criticisms of traditional Labour attitudes which go far deeper and wider than simple discontent with the Labour Government's failure, so far, to solve Britain's economic problems.

For example, 83 per cent regard punishment for crime as not tough enough; 79 per cent think it would be better if "unemployment" benefit were more difficult to get; 67 per cent would rather see taxation reduced than welfare services improved (if given the straight alternative) and, perhaps most significantly, 66 per cent, believe that the Government interferes (i.e., plans) too much with industry.

This last point is especially relevant when compared with the findings of an NOP poll in January 1964—the period when the fashion for planning was at its height and when even the Conservative Government had (during and after Mr. Selwyn Lloyd's Chancellorship) converted itself to a modified form of the doctrine.

In answer to the question "would you like to see more or less planning?"—65 per cent in 1964 answered "more"; 9.2 per cent, "less"; and for 25.8 per cent, the answer was "about the same" or "don't know." The Sunday Times poll shows that today these figures are now reversed.

Similarly, 49.2 per cent of all voters (including 35.6 per cent of Conservatives) thought in 1964 that more Government regulation would make the country more prosperous compared with 25.6 per cent who thought it would make it less prosperous and 25.2 per cent who thought it would make no difference.

The table indicates the opinions of the people interviewed on various questions. Inevitably, there are reservations to be made in interpreting these answers and in some cases there are significant differences according to class, party, age and sex.

One surprise is that on the "dole" question the working classes are very nearly as Right-wing as the middle classes—despite the fact that a high proportion of working-class people are potentially liable to need unemployment benefit themselves for at least a short time at some point in their working lives.

TABLE SHOWS, IN DESCENDING ORDER OF "RIGHTWINGNESS," PUBLIC OPINION ON THE QUESTIONS ASKED (FIGURES IN PERCENTAGES)

	"Right"		"Left"	
Crime: In general do you think that punishment given to people convicted of crimes in Britian is too severe, not tought enough, or about right?	Punishment not tough enough	[1] 83	Punishment too severe	[1] 1
Unemployment benefits: Do you think it would be better or worse if its was more difficult to get unemployment benefits—the "dole"?	Better if "dole" more difficult	79	Worse if "dole" more difficult	13
Taxation and social services: Which do you think is more important—to reduce taxation, or to increase and to improve the social services?	Reduce taxes	67	Increase and improve social services	20
Economic affairs: Some people say the Government should have a bigger say in the control and planning of industry, other people think the Government already interfere too much. Which do you think?	Government interfere too much	66	Government should have bigger say	20
Racial discrimination: Do you think it should be against the law to refuse a job to someone because of his race or color?	Should not be against the law	53	Should be against the law	42
Rhodesia: If there was a civil war in Rhodesia between white Rhodesians and black Rhodesians which side would you want to win?	Support white Rhodesians	44	Support black Rhodesians	17
Elitist/Populist Government: Which do you think is more important in a government—education and experience of governing, or understanding how ordinary people feel and think?	Education and experience	36	Understanding ordinary people	54

[1] 12 percent think the current situation is about right.

Note: The balance of percentages is made up by "don't knows."

However, it is not too difficult to see a likely explanation of the apparent inconsistency. The objection of most people is probably to the *abuse* of unemployment benefit which they believe is too prevalent—not to its application to deserving cases, in which category each man would presumably include himself if the need arose.

In assessing the 53 per cent, who, in the present poll, do not believe that racial discrimination should be against the law, allowance must be made for the position of many Conservatives who, though totally opposed in principle to racial discrimination believe it to be difficult, or impossible, to prevent by law.

In general there was little between the sexes on most of the questions asked.

The main differences were between age groups and classes. The middle-age groups (35–54) were much more Right-wing on Social Services and taxation than either the under-35s or the over-55s.

The middle-classes were more Right-wing on taxation and the social services, on economic policy and on "élitist" versus "populist" government; the working classes on Rhodesia as well as crime.

The fact that the only "Left-wing" majority response was in favour of a govern-

ment "understanding ordinary people" as against the "élitist" (Conservative?) concept, presumably explains the discrepancy between the general predominance of Right-wing attitudes and the weight of built-in support for Labour in the electorate, particularly the working classes.

In the extremity of the polling booths, many voters will stomach particular Left-wing attitudes which predominate among Labour activists because they believe that Labour in general is the party which best represents working-people's material interests.

The crucial political question is how far this approach will remain for Labour an effective bulwark against the hardening of Right-wing attitudes on almost every major individual issue of social and economic policy.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. GORE in the chair). Is there further morning business? If not, morning business is concluded.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1969

Mr. MOSS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

WAIVER OF RULE OF GERMANENESS

Mr. MOSS. Mr. President, I ask unanimous consent that I may proceed with my address, notwithstanding paragraph 3 of rule VIII, dealing with germaneness.

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

CRISIS IN CZECHOSLOVAKIA: MOSCOW AT A CROSSROADS

Mr. MOSS. Mr. President, on July 29 I addressed this distinguished body on the crisis in Czechoslovakia. On that occasion, I warned of the real possibility of a Soviet military intervention, a repetition of the Hungarian tragedy of 1956.

My fears were justified.

At that time, the general expectation seemed to be that the Soviets would not invade Czechoslovakia, and the conclusion of the conferences at Cierna and Bratislava early in August seemed to fortify the judgment of those who believed that the Soviets had decided to compromise and permit Czechoslovakia's distinctive road to socialism.

CONFERENCE IN MOSCOW

It was in this evolving mood of hopeful expectation that I left the United States early in August to attend the Seventh World Power Conference in Moscow. I was assigned by the Senate Commerce Committee, along with my distinguished colleague from Pennsylvania, the Honorable HUGH SCOTT, to represent the U.S. Senate Committee on Commerce as a delegate to this conference.

I might add that this World Power Conference is made up of representatives of some 40 principal industrial nations of the world. It is held approximately every 4 years; this was the first World Conference in the Soviet Union. The conference lasted 4 days, from August 20 through 24, and I am proud to say that the United States played a prominent part in the technical discussions that were undertaken.

Prior to the convening of the conference, however, it was my opportunity and good fortune to visit various parts of the Soviet Union. In large measure, I retraced the route I had taken 9 years ago when I was chairman of a committee that was sent by the Senate to survey the water and power resources of the Soviet Union, and to report as to how they compared with those of the United States. I went out to Siberia, the Soviet Union's frontier, as far as Irkutsk and Bratsk, then down into Soviet Central Asia to Tashkent, Baku, and to Yerevan, and finally we flew to Leningrad. In all, I was gone about 18 days.

For me, this return trip to the Soviet Union was most instructive. The Soviets continue to make great progress in this field of power development. Their great hydro and thermal power stations are huge and efficient. In the technique of long-line transmission at high voltage the Soviets are undoubted leaders. In 9 years they have progressed greatly and their momentum continues.

My inspection prior to the power conference was completed and I was in Moscow during the most serious moments of the crisis in Czechoslovakia; for it was in those 4 days of the World Power Conference, August 20 to 24, that the second chapter of this crisis was being written, a chapter that we well know has been filled with tragedy, anguish, and despair.

STATEMENT IN COPENHAGEN

In the days preceding Soviet military intervention, I continued to be skeptical of the optimistic judgment that the Soviets would not so intervene. While in Copenhagen on August 7, during a stopover on the way to Moscow, I issued a statement in which I recalled my doubts expressed in the speech of July 29 and, directing my attention to the conclusion of the Cierna-Bratislava conferences, declared that we should view with cautious concern the drama unfolding in Central Europe. I expressed the hope that the ancient and proud people of Czechoslovakia might indeed regain full freedom, independence and self-determination, suggesting further that the Soviets would gain by permitting this course and in building a friendship of equals in political and economic independence.

Alluding to the great economic and military power of the Soviet Union, I expressed the further hope that a spirit of detente and cooperation would grow between the U.S.S.R. and the United States, and indeed among all nations of the world. But I warned that the suppression of freedom by the use of military threats and actual force would lead only to wider conflict and to an escalation of the arms race rather than political agreement and, the hope of all mankind, arms control.

THE INVASION VIEWED FROM MOSCOW

Unfortunately, my skepticism of Soviet acceptance of Czechoslovakia's new road to socialism was proved correct by developments on the opening day of the conference, August 20. For, on that day Soviet military forces, along with units from Poland, East Germany, Bulgaria, and Hungary, numbering, we were told, some 600,000 men, invaded Czechoslovakia and set out on a course to crush by force of arms the movement toward liberalization in that country.

Immediately, the Soviet press attempted to justify this military intervention. It was reported that Czechoslovak citizens concerned about the trend toward "counterrevolution," asked for Soviet assistance. Thus the best face was put on this brutal display of military power. Major efforts were made to seal off the U.S.S.R. from all information from the West. For the first time in about 6 years, the Soviets jammed all broadcasts in the Russian language that were coming into the Soviet Union, and we expected that they soon would jam all other foreign broadcasts.

In view of this political crisis and its implications for American policy, especially with the conference opening, the American Embassy in Moscow got in touch with us at once. Both Senator SCOTT and I conferred with Embassy officials on the advisability of withdrawing from the conference or otherwise expressing our disapproval. Ultimately, we decided that no practical value could be achieved by a walkout; much important work was to be done at this conference; and such a conference, essentially dealing with technical matters, was not really the proper channel through which to lodge a protest.

However, both Senator SCOTT and I advised our Embassy authorities that we thought they should make it perfectly clear to the Russians that we disapproved of the Soviet action and that we urged the withdrawal of Soviet forces from Czechoslovakia. We agreed to express such sentiments at any appropriate time and place.

CZECHOSLOVAKIA'S RESPONSE TO THE SOVIET INVASION

The Soviet invasion was swift; the military occupation was total. Czechoslovakia's military forces were no match for the 600,000 invaders. The invasion was unexpected; hence, Czechoslovakia was unprepared. Wisely, Alexander Dubcek, the First Secretary of the Czechoslovak Communist Party, and other Government leaders urged the Czechoslovak people to acquiesce in this brutal military act, to avoid provocations that would bring on bloodshed, and to support their own government in its efforts to reach some sort of a negotiated settlement with the invader. The goal of Dubcek was to reach agreement on the

withdrawal of Soviet forces as quickly as possible and hope to resume the work of liberalization begun in January 1968.

Once again Soviet military forces were in Czechoslovakia but in 1945 they came as liberators, this time as oppressors. The contrast was not ignored by Czechoslovaks who taunted the invaders, painted swastika signs on their tanks, greeted them with cold contempt, staged strikes, and in countless individual acts demonstrated their hostility.

Faced with this awesome display of Soviet power, the people of Czechoslovakia were determined to resist, not by a senseless resort to military force, which ultimately could not succeed, but in a uniquely Czechoslovak manner of defiance by inaction, a sort of passive acquiescence in the inevitable but in a spirit that would draw world attention to this colossal blunder by the Soviet Union.

The people of Czechoslovakia listened to their leaders and in general abided by their warnings. Negotiations were undertaken at Moscow, negotiations in which the Prague leaders, who were spirited off to Moscow like common criminals, had little other choice than to accept the terms dictated by the Soviet Union. We are now told that at one point in the discussions the Russians, when faced with continued Czechoslovak resistance to their demands, stated categorically that they would destroy Czechoslovakia, annex Slovakia and establish a military protectorate over the Czech lands. The Czechoslovak leaders threatened suicide if this were done.

The Soviets appeared to be determined to destroy the enlightened Dubcek regime, set up a quisling government, and turn back the clock to Stalinism by imposing a new era of harsh suppression.

But the Soviets had miscalculated: They expected Dubcek to collapse under Soviet military pressure and they then could inaugurate a political takeover with little difficulty. However, they had failed to judge correctly the temper of the people, the attitude of the party, and the collective loyalty of the Czechs to their leaders.

The people resisted courageously, but passively and without undue provocation; they were unmoved in their support of Dubcek.

The Communist Party, having met in a secret congress, determined to support their Czech leaders.

The entire Czechoslovak nation was behind their Government, a very unusual spectacle in a Communist country.

Thus, the Soviets succeeded militarily but failed politically.

A NEGOTIATED SETTLEMENT

Faced with the open hostility of the Czechoslovak masses and an obstinate, popularly supported Government in Prague, the Soviets were left with only two alternatives: They could clamp down upon Czechoslovakia a military government with a Soviet military governor in command—clearly, they had the power to do this—or they could restore the Dubcek-Svoboda regime, and through negotiations reach a political agreement, the heart of which would be the continuation of the Government, but under serious, Soviet-imposed restrictions.

The Soviets chose the latter course.

Dubcek, who had been charged with treason by Moscow, was permitted to resume his position by the terms of a new compromise settlement. Other terms reached at Moscow were said to include a phased withdrawal of Soviet and Warsaw Pact military forces, but with the acceptance of a permanent garrison force of two Soviet divisions on the West German border and the reimposition of censorship. Whatever other terms were in the agreement and how the Soviets will play out their role as occupiers, are matters to be determined in the future. The essential point is that the Soviets are in control. However, this presence of power ought not to obscure the fact that the Russians have on their hands an enormous political problem, one which they clearly had not thought out in their hasty resort to military force; namely, the problem of leading a people.

At the moment, the people of Czechoslovakia are adjusting to the new situation. This is not easy, for fear infects the environment of this country as all are bracing for a new era of Soviet oppression. Purges of liberals are expected; the Soviets are said to have lists of thousands to be removed from the party and the Government. Censorship of the press and all other media of mass communications has been instituted. Czechoslovak citizens are fleeing their country by the thousands.

Uncertainty and fear seem to be the dominant mood of the nation as the engine of Soviet tyranny gives every indication of consuming the liberal leaders of Czechoslovakia and arresting their course of liberalization.

AMERICA'S RESPONSE

Earlier this year, the official response of the U.S. Government toward Dubcek's liberalization in Czechoslovakia was one of cautious optimism. Our Government did not want to embarrass the new regime by seeming to encourage a too rapid reorientation of Prague's foreign policy. We realized that the Dubcek government was in a difficult position in its relations with Moscow and any undue haste on our part to applaud the Czechoslovaks could hinder rather than assist the Prague government in its search for a new independent road.

Moreover, there was little else in a practical way that we could do beyond making understanding gestures; for in the power relationship that has taken shape between East and West during the postwar decade, Eastern Europe has come to be recognized internationally, by implication rather than by specific agreement, as a particular area of vital interest to the Soviet Union. For this reason, the United States did not intervene militarily in Hungary during the revolution of 1956; the underlying presumption was that a thrust by the United States into this area of Soviet vital interests could trigger a third world war, and this could be a thermonuclear war. Thus, in 1968, as in 1956, we were boxed in by existing political realities and by the harsh realization that the danger of thermonuclear war, like the sword of Damocles, hangs over all crises between East and West.

So, as the Czechoslovak crisis reached a new and dangerous stage in July, the United States was again faced with the same realities that existed in 1956; indeed the situation was even more complicated by our massive military commitment to Vietnam. The administration acted wisely, I believe, in its efforts to caution the Soviets against intervention. By a series of informal actions, the Soviets were made fully aware of the negative impact intervention would have on American public opinion and also how this would be translated into a slowing down of the detente between the Soviet Union and the United States.

But the Soviets must have placed their relations with Washington on a lower priority; they were willing to accept the risk of a negative impact on their relations with the United States which might be caused by their invasion of Czechoslovakia.

Americans were naturally stunned and shocked by the military invasion and occupation of Czechoslovakia. They did not expect it. Apparently, administration officials and specialists in the Government felt certain that the Soviets were willing to accept the Cierna-Bratislava settlement, at least momentarily. It was presumed that continuing détente in relations with the West, unity of the world Communist movement, and the obvious good behavior of the Dubcek government would together stand as valid arguments against the risk to their policies that was inherent in any invasion.

SOVIET DECISION FOR INTERVENTION

Presumably, these were valid assumptions during the first weeks after Cierna and Bratislava; it seemed as if the Soviets were indeed acting upon the terms of agreement announced. But military maneuvers were resumed in western Russia. These were ominous signs of things to come, for now we know these maneuvers were actually preparations for a possible invasion.

However, the final decision to intervene is believed not to have been made until the day before the actual invasion on August 20. On that occasion, some Soviet leaders were called back from their vacations; presumably some members of the Central Committee were consulted; and the decision was made at the highest level of political authority; that is, the party's Politburo.

Reports in the press indicate that the military, especially Marshal Grechko, had played a major role in influencing the political leadership; the military had long wanted a Soviet force in Czechoslovakia as added security against West Germany. The hardliners in the collective leadership, notably Pyotr Shelest and Andrei Kirilenko and possibly Shelepin, coalesced with the military, it is surmised, against those opposing intervention; the balance was tipped accordingly. Kosygin, Brezhnev, and Suslov were believed to be opposed to intervention.

WHY THE SOVIETS INVADED

The reasons for Soviet intervention must, of course, be a matter of conjecture. On the basis of what the Russians have said thus far and what was said during June and July, it seems evident that fear of the spreading infection of

Czechoslovak liberalism was the primary reason for intervention.

The Russians have been profoundly troubled by dissenting intellectuals in the U.S.S.R. In recent years, they have desperately tried to suppress them. The Soviet intelligentsia, notably the writers and some scientists, have advocated a wider range of freedom; they applauded enthusiastically liberalizing developments in Prague. The implication seemed to be that here was a model for the future, a scheme for leading Communist countries out of the dismal impasse in which they have found themselves, a scheme which had the promise of reconciling political authoritarianism with the irrepressible forward thrust of the human spirit into new realms of creativity.

But Soviet Russia was not alone in its trouble with the intellectuals. Poland has had its dissenters, and they have made their grievances known. Late in 1967 and early in 1968, some of Poland's leading philosophers, teachers, and writers joined with dissenting students in protesting against cultural suppression in their country. Gomulka responded with massive repression, with the result that Poland, in counterpoint to Czechoslovakia, has moved progressively to the right to the extent that observers now speak of a new Stalinism, even neo-Fascism, in a Poland suffused with heightened nationalism, acute authoritarianism, and blatant anti-Semitism. Gomulka fears the intellectual; and the dissenting intellectual he fears with a passion. He disliked what was going on in Prague; developments there were a threat to his regime, and he wanted something done about it.

East Germany, too, has been concerned about the infection of liberalism. While Ulbricht, unlike Gomulka in Poland, has instituted some economic reforms, and thus has improved the nation's economy, he has not modified his harsh Stalinist rule. He, too, feared the liberalizing developments in Prague.

Thus, fear of spreading liberalization—an acute concern for a threat in the ideological realm—was a key factor in the decision to intervene. Moscow was not alone in its purposes; it had willing allies in Poland and East Germany whose interests coalesced.

The other reason for intervention was undoubtedly related to national security, that is, a fear that liberalization in Czechoslovakia would create a chink in the defensive wall in this vital northern tier area adjoining West Germany. Soviet, Polish, and East German vital security interests are deeply involved here. Apparently, they came to believe that Dubcek's reformers could not be trusted to protect this vital sector against the possible threat of a resurging West Germany.

Together, the ideological and strategic factors apparently combined to persuade the Soviets that there was justification for intervention. These factors took a higher priority in the scale of Soviet foreign policy interests, so detente with the West and unity of the world Communist bloc had to go by the board.

JUSTIFICATION QUESTIONED

But, we might ask, was Soviet intervention justified?

Certainly on the ideological level the Dubcek government had given repeated assurances of its fidelity to Communist doctrine. This was done both by word and by deed. The 2,000-word statement by Czechoslovak liberal intellectuals asking for wider liberties and for forceful action against the conservative element within the regime was soundly rejected by the government. Moreover, administrative actions were taken that reduced the influence of the liberals and widened that of the conservatives. In addition, Dubcek had made it clear that competing parties would not be permitted; the monopoly of political power in Czechoslovakia was to continue in the CPC.

What Dubcek and his reformers were trying to do was not to destroy communism, but to purge it of some of its most offensive characteristics; their goals were to maintain the prerogatives of the party and preserve the essentials of doctrine. So sure were they of popular support for their brand of communism that they permitted a larger area of intellectual freedom. We must remember that these writers and journalists who supported the regime and subsequently were attacked by Moscow, are Communists; they are committed to the fundamental concepts of Marxism-Leninism. But these reformers, this new breed of Communists, sought to make communism work as a viable political system. They had seen doctrinaire communism bring the most progressive country in Eastern Europe before World War II to a point of ruin. But, rather than change the basic concepts governing this country, they sought to liberalize the national environment and at once harness the entire energies of the nation for the sake of making communism a success in Czechoslovakia. Even dissenting Soviet intellectuals saw in developments in Prague the possibility of a new form of communism that, adapted to the Soviet setting, would permit a massive thrust forward for Soviet power and world communism.

Dubcek's reformers were no threat to Moscow: If they could have created a humanistic socialism popularly supported and combining the best of public and private economic systems, that would have been a new model for world communism, especially in the underdeveloped areas of the world.

On the security level, Dubcek and his reformers were even less a threat to Moscow than on the ideological level. Time and again they reaffirmed their allegiance to Moscow's security system, the Warsaw Pact. These were not idle, meaningless declarations; they were declarations derived from the natural law of politics; that is, that smaller nations gravitate to the political orbit of great powers particularly when faced with what they believe to be a common danger—in Czechoslovakia's case what it regards as the potential threat from a resurging Germany.

As a people, Czechoslovakia suffered more from the Nazi war machine in proportion, than did the Soviet Union. None will ever forget Lidice. So their concern over German militarism is a real one, a concern derived from harsh experience. And it is ironic that the first Germans to violate Czechoslovakia's frontiers since 1945 came from the "fraternal" Communist East Germans.

Moreover, a serious issue remains between Germany and Czechoslovakia; namely, the irredentist ambitions of the many millions of Sudeten Germans who were expelled from Czechoslovakia in 1945 and have taken residence in West Germany.

This practical issue, along with other compelling political considerations, has created a natural bond of common interest between Prague and Moscow. Thus Moscow should have had no fears of a political rapprochement between Czechoslovakia and West Germany. What the Czechoslovaks wanted from West Germany was no more than what the Russians themselves have sought from the West Germans, the French, Italians, British, and others, namely, economic support in the form of technical assistance, possibly hard currency loans, and expanded trade.

It is hard for me, therefore, to see any justification for Soviet fears on either the ideological or strategic level. Presumably, Kosygin, Brezhnev, and Suslov were satisfied with Prague's assurances of continued fidelity; but others in the Soviet policymaking machinery felt otherwise.

RESULTS OF THE SOVIET INVASION AND MILITARY OCCUPATION

As for the results of the Soviet invasion and military occupation, we have only the perspective of just over 2 weeks upon which to make some judgments. But some things seem rather self-evident.

First of all, the Soviets have destroyed—at least for now—Czechoslovakia's dream of a new road to socialism, as it was initially conceived. How far they will turn back the clock we do not know. If it is true—as it now appears—that hardline Stalinist types have assumed the upper hand in Moscow, then it seems fairly clear that in form and content Czechoslovakia might well experience a great reversal, perhaps even revert to the days of Novotny. Reports from Prague indicate that a widespread purge of liberals is expected. A new fear seems to have gripped their country, a fear reminiscent of the worst days of Stalinism in the 1950's. How well founded these fears are can only be demonstrated in the future.

A second result seems to be a perceptible hardening of Soviet policy. Reports of Soviet pressure against Rumania, again in the form of a demand for Warsaw Pact military maneuvers on Rumanian soil, indicates the extent to which the Russians seem determined to reassert a hardline-inspired obedience from its allies within the pact. Rumania's trouble stems from its independent foreign policy; internally the regime is very much hard line in character. Thus, it is possible that all of Eastern Europe may experience a renewal of modified Stalinism.

IMPLICATIONS OF THE CRISIS

For Czechoslovakia the implications of the crisis are profound. For 8 months the Czechoslovaks had hoped for a genuine renewal of their country and the achievement of a new and higher form of political life, one that would preserve

socialism but combine with it a genuine respect for the dignity of man. In a word, to synthesize the humanism of Thomas Masaryk with the socialism of Karl Marx.

All this appears to have been lost.

The Soviets have imposed a military occupation on Czechoslovakia; they now control all the mechanism of power. For a while they may continue to work through Dubcek, who has tried desperately to preserve the gains of his regime and the dignity of his country, but reports from Prague in the last week indicate the odds that he faces.

For the Soviets, the invasion and occupation has by far the most serious implications. For a few weeks they had a choice, whether to accept the natural evolution of what might have been a competing form of socialism or to insist upon the Soviet model. In other words, whether to face the future hopefully and boldly or return to the dismal and unpromising past: they chose the latter; and by so doing they have demonstrated again that they cannot tolerate any semblance of freedom within their system or that of a fraternal ally. From this clearly articulated political reality, it is possible to derive the most dire implications: a return of the cold war; an exacerbation of tensions in Europe; renewal of Stalinism on a modified scale not only in Eastern Europe but in Russia itself.

The problem of bloc unity has been exacerbated by the invasion; this has serious implications for Soviet claims to leadership and control over the world Communist movement.

Once the Russians crossed the frontier to chastise their fraternal Czechoslovak ally, they inevitably quickened the centrifugal forces of bloc disunity. In recent years the Soviets have tried to manage this problem; by and large, they have failed. Only by the most vigorous arm-twisting and application of much political pressure were they able to get even respectable support for their unity conference scheduled in Moscow at the end of this year.

Intervention has magnified this problem; it has deepened the rift in the world Communist movement; it has shaken the confidence of the fraternal parties; it has weakened Russia's control over the movement:

The Russians won for themselves the everlasting hatred of the Czechoslovak people, including the Communist Party of Czechoslovakia;

Threats of intervention in Rumania embittered relations with the Bucharest party leaders and firmly set that nation against Moscow;

The Chinese Communists seized upon the intervention issue to broaden their attack on Moscow's leadership;

The powerful Western parties in France and Italy and those of lesser strength elsewhere are visibly shaken and protested the invasion.

Even the CPUSA is split right down the middle, its leadership in open contention, its strength dissipated.

In brief, intervention has thrown world communism into disarray; it has sown the seeds of distrust of Soviet power; it has accelerated bloc disunity.

Can this bloc unity be restored?

I doubt it. Certainly it will take more than the next 3 months for the Russians to pacify their agitated brethren and to rebuild their shattered confidence in the "wisdom" of the Soviet leadership. Scrapping of the Moscow unity conference may be part of the cost to the Russians when the full bill of intervention has been totaled up.

At the same time the Russians will be hard pressed to repair their damaged image among their neutralist supporters in the underdeveloped areas of Asia and Africa. Having passed themselves off as protector and friend of the small nation against the imperialist West for decades, they are now faced with the problem of reconciling their propaganda claim with hard, demonstrated evidence of Soviet imperialistic intervention very much in the classic 19th Century manner.

We Americans can take little comfort in the events of the last weeks, however much we may insist that this was really a family affair. In a narrow sense it was a family affair, but it was a family affair that has far-reaching implications for East-West relations. Surely none of us can now advocate a policy of reducing our troop strength in NATO. The military balance in Central Europe has been radically changed by the presence of 600,000 Warsaw Pact troops in Czechoslovakia. Before the August crisis, reduction of our troop strength in Europe appealed to me; this is no longer the case. For, if this invasion has demonstrated anything, it has demonstrated the speed, the efficiency, and the skill with which the Soviets could launch an invasion of conventional forces and complete the conquest of a country. All this talk of nuclear deterrence now seems to have been somewhat meaningless: conventional forces have proven their value once again. The West must take this into account when it rethinks its military policy in the aftermath of the crisis in Czechoslovakia.

EAST-WEST RELATIONSHIP

Perhaps, it is in the realm of Soviet-American relations that the crisis may well have the most serious implications. This invasion has destroyed a premise of American policy and some of the basic assumptions of our Nation's policymakers. Ever since the Cuban missile crisis in 1962, perhaps even before that, we Americans, especially our specialists in Communist bloc affairs, came to believe that Soviet conduct in foreign affairs was becoming rational; that it was somewhat tractable and consistent, restrained and more according to traditional Russian interests. Threat of a thermonuclear war introduced a new ingredient in Soviet foreign policy calculations that tended to generate these characteristics. Serious analysts have never denied the Soviet commitment to ideology or its relevance to foreign policy; but all available evidence, particularly the compelling reality of the thermonuclear bomb with virtually instantaneous, massive, long-range delivery systems, pointed in the direction of a more stabilized Soviet Union, a nation whose stake in world peace and in the continuation of reasonably good relations with the United States were absolutely necessary.

August 20 seems to have changed this, at least at this reading.

If the Soviets cannot feel secure and stable with a Czechoslovakia whose ethnic origins are Slavic, whose ideological preferences—at least the leadership's—are Communist, and whose national policy and national interests are by any objective assessment directed toward a close relationship with Moscow—if this is the case with Czechoslovakia, if military invasion is their reaction to change within the political system of their friend and ally—how then can there ever be a tolerable relationship established in Soviet-American relations?

If this Czechoslovak crisis is indicative of the quality of thought and judgment of Moscow's collective leadership, then I do not see how we can avoid serious trouble ahead.

AND THE FUTURE

Probably within any political system, a collective leadership is a potentially dangerous leadership, for it can breed uncertainty and instability in policy formulation. We have seen the results of this phenomenon in the reversal of the decisions made at Cierna and Bratislava: the hardline faction was apparently able to overturn the judgment of the most prominent figures in the political leadership and commit the Soviet Union to a political course the end and implications of which only God knows.

In all probability the future will be filled with uncertainty for us. We have come to know Kosygin and Brezhnev, but who are these other men and what are their purposes? For this reason, I was delighted to read President Johnson's warning to Moscow against unleashing the "dogs of war" in Eastern Europe. While our foreign policy options remain severly restricted in Eastern Europe, still we have by this declaration put the Soviet leadership on guard that their actions can have the most serious impact on our relations and those of our NATO allies.

In the final analysis, therefore, the August crisis may well have more far-reaching implications for East-West relations than was the case in any other crisis since the fall of 1962. For, should the Russians, under the pressure of new hardline forces within that nation's leadership, inaugurate a new era of Stalinism in East Europe, they would inevitably sharpen the cold war, the consequence of which would surely be, a strengthening of NATO forces, particularly those of West Germany, a downgrading of the goals of detente, and a general renewal of East-West tensions.

We face a dangerous future; there seems to be no doubt of that.

What of the Czechoslovaks and their future? The situation is far from clear. A harsh Soviet occupation has been predicted. The exodus of reformers has already begun, certainly the most grievious commentary on Soviet tyranny; the brains of the country are being forced into exile at Soviet gunpoint.

Now there can be no doubt that the Soviet Union has the power to impose a total police state system on Czechoslo-

vakia. But it is one thing to rule a nation; it is quite another to lead a nation. Novotny could rule Czechoslovakia; he could not lead it; he was a total failure and the Communists themselves disposed of him. The limits to which any ruler can go, including the Soviets, are imprecisely defined, but they exist. Being political realists, the Russians know this. Thus, this reality can and possibly will act as a mitigating force on Soviet rule on Czechoslovakia. It is significant that the Soviets have tried to avoid unpleasant confrontations with people; for the most part they accepted their taunts; and they have withdrawn their tanks from the cities to areas where they will be less conspicuous. The Russians know they have a serious political problem on their hands; they know there are limits to authoritarianism.

Another hopeful aspect is the nature of the Czechoslovak people themselves. They have the stuff, the inner discipline, the great qualities that it takes to resist the occupier and still seek to control their environment and political destiny. Centuries of foreign rule have instilled in them these unique qualities, qualities that have been amply manifested in recent weeks. By their obstinate resistance, the people of Czechoslovakia may yet force the Russians to adopt a more conciliatory course. The meeting of the CPC's Presidium over this past weekend and the carryover of many liberals by Dubcek into the new Presidium are manifestations of this manly courage. Surely, this is a subtle act of defiance; whether Dubcek can get away with it remains to be seen.

But we would deceive ourselves if we believed that developments in Czechoslovakia could ever go beyond the permissible limits established by the Soviet Union. In large measure, therefore, the future of Czechoslovakia depends on the future of the Soviet Union: it is the Russians who determine the bounds of liberalism, conservatism, reaction, and neo-Stalinism. In the final analysis it is they who call the tune. We can only watch with great concern political developments within the Soviet Union itself. If the Russians have clearly gone back to the past and to the path of Stalin with all its dire implications for world communism, the West, and Russia itself, then we can expect the worst for Russia as we can for Czechoslovakia; but if this August crisis proves to be only a momentary divergence, if it is recognized as a gross blunder and miserable failure—which objectively it is—to be righted by counterpressures and corrective action by leaders more responsive to Russia's genuine best interest and that of its people, then this reevaluation can be expected to make a favorable impact in Prague, as indeed elsewhere.

Meanwhile, we can only hope that a new, repressive madness has not taken over that strange land of Russia.

We can only hope that the demonstrated rationality and restraint of Russia's leaders in the immediate past will be resumed.

We can only hope that the Russians will not try to arrest and reverse the main thrust of history within the world Communist movement, the thrust toward divergency, diversity, independence, indeed, interdependence. We must hope that they cannot arrest and reverse the forward thrust of progress, especially in the political and social realm, that has been so marked a positive characteristic of Soviet life in the past decade.

For, our fate and that of all mankind is involved in the decisions taken in Moscow during the weeks and months ahead.

Let us pray that historians of the future will not write that the Russians in the autumn of 1968 turned their backs on their responsibilities to civilization.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes.

Mr. MUNDT. Mr. President, I call up my amendment in the nature of a substitute for the amendment offered by the distinguished Senator from Virginia [Mr. SPONG] and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. In lieu of the language proposed to be inserted by the amendment offered by the Senator of Virginia [Mr. SPONG], insert the following:

On page 16, line 5, after the period insert the following language:

"For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 9), $90,965,000, fiscal year 1968; *Provided*, That these funds shall not be subject to the provisions of the Anti-Deficiency Statute, Revised Statutes 3679, 31 U.S.C. 665 (c): *Provided further*, That the expenditure of this appropriation shall not be taken into consideration for the purposes of title II of the Revenue and Expenditures Control Act of 1968."

Mr. MUNDT. Mr. President, are we operating under any controlled time arrangement?

The PRESIDING OFFICER. There is no controlled time.

Mr. MUNDT. Mr. President, my amendment in the nature of a substitute deals with a very urgent matter concerning the schoolchildren of our country, as does the amendment offered by the Senator from Virginia [Mr. SPONG], for whose amendment my amendment provides a substitute.

In our conference just before the adjournment for the two political conventions, the Appropriations Committees of the Senate and the House agreed unanimously on the provision of $90,965,000 to meet these critical needs.

That money has been withheld by the President. The purpose of my substitute is to make this money immediately available for the duration of the fiscal year and to provide exemptions from the prohibitory statutes which the President relied upon in freezing the funds.

I propose to discuss the amendment a little later, as I understand the plan of the leadership of the Senate is not to pursue any rollcall votes today.

In that event, I shall defer my discussion in detail of the amendment until we are ready to begin operating on the bill.

I ask that my amendment be made the pending business.

May I have the attention of the majority leader? I have just offered an amendment in the nature of a substitute, which is lying on the desk. I understood the plan of the leadership was not to have any rollcall votes this afternoon. In that event, I shall defer action on my amendment until somewhat later.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may yield, without losing his right to the floor, so that I may suggest the absence of a quorum.

Mr. MUNDT. I yield.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MUNDT. I yield the floor.

AMENDMENT NO. 939

Mr. PASTORE. Mr. President, on behalf of myself and the Senator from New York [Mr. JAVITS] I submit an amendment. I ask unanimous consent that it be printed and lie on the table, and I also ask unanimous consent that the text of the amendment be printed at this point in the RECORD.

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

The amendment is as follows:

On page 59, lines 20 and 21, strike out "$1,873,000,000" and insert in lieu thereof "$2,088,000,000".

Mr. PASTORE. I intend to call up the amendment tomorrow, and I should like to explain it at this time.

This is an amendment to increase the appropriation for the Office of Economic Opportunity by $215 million to a total of $2.088 billion for fiscal year 1969.

This modest increase is the absolute minimum with which we can effectively continue the attack on poverty. It is almost $100 million less than the amount Congress authorized for the antipoverty program and the amount the President requested for OEO in his budget.

Why does the Office of Economic Opportunity need an additional $215 million?

Only last December, Congress adopted a 2-year authorization bill for OEO. It proposed that $1.98 billion be appropriated for fiscal year 1968 and $2.18 billion for fiscal year 1969.

The President supported these authorizations and requested a $2.18 billion appropriation for fiscal year 1969.

Yet, last year, Congress appropriated only $1.773 billion—$200 million less than the authorization figure.

This year, the House and the Senate appropriations Committees have proposed an appropriation of $1.873 billion—a full $307 million under the authorization figure and the President's request.

I should like to add at this juncture, parenthetically, that I have heard time and time again, until I have become weary of hearing it, the criticism being leveled at the administration, that it talks big and then does not provide the money. The fact is—and if anyone wants to challenge me on this, I would like to debate the subject—that every time Congress has acted on authorizations for the poverty program, we have never appropriated the full amount that was authorized and the amount that was requested by the President of the United States. I believe this is our opportunity, at this time, to correct it.

Some may say this is a windfall—$100 million more than the program received last year—in a time of general belt tightening.

But is it? Let us look at the fiscal facts surrounding the antipoverty program.

In the arithmetic of the administration of Federal programs, an increase of $100 million does not mean 100 million of new money for an agency or department to use as it wills. In fact, the increase for OEO contained in the appropriation bill before us actually is less than the amount necessary to keep current OEO programs going.

OEO officials testified that simply to continue present programs at current levels, an appropriation of $1.392 billion is required. This means no money to start any new antipoverty efforts.

This situation comes about because of the refunding cycles of community action, legal services, Job Corps, health centers, and many other antipoverty activities. Further, a number of programs which need only modest funding in the startup stage require greater amounts when they become fully operational. For example, comprehensive health centers needed only $33 million in fiscal year 1968 but would require about $90 million to carry on this year.

Therefore, far from providing OEO with new program funds, the Appropriations Committee mark of $1.873 billion could actually necessitate a cutback in antipoverty programs. It falls $59 million short of the amount needed for current programs.

This will hardly prick the consciences of those who disapprove of the whole concept of OEO, but they may not be aware of what has been happening lately.

The latest figures show that almost 3 million Americans came out of poverty in 1967. Since OEO was created in 1964, well over 7 million people have left poverty—more than 2½ times the annual rate for the preceding 5-year period.

Obviously, somebody has been doing something right. OEO does not take credit for all of the improvement, but there can be no denying that the new programs of the last 3 years have had a significant impact.

Another exciting development in the war on poverty is the success of the partnership between the Federal Government and the Nation's business community in developing employment training and jobs for the hard-core unemployed.

This is the job opportunities in the business sector—JOBS—program operated by the National Alliance of Businessmen.

The most recent figures show that NAB has secured 165,000 pledges and has actually placed 40,000 previously unemployed, and once largely unemployable, persons in jobs.

It is significant to note that, last year, $60 million in OEO funds went into this important program.

But there are still 26 million Americans living below the poverty line. There are 5 million Americans whose earnings even when they are working full time do not bring them above the poverty line.

These are the poverty targets. These are the targets which an increased OEO appropriation will help us reach. We cannot do so by cutting the funds available in the war against poverty.

Look, for example, at what has happened to Headstart Follow Through. Headstart had the almost universal endorsement of the Congress and the public, but it has still been impossible to begin the entirely logical Headstart Follow Through program.

The Follow Through program is to find out how these programs develop and to reach out and talk with the people who are under these programs, to find out whether or not they have been effective. I believe it would be foolhardy on our part to spend millions and millions of dollars to initiate a program and to train people under it and then not follow through to find out how the program has developed.

Evaluation of Headstart has made it clear that there is a need for a program to reinforce the significant gains made in Headstart and to insure that Headstart children continue at a rapid rate of development when they enter school. This is particularly true in the case of more than two-thirds of the children who derive benefit only from the short summer programs of Headstart.

OEO and the Office of Education have been ready to implement this in-school phase now for almost 2 years. They need funds. In fiscal year 1968 the President requested and was ready to use $120 million to begin a Follow Through program; the Congress voted only $15 million—barely enough to maintain an experimental pilot program effort at a very modest level.

This year's tight budget request was $50 million, which would provide $26 million for program expansion beyond the operation of last year's classes and the continued participation of last year's children in the program. An appropriation of only $1.873 billion would hardly keep last year's token efforts going.

The JOBS program run by the NAB is another vital example of the promise of antipoverty efforts.

Yet, the appropriation reported by our committee falls $21 million short of the amount required to take advantage of the job opportunities offered by this unique program. Obviously, additional funds for these jobs could be found within the reported amount, but again only at the unconscionable cost of depriving the poor of what they have already been offered to escape their condition. It would be shameful to develop a father's job opportunity, but only through depriving his son of Headstart opportunities. When the private sector is responding so magnificently to our challenge, can we afford to turn our backs on it?

My amendment would add $215 million to the Appropriations Committee figure of $1.873 billion to meet some of these critical needs.

Of this amount, $59 million would permit full continuance of fiscal year 1968 programs, $26 million would permit mounting the President's recommended program for Headstart Follow Through, $9 million would permit additional emphasis in rural areas, and the remaining $121 million would permit full realization of the JOBS program.

This is still $92 million less than the President requested. Several smaller program expansions will regrettably have to go.

The poor, too, must apparently make some sacrifices to the Nation's need to tighten its belt. I trust that OEO, as programs are refunded in the coming year, will economize wherever possible and that the special concerns expressed in our committee's report will receive close attention. We cannot in conscience force the poor to bear the full burden of our efforts to reduce Federal spending.

I hope that when this amendment is called up it will be agreed to.

THE NATIONAL DEMOCRATIC CONVENTION

Mr. PASTORE. Mr. President, I shall make the following statement very slowly for the benefit of all who will listen to me.

I do not know in what lasting mood the American public is going to remember the recent Democratic National Convention in Chicago. I do know, and I feel this rather strongly, that as the situation now stands the American public will remember more of what happened in Grant Park and away from the convention hall than they will of the fine debate therein on the majority and minority Vietnam planks.

For myself, I have returned from Chicago with a feeling not too favorable. I want that clearly understood. I have received a flow of mail from constituents back home who have read the newspapers and who have viewed the television. The mail has been rather mixed. There are those who felt that the right thing was done, and there are other persons who felt the wrong thing was done. All seem confused as to where law and order begins and ends—or survives.

I am not here today to pass judgment on the rights or the wrongs of this situation. I feel pretty much as Milton Eisenhower feels, now that his Commission has been called upon to make an investigation of what happened in Chicago. He has stated he does not want to place himself in a position of prejudging the

matter. That is exactly the position I take here today.

However, I believe the American public is entitled to know all the facts. What came through the television sets was rather ugly. There is absolutely no question about it. In my mind, whether what was done was done in the heat of the moment I do not know, nor do I know what the provocations may have been; but surely it appeared to me that possibly more force was used than was reasonably necessary.

Mayor Daley, on behalf of his city of Chicago, feels that he should be given time, at prime time, by the networks to explain his problems and his performance. I have no way of knowing what his case is, but I think the American people have a right to know and to make their own decision.

Mayor Daley has asked for this time on prime television time to be given by the networks. He has been turned down by CBS. NBC has offered to give him time on the "Meet the Press" program. At this moment I do not know what the attitude of ABC might be. I do know the networks are confronted with very delicate questions because all of these situations do set precedents. Their decision could plague them in the future and come back to haunt them, so they have to look down the long road to assess what the ultimate results might be.

Be that as it may, what happened in Chicago has rocked this Nation. Right, wrong, or indifferent, it has rocked the Nation and so much so that the American public is confused as to exactly what did happen. How much took place that did not show on television, and how much of what was shown on television might have been the result of provocation are questions needing to be answered and I do hope that in due time those questions will be answered.

Inasmuch as I am the chairman of the Subcommittee on Communications of the Committee on Commerce, I have a definite responsibility because no matter what the Commission reports, no matter what the President chooses to do, whether it be this President or the next President, whoever he may be, the fact still remains that the Congress has an independent responsibility of its own. I am sure my majority leader will agree with me. The Congress is the watchdog of communications.

My purpose in rising today is not to prejudge the situation and not to pass comment on the whys or wherefores, but merely to appeal to the networks to review their position, to become a little more condescending, so that America will have all the facts. I would hope, if Mr. Daley is given the time, it will not be another program of recrimination and indictment. I hope we will get the clear facts of all the evidence and incidents that led to this very rigid security that all of us experienced in Chicago.

How much of it was necessary, I am unable at this moment to say. I do know this: If as few as 2,000 young people—strong and able-bodied and even stronger minded—invaded or stampeded the convention hall with 5,000 or 6,000 people already there, only God in heaven knows what might have happened. That, of course, could not be tolerated. Whether there was provocation, I repeat, I do not know. But I do know this: The American people should be told.

On television, I know that 1 hour is sometimes too long. It might be much too long a time in this case. I would hope that the networks would sit down with the mayor. I do not know that it has to be across the board—NBC, CBS, or ABC—but they could straighten this out among themselves. Somehow, I think it will do us all a lot of good if at least we heard all sides of the matter. If Mayor Daley were given the time to explain to the American people his side of the situation. I think that in the long run all of us would be better off.

I repeat, I am not here as anyone's advocate, but because I am the chairman of the Subcommittee on Communications and, in all probability, I am going to receive a lot of mail on this subject, and pressing requests will be made of my committee, I am going to suggest, openly and publicly, here today, that the presidents of the three networks sit down with Mayor Daley to see whether they cannot reach a reasonable agreement and allow Mayor Daley to appear on television and explain his side of the story to the American people.

Then, let the American people judge who was right, who was wrong, and whether anyone went too far.

DEATH OF ROGER PEACE

Mr. THURMOND. Mr. President, during the August recess, our State and Nation, and especially the journalistic world, was deeply saddened by the death of Roger Peace, one of the ablest of newsmen, and one of the finest of civic leaders.

Roger Peace was no stranger to the U.S. Senate, since he was the interim U.S. Senator from South Carolina in 1941 after James F. Byrnes was appointed to the Supreme Court. His distinguished record while a Member of this body speaks for itself.

At the time of his death, Roger Peace was the chairman of Multimedia, Inc., an enterprise whose importance to our people is evident in the listing of its component divisions: The Greenville News-Piedmont Co., the Asheville Citizen-Times Publishing Co., and the Multimedia Broadcasting Co., consisting of WFBC-AM-FM-TV, Greenville; WBIR-AM-FM-TV, Knoxville, Tenn.; WMAZ-AM-FM-TV, Macon, Ga.; and WWNC, Asheville. As the steward of these operations, Mr. Peace turned in a remarkable record in the public interest.

Roger Peace was a pioneer in the newspaper, radio, and television fields, and his progressive policies were instrumental in the tremendous industrial growth of the Piedmont area of South Carolina, and especially Greenville. His father, B. H. Peace, bought the Greenville News in 1919 at his urging. Roger successively became sports editor, general manager, and editor before moving on to managerial positions. But it was the title of editor that he always liked best.

Roger Peace believed in our country and the principles that made it great. He always stood for what was best for the people. He had a great vision for the South, and spurned offers which would have made him rich, but which would have taken control of the vital news media out of the region. He had faith that the South would prosper, and his faith was rewarded.

Roger Peace always made himself part of his editorial columns. He attacked the growing centralization of the Federal Government, and the waste of Federal funds. He knew what the Constitution meant, and saw how it was being eroded. He had traveled in the Soviet Union and understood the nature of international communism and its threat of squelching the free world. Once we had gone into Vietnam, he favored a military victory.

I would be much amiss if I did not mention Roger Peace's astonishing record of community service. It has been said that not a single educational institution in our State has failed to benefit from his efforts and his substance. He was a trustee of the South Carolina Foundation of Independent Colleges. He was instrumental in organizing the Greenville County Foundation. He was a former president of the Greater Greenville Chamber of Commerce, and the Community Chest of Greenville.

Above all, Roger Peace remained a newspaperman to the end. In everything he did, he sought to raise the sights of the community. His newspapers set the standards, and they are standards which it will be difficult to surpass.

In the death of Roger Peace, I have lost one of my finest and most loyal friends. I frequently consulted with him, and valued highly his wise counsel. His views were imaginative and thought-provoking. His dedication and his enthusiasm for his country's welfare were a source of inspiration.

Roger Peace was a distinguished citizen, a true patriot, and a great American. In his passing, our State, the South, and the Nation have lost an eloquent spokesman. He was truly a great builder, and as the poet said:

> When a great builder dies
> For years beyond his ken
> The light he leaves behind him
> Will shine upon the path of men.

I have had personal experience with Roger Peace's effect upon the lives of others, especially our young people. Two of his grandsons served as pages in the U.S. Senate upon my appointment, Edmund A. Ramsaur, Jr., and Roger C. Peace III. Both proved to be splendid young men of character and ability and dedication, and the imprint of their grandfather's life was evident in them.

I wish to extend my deepest sympathies to his lovely daughter, Mrs. E. A. Ramsaur, his grandchildren, and his brother, Mr. B. H. Peace, Jr., and his sisters, Mrs. Gertrude P. Leake, and Mrs. Laura P. Echols, and other surviving members of the Peace family.

Mr. President, I ask unanimous consent that the following editorials and articles concerning this late distinguished citizen be printed in the RECORD at the conclusion of my remarks. They include editorials from:

"Roger Craft Peace," the Greenville News, August 22, 1968;

"Our Humble Gratitude," the Greenville News, August 25, 1968;

"Roger Craft Peace," the Greenville Piedmont, August 22, 1968;

"Roger C. Peace," the Index-Journal, August 22, 1968;

"Mr. Roger Passes," the Spartanburg Herald, August 22, 1968;

"Rogert C. Peace," the News and Courier, August 3, 1968; and

"Editorial, WSPA Voice of the Air," August 23 and 24, 1968.

Also the following articles:

"Roger C. Peace, Publisher, Civic Leader, Dies at Home," the Greenville Piedmont, August 21, 1968;

"Roger Peace Mourned by Community," Greenville Piedmont, August 21, 1968;

"Roger Peace, News Media Builder, Dies," Greenville News, August 22, 1968;

"Tributes Are Paid to Roger Peace," Greenville News, August 22, 1968;

"Roger C. Peace Funeral Planned Friday at 11," Greenville Piedmont, August 22, 1968;

"Mortal, but Irreplaceable, Said of Roger Peace at Funeral Rites," Greenville Piedmont, August 23, 1968;

"Roger Peace Called an Irreplaceable Man," Greenville News, August 24, 1968; and

"Roger C. Peace Tributes Flow In," Greenville News, August 24, 1968.

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

[From the Greenville News Aug. 22 1968]

ROGER CRAFT PEACE

"Thou wert my guide, philosopher and friend."—Essay on Man, Pope.

Roger Craft Peace was all of these things and more to those of us who worked with him during a distinguished newspaper and broadcasting career which began when he was about 16 and ended only the day before his sudden death at 69 as he sat in the evening quiet of his home.

"Mr. Roger" looked upon all of us not as employes but as associates. He had the command presence of the natural executive which made orders superfluous and leadership ability which conveyed his advice and desires without the necessity of directives. When he spoke of employes of the company, he included himself.

The editorial "we" was literally that in the policies of the newspaper; he was not a personal journalist in the sense that many of his own and the preceding generation were. Rather, he insisted that what went into the newspapers represent the best thinking of all in position to contribute.

In later years, when the managerial burden had been partly shifted to others and he had time again, he resisted urging that he write a personal, signed column, insisting that he preferred to be merely a part of the editorial page. And, indeed, he was, regardless of whether he was actually writing. His high principles, set forth by precept and example, insured his imprint on the newspaper in a manner that will live longer than the youngest of us.

We recognized and admired the enormous grasp and depth of his intellect and his knowledge. We were grateful for his common sense which could strip a problem or a complicated situation down to its bare essentials, so that solutions and analyses came more easily.

Above all, he taught and he practiced personal and institutional integrity and intellectual honesty.

He was the "open door" kind of executive who was quickly available to an employe or a member of the public with a professional, personal or community problem. Except when he secluded himself to write or to think, he answered his own telephone without the screening of calls by a secretary.

As he was thus availiable with his wit and wisdom to all of us, so he was to the civic and governmental leaders of the community, state and nation which he believed in with fervent patriotism. He might have had a brilliant public career, but was unwilling to give up his great love, the printed page, to pursue it.

Even so, his advice and counsel were eagerly sought by elected and appointed leaders at all levels, just as his professional knowledge and judgment were known and respected nationwide.

While building and presiding over a communications organization which has few equals anywhere, Mr. Peace gave freely of his time and talents to civic causes too numerous to mention. His and the corporation's philanthropy touched thousands in ways calculated to help them to help themselves and others.

There isn't a single educational institution in the state which hasn't directly benefitted from his efforts and his substance, and he assisted many outside of it.

Thousands of South Carolinians work today at better jobs created for them by the wisdom and efforts of Roger Peace and a few other men back in the 1940's and 1950's.

Mr. Peace was chairman of the Preparedness for Peace Commission which blueprinted the post-World War II governmental reforms and set in motion the industrial development program upon which this state's present economy was built. He helped implement the South Carolina industrial revolution by a decade of service on the State Development Board which grew out of his commission's recommendations.

But first, and always, Roger C. Peace was a newspaperman.

In his teens he was a reporter, before the Peace family headed by his late father, B. H. Peace, acquired ownership of The Greenville News and some years later of The Piedmont. In his twenties he was an editor and in his thirties a publisher and manager.

The economics of publishing and broadcasting demanded more and more of his time. But despite this, and despite broad and deep involvement in public and other business affairs as a participant and consultant, he was in mind and heart fundamentally a reporter and editor.

In both these roles, which he combined and balanced, he had few peers. He possessed to a rare degree what newsmen know and feel as a sort of professional instinct. He was instrumental in launching the careers of several distinguished editors, in each of whom he discovered and developed this instinct which is more inbred than instilled or acquired.

His great regret in later years was that the pressure of other duties prevented his functioning more actively in the area of writing, a skill he exercised with unmatched facility and clarity, and editing, a task to which he brought extraordinary insights. This man who had held many titles, public and private, often said, "No title meant more to me than that of Editor."

But, so great was his capacity to adapt and to grow that, unlike most newspapermen, he also possessed or developed great business acumen marked by a rare combination of stability and daring, foresight and caution.

It was this foresight, wisdom and concern for the welfare of the state and community that prompted him to take several steps, which culminated in the formation of the public corporation, Multimedia, of which the Greenville and Asheville newspapers are a part. His basic purpose was to provide, as far as was humanly possible, that the newspapers, as quasi-public institutions, would continue under community control in perpetuity.

Nobility and compassion were hallmarks of Mr. Peace's relations with his fellowman. His capacity for friendship was virtually limitless and his friends were legion and representative of almost the whole spectrum of humanity.

He had a full measure of the divine gift of laughter, most often turned upon himself, and a natural and wholesome personal jollity. He insisted that those around him possess and exercise the trait he invariably referred to as "levity."

People were attracted to him because they could look upon him and say with the poet, "Here is a man!"

[From the Greenville News, Aug. 25, 1968]

OUR HUMBLE GRATITUDE

We are confident that our readers and friends will understand that it will be impossible for us, much less the Peace family, to acknowledge all of the tributes and expressions of grief and sympathy which have come in a comforting tide since the death of our beloved Roger C. Peace.

So many have been in the form of telephone calls and notes to individuals among the scores of men and women who make up The News-Piedmont and associated companies. Others have been simple verbal expressions impossible to record or to remember accurately. Many have come from strangers.

In many ways, these are more meaningful than the more formal messages from persons of prominence. Their manner and tone of themselves indicate that the speakers or writers recognize the personal sort of loss each of us has experienced and the grief we feel; and that members of the public share our feelings, for as a public man "Mr. Roger" belonged to them also.

We would be less than honest, and guilty of false modesty, if we did not say that the most pleasing gesture of all was that of Mayor David G. Traxler in asking that the United States flag be flown at half-staff on all city buildings during the hours of deepest mourning.

Postmaster Robert A. Jolley Jr. concurred in Mayor Traxler's opinion and directed that the flag on the city's principal federal building likewise be lowered in tribute to Mr. Peace.

We thank them both in their personal feelings and official capacities.

It first was an honor befitting a public spirited citizen who felt and practiced deep patriotism, dedicated the news media he headed and gave so much of himself to community, state and nation.

It also recognized his position as a former United States Senator, an honor bestowed upon him by another distinguished South Carolinian and his lifelong friend, the late Governor and Senator Burnet R. Maybank. It was he who as governor in 1941 appointed Mr. Peace to succeed James F. Byrnes for the interim term while he himself successfully sought the seat. Mr. Peace considered this position one of the highest and most honored an American could hold.

All of these things were said and done, not in pride but in humility for a man who was himself both great and humble.

As we often presumed to speak for him while he lived, we think we speak for him as well as for ourselves now when we acknowledge these gestures and express gratitude for the words of praise, sympathy and comfort—all in the spirit of the ennobling humility which enabled our beloved friend and mentor to "walk with kings, nor lose the common touch."

[From the Greenville Piedmont, Aug. 22, 1968]

ROGER CRAFT PEACE

Roger Craft Peace, above all else, was a working newspaperman.

His interests covered a broad spectrum—government, politics, finance, industry, business, education, travel, state and local planning—but his heart was in the newspapers he published, the people who put them together and their content.

Newspapers were his life, from the day in 1916 that he went to work on The Greenville News as a cub reporter till his death yesterday at 69.

Many honors came to Mr. Peace, local, state and national. From one of them developed the first of the two things in which he took paramount pride.

It was in 1942 that Mr. Peace was appointed chairman of the South Carolina Preparedness for Peace Commission. That commission, in 1945, presented a comprehensive postwar plan for South Carolina, including a recommendation for the formation of the South Carolina Research, Planning and Development Board. The Board and its extremely effective operation was a prideful thing to him.

The other of the two was the employes trust fund that he set up within the News-Piedmont Company. That was reflective of his immediate concern for his associates (he never called them employes) and was indicative of his larger concern for all who moved within his sphere.

Mr. Peace was a man of many facets. His business acumen was recognized by all with whom he had business. His integrity was just as great. His friendship was a thing of value. His love of family and friends, his compassion for others, his ability to bear sorrow with a strong heart—all had an amazing depth. His judgment, ability and dedication to whatever public or private task he undertook brought the greatest admiration.

He was a man who will be long and lovingly remembered because of the kind of man he was.—W.F.G.

[From the Greenwood (S.C.) Index-Journal, Aug. 22, 1968]

ROGER C. PEACE

The strong and restless mind of Roger Peace led him in many directions as a state and community leader, and for a time on the national scene.

But wherever these other interests led, they always spread out from the central core of his being as a newspaperman.

His identity was as the guiding hand of the Greenville News and the Greenville Piedmont, and later radio and television interests. But he served in many ways, not only as an active participant in programs for state and community uplift, but as a man whose counsel was often sought by those in public life.

Perhaps his greatest tribute comes in the deep respect and affection with which he was held by his associates on all levels in all departments of the newspaper and other interests he headed.

Our sympathy goes out to the Peace family, and to our friends on the Greenville newspapers who have lost a valued friend and counselor.

[From the Spartanburg (S.C.) Herald, Aug. 22, 1968]

MR. ROGER PASSES

Twenty some years ago, we had the pleasure of working for Mr. Roger. He was president and publisher of two great newspapers . . . yet he was affectionately referred to as "Mr. Roger." He was "Mr. Roger" from Judson Chapman, editor of The Piedmont, to the bald-headed elevator man.

Normally when one writes an editorial of the passing of a fine citizen, the effort is made to list his accomplishments. With the passing of Mr. Roger the list is too long. He wouldn't have liked it, anyway.

Yet, one cannot refrain from thinking of the many great and lovely things he did for his profession, his community, state and nation. He was a newspaper reporter and later a United States Senator. That's a great spread in the endeavor of one man.

"Mr. Roger" was Roger C. Peace. When he died Tuesday, he was president and publisher of the Greenville Newspapers. He stood tall among present day Americans. His shadow will long stand bold and wide from the Piedmont of his South Carolina to the Atlantic Ocean.

So long, Mr. Roger.—PHIL B.

[From the Charleston (S.C.) News and Courier, Aug. 23, 1968]

ROGER C. PEACE

An able business man with a keen sense of obligation to public service, Roger C. Peace combined the basic qualities for a successful newspaper publisher. His management of The Greenville News and The Greenville Piedmont, purchased earlier by his father, the late Bony Hampton Peace, was so efficient that radio, television and the two Asheville newspapers were added to the family holdings.

A man who commanded both respect and loyalty, Mr. Peace was held in high esteem by others in the publishing field and by fellow citizens generally. As a tribute to his leadership in South Carolina, he was appointed U.S. Senator to serve an interim term when James F. Byrnes became an associate justice of the U.S. Supreme Court.

We knew Roger Peace as a courteous, intelligent and affable colleague. He bore personal sorrows with cheerful fortitude. His death at 69 after a long illness is a source of grief to a large number of friends, associates and admirers.

WSPA: VOICE OF THE AIR, AUGUST 23 AND 24, 1968

The sudden passing of Roger Peace removes from the South Carolina scene a public figure who can ill be spared in these troublesome times.

His perception was worldwide, but his heart and his dedication always were to his community, his state and his country, and in that order.

Although extremely successful in many and varied business enterprises, he was fundamentally a newspaperman. What he did in building the *Greenville News* and *Greenville Piedmont* into the outstanding publications they are today exemplifies the best in journalism. In this era when so many Southern newspapers have been bought up by outside interests, Roger Peace never gave a second thought to the fabulous offers received for the Greenville newspapers which would have made him several times a millionaire early in life.

Roger Peace believed a state's greatest asset was its young people. The only time he ever thought about leaving South Carolina was when his father, the late B. H. Peace, hesitated about taking advantage of an opportunity to buy the *Greenville Piedmont* on which young Peace cut his journalistic teeth. When Mr. Peace returned home one night, he found his eldest son sitting on his packed trunk ready to take off for faraway places to pursue his chosen profession unless his father bought the Greenville newspaper. Mr. Peace told his son if he wanted a newspaper that badly, he would buy it.

And there began the building of the two fine daily newspapers which have meant so much to the growth of Greenville and the growth of the Piedmont. The *Greenville News-Piedmont* are shining examples of what home-owned newspapers can mean to a community and a region.

The Greenville newspapers attained their success because the Peaces recognized that the news columns belonged to the readers, and they never lost their objectiveness.

One example will serve to show Roger Peace's devotion to true journalism. His papers had waged an editorial campaign for extension of the city limits to include a community outside of Greenville which resented the effort to bring it in. A carnival came to West Greenville, and Roger Peace and members of his family and staff attended it. The police arrested the party for some undisclosed reason and locked them up.

The elder Peace was furious. Of course, his son and party were released without difficulty, and then came the question of publicity. The elder Peace wanted to play down or kill the story. Roger ordered that it be put on the front page of the Greenville paper. His reasoning was that no one, not even the publisher's family, had immunity from the readers of the newspapers having the news.

There are scores of examples of the wisdom and courage of Roger Peace in the building of the Greenville newspapers. But when all is said and done, it was this man's big heart, friendliness and his ability to attract intelligent and loyal associates that enabled him to scale so many ladders of success.

Roger Peace will be missed and mourned by people in all walks of life. But those who will miss him and mourn him most will be those with whom he was associated over the years and who knew him best.

A real big 30 goes up on life's scoreboard in the passing of Roger Peace, and South Carolina journalism has lost its brightest star.

[From the Greenville Piedmont, Aug. 21, 1968]

ROGER C. PEACE, PUBLISHER, CIVIC LEADER, DIES AT HOME

Roger Craft Peace, 69, noted Greenville newspaperman, business and civic leader and chairman of the board of Multimedia, Inc., died last night at his home, 201 Crescent Avenue.

Mr. Peace was born May 19, 1899, the eldest son of the late Bony Hampton Peace and Mrs. Laura Estelle Chandler Peace.

Mr. Peace was married in 1920 to Miss Etca Tindal Walker. They had two children, the late Roger C. Peace, Jr. and Mrs. E. A. (Dorothy Ann Peace) Ramsaur of Greenville, Mrs. Etca Peace died June 21, 1965.

Mr. Peace's second wife, Mrs. Amy Newgren Peace, died Sept. 19, 1967.

Also surviving are a brother, B. H. Peace, Jr., of Greenville; and sisters, Mrs. Gertrude P. Leake and Mrs. Laura P. Echols of Greenville and grandchildren, Edmund A. (Ted) Ramsaur, Jr., of Greenville, Etca Ann Ramsaur of Greenville, Norlin Craft Peace of Coral Gables, Fla., and Roger C. Peace, III of Coral Gables, Fla.

Another brother, Charlie Peace, died in 1958, and a sister, Mrs. Frances P. Graham died in 1967.

He was educated in the public schools of Greenville and was graduated from Furman University with a bachelor of arts degree in 1919. He entered ROTC training in 1918 and served later as an instructor in the United States Army.

Mr. Peace began his newspaper career as a reporter in 1916 on The Greenville News. Soon thereafter, at the behest of two other sons, his late father, B. H. Peace, who operated a commercial printing business, acquired The News from the late Capt. Ellison A. Smyth. Father and sons began the building process that has developed the newspaper into one of the most successful in the Southeast.

Roger Peace served as sports editor in 1919–20 and as editor from 1920–24, at which

time he became business manager. He remained active in the editorial direction of the paper. When his father's health began to fail about 1930, he began to assume more responsibility in the overall operation of what is now a large publishing company.

The Greenville News acquired The Piedmont in 1927 and merged it into the business operation of The Greenville News-Piedmont Co. In 1932 the company established Radio Station WFBC, which later entered the television field.

Upon his father's death in 1934, Mr. Peace became president of the News-Piedmont Co. and publisher of the two newspapers, holding the title of editor of The News for a period of time.

The News-Piedmont Co. purchased the Asheville, N.C., newspapers in 1954, forming The Asheville Citizen-Times Publishing Co., Inc., which publishes the Asheville Times and the Asheville Citizen and operates a radio station.

Multimedia, Inc., was organized last year. Its divisions are the Greenville News-Piedmont Co., the Asheville Citizen-Times Publishing Co. and Multimedia Broadcasting Co., the latter consisting of WFBC-AM-FM-TV, Greenville; WBIR-AM-FM-TV, Knoxville, Tenn.; WMAZ-AM-FM-TV, Macon, Ga., and WWNC-AM, Asheville, N.C.

Mr. Peace has served as director of the Peoples National Bank of Greenville, the Piedmont and Northern Railway, the Greenville Community Hotel Corp. and as chairman of the board of WMRC, Inc.

He served an interim term in the United States Senate from August to November, 1941, former Sen. James F. Byrnes was appointed to the United States Supreme Court.

Other community and civil activities ranged from presidency of the Community Chest to the Chamber of Commerce. He was connected with a number of charitable agencies.

He was a trustee of the South Carolina Foundation of Independent Colleges and was instrumental in organizing the Greenville County Foundation.

In 1942 Mr. Peace received an appointment as chairman of the Preparedness for Peace Commission, which in a 1945 report presented a comprehensive postwar plan for South Carolina. It embraced a complete study of the state and local governments with suggestions for sweeping reforms.

Among the recommendations was the formation of the State Research, Planning and Development Board, which was subsequently renamed the State Development Board. When the General Assembly created the agency, Mr. Peace was one of the first directors appointed and served continuously until his resignation in 1955.

Mr. Peace was honored on his 66th birthday in 1965, when friends, relatives and newspaper associates paid tribute to him for his contributions in the community, state and nation. He was praised especially for his role as publisher of newspapers that have "set the tone of the community."

Funeral arrangements will be arranged by The Mackey Mortuary.

[From the Greenville Piedmont, Aug. 21, 1968]

ROGER PEACE MOURNED BY COMMUNITY

Mayor David G. Traxler expressed shock today over the death last night of Roger C. Peace, prominent Greenville Communications media executive.

"I am sorry to hear about the death of Roger Peace, who has consistently, over the years, been a friend and supporter of all of Greenville, especially of the city government," he said.

"The loss of him, one of our finest citizens, will be felt over a long period of time."

Mayor Traxler said Peace had planned to accompany him to Washington in January in connection with the Mayor's PERT plan to ease cities' tax problems.

Leonard M. Todd, president of the Greater Greenville Chamber of Commerce, spoke of the publisher's death as a "personal loss to me as a friend."

Todd said, "There is no question that Mr. Peace's handling of the news media has had a tremendous impact on this area's growth. He has handled it impartially. He has been interested in cultural activities and his efforts have greatly advanced the arts.

"His death will be a very great loss to our community."

Former Gov. James F. Byrnes of Columbia, a long time friend and associate of Mr. Peace, said, "I am shocked to learn of the death of Roger Peace.

"When I was appointed to the U.S. Supreme Court Roger Peace succeeded me as U.S. senator and ably represented South Carolina in that body.

"During all my public service I consulted Roger about important problems and always profited by his wise counsel. I had no more loyal friend and his death is a source of great sorrow to me."

[From the Greenville News, Aug. 22, 1968]

ROGER PEACE, NEWS MEDIA BUILDER, DIES

Roger Craft Peace, 69, chairman of the board of Multimedia, Inc., died Tuesday night at his home, 201 Crescent Ave.

His career as a southern newspaperman spanned more than half a century from his first days in 1914 as a reporter for The Greenville News, and he became eminently successful as editor and publisher, business and civic leader in later years.

Mr. Peace was born May 19, 1899, eldest son of the late Bony Hampton Peace and Mrs. Laura Estelle Chandler Peace, and was married in 1920 to Miss Etca Tindal Walker, who died June 21, 1965.

They had two children, Mrs. E. A. (Dorothy Ann) Ramsaur of Greenville and the late Roger C. Peace Jr.

Mr. Peace's second wife, Mrs. Amy Newgren Peace, died Sept. 19, 1967.

Also surviving are a brother, B. H. Peace Jr. of Greenville; two sisters, Mrs. Gertrude P. Leake and Mrs. Laura P. Echols of Greenville; and grandchildren, Edmund A. (Ted) Ramsaur Jr. and Etca Ann Ramsaur of Greenville, and Norlin Craft Peace and Roger C. Peace III of Coral Gables, Fla.

A brother, Charlie Peace, died in 1958 and a sister, Mrs. Frances P. Graham, died in 1967.

Funeral services will be conducted Friday at the Mackey Mortuary by Dr. L. D. Johnson and Rev. James G. Stertz. The time will be announced. Burial will be in Springwood Cemetery. He was a member of the First Baptist Church.

An honorary escort will consist of employes of The Greenville News and the Greenville Piedmont.

At Mr. Peace's urging, his father, B. H. Peace, in 1919 purchased The Greenville News and the newspaper rapidly progressed to become an influential enterprise. "Mr. Roger," as he came to be familiarly known, was editor, 1920–24, after serving a year as sports editor, then as business manager. However, he maintained interest and direction of editorial content throughout his career.

The Peace family acquired the Greenville Piedmont in 1927 and it was merged into the News-Piedmont Co. which became the nucleus of an expanding publishing and broadcasting endeavor. The elder Peace's health began to fail in 1930 and he died in 1934.

On his father's death, Roger Peace became president and publisher of The News-Piedmont Co. and also retained his responsibility as editor for a time.

With his leadership, the company established Radio Station WFBC in 1932, and in the 1950s WFBC–TV was founded. The Asheville newspapers and radio station WWNC were bought in 1954 and Mr. Peace was chairman of the board.

Mr. Peace for many years was a director of numerous corporations and civic organizations, and he was an interim U.S. senator in 1941. He was chairman of the Preparedness for Peace Commission for South Carolina during World War II years and a study of the commission resulted in the formation of the S.C. Research, Planning and Development Board, now known as the State Development Board.

He was U.S. senator from August to November 1941 after James F. Byrnes was appointed to the U.S. Supreme Court.

Mr. Peace was a trustee of the S.C. Foundation of Independent Colleges and was instrumental in organizing the Greenville County Foundation. He also was a former president of the Greater Greenville Chamber of Commerce and the Community Chest of Greenville.

He served as a director of Peoples National Bank, the Piedmont and Northern Railway and Greenville Community Hotel Corp.

Mr. Peace was honored on his 66th birthday in 1965, when friends, relatives and newspaper associates paid tribute to him for his contributions in the community, state and nation. He was praised especially for his role as publisher of newspapers that have "set the tone of the community."

Multimedia, Inc., of which he was chairman, was organized in 1967. Its divisions include The News-Piedmont Co., the Asheville Citizen-Times Publishing Co. and the Multimedia Broadcasting Co., the latter consisting of WFBC–AM–FM–TV, Greenville; WBIR–AM–FM–TV, Knoxville, Tenn; WMAZ–AM–FM–TV, Macon, Ga.; and WWNC, Asheville.

Mr. Peace was educated in Greenville public schools and was graduated in 1919 from Furman University, becoming sports editor of The Greenville News that year and assuming his first management responsibility in the newspaper field.

[From the Greenville News, Aug. 22, 1968]

TRIBUTES ARE PAID TO ROGER PEACE

The death of Roger C. Peace, board chairman of Multimedia, Inc., and a moving force in Greenville and South Carolina, for many years, brought an immediate response from officials and citizens from all over the state and elsewhere.

His leadership among those who knew and worked with him was summed up by J. Kelly Sisk, president of Multimedia, Inc., and president and publisher of The Greenville News-Piedmont Co., who said of his long-time friend and associate:

"Roger Peace was a self-made leader, who all his life was quick to gain the respect of the common man and the great. He was humble but never meek. And he was fair, never allowing himself the privilege of making decisions based on petty personal reasoning but always thinking of the right and just cause of all concerned. His sound judgment cannot be replaced.

"His ability to inspire was unique. He will be missed."

Messages included one from former Gov. James F. Byrnes, of Columbia, a close friend and associate of Mr. Peace for decades. The state's elder statesman said:

"For 40 years he and I were the closest of friends. I had not a closer friend than Roger Peace.

"When I was appointed to the U.S. Supreme Court, Roger Peace succeeded me as U.S. senator and ably represented South Carolina in that body.

"During all my public service I consulted Roger about important problems and always profited by his wise counsel. I had no more loyal friend and his death is a source of great sorrow to me . . . a terrible shock."

Gov. and Mrs. Robert E. McNair said:

"South Carolina has lost an able and eloquent spokesman. We share with the family their deep loss and extend our heartfelt sympathies. We have long admired Mr. Peace personally and professionally and count his passing a great loss."

The state's two U.S. senators expressed their regrets in separate messages. Sen. Strom Thurmond said:

"I was shocked and grieved to learn of the death of my close friend, Roger C. Peace. Our state and nation have lost one of their ablest and most distinguished newsmen.

"He was a pioneer in the newspaper, radio and television fields and his progressive policies were instrumental in the tremendous industrial growth enjoyed in the Piedmont area of South Carolina, and especially Greenville.

"He was a great patriot and his wise counsel meant much to me and all South Carolinians."

Sen. Ernest F. Hollings said:

"The death of Roger C. Peace marks the further passing of a great era for South Carolina.

"Through the years he stood for the finest things that make our great state and we have lost some of our character with his passing.

"He was always a credit to his profession, to his community, to his state and—as a former U.S. senator—to his country.

"Men of his ability, integrity and principle can ill afford to be lost during times of such peril."

Evangelist Billy Graham said:

"I am shocked and grieved. He was one of the great men of the South."

U.S. Rep. Robert T. Ashmore telephoned:

"It was with great sorrow that I learned of the death of Roger, one of Greenville's leading citizens in many respects. Undoubtedly he was one of the ablest businessmen in this area and had achieved great success in the news media field.

"He was a loyal Greenvillian, always ready and willing to lend his great influence and support to those things which would improve and promote the interest of the city he loved so much. We shall miss him greatly."

U.S. Rep. W. J. Bryan Dorn of Greenwood said:

"Mr. Peace was one of the truly greatest men that it ever has been my privilege to know. He was a man of vision, of integrity, and was intensely patriotic and believed in the future of the Southland and the United States.

"He exemplified the very highest standards and ethics in the field of journalism. He was a leader and he will be greatly missed by thousands of people in our state and nation. For the period he served as U.S. senator, he was a statesman."

Dr. R. C. Edwards, president of Clemson University, said:

"Roger C. Peace, as a citizen and as a newspaper publisher, was a man of high attainments and broad interests. He was especially concerned throughout his career with the educational needs of South Carolina. He was a true friend of Clemson University, and the Clemson community is saddened by his death."

Wes Gallagher, general manager of The Associated Press, wired from New York:

"I deeply regret the death of Roger Peace. His was a long and most distinguished career and your community and state will surely miss his vision and leadership. His passing is a severe loss to journalism."

Ambrose Hampton, chairman and publisher of The State at Columbia, said:

"The South and its news media have suffered a great loss and we have lost a loyal friend."

Frank Daniels, president and publisher of the News-Observer Co. at Raleigh, N.C., said:

"Please express our deepest sympathy and regret to Roger Peace's family. The South and the nation have lost a great newspaperman."

Anderson Independent and Daily Mail publisher Wilton E. Hall said:

"Roger will long be remembered as a distinguished South Carolinian whose leadership in journalism and other endeavors will be greatly missed."

Mayor David G. Traxler said:

"I am sorry to hear about the death of Roger Peace, who has consistently, over the years, been a friend and supporter of all of Greenville, especially of the city government."

"The loss of him, one of our finest citizens, will be felt over a long period of time."

Mayor Traxler said Peace had planned to accompany him to Washington in January in connection with the Mayor's PERT plan to ease cities' tax problems.

Leonard M. Todd, president of the Greater Greenville Chamber of Commerce, spoke of the publisher's death as a "personal loss to me as a friend."

Todd said, "There is no question that Mr. Peace's handling of the news media has had a tremendous impact on this area's growth. He has handled it impartially. He has been interested in cultural activities and his efforts have greatly advanced the arts.

"His death will be a very great loss to our community."

[From the Greenville (S.C.) Piedmont, Aug. 22, 1968]

ROGER C. PEACE FUNERAL PLANNED FRIDAY AT 11

Funeral services for Roger C. Peace, 69, chairman of the board of Multimedia, Inc., who died Tuesday, will be conducted Friday at 11 a.m. at The Mackey Mortuary by Dr. L. D. Johnson, Rev. James G. Stertz and Dr. Billy Graham.

Burial will be in Springwood Cemetery.

Honorary escort will be his associates of The Greenville News and Greenville Piedmont.

Mr. Peace's death ended a career of more than 50 years which included prominence in writing, publishing and civic fields.

Mr. Peace was born May 19, 1899, eldest son of the late Bony Hampton Peace and Mrs. Laura Estelle Chandler Peace and was married in 1920 to Miss Etca Tindal Walker, who died June 21, 1965.

They had two children, Mrs. E. A. (Dorothy Ann) Ramsaur of Greenville and the late Roger C. Peace Jr.

Mr. Peace's second wife, Mrs. Amy Newgren Peace, died Sept. 19, 1967.

Also surviving are a brother, B. H. Peace Jr. of Greenville; two sisters, Mrs. Gertrude P. Leake and Mrs. Laura P. Echols of Greenville; and grandchildren, Edmund A. (Ted) Ramsaur Jr. and Etca Ann Ramsaur of Greenville, and Norlin Craft Peace and Roger C. Peace III of Coral Gables, Fla.

A brother, Charlie Peace, died in 1958 and a sister, Mrs. Frances P. Graham, died in 1967.

At Mr. Peace's urging his father, B. H. Peace, in 1919 purchased The Greenville News and the newspaper rapidly progressed to become an influential enterprise. "Mr. Roger," as he came to be familiarly known, was editor, 1920–24, after serving a year as sports editor, then as business manager.

The Peace family acquired the Greenville Piedmont in 1927 and it was merged into the News-Piedmont Co. which became the nucleus of an expanding publishing and broadcasting endeavor. The elder Peace's health began to fail in 1930 and he died in 1934.

On his father's death, Roger Peace became president and publisher of The News-Piedmont Co. and also retained his responsibility as editor for a time.

With his leadership, the company established Radio Station WFBC in 1932, and in the 1950s WFBC–TV was founded. The Asheville newspapers and radio station WWNC were bought in 1954 and Mr. Peace was chairman of the board.

Mr. Peace for many years was a director of numerous corporations and civic organizations, and he was an interim U.S. senator in 1941. He was chairman of the Preparedness for Peace Commission for South Carolina during World War II years and a study of the commission resulted in the formation of the S.C. Research, Planning and Development Board, now known as the State Development Board.

He was U.S. senator from August to November 1941 after James F. Byrnes was appointed to the U.S. Supreme Court.

Mr. Peace was a trustee of the S.C. Foundation of Independent Colleges and was instrumental in organizing the Greenville County Foundation. He also was a former president of the Greater Greenville Chamber of Commerce and the Community Chest of Greenville.

He served as a director of Peoples National Bank, the Piedmont and Northern Railway and Greenville Community Hotel Corp.

Multimedia, Inc., of which he was chairman, was organized in 1967. Its divisions include the News-Piedmont Co., the Asheville Citizen-Times Publishing Co. and the Multimedia Broadcasting Co., the latter consisting of WFBC–AM–FM–TV, Greenville; WBIR–AM–FM–TV, Knoxville, Tenn.; WMAZ–AM–FM–TV, Macon, Ga.; and WWNC, Asheville.

[From the Greenville Piedmont, Aug. 23, 1968]

MORTAL, BUT IRREPLACEABLE, SAID OF ROGER PEACE AT FUNERAL RITES

Roger C. Peace, honored by hundreds of associates from over 50 years of enlightened service in business, community, state and nation, was eulogized and put to final rest today in ceremonies which matched the simplicity of his own "common sense" life.

"I have been nurtured by the flow of that greatest of all fountains, his fountain of common sense," was the personal eulogy of Dr. L. D. Johnson, Mr. Peace's pastor, who drew the phrase from Mr. Peace's recent praise of long-time friend Gov. James F. Byrnes.

Gov. Byrnes and hundreds of others associated with the Multimedia, Inc., board chairman through the years heard Dr. Johnson, former First Baptist Church pastor and now at Furman University; Dr. Billy Graham, famed evangelist; and Rev. James G. Stertz, present First Baptist pastor, repeatedly recommend Mr. Peace's life as an example of courage, devotion and service.

"We believe that God's noblest creation is man, and that man's best good is to honor God by making the most he can of the intelligence and ability entrusted to him," Dr. Johnson said. "Roger Peace was a man who did that—in his business, in his service to his community, state and nation.

"Our common mortality is the ultimate and indisputable answer to the human feeling that any man is indispensable. But some are irreplaceable. To a great many people who were indebted beyond calculation to him, Roger Peace was such a man.

"We have lost wisdom and common sense, a quality of life with which we are not abundantly endowed in the country just now . . . Roger Peace was a man who was content to know and to be unknown, a man who believed in the meaning of integrity, a man who knew how to listen, to extend the hand and heart of friendship and sympathy . . . He was a man who believed in the future of his own nation. He deplored the crepe hangers . . . He never doubted the clouds would break."

Dr. Graham, who read from Psalms 91, John 14 and Romans 8, said "When death comes we have the real Roger Peace. He is more alive now . . . His memory will help us redouble our efforts."

Brief services at the capacity-filled Mackey, Mortuary this morning were followed by even simpler final rites in nearby Springwood Cemetery. Dr. Graham read from the 23rd Psalm, Dr. Johnson offered verse, and Rev. Stertz short prayer.

The honorary escort included Mr. Peace's associates in The Greenville News and Greenville Piedmont. Representatives of far-ranging Multimedia operations in Greenville, Asheville, Knoxville and Macon also attended.

Also seen among those paying respects were Gov. and Mrs. Byrnes, several members of their family and Miss Cassie Connor, Mr. Byrnes' secretary for many years; U.S. Sen. Strom Thurmond; Republican senatorial candidate Marshall Parker; U.S. District Judge Donald S. Russell; U.S. Rep. Robert T. Ashmore; Greenville Mayor David G. Traxler, State Sens. Thomas Wofford, Dick Riley and Harry Chapman and other members of the Greenville County Legislative Delegation; S. L. Latimer, editor emeritus of The Columbia State; Ambrose Hampton, publisher of the Columbia newspapers; Dean Albert Scroggins and Dr. Reid Montgomery of the University of South Carolina Journalism School; Wright Bryan, Clemson University vice president for development; Franklin Way, Piedmont and Northern Railway president; Lee Ward of Ward-Griffith, national advertising representatives; Pierson Mapes of New York, representing the National Broadcasting Co.; Chief Judge Clement Haynsworth Jr. of the U.S. Fourth Circuit Court of Appeals; Dr. Gordon Blackwell, Furman University president; and Cliff Barrows of the Billy Graham evangelistic team.

Remembrances poured in from hundreds of others with whom Mr. Peace was associated during his 69 years of life, including more than a half-century in which Mr. Peace remained a working journalist as well as civic leader and foremost builder in the communications field.

[From the Greenville News, Aug. 24, 1968]

ROGER PEACE CALLED AN IRREPLACEABLE MAN

Roger C. Peace was eulogized Friday as a man "who made the most he could of the intelligence and ability entrusted to him" in serving his community and fellowman.

The final tribute to the native Greenvillian who built a communications media organization after beginning his career as a cub reporter was delivered by Dr. L. D. Johnson, Furman University chaplain.

Hundreds of Mr. Peace's associates and friends attended the services. Among them were dignitaries from throughout South Carolina.

The rites were simple, in keeping with the life of the writer, publisher and civic leader, in whose death Tuesday, "we have lost wisdom and common sense, a quality of life with which we are not abundantly endowed in the country just now," Dr. Johnson said.

Dr. Johnson quoted Mr. Peace's own tribute to another great South Carolinian, former Gov. James F. Byrnes, of whom he said:

"I have been nurtured by the flow of that greatest of all fountains, his fountain of common sense."

The state's elder statesman and Mrs. Byrnes were among the host of long-time close associates who attended the final rites.

Dr. Johnson called Mr. Peace "irreplaceable."

"Our common mortality is the ultimate and indisputable answer to the human feeling that any man is indispensable. But some are irreplaceable. To a great many people who were indebted beyond calculation to him, Roger Peace was such a man," he said.

"Roger Peace was a man who was content to know and to be unknown, a man who believed in the meaning of old fashioned integrity, a man who knew how to listen, to extend the hand and heart of friendship and sympathy," Dr. Johnson said.

The Furman chaplain and former pastor of the First Baptist Church, of which Mr. Peace was a member, also commented on the patriotism of Mr. Peace, who served on many local public boards and organizations, on state advisory groups and for a time as U.S. senator:

"He was a man who believed in the future of his nation. He deplored the crepe hangers who keep telling us how sick we are. He never doubted the clouds would break."

The simple and brief services at The Mackey Mortuary were joined by evangelist Dr. Billy Graham and the Rev. James G. Stertz, pastor of First Baptist Church.

Brief graveside rites in Springwood Cemetery, including reading of the 23rd Psalm by Dr. Graham and a prayer by the Rev. Stertz, concluded the final tribute by Greenville and South Carolina residents to the man who had become a giant in the business and civic lives of both his hometown and state.

Honorary escort included associates of Mr. Peace at The Greenville News and Piedmont.

Joining Gov. and Mrs. Byrnes in paying last respects to Mr. Peace were other members of the Byrnes family and Miss Cassie Connor, Byrnes' secretary for many years; U.S. Sen. Strom Thurmond; U.S. Rep. Robert T. Ashmore; Chief Judge Clement N. Haynsworth Jr. of the 4th Circuit Court of Appeals; U.S. District Judge Donald S. Russell; former state Sen. Marshall Parker; Greenville Mayor David G. Traxler; State Sens. Thomas Wofford, Dick Riley and Harry Chapman and other members of the Greenville County Legislative Delegation; S. L. Latimer, editor emeritus of The Columbia State; Ambrose Hampton, publisher of the Columbia newspapers; Dean Albert Scroggins and Dr. Reid Montgomery of the University of South Carolina Journalism School; Wright Bryan, Clemson University vice president for development and a former newspaper editor; Franklin Way, Piedmont and Northern Railway president; Lee Ward of Ward-Griffith, national advertising representatives; Pierson Mapes of New York, representing the National Broadcasting Co.; Dr. Gordon W. Blackwell, president of Furman; and Cliff Barrows, of the Graham evangelistic team.

[From the Greenville News, Aug. 24, 1968]

ROGER C. PEACE TRIBUTES FLOW IN FROM ACROSS UNITED STATES

Messages of tribute to Roger C. Peace continued to flow in Friday from business officials and friends all over the United States.

They included many from executives who knew and worked with him in the various news media fields, many of them in broadcasting:

Charlie Crutchfield, president of Jefferson Standard Broadcasting Co.—"He leaves behind a legacy of respect of citizenship, service and of significant contribution."

Julian Goodman, president, National Broadcasting Co.—"He was a leader in broadcasting and journalism whose accomplishments and services we will long remember."

Paul Rittenhouse, National Broadcasting Co.—"A gentle man."

Walter D. Scott, chairman of the board, NBC—"We will miss the warmth, affection, good humor and loyal support which he so generously gave for so many years."

David C. Adams, senior executive vice president, NBC—". . . vigorous and far-sighted leadership made so many contributions to Greenville and South Carolina."

Donald J. Mercer, vice president, NBC station relations—"We shall remember him warmly for his many contributions to the communications world."

R. C. Doane, board chairman emeritus, International Paper Co.—"He was a great person and will be missed by many persons."

William H. Gambrell of Belton, former New York City banker now associated with Peoples National Bank—"I knew him 50 years and always admired him. His life was an inspiration to thousands."

Mr. HOLLINGS. Mr. President, I should like to associate myself with the remarks of my distinguished colleague, Senator THURMOND, concerning the passing of a former Member of this great body, Senator Roger C. Peace, of Greenville, S.C.

Mr. Peace served here only a short time, but he won the admiration and respect of all his colleagues and indeed of all in government with whom he came in contact. Although Mr. Peace served as U.S. Senator, he was first and foremost a journalist with a long and distinguished career as publisher of one of South Carolina's leading newspapers, the Greenville News.

During my tenure as Governor, our State embarked on an extensive program designed to lure new industry to South Carolina. Through these efforts I learned that one of the first things a prospective industry looks at when considering a relocation or a plant site is the newspaper of the particular community involved. This is a prime reason that Greenville, S.C., succeeded in attracting the largest share of new industry.

Roger Peace's personal philosophy was reflected in his newspaper—a philosophy of fairness, free enterprise, community pride, and progressive local government. I am also happy to say that the policies and traditions of Roger Peace are now being ably carried on by Mr. Ned Ramseur and Mr. Wayne Freeman. Under their guidance, the Greenville News has continued to be the outstanding newspaper that Roger Peace sought to make it, and it continues to provide a living monument to a great and loved South Carolinian. Roger Peace's passing is mourned by many in the State of South Carolina, but his accomplishments will live long after the mourning has passed and indeed as long as the ideas of free enterprise, progressive government and a responsive democracy are cherished.

The PRESIDING OFFICER. What is the pleasure of the Senate?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes.

A GOOD EDUCATION

Mr. HANSEN. Mr. President, there is one thing that cannot be taken away from a person after he has received it. And that is a good education. If our country and her citizens are going to be able to rise above the seething unrest that grips so many of our young people today, it will only be through the process of edu-

cation—the process of providing the very best in facilities and teachers and equipment that can be obtained.

A great number of school people in thousands of school districts in the United States understand this and feel keenly their responsibilities to serve our country's best interests by helping to train young people for future leadership. Surely, no other process is so closely tied to our country's future greatness than is education.

Almost all of us can agree that in any kind of listing of priorities of spending—and certainly the time is well past due that these priorities should be established—education should occupy one of the highest positions.

I have been consistent in my support of expenditure cuts and yield to no one in my desire to stop the erosive effects of more inflation by hewing to a hard, tough position insofar as balancing the budget is concerned.

Many of the cuts I have supported have had a direct impact on Wyoming, but I cannot support the withholding of school district funds which are needed to provide the necessities of an adequate education for the children of my State.

Therefore, Mr. President, I am pleased to support the Spong and Ribicoff amendments that deal with school assistance in federally affected areas and I urge, in the strongest possible terms, their approval.

School has already started across America, and yet the Federal Government withholds the funds which were provided by Congress to finance activities in the 1967–68 school year.

Additionally, hundreds of school districts have begun the 1968–69 school year in an extremely vulnerable and frustrating position because of the uncertain status of Public Law 874 funds.

The money for 100 percent funding for these school districts with large numbers of children whose parents live and/or work on Federal property was provided by action of the Congress, but the President has chosen to withhold these moneys.

If his action is not corrected, funds for a school year that has already ended—back in May of this year—will be denied and school budgets already drawn up and approved for the current school year will be thrown into a state of confusion and doubt.

In my State of Wyoming, 26 schools depend to a great extent on Public Law 874 moneys—some of them for as much as two-thirds of their budgets.

In Fremont County, Wyo., School District No. 14, which depends on Public Law 874 funds for 70 percent of its budget, will not have a student counselor, a librarian, or an art teacher unless these moneys are released.

This school district, which educates Wyoming's Indian children, has been forced to change its budgetary plans almost as the direction of the wind changes, because of the varying status of Public Law 874 moneys. The superintendent of the school tells me the district cannot continue to operate under these conditions.

The situation is not confined to School District 14. It is repeated throughout Wyoming in federally impacted areas. Unless these funds are released, an adequate education will be denied to many Wyoming children.

I would hope these amendments could be approved so that the Public Law 874 program can go forward.

Mr. HILL. Mr. President, I offer an amendment to correct an error in reporting the bill, to make certain that States will receive their fair share, which the Congress intended they should receive.

The PRESIDING OFFICER. The Chair wishes to inform the Senator that amendments are pending.

Mr. HILL. What is the pending amendment?

The PRESIDING OFFICER. The Senator from Alabama can ask unanimous consent that the amendments be temporarily set aside.

Mr. HILL. Which amendment is pending?

The PRESIDING OFFICER. The Mundt amendment to the Spong amendment, in the nature of a substitute.

Mr. HILL. Mr. President, I know of no reason why we should not set that amendment aside, with all due deference to the Senator from Virginia. I understood he was not going to request action on the amendment until the Senator from South Dakota [Mr. MUNDT] had an opportunity to offer his amendment. The Senator from South Dakota [Mr. MUNDT] made a statement on his amendment and said he would ask for a vote on it tomorrow. So I ask unanimous consent that the Mundt amendment be laid aside temporarily.

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

Mr. HILL. Mr. President, I offer an amendment which would simply correct an error that was made in reporting the bill. It does not add any money at all to the amount provided by the bill.

The PRESIDING OFFICER. The amendment of the Senator from Alabama will be stated.

The legislative clerk read the amendment, as follows:

On page 14, line 20, insert the following: *"Provided,* That the aggregate amounts otherwise available for grants therefor within States shall not be less than the amounts allocated from the fiscal year 1968 appropriation to local educational agencies in such States for grants:".

Mr. HILL. Mr. President, as I have said, the amendment adds no money whatever to the amount provided by the bill, but corrects an error that was made in reporting the bill, which would have denied certain States that which it was intended they should receive. The amendment simply means that the money would be allocated exactly as it was in the past fiscal year, and those States would get their proper share of the amounts provided.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the Senator from South Dakota [Mr. MUNDT].

What is the will of the Senate?

Mr. HILL. Mr. President, since the Senator from South Dakota is not present, and since he announced that he would not ask for a vote on his amendment until tomorrow, and since the Senator from Virginia [Mr. SPONG] is also not present, and the two Senators are working in close relationship, I ask unanimous consent that the amendment of the Senator from South Dakota be temporarily laid aside, so that the Senator from New Jersey [Mr. WILLIAMS] may offer an amendment.

The PRESIDING OFFICER. Without objection, both amendments will be temporarily laid aside.

The Senator from New Jersey is recognized.

AMENDMENT NO. 925

Mr. WILLIAMS of New Jersey. Mr. President, I appreciate the courtesy of the Senator from Alabama.

On behalf of the Senator from Washington [Mr. MAGNUSON] and myself, I call up amendment (No. 925), and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment (No. 925), as follows:

Insert at the end of title II the following: "SEC. 208. Appropriations in this title available for any of the health functions of the Department of Health, Education, and Welfare shall be available for the expenses of a fifteen-member President's Commission on Preventive Medicine the findings and recommendations of which are to be reported to the President by August 1, 1969, and the members of which are to be compensated while on business of the Commission, including traveltime, at rates not in excess of the rate specified at the time the service is performed for grade GS–18 in section 5332 of title 5, United States Code."

Mr. WILLIAMS of New Jersey. Mr. President, I am proud to join with the farsighted senior Senator from Washington [Mr. MAGNUSON] in urging the Senate to act today on a matter that could decide the health and happiness of tomorrow. I strongly recommend that the Senate adopt amendment No. 925 to the appropriations measure for the Departments of Labor and Health, Education, and Welfare. This amendment would provide for the funding of a Commission on Disease Prevention and Health Protection.

The need for such a Commission is outlined in a paper, "Ounce of Prevention," presented to the Senate on July 31. In that document, a distinguished group of physicians, medical educators, and private citizens state quite emphatically "that the most effective control of disease will always be prevention." The compelling case for a Commission is based on the "lack of a national goal, or a national will, to undertake preventive programs."

Clearly, in a nation where chronic disease costs $57 billion annually, but where we spend only about 8 percent of our national health outlay for disease prevention and health protection, an imbalance exists.

To alert the Nation, and to mobilize our resources for the task ahead, "An Ounce of Prevention" outlined the creation of the Presidential Commission, now under consideration in the amend-

ment Senator MAGNUSON and I are supporting.

That Commission, as I told the Senate in an August 2 statement, will do far more than carry out a much-needed detailed investigation of our health maintenance structure. It will also give us the impetus we need to start planning for a national action program of health protection and disease prevention.

This is a particularly rewarding suggestion to me, because I have long argued the need for a system of health screening centers. Many of the arguments for the Commission extend and amplify the things I have been saying about preventive health screening—some call it "preventicare"—and both proposals share the philosophy that preparation and planning are better medicine than repair and restoration.

As chairman of the Senate Special Committee on Aging, I have heard time and again that prevention will be the ultimately workable solution to our health problems. The case for screening and effective followup was emphatically drawn in the 1966 report of the Health Subcommittee, "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques." The full committee supported the subcommittee findings when it reported that "there is great need for additional efforts to prevent chronic disease on a national scale."

The Committee on Aging was concerned about older Americans, because they suffer the severest penalties from chronic disease. But Americans of all ages would benefit if they could call on the resources and information needed to keep disease from taking its present toll.

Mr. President, the amendment before the Senate today could be the beginning of a major shift in emphasis and attitude toward medicine and illness. I urge that the Senate give its prompt approval of this vital measure.

Mr. President, I have a statement by the Senator from Washington [Mr. MAGNUSON], which includes as an attachment a letter from Secretary Wilbur Cohen, in which he endorses this proposal, and a letter from Deputy Assistant Secretary John Grupenhoff, of the Department of Health, Education, and Welfare, which states that there is no objection to the amendment by the Bureau of the Budget.

I ask unanimous consent that the statement of the Senator from Washington, together with the letters, be printed in the RECORD at this point.

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

STATEMENT BY SENATOR MAGNUSON

Mr. President, on behalf of myself and the junior Senator from New Jersey (Mr. Williams), I rise in support of an amendment to HR 18037, the Labor and Health, Education and Welfare appropriations bill, to make funds available for the expenses of a fifteen member Presidential Commission on Preventive Medicine.

As I said to the Senate on July 31, such a Commission would undertake four major tasks. First, after a study of existing knowledge, it would make a series of recommendations for immediate programs of preventive medicine. The Commission would investigate and recommend ways to increase the understanding, support, and implementation of preventive medical techniques by the health profession and the public. It would plan long-range programs for the prevention of disease and illness. Finally, a Commission on Preventive Medicine would spear-head a national effort to stimulate and support the field of preventive medicine.

The proposal for the Commission, which was presented to the President last month, was developed and put forward by a group of medical and business leaders with whom we have been most privileged to work. I am pleased to advise my colleagues that the President gave emphatic support to the proposal.

In addition, I offer for the *Record* a letter from Wilbur Cohen, Secretary of the Department of Health, Education, and Welfare. In this letter Secretary Cohen expresses his enthusiastic support for the proposed Commission on Preventive Medicine. I also offer, as a supporting letter, a statement from the Department of Health, Education, and Welfare indicating that the Bureau of the Budget has no objection to the proposal.

Mr. President, I believe that the Commission on Preventive Medicine will play a key role in developing the kind of national commitment to prevention which this most promising and important approach to disease and health hazards must have.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., September 4, 1968.

HON. WARREN G. MAGNUSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON: The amendment which you have proposed to the 1969 Labor-HEW Appropriations bill, H.R. 18037, providing for a Commission on Preventive Medicine has my enthusiastic support. A vigorous, dynamic program emphasizing the preventive aspects of medical care can preclude needless suffering and insure longer, happier, more healthful lives for all Americans. Although medical science and the health professions have given us many benefits over the years, and although quality care is becoming increasingly available to our population, there is yet much to be done.

The toll of chronic diseases with their impairments and disabilities, the tragedy of accidents with their deaths and injuries and the attendant drain on our health resources are all increasing in spite of our efforts.

I believe it stands to reason that the application of some of the techniques and measures of prevention that have been so successful in controlling our infectious and communicable diseases—like poliomyelitis, and measles—and even some serious types of mental retardation—can and should be applied to the problems of heart disease, cancer, injuries, and other disease conditions.

The amendment you have proposed would provide Congressional recognition of the importance of preventive medicine to the Nation's health. Such a Commission would define the nature of the problem, examine the gaps in our existing knowledge, and point the way to application of techniques of preventive medicine. Hence, I endorse and support this proposal wholeheartedly.

Sincerely,

WILBUR J. COHEN,
Secretary.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., September 4, 1968.

Mr. MICHAEL PERTSCHUK,
General Counsel, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. PERTSCHUK: You should know that the Bureau of the Budget has indicated to us that there is no objection to the submission of our letter on the Commission on Preventive Medicine. We had been waiting for this clearance, but had not received it before Secretary Cohen signed the letter.

Perhaps Senator Magnuson could make the statement in his floor speech that the Bureau of the Budget has cleared the letter.

Sincerely,

JOHN T. CRUPENHOFF,
Deputy Assistant Secretary for Legislative Service.

Mr. WILLIAMS of New Jersey. Mr. President, after discussions with our revered chairman of the subcommittee handling the bill, who is also chairman of the Committee on Labor and Public Welfare, I hope I am not overstating it when I say that there is no objection to the amendment.

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

Mr. WILLIAMS of New Jersey. I yield.

Mr. HILL. Mr. President, I understand the amendment of the Senator does not add 1 cent to the bill. No additional appropriation whatever is proposed to the bill. The amendment merely means that the President, with funds carried in the bill for health services, shall set up the Commission to study preventive medicine.

Mr. WILLIAMS of New Jersey. That is correct.

Mr. HILL. As the Senator knows, we have made much progress in the field of preventive medicine in recent years. The thought is that, with study by the Commission, we may be able to take further steps in the field of preventive medicine.

Mr. WILLIAMS of New Jersey. I would think there is no doubt about that. The answer to the money question is there is no additional money added.

Mr. HILL. No additional money.

Mr. WILLIAMS of New Jersey. Moreover, great strides have been made in early detection of possible disease; and an ounce of prevention, we all know, is worth many pounds of care.

Mr. HILL. That is right. We have found that, with the development of the measles vaccine, measles, which was a common disease a few years ago, has now been pretty well wiped out. Two or three years ago, we provided some funds to study rubella, or what we know as German measles. If a woman, during the first 2 or 3 months of pregnancy, has rubella, the child is likely to be born with some physical deformity, perhaps mental retardation, a deformity of the heart or circulatory system, or some other terrible physical disability. Certainly anything we can do in the field of preventive medicine to prevent such tragedies ought to be done. And the Senator's amendment adds not $1 to the cost of this bill.

Mr. WILLIAMS of New Jersey. That is correct. I thank the Senator very much.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 925) of the Senator from New Jersey.

Mr. HOLLAND. Mr. President, it is quite agreeable to have this amendment acted upon at this point.

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I deeply regret that arrangements made some time ago will prevent my being present tomorrow when, as I understand, the votes on this measure will take place. I

have been in my seat today and yesterday. It was my earlier information that the bill would be acted upon yesterday and today.

The fall meeting of the employees of the Department of Agriculture of the State of Florida will be held tomorrow, and I have agreed to be there. Likewise, the Secretary of Agriculture of the United States has agreed to be there. I feel it is an appointment that I cannot break. Therefore, I ask unanimous consent that I may be excused from attendance upon the Senate tomorrow, Friday.

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

What is the pleasure of the Senate?

Mr. HILL. 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. MILLER. 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. MONDALE. Mr. President, I am proud to be a cosponsor of the amendment offered by the Senator from Wisconsin [Mr. NELSON] and the Senator from Pennsylvania [Mr. SCOTT], increasing the entirely inadequate appropriation for the Teachers Corps.

Mr. President, in the dark world of poverty, one door that does remain is the one marked "education." With a good education, many opportunities can become available—jobs, income, advancement, housing. Without it all the other barriers remain.

But a headstart is not enough, for the dropout potential continues in our ghetto schools. Change all along the way is required if the disadvantaged child is to reach graduation. Teacher Corps members are change agents. It is they, like the VISTA and Peace Corps volunteers, who work to modify the system to meet the needs of the people it is supposed to serve. Teacher Corps members learn what the children need. They adapt traditional concepts and methods so that the young men and women who otherwise would be permanent underachievers can learn to their full potential.

Mr. President, we hear much rhetoric these days about law and order; about violence; about repression. Yet if we deal with the causes of the problem, we will not have to worry so much about the cure.

Mr. President, the Teachers Corps has only been in operation for a short time. Yet already its praises are being sung, not only by children and parents, but by professional educators as well.

As John B. Davis, Jr., superintendent of Minneapolis public schools has stated:

> I can report an early recognition of the value of the Teachers Corps as an agent for unifying the efforts of local school districts, teacher-training colleges, deprived communities and concerned and competent young adults into a combined attack upon the problems of poverty through education.

Mr. President, the Teachers Corps has proven a resounding success in Minnesota, and around this Nation. The currently approved $17.3 million is little more than half the administration request. It is a totally inadequate commitment to a program that has proved its worth. I urge and support the increase to the administration request level of $31.2 million.

I urge this because I believe we may yet find the Teachers Corps to be a two-edged sword in our battle to improve life for all Americans. It can bring hope to despairing young people in the schools of our central cities. And it provides an opportunity for committed young American men and women to devote themselves to helping solve the real problems of urban America, to work within the system to bring about change.

Mr. WILLIAMS of New Jersey. Mr. President, the Senate committee report on this measure earmarks $50 million of OEO title II funds for use in the senior opportunities and services program authorized by Congress last year. The report, also directs the Department of Labor to assure that not less than $10 million, over and above the amount obligated last year for community senior service programs, will be available to continue, to expand, and to extend these programs.

The Senate Special Committee on Aging on which I serve as chairman, has had a longstanding interest in making the war on poverty responsive to the needs of more than 5 million Americans over the age of 65 whose incomes are below the officially designated poverty level. During 1965 and 1966, our committee held hearings and issued a report on "The War on Poverty as It Affects Older Americans." As a result of those hearings, the Office of Economic Opportunity launched a number of programs to lift income levels and to improve living conditions generally among poverty-stricken older Americans. These included foster grandparents, medicare alert, green thumb, and other programs conducted locally.

As I have already indicated, the Congress last year authorized another program to benefit the elderly under the war on poverty. The purpose of this "senior opportunities and service" program is to identify and meet the needs of older, poor persons above the age of 60 in one or more of a number of areas listed in the law. The OEO Director is required to utilize to the maximum extent feasible the services of the Administration on Aging of the Department of Health, Education, and Welfare. Bright as the promise of this authorization is, thus far it has been only that—just a promise—since it has not been possible to obtain the legislative and executive action necessary for funding the program.

Now, the Senate Appropriations Committee has earmarked funds in the bill before us to implement this program of "senior opportunities and services." With the $50 million earmarked by the report for this purpose, the program could get off to a magnificent beginning, and could go far toward meeting the needs of our impoverished elders. One factor assuring the success of this program would be the cooperation and participation of the Administration on Aging, as required in the authorization enacted last year. The Office of Economic Opportunity and the Administration on Aging have already shown that they can work effectively together to benefit America's elderly poor, most notably in their highly successful foster grandparents program.

In my judgment, we can confidently rely upon the good faith and zeal of the Office of Economic Opportunity, the Administration on Aging, and other executive agencies in implementing this congressional directive.

As a member of the Committee on Aging, I appreciate the action taken by the Committee on Appropriations in funding "senior opportunities and services," a program which should be of tremendous assistance to the Nation's elderly poor.

Mr. MILLER. 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. HILL. 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. WILLIAMS of New Jersey. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. Does the Senator ask unanimous consent that the pending amendment be temporarily laid aside?

Mr. HILL. I ask unanimous consent that the pending amendment be temporarily laid aside.

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

The amendment offered by the Senator from New Jersey will be stated.

The assistant legislative clerk read as follows:

> On page 46, line 12, after "vocational rehabilitation," insert ", aging and other research and training by the Social and Rehabilitation Services."

Mr. WILLIAMS of New Jersey. Mr. President, the House of Representatives, by making the changes stated in the amendment the language of existing legislation, narrowed the use of counterpart funds for research and training under the special foreign currency program administered by HEW. This program is for research and training in social welfare and maternal and child health care. Many of these projects also affect the aged. This amendment would restore the program and would add no new funds to the appropriation.

I have discussed this matter with the distinguished Senator from Alabama [Mr. HILL], and I understand it is acceptable to him.

Mr. HILL. As I understand the amendment offered by the distinguished Senator from New Jersey, it would simply permit these counterpart funds to be used as they have been used in the past. Is my understanding correct?

Mr. WILLIAMS of New Jersey. The Senator's understanding is correct.

Mr. HILL. It is to make sure that they can be used this fiscal year, just as they have been used in past fiscal years.

Mr. WILLIAMS of New Jersey. I do not travel much, but wherever one goes, he sees the inadequacy of health care. We worked together on a hospital in Po-

land for children. We used counterpart funds for that.

Mr. HILL. These are counterpart funds. There would be no additional appropriations.

Mr. WILLIAMS of New Jersey. There would be no additional appropriations. It might cut down a little on congressional travel. That is the only thing.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the pending amendments be temporarily laid aside.

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

Mr. BYRD of West Virginia. Mr. President, I call up my amendment which is pending at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 22, line 13, strike out the figure "$87,967,000" and insert in lieu thereof "$92,967,000".

Mr. BYRD of West Virginia. Mr. President, in March of this year, President Johnson proposed a major model school experiment in the District of Columbia. The goals which he set forth for the experiment were to revive the interest of citizens in their schools, help teachers improve the skills of their profession through retraining opportunities, bring to students the best in teaching methods and materials, revise the curriculum to make it serve the young people of our city, equip high school graduates with marketable skills, seek alliances between employers and the schools, give children the chance to learn at their own pace, reducing both dropouts and failures, and serve a section of the city where the needs of students and schools are greatest.

To support this effort, the President requested $10 million in the 1969 budget of the U.S. Office of Education, Department of Health, Education, and Welfare.

The District of Columbia immediately began planning for the model school project proposed by the President. This planning has involved the District of Columbia government, the District School Board, a Community Planning Council from the neighborhood where the proposed model school project would be established, and many other interested organizations.

As the plans are now drawn, the people of the District of Columbia are now ready to launch what they hope will be an exciting new venture in education.

With new approaches to instruction, curriculum, and school organization.

With new learning and recreational opportunities for the family and the community.

With new services for young and old.

With new activities during the summer, on weekends, and in the evening.

Unfortunately, there is now apparently some question as to whether the Federal Government will do its part to make this project a success. When the budget request for the Office of Education was acted upon by the House of Representatives, only $1 million was provided for this program, instead of the $10 million requested by President Johnson.

I am well aware of the budgetary stringencies which have been imposed on all Federal programs. But to eliminate funds entirely or at least to appropriate only one-tenth of the amount requested by the President for this important educational project would be false economy. At least we should give it a try. We ought to give the model school project an opportunity to prove itself and perhaps become a model for the Nation.

What we are talking about here is not simply spending; we are talking about an investment. We are talking about an investment in people, an investment in the future, an investment in children. Funds for the model school project are concrete evidence that life can be made better for the disadvantaged children of our inner cities, and for people who have ambition and drive and who want to develop whatever potential may be within them.

I do not think anyone has ever regarded me as a pushover when it comes to voting for the expenditure of Federal tax dollars. In this case, however, the problem is clear, the need is great, and the justification is valid.

Mr. President, I have offered an amendment which would increase the amount in the bill by $5 million, making a total of $6 million in response to the budget request of $10 million.

This model school project would be in the Ballou area of Anacostia. It is thought that this would be the best location because of overcrowding, the higher ratio of public housing, and the very high juvenile delinquency rate.

The project has been developed on the basis of a plan which would include the newest ideas in education and provide a very concentrated program to significantly change the life prospects for these people.

The project, it is hoped, would become a model for the Nation, to be followed and utilized in other great urban centers throughout the country. The administration of the program and the responsibility for carrying on the project would be that of the District of Columbia School Board. The Office of Education would finance the project and would make grants directly to the District of Columbia School Board.

Mr. President, this project has never come before my subcommittee, the Subcommittee on Appropriations for the District of Columbia. It was considered by the House Appropriations Subcommittee on the Departments of Labor and Health, Education, and Welfare.

As I have said, the project would be funded through the Office of Education and, therefore, appropriately comes within the province of the subcommittee which has jurisdiction over the bill before the Senate today.

However, as chairman of the Subcommittee on Appropriations for the District of Columbia I have manifested what I believe to be a very strong, enthusiastic, and appropriate interest in education in the District of Columbia, and throughout the country, for that matter, during the 10 years I have served on the subcommittee and during the 8 years I have served as chairman of the subcommittee.

It is because of my interest not only in the District of Columbia but also in the education of the children of the District of Columbia, and my interest in providing what may become a model project for education throughout the Nation, that I have offered this amendment, not to restore the full budget amount, but to restore $5 million out of the $9 million disallowed by the House. The House allowed $1 million so that with the amount of $5 million provided for in my amendment, the amount appropriated would total $6 million.

I have discussed this matter with the distinguished and able chairman of the committee, the Senator from Alabama [Mr. HILL], and I hope he will find it possible to accept the amendment.

Mr. HILL. Mr. President, I know of the authority with which the Senator from West Virginia speaks on this matter, inasmuch as he has been a member of the Subcommittee on Appropriations for the District of Columbia for some 10 years and for the last 8 years he has been the chairman of that subcommittee. I know the time, work, and effort he has put into these various programs for the District of Columbia and also the effect they may have so far as programs throughout the country are concerned.

I see no reason why we should not at least take this amendment to conference.

Mr. BYRD of West Virginia. Mr. President, I wish to express my gratitude to the distinguished chairman of the committee, the Senator from Alabama [Mr. HILL], for his generous remarks. I appreciate his willingness to accept the amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. BYRD].

The amendment was agreed to.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, after conferring with appropriate Members on both sides of the aisle, I send to the desk a unanimous-consent agreement and ask that it be stated.

The PRESIDING OFFICER. The unanimous-consent agreement will be stated.

The assistant legislative clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Friday, September 6, 1968, during the further consideration of the bill, H.R. 18037, an act making appropriations for the Department of Labor, Health, Education, Welfare and related agencies for fiscal year 1969, debate on any amendment, motion, or appeal, except amendments dealing with legislation which are subject to a point of order and can only be considered under a suspension of the rules, and except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Alabama [Mr. HILL]: *Provided*, That in the event the Senator from Alabama [Mr.

HILL] 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.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *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.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent, before the motion is acted upon, that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

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

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, before any action is taken on the pending request.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

VACATING OF ORDER FOR ADJOURNMENT, AND ENTRY OF ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, now I ask unanimous consent that the order be vacated calling for adjournment of the Senate until 11 o'clock tomorrow morning and that when the Senate completes its business today, it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, it would be my understanding, then, that tomorrow, immediately after the prayer by the Chaplain and the reading of the Journal, the time limitation will begin to run.

The PRESIDING OFFICER. The Senator from Montana is correct.

Mr. MANSFIELD. Mr. President, may I ask, What is the pending amendment?

The PRESIDING OFFICER. The amendment of the Senator from South Dakota [Mr. MUNDT] in the nature of a substitute for the amendment of the Senator from Virginia [Mr. SPONG].

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, will the distinguished majority leader yield to me?

Mr. MANSFIELD. I am glad to yield to the Senator from Illinois.

Mr. DIRKSEN. It is assumed that action on the pending appropriation bill will be completed probably tomorrow; is that not correct?

Mr. HILL. If I may interject there, I would say that I would certainly hope so. I shall make every effort myself toward that end.

Mr. DIRKSEN. The reason for the inquiry is that I should like to ask the distinguished majority leader if he can tell us now what he proposes to calendar for next week.

Mr. MANSFIELD. Mr. President, may I say that it is anticipated, on Wednesday or Thursday of next week, that the gun control legislation, having to do with interstate traffic in firearms, will have been reported by the Judiciary Committee and the Commerce Committee and will thus be ready for consideration by the full Senate at that time.

In the meantime, we will take up one or two of those measures on the calendar that can be most readily agreed to, but as of now I am not in a position to state which or in what order.

I would anticipate that the gun control bill would take 2, 3, 4, or 5 days. After that, it would be anticipated that the Department of Defense appropriation bill might be ready.

It is hopefully anticipated that the foreign aid authorization bill will be settled in conference and the pertinent appropriation bill made ready.

Then, of course, there is the supplemental appropriation measure. It is also possible that soon, the Colorado River conference report, which I understand has passed the House today, will be ready for consideration.

Any other matters will be discussed with the distinguished minority leader as they become available for Senate consideration.

Mr. DIRKSEN. I thank the majority leader.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the amendment of the House to the bill (S. 449) to provide for the popular election of the Governor of Guam, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1004) to authorize the construction, operation and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

HILL-BURTON FUNDING

Mr. MANSFIELD. Mr. President, the distinguished senior Senator from Vermont [Mr. AIKEN], who is necessarily absent today, is concerned over a problem concerning the Hill-Burton hospital construction and modernization program.

He has described for me a specific problem involving the construction of two new hospitals in his State which may well have counterparts in other sections of the country.

Hospital administrators are worried over a problem that stems partly from the Health Service Amendments of 1968 as passed by the House, which would allow Hill-Burton to expire next June 30. On the other hand, the Senate version of this bill provides only a 2-year extension of Hill-Burton instead of the usual 5. This concern is further enhanced by the work of a special Presidential Advisory Commission now studying the effectiveness of Hill-Burton. It is reasonable to suppose that such a study contemplates extensive overhaul of the entire program.

Against this background of uncertainty the Senator from Vermont says that in the Barre-Montpelier section of his State a new regional hospital known as the Central Vermont Medical Center was opened last month and the first patients admitted. Still needed is additional basic construction requiring about $304,000 in Hill-Burton funds. To qualify for this money, all work must be completed within 6 months after the first patient was admitted.

In the meantime, under the State program for the allocation of funds, the Central Vermont Hospital no longer enjoys top priority for support. Priority now rests with another regional hospital to be constructed in the Northeastern part of the State to serve residents of Vermont and New Hampshire living in that general area.

The Northeastern Vermont Regional Hospital's sponsors are understandably reluctant to surrender their priority to the Central Vermont Medical Center when there are reports Hill-Burton may be discontinued or supplanted by a new program with an entirely different formula for funding.

The Senator from Vermont wishes it to be clearly known that if any hospital willingly surrenders its priority under such circumstances as those just described and a new hospital construction program is enacted, provision should be made in the new law for hospitals in this predicament to receive full Federal funding under the revised schedule just as if there had been no change in Hill-Burton.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1969

The Senate resumed the consideration of the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes.

Mr. MILLER. Mr. President, I ask unanimous consent that the pending amendments be temporarily laid aside so that I may offer an amendment.

The PRESIDING OFFICER. Without objection, both amendments will be laid aside.

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

Between lines 5 and 6, on page 65 add the following:

"No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan or grant to any individual who (A) has, within the 5-year period immediately preceding his application for such loan, guarantee of a loan, or grant, received a loan, guarantee of a loan, or grant the funds for which were made available pursuant to an Act making appropriations for the Department of Health, Education, and Welfare, and (B) has used any of the proceeds resulting from such loan, guarantee of a loan, or grant for any purpose other than the purpose for which the loan or grant was made."

Mr. MILLER. Mr. President, in the bill as passed by the House, section 411, starting on page 64, provides as follows:

SEC. 411. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan or a grant to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or the assistance to others in the use of force, trespass or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies.

Mr. President, I think most of us understand the meaning and intent behind the language which the House put in the bill. However, I do not believe that it covers another situation which has caused a number of Members of Congress, and also a number of students, concern. I refer to reported situations where some students—they are very much a minority, but they are still there—abuse the purpose for which a loan is granted.

I do not think it is good for one who has obtained a loan or grant under congressional legislation and who has observed the purposes for which that loan was granted, to have a friend obtain a similar loan and use it for the purchase of a car or furniture, a trip, a party, or any other purposes other than that for which Congress has appropriated the money.

I believe the proposed addition to section 411, which has been added by the House, will be helpful not only to insure taxpayers that the money they are spending will be properly used, but also for the purpose of letting the great majority of students who are taking advantage of this legislation know that all of their compatriots will observe the purpose for which Congress is passing the legislation.

I have discussed the amendment with my friend the able Senator from Alabama. I hope he will say that this amendment is acceptable to him.

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

Mr. MILLER. I yield.

Mr. HILL. Mr. President, as I understand the language of the amendment of the Senator from Iowa, it would simply insure that the money would be expended as Congress intended for it to be expended when Congress wrote the law and Congress so authorized the appropriation of the funds. It would simply mean that the money shall be expended as was the intent of the Congress at the time the Congress authorized the funds.

Mr. MILLER. The Senator is correct. The amendment provides that if there has been a receipt of a grant or a loan within the last 5 years which has not been spent according to the purposes for which Congress has appropriated the money, then the application will be denied.

Mr. HILL. Mr. President, I see no reason why we should not take this amendment to conference and make certain that the intent and purpose of the act of Congress is fully carried out, as the Senator from Iowa proposes.

Mr. MILLER. May I say to my friend from Alabama that I think section 411 probably is generally acceptable to Members of Congress. Certainly, the House saw fit to put it in the bill. There is some controversy about it, but I cannot see how there can be any controversy about my proposal. Rather than delete section 411, and perhaps offend the sensibilities of the House, I think it would be much better to add this amendment to what the House put in the bill.

Mr. HILL. And thereby put the whole matter in conference.

Mr. MILLER. That is correct.

Mr. HILL. I think the Senator is right.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

A $20 MILLION WINDFALL FOR NEW YORK SHIPBUILDING CORP.

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to a $20 million windfall—or unnecessary payment—which the Defense Department approved for the New York Shipbuilding Corp., Camden, N.J., a company controlled by the Louis Wolfson group.

On August 22, 1962, the New York Shipbuilding Corp., Camden, N.J., which was one of Louis Wolfson's operations, was awarded a contract—NOBs-4581—for the construction of one nuclear submarine at a fixed price of $33,500,000. Subsequently change orders totaling $5,405,236 were approved, bringing the potential cost to $38,905,236. The submarine was to be delivered during July 1966, but when the delivery date arrived the submarine was nowhere near completion.

The Department of the Navy files show that by the latter part of 1966 the Navy had become dissatisfied with the contractor's capability and actual performance in the construction of the submarine because of the contractor's slippage in the delivery date, its progressive disposal of its major submarine-building equipment, and its loss of skilled trade and engineering manpower.

On March 21, 1967, nearly 9 months after the scheduled delivery date, recognizing this failure of the company to fulfill the terms of its agreement to deliver the submarine, the Navy took action and notified the contractor of its intention to terminate the contract.

The original contract price had been adjusted as follows:

Basic contract price	$33,500,000
Negotiated change orders	3,655,236
Provisional increase for change orders to be negotiated	1,750,000
Potential adjusted contract price	38,905,236

At the time of termination, March 21, 1967, the contractor had already received payments totaling $29,685,787. But on July 6, 1967, 1 year after the promised delivery date and nearly 4 months after it was evident that the company had reneged on its contract, the contractor received another payment of $3,612,051 for what was described as reimbursement of costs incurred up to the time of termination. This brought to $33,297,838 the payments made on this contract which was originally awarded at $33,500,000.

The Government attempted to justify this latter payment on the basis that it was a "termination-for-convenience cancellation" of the contract by the Government under which the contractor would be entitled to receive reimbursement for all costs incurred, thus bringing the total payments to the contractor by the Government to $33,297,838, or 85.5 percent of the $38,905,236 adjusted contract price—$33,500,000 original contract price plus change orders which would add another $5,405,236.

This represented a substantial overpayment since the record shows the ship was only about 50-percent completed.

To determine the status of the uncompleted work on this submarine and to determine the amount that would be required to complete this submarine for service the Naval Ship Systems Command in June 1967 awarded a cost-plus-fixed-fee contract in the amount of $474,572 to the Electric Boat Division of General Dynamics Corp., Groton, Conn.

Under this survey the Government was told that the submarine was only about one-half completed. In October 1967 all material and documentation prepared by the Electronic Boat Division was sent to the supervisor of shipbuilding, conversion, and repair, U.S. Navy, Pascagoula, Miss., and at the same time the unfinished submarine was transferred to the Ingalls Shipbuilding Corp., at Pascagoula.

In November 1967, Ingalls proposed a cost-plus-fixed-fee contract of $19,148,371 as the amount that would be required for the completion of the submarine. The General Accounting Office estimates that if this amount proves to be the amount necessary to complete this nuclear submarine, the final cost to the Government for this one submarine will be about $59,300,000, as follows:

Interim proposal (including transfer charge)	$39,693,890
Electric boat contract	474,572
Ingalls' proposed cost-plus-fixed-fee contract	19,148,371
Total	59,316,833

This aggregate cost of $59 million for one nuclear submarine compares with an estimated cost of $75 million that the

Government paid for two submarines of the same class which were constructed by Newport News Shipbuilding & Dry Dock Co., Newport News, Va.

Thus this nuclear submarine will be over 2 years late in delivery and will represent an extra cost of about $20 million. An examination of this contract clearly establishes that the New York Shipbuilding Co. defaulted on this contract.

The contract with New York Shipbuilding Corp. provided, in pertinent part, that it could be terminated for default under the following conditions:

(i) if the Contractor fails to make delivery of the vessels or supplies or to perform the services within the time specified herein or any extension thereof; or

(ii) if the Contractor fails to perform any of the other provisions of this contract, or so fails to make progress as to endanger performance of this contract in accordance with its terms, and in either of these two circumstances does not cure such failure within a period of 10 days (or such longer period as the contracting officer may authorize in writing) after receipt of notice from the contracting officer specifying such failure.

Under a termination for default the Government could have been indemnified by the defaulted contractor for any additional costs incurred in the completion of the submarine. Instead we find the Government paying damages.

The questions which still remain unanswered are—

First. Why was this contract not canceled for default rather than ruled as a cancellation for convenience of the Government?

Second. Why did the Government not try to collect damages instead of paying a cancellation charge?

Third. Who was responsible for this decision which cost the Government an extra $20 million, and what steps are being taken to recover this amount?

Earlier in February 1968 I called this alleged overpayment to the attention of the Comptroller General for his examination. I ask unanimous consent that their interim report of July 11, 1968, as signed by Acting Comptroller General Frank H. Weitzel be printed at this point in the RECORD.

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

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., July 11, 1968.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: In your letter of February 16, 1968, you requested that we review certain matters relating to the termination of a Department of the Navy contract with New York Shipbuilding Corporation, Camden, New Jersey. This interim report is being submitted in accordance with your request of June 13, 1968. We plan to submit a final report upon completion of our examination.

Contract NObs-4581 was awarded to the New York Shipbuilding Corporation on August 22, 1962, for the construction of one nuclear submarine at a fixed price of $33,500,000. The submarine was to be delivered during July 1966.

Correspondence in the Department of the Navy files indicates that, during the latter part of 1966, the Navy became dissatisfied with the contractor's capability and actual performance in the construction of the submarine because of the contractor's slippage in the delivery date, its progressive disposal of its major submarine-building equipment, and its loss of skilled trade and engineering manpower. Further, the Navy felt that, because of the reduced workload at the contractor's yard, the cost of completing the submarine at that yard would be higher than elsewhere. On March 21, 1967, the Navy notified the contractor of its intention to terminate the contract.

The contractor contended that the slippage in delivery was caused, in part, by the numerous design changes and late delivery of Government-furnished property.

TERMINATION OF CONTRACT

An agreement was reached in April 1967 between the Navy and New York Shipbuilding Corporation providing that, if the submarine were launched on or before June 3, 1967, the Navy would terminte the contract for the convenience of the Government rather than for default. The contractor met the launch date requirement, and the contract was terminated for the convenience of the Government on June 5, 1967.

The contract had not been settled as of June 21, 1968, although the contractor had submitted a final settlement proposal in the amount of $39,693,890.

At about the time of the termination, the potential adjusted contract price was $38,905,236, as follows:

Basic contract price	$33,500,000
Negotiated change orders	3,655,236
Provisional increase for change orders to be negotiated	1,750,000
Potential adjusted contract price	38,905,236

In June 1967, the Naval Ship Systems Command awarded a cost-plus-fixed-fee contract in the amount of $474,572 to the Electric Boat Division of General Dynamics Corporation, Groton, Connecticut. The contract required that the contractor, among other things, determine the status of completed and uncompleted work on the submarine and the amount and kind of work required to complete it. The contract required also that the contractor prepare a schedule for completion of the work and a workload analysis.

TRANSFER OF SUBMARINE TO INGALLS SHIPBUILDING CORP.

In October 1967, Electric Boat was informed by the Navy of a decision not to send the submarine to Groton for completion. Electric Boat sent all material and documentation to the Supervisor of Shipbuilding, Conversion and Repair, United States Navy, Pascagoula, Mississippi. The submarine was then transferred to the Ingalls Shipbuilding Corporation at Pascagoula.

In November 1967, Ingalls proposed a cost-plus-fixed-fee contract of $19,148,371 for the completion of the submarine. If this amount proves to be the amount necessary to complete the submarine, the total cost to the Government will be about $59,300,000, as follows:

Interim proposal	$39,693,890
Electric Boat contract	474,572
Ingalls' proposed cost-plus-fixed-free contract	19,148,371
Total	59,316,833

This compares with an estimated cost of $75,000,000 for two submarines of the same class constructed by Newport News Shipbuilding and Dry Dock Company, Newport News, Virginia.

TERMINATION FOR DEFAULT

The contract with New York Shipbuilding Corporation provided, in pertinent part, that it could be terminated for default under the following conditions.

"(i) if the Contractor fails to make delivery of the vessels or supplies or to perform the services within the time specified herein or any extension thereof; or

"(ii) if the Contractor fails to perform any of the other provisions of this contract, or so fails to make progress as to endanger performance of this contract in accordance with its terms, and in either of these two circumstances does not cure such failure within a period of 10 days (or such longer period as the contracting officer may authorize in writing) after receipt of notice from the contracting officer specifying such failure."

Slippage in delivery dates, as well as the contractor's failure to maintain an adequate work force and acceptable inspection and quality control systems, might be considered conditions which fell within these termination provisions. We propose to examine into the termination action of the Navy from the standpoint of whether termination should have been for default rather than for convenience.

Under a termination for default, the Government would have the right to be indemnified by the defaulted contractor for any additional costs incurred in the completion of the submarine.

PROGRESS PAYMENTS

Contract NObs-4581 with the New York Shipbuilding Corporation provided that the Government make progress payments of 90 percent of the costs incurred until 50-percent completion of the submarine, after which progress payments would be 95 percent of the costs incurred.

Up to the time of the termination, the contractor had received payments totaling $29,685,787. On July 6, 1967, the contractor received a payment of $3,612,051 for reimbursement of costs incurred up to the time of the termination. This payment was made under the termination-for-convenience provisions of the contract by which the contractor was entitled to receive reimbursement for all costs incurred, and it brought the total payments to the contractor by the Government to $33,297,838, or 85.5 percent of the contract price, compared with the degree of completion of the submarine of 78.5 percent established by the Navy.

In view of the considerable additional work proposed by Ingalls, we plan to review the Navy's procedures for establishing the percentage of completion up to the time that the submarine left the New York Shipbuilding Corporation's yard.

We have not solicited comments from either the Navy or the contractors concerned on the contents of this interim report.

We plan to make no further distribution of this report unless requested by you.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General of the United States.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business, for action on a nomination favorably reported earlier today by the Committee on Banking and Currency.

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

FEDERAL NATIONAL MORTGAGE ASSOCIATION

The legislative clerk read the nomination of Raymond H. Lapin, of California, to be President of the Federal National Mortgage Association.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BYRD of West Virginia. I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

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

DEATH OF REPRESENTATIVE ELMER J. HOLLAND, OF PENNSYLVANIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to offer a resolution on behalf of the distinguished Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT].

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

Mr. BYRD of West Virginia. I send the resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 388) was read, considered by unanimous consent, and unanimously agreed to, as follows:

S. RES. 388

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Honorable Elmer J. Holland, late a Representative from the State of Pennsylvania.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now recess.

RECESS UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, in accordance with the previous order, pursuant to the resolution just agreed to, and as a further mark of respect to the memory of the deceased Representative Elmer J. Holland, from Pennsylvania, I move that the Senate stand in recess until 11 a.m. tomorrow.

The motion was unanimously agreed to; and (at 3 o'clock and 43 minutes p.m.) the Senate took a recess until tomorrow, Friday, September 6, 1968, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate September 5, 1968:

IN THE MARINE CORPS

Col. Haywood R. Smith, U.S. Marine Corps, for permanent appointment to the grade of colonel.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the Environmental Science Services Administration:

To be lieutenants

Fred S. Long	Roger G. Svendsen
David M. Mauthe	Gary R. Polvi
Anthony Vecino	Bernard N. Mandelkern

WITHDRAWAL

Executive nomination withdrawn from the Senate September 5, 1968:

POSTMASTER

I withdraw the nomination sent to the Senate on March 13, 1967, of Doris L. Oldham to be postmaster at Fishertown in the State of Pennsylvania.

CONFIRMATION

Executive nomination confirmed by the Senate September 5, 1968:

FEDERAL NATIONAL MORTGAGE ASSOCIATION

Raymond H. Lapin, of California, to be President of the Federal National Mortgage Association.

HOUSE OF REPRESENTATIVES—*Thursday, September 5, 1968*

The House met at 12 o'clock noon.

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

Brethren, ye have been called unto liberty; only use not liberty for an occasion to the flesh, but by love serve one another.—Galatians 5: 13.

O God, our Heavenly Father, in the quiet of this moment of prayer and with all sincerity of mind and heart we come to Thee who art the source of all wisdom, of all goodness and of all love.

Thou hast called us to work with Thee on behalf of our Nation and for the good of the world. Quicken Thou our love for our country and our concern for all mankind. Now and always may we keep our dedication to freedom, our devotion to truth, our delight in our democratic ways and our desire to make the world a better place for all people.

Grant us courage to be faithful in the struggle to make liberty the law and the life of all lands.

In the name of Him who sets men free we pray. Amen.

THE JOURNAL

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

MESSAGE FROM THE PRESIDENT

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

THE LATE HONORABLE RUSSELL TUTEN

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. STUCKEY. Mr. Speaker, it is with much sadness that I address my colleagues today to tell them of the passing of one of our former colleagues, James Russell Tuten.

James Russell Tuten was a fine man and a dedicated public servant. Some might think it strange that the man who battled with Mr. Tuten for the Eighth District of Georgia congressional seat as recently as 2 years ago would rise to praise Mr. Tuten's merits.

But, I do not think it strange, Mr. Speaker, and I want to unhesitatingly discuss this man who gave so much of his life to the service of his community and his fellow man.

It is true that Mr. Tuten and I did not see eye to eye on how some of the issues which are presently facing our country should be dealt with. However, even though we did not always agree on the solutions to our local and world problems, we each recognized and respected the other's genuine concern with these problems and with our fellow man.

Mr. Tuten was concerned and his concern lead to involvement. This was demonstrated throughout his lifetime, as he continuously served his community and his State in various capacities; among these, Representative in Congress for 4 years, mayor of Brunswick, Ga., for 4 years, and Brunswick city commissioner for 6 years.

Mr. Tuten was a religious man. He was a deacon of the First Baptist Church of Brunswick for over 11 years. And, he carried his devotion to God into his daily life. He was a kind man and a sensitive man.

After leaving the Congress, Mr. Tuten served as cochairman of the Coastal Plains Regional Commission where he was a credit to the position he held until those final hours.

Russell Tuten will be missed, Mr. Speaker. He will be missed by those who knew him. And, he will be missed by those who did not know him, but were affected by his dedicated and devoted service.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield?

Mr. STUCKEY. I yield to my colleague from Georgia.

Mr. O'NEAL of Georgia. I thank the gentleman for yielding because it gives me the opportunity to express my deep sorrow and my great respect for Russell Tuten. Most of us knew for a long time that his death was coming, because he had a long and progressive and irreversible illness. Yet when it did come it was a shock.

Mr. Speaker, I was extremely sorry that I was not in the country at the time it occurred so that I might have attended the funeral and pay my respects in that way.

Mr. Speaker, Russell Tuten was a kind man. I know of no one who knew him

who disliked him. He was a man who never sought revenge. He was a man who grew up from lowly beginnings. He was a farmer and a bricklayer, and became a contractor and then entered politics, and became mayor of his city, as the gentleman in the well has already stated. He served well in the House of Representatives, and he worked hard for his district and for his constituents. I am sure that all of us share in the grief which has been expressed by the gentleman from Georgia [Mr. STUCKEY].

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

Mr. STUCKEY. I yield to our distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I recall one of the saddest letters I ever received in my life was one from Russell Tuten telling me that he was suffering from an illness from which he could not possibly hope to recover, and which meant certain death to him in a matter of not too many months. It saddened me because here was a kind and lovely person who had served conscientiously in the House of Representatives, friendly with everyone, quiet, unassuming, sincere, but effective. It comes as a shock to me today, notwithstanding the notice that Mr. Tuten personally had given me, that our friend from Georgia [Mr. STUCKEY], now has the sad duty of announcing the death of Russell Tuten to the House.

I extend my deepest sympathy to his loved ones.

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

Mr. STUCKEY. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding to me.

I want to extend my condolences to the family of Russell Tuten, and I want to state my appreciation to the gentleman in the well for taking this time, and I wish to associate myself with his fine remarks.

Russell Tuten and I had had considerable correspondence prior to his death concerning his problem. I did not know that it existed at the time that he left the House and service to his beloved Nation as one of our colleagues.

Mr. Speaker, I believe that as the sun increases in its iridescence each day that it rises over the horizon, certain men who are given by our good God above the privilege of knowing ahead of time that their days are numbered, and that their solution to a physical problem is beyond the ken of mankind, rise in direct proportion and expand their personalities and their compassion for their fellow men in proportion to that iridescence of the sun. I believe that Russell Tuten did this, because he expanded his condolences to other mankind and labored hard and long in the vinyard, even on to his last days for the salvation of others who might have the same medical problem that he had.

He was a man who demanded and earned the respect of all of his colleagues. In addition to being a great statesman, on his deathbed he was a great humanitarian.

Mrs. Hall joins me in extending along with the gentleman from Georgia and our majority leader, who has spoken. with others from this side of the aisle, and with our minority leader, in heartfelt sympathy and regret at this untimely passing of such a fine person as Russell Tuten.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. STUCKEY. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I share all of the kind and complimentary comments that have been made about our former colleague, Russell Tuten. He left a fine record, both at home and abroad as a citizen, as a statesman, and as a friend of literally thousands of people in his district and the State of Georgia.

Russell Tuten made a record here which will be looked upon by those who succeed him as a difficult mark to equal.

We on this side of the aisle enjoyed his friendship and admired his achievements. We extend our sympathy to his family in this hour of bereavement.

Mr. BRINKLEY. Mr. Speaker, I was greatly saddened to learn that Russell Tuten had lost his brave battle for life which was, indeed, a profile in courage. He was a man's man, and one of God's children. I will miss him.

My sincere sympathy goes out to his wife and family. May we take consolation in the fact that he bequeathed to us a rich legacy of good example towards a better tomorrow.

Mr. FUQUA. Mr. Speaker, the passing of former Congressman James Russell Tuten brings to a close a distinguished career of a fine gentleman.

When I first came to the Congress nearly 6 years ago, one of the first men I met was Russell Tuten. He had just been elected to Congress from the South Georgia district which bordered on my own.

I was impressed with his quiet sincerity and sense of purpose. Later I was to work with him on many matters of mutual concern to our section of the Nation and I always found him to be honest, able, dedicated, and perhaps the thing for which I remember him best—an ability to understand and appreciate the viewpoint of others.

In the time he served Georgia and his beloved Nation as a Member of the U.S. House of Representatives, he carved yet another niche in our never-ending quest for a better world for our children and our children's children.

He brought with him when he came to Washington a distinguished record of service as a city commissioner and mayor of Brunswick, Ga. I do not believe that Russell Tuten ever met a man who was not impressed with his friendly personality.

I know that the news of his passing came as a particular sad moment for me. To his wife and four sons I express my deep and profound sorrow. He passed away as he lived, with courage and determination.

I know one thing for certain, our Nation and his beloved State of Georgia are better off because of the life and work of this good man.

We will miss him.

Mr. DORN. Mr. Speaker, Russell Tuten was one of the kindest men I ever knew. It was a privilege for me to sit next to him on the Public Works Committee. I never saw him angry or ruffled in any respect. He was always gentle and epitomized the true southern gentleman with his courtesy and good manners.

Russell Tuten had a great concern in his heart for the underprivileged. He was compassionate and was a great humanitarian. He devoted much of his great energy to fighting poverty and disease. He promoted job opportunity and development of undeveloped areas.

Russell Tuten believed in State rights, local government, and individual liberty. He was dedicated and devoted to those great principles that made America the hope of all the free world. He was a great American and a great Georgian.

Mrs. Dorn joins me in my deepest sympathy to his devoted and lovely family.

Mr. O'HARA of Illinois. Mr. Speaker, it is with deep emotion that I join in the tributes to the memory of the Honorable James Russell Tuten. He came to the Congress in January of 1963. He wrote in a letter to me in March of this year, "with the feeling that I was extremely healthy." He then was 52, had served 11 years as deacon of the First Baptist Church in his native city of Brunswick, Ga., had been mayor of Brunswick, district master of the 11th Masonic of Georgia, grand marshal of grand lodge of Georgia, chairman of the board of trustees of Brewton Park College, and was looking forward into the future with confidence that all was well and the tasks ahead were many and challenging. Then the blow fell—tragedy dropping from skies that had been sunny—a sentence of certain death, an illness with no cure. I quote from his letter:

> I came to Congress with the feeling that I was extremely healthy but in the summer of 1966 I developed a weakness in my left ankle. In December 1966, Dr. Pearson arranged for my admittance to Bethesda Naval Hospital. After extensive tests and research, the doctors proposed only to observe me. In the spring of 1967, upon my request, Dr. Pearson arranged appointments with neurologists at Johns Hopkins Hospital in Baltimore. In June of 1967 I became impatient and demanded that Dr. Pearson furnish me a copy of my record which revealed that I was a victim of amyotrophic lateral sclerosis.
>
> AP and UPI published articles about my condition rather extensively and I received numerous pathetic communications from other victims of ALS, some of whom had been examined at Mayo Clinic, Duke University, Emory University, and other outstanding institutions. The cause is not known and there is no known remedy. The disease is fatal in two to three years and in rare instances, five years; the later portion of which the victim is entirely helpless.

Russell Tuten has left to us and to the world a noble pattern of courage. Doomed to die, he spurned self-pity and despondency, but gave all within him to a campaign that others might be saved. As a former Member of Congress, deservedly popular with all his colleagues, he wrote to me, and to others with whom he had served, in an effort to have adequately funded a research into this mysterious disease that at long last might produce a cure.

I continue quoting from his letter:

> My search for an answer has revealed that practically no research is in progress on this

disease with the exception of the untiring efforts of Dr. Donald T. Quick at the Teaching Hospital of the University of Florida College of Medicine in Gainesville. Dr. Quick's research is almost a one man effort because of a lack of funds. He seems to be making some progress. The Medical Journal and other such documents have made reference to his efforts and findings. He had the benefit of a grant but funds are now practically exhausted.

The University of Florida Medical School made application, No. NB 07897 01, on July 29, 1967, to the U.S. Department of Health, Education, and Welfare for a research grant to study ALS and related neurological diseases. The amount of $103,620 was requested for a five-year period. An application, No. 1-K3-NB-38, 650-01, was submitted on May 1, 1967, for a "research career program" grant of $105,285 over a period of five years for the purpose of increasing salaries in the Division of Neurology from $17,660 to approximately $20,000 per year. One of these applications was rejected by the National Advisory Neurological Diseases and Blindness Council at their November meeting. The other grant will be considered by the Council at their regular meeting March 21, 1968. The University of Florida needs personnel and equipment to carry out this program.

Any one with this disease, which allows him three years to make his funeral arrangements, would like to see some progressive research. You no doubt have constituents in this category since more than eight thousand people in the United States are known victims.

I last heard from Russell Tuten on April 29 of this year. He wrote:

DEAR CONGRESSMAN O'HARA: Your response to my letter and the interest you expressed in the grant applications of the University of Florida for research of amyotrophic lateral sclerosis and related neurological diseases is sincerely appreciated.

Although I am disappointed that the National Advisory Neurological Diseases and Blindness Council rejected the applications, I am grateful for your efforts in behalf of the 7,000 to 10,000 Americans who are hopelessly afflicted with this disease.

I have made an exhaustive search of those sources which could offer assistance in the treatment of this disease. Dr. Quick is one of the few people who has a knowledgeable approach to this problem and it is regrettable that his efforts in finding the answer to this malady cannot be financially supported. Funds are available for various research projects of much less importance.

I was scheduled to return to the University of Florida Teaching Hospital April 1, 1968. My appointment has been canceled or indefinitely postponed because funds aren't available to employ the necessary technicians required to continue the laboratory work which must be done to find the answers to a disease, the characteristics of which to some extent vary with individual cases.

I hope Congress will see that funds are provided for this important research.

Mr. Speaker, Russell Tuten was a good man. He was a deeply religious man. His life will not have been in vain if his words, coming as it were from the grave, spurs research into this strange disease until the period of its horrors has been ended. I extend my warmest sympathy to the loved ones of a beloved former colleague.

GENERAL LEAVE TO EXTEND REMARKS

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to the late Honorable Russell Tuten.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON S. 3293, MILITARY PROCUREMENT AND PERSONNEL STRENGTH AUTHORIZATION, 1969

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on S. 3293, to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

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

There was no objection.

VOICE FROM THE GRAVE—VIETNAM

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. DEVINE. Mr. Speaker, rarely do we hear from those who have gone to eternity. A young man, in full bloom with a bright future, Paul McGrath, was a 24-year-old U.S. Marine lieutenant in Vietnam. He was killed on June 7, 1968. Prior to his death, he wrote a letter to his parents in Rye, N.Y., but addressed it "To Whom It May Concern" in order that the contents would be made public.

Paul McGrath, a graduate of Villanova College, has a message for all Americans:

MARCH 24, 1968.

To Whom It May Concern:

While my young Marines give their lives for what they know is right, too many Americans sit back and argue over trivial details. This letter is a plea from a Marine platoon commander in Viet-Nam, that Americans get together and support us in a cruel, miserable, but necessary war. Let us not lose sight of the basic truths under a pile of trite arguments.

As far as being a "popular war of liberation" or anything resembling such, this isn't. We here in Khe-Sanh are surrounded by numerous enemy troops. They are North Vietnamese regulars, not the "popular liberation forces" some people would have us believe are behind the war. The war is simply a case of North Viet-Nam (with agents and pawns in South Viet-Nam, and Red Chinese and Russian backing) trying to take over South Viet-Nam by force. There is no doubt in my mind what they have in theirs. The conquest of Asia. They have already begun the same thing in Laos. "Popular liberation forces" don't demolish cities and slaughter their own people in the streets.

The real question is not what is going on here, though. Anybody who does not know is either stupid or fooling himself. The real question is whether we as Americans consider it our job to stop them. It is a long way from home and seems not to bother our own security. It is costly in money, but more importantly, in American lives.

To me the answer is simple. Yes! We must stop them. Read again the inscription under the Statue of Liberty:

"Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore,
Send these, the homeless, the tempest-tossed, to me:
I lift my lamp beside the golden door."

The spirit that inspired that was one that said we must seek and accept responsibility in a positive manner, not just wallow in our own good fortune. The thing I love most about the United States is that spirit. "Give me your tired, your poor." We want them because we will do something with them!

Are we, today, willing to stand up for what we know is right or are we willing to make phony excuses for ourselves?

Please remember us in your prayers.

Semper Fidelis,

2d Lt. PAUL MCGRATH.

August 5, 1944–June 7, 1968.

PERMISSION FOR SUBCOMMITTEE ON INDIAN AFFAIRS, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, TO SIT TODAY DURING GENERAL DEBATE

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs be permitted to sit today during general debate.

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

There was no objection.

FOURTH ANNUAL REPORT OF THE ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 380)

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

To the Congress of the United States:

I am transmitting the fourth annual report of the Atlantic-Pacific Interoceanic Canal Study Commission. The report covers the period July 1, 1967 to June 30, 1968.

During the past twelve months the Commission has made significant progress toward accomplishing the objectives of its investigation. The collection of data was substantially completed on Route 17 in Panama, one of the routes being considered for nuclear excavation. In the Canal Zone, subsurface drilling for geological data was completed and an evaluation made of the suitability and cost of conventional canal excavation along Route 14. In Colombia the first full year of data collection on Route 25 was accomplished.

The Commission has decided on a more extensive study of Route 10, a route for conventional excavation in the Republic

of Panama close to the westerly limits of the Canal Zone. Extensive engineering measures would be required to insure the continued operation of the existing lock canal during the years of construction of a sea-level canal adjacent to and intersecting it. Also, the change-over to a sea-level canal on Route 14 would permanently close the existing canal. Route 10 would not have these disadvantages and could be competitive in cost. For these reasons, the Commission has now augmented its subsurface data collection program to produce a valid estimate of excavation costs on this route.

The Atomic Energy Commission has recently conducted the first two of the planned series of nuclear excavation experiments designed to determine the feasibility of nuclear excavation of a sea-level canal. The favorable results of these experiments are encouraging. Funds in the FY 1969 budget will permit continuation of this test program. I hope that the experiments will demonstrate the practical possibility of using this technique in building a new canal.

On June 22, 1968, I signed Public Law 90–359 in which the Congress granted an extension of the Commission's reporting date to December 1, 1970 and the additional appropriation authority needed by the Commission to complete its investigation. With this amending legislation, the Commission is now able to carry out its field surveys in both Panama and Colombia as originally planned to accomplish the mission given it by the Congress in Public Law 88–609.

The investigation has provided no final conclusions to date. However, no insurmountable technical problems are foreseen in the construction of a sea-level isthmian canal by conventional means. The best location for a new canal and the technical and political feasibility of construction by nuclear excavation are yet to be determined.

This anniversary sees the canal investigation well beyond the midpoint of its planned studies, and I take great pleasure in forwarding the Commission's fourth annual report to the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 5, 1968.*

CONFERENCE REPORT ON S. 1004, CENTRAL ARIZONA PROJECT

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1861)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1004) entitled "An act to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered to the text of the bill, and agree to the same with an amendment as follows: In lieu of the matter inserted by the House amendment insert the following:

"TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

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

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

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

"TITLE II—INVESTIGATIONS AND PLANNING

"SEC. 201. Pursuant to the authority set out in the Reclamation Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto, and the provisions of the Water Resources Planning Act of July 22, 1965, 79 Stat. 244, as amended, with respect to the coordination of studies, investigations and assessments, the Secretary of the Interior shall conduct full and complete reconnaissance investigations for the purpose of developing a general plan to meet the future water needs of the Western United States. Such investigations shall include the long-range water supply available and the long-range water requirements in each water resource region of the Western United States. Progress reports in connection with these investigations shall be submitted to the President, the National Water Commission (while it is in existence), the Water Resources Council, and to the Congress every two years. The first of such reports shall be submitted on or before June 30, 1971, and a final reconnaissance report, shall be submitted not later than June 30, 1977: *Provided,* That for a period of ten years from the date of this Act, the Secretary shall not undertake reconnaissance studies of any plan for the importation of water into the Colorado River Basin from any other natural river drainage basin lying outside the States of Arizona, California, Colorado, New Mexico, and those portions of Nevada, Utah, and Wyoming which are in the natural drainage basin of the Colorado River.

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

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

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

"SEC. 204. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this title.

"TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

"SEC. 301. (a) For the purposes of furnishing irrigation water and municipal water supplies to the water-deficient areas of Arizona and western New Mexico through direct diversion or exchange of water, control of floods, conservation and development of fish and wildlife resources, enhancement of recreation opportunities, and for other purposes, the Secretary shall construct, operate, and maintain the Central Arizona Project, consisting of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system may have a capacity of 3,000 cubic feet per second or whatever lesser capacity is found to be feasible: *Provided,* That any capacity in the Granite Reef aqueduct in excess of 2,500 cubic feet per second shall be utilized for the conveyance of Colorado River water only when Lake Powell is full or releases of water are made from Lake Powell to prevent the reservoir from exceeding elevation 3,700 feet above mean sea level or when releases are made pursuant to the proviso in section 602(a)(3) of this Act: *Provided further,* That the costs of providing any capacity in excess of 2,500 cubic feet per second shall be repaid by those funds available to Arizona pursuant to

the provision of subsection 403(f) of this Act, or by funds from sources other than the development fund; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as not to prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59); (4) Hooker Dam and Reservoir or suitable alternative, which shall be constructed in such a manner as to give effect to the provisions of subsection (f) of section 304; (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) related canals, regulating facilities, hydroelectric powerplants, and electrical transmission facilities required for the operation of said principal works; (9) related water distribution and drainage works; and (10) appurtenant works.

"(b) Article 11(B)(3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which, as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the Central Arizona Project shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed, and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of mainstream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this subsection 301(b). This subsection shall not affect the relative priorities among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the Central Arizona Project, or amend any provisions of said decree.

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

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

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

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

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

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

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

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

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

"(2) annual operation and maintenance costs shall be apportioned between the United States and the non-Federal interests on an equitable basis taking into account the ratios determined in accordance with the foregoing clause (1): *Provided, however*, That the United States shall share on the foregoing basis in the depreciation component of such costs only to the extent of provision for depreciation on replacements financed by the non-Federal interests;

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

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

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

"(d) If any thermal generating plant referred to in subsection (b) of this section is located in Arizona, and if it is served by water diverted from the drainage area of the Colorado River system above Lee Ferry, other provisions of existing law to the contrary notwithstanding, such consumptive

use of water shall be a part of the fifty thousand acre-feet per annum apportioned to the State of Arizona by article III(a) of the Upper Colorado River Basin Compact (63 Stat. 31).

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

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

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

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

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

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

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

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

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

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

"(g) For a period of ten years from the date of enactment of this Act, no water from the projects authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938 (52 Stat. 38), as amended (7 U.S.C. 1301), unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

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

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

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

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

"SEC. 309. (a) There is hereby authorized to be appropriated for construction of the Central Arizona Project, including prepayment for power generation and transmission facilities but exclusive of distribution

and drainage facilities for non-Indian lands, $832,180,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required for operation and maintenance of the project.

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

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

"SEC. 401. Upon completion of each lower basin unit of the project herein or hereafter authorized, or separate feature thereof, the Secretary shall allocate the total costs of constructing said unit or features to (1) commercial power, (2) irrigation, (3) municipal and industrial water supply, (4) flood control, (5) navigation, (6) water quality control, (7) recreation, (8) fish and wildlife, (9) the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Water Treaty of 1944 with the United Mexican States (Treaty Series 994; 59 Stat. 1219), and (10) any other purposes authorized under the Federal reclamation laws. Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable: *Provided*, That the nonreimbursable allocation shall be made on a pro rata basis to be determined by the ratio between the amount of water required to comply with the Mexican Water Treaty and the total amount of water by which the Colorado River is augmented pursuant to the investigations authorized by title II of this Act and any future Congressional authorization. The repayment of costs allocated to recreation and fish and wildlife enhancement shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213): *Provided*, That all of the separable and joint costs allocated to recreation and fish and wildlife enchancement as a part of the Dixie project, Utah, shall be nonreimbursable. Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act.

"SEC. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 564; 25 U.S.C. 386a), and such costs that are beyond repayment capability of such lands shall be nonreimbursable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"TITLE V—UPPER COLORADO RIVER BASIN: AUTHORIZATIONS AND REIMBURSEMENTS

"SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel Federal reclamation projects, Colorado; and the Central Utah project (Uintah unit), Utah, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, clause (2) of section 1 of said Act is hereby further amended by (1) inserting the words 'and the Uintah unit'

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

"(b) The Secretary is directed to proceed as nearly as practicable with the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel participating Federal reclamation projects concurrently with the construction of the Central Arizona Project, to the end that such projects shall be completed not later than the date of the first delivery of water from said Central Arizona Project: *Provided*, That an appropriate repayment contract for each of said participating projects shall have been executed as provided in section 4 of the Colorado River Storage Project Act (70 Stat. 107) before construction shall start on that particular project.

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

"'ANIMAS-LA PLATA PROJECT COMPACT

"'The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620) and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

"'ARTICLE I

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

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

"'ARTICLE II

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

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

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

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

"SEC. 502. The Upper Colorado River Basin Fund established under section 5 of the Colorado River Storage Project Act (70 Stat. 107; 43 U.S.C. 620d) shall be reimbursed from the Colorado River Development Fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 774; 43 U.S.C. 618a) for the money expended heretofore or hereafter from the Upper Colorado River Basin Fund to meet deficiencies in generation at Hoover Dam during the filling period of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose, $500,000 for each year of operation of Hoover Dam and powerplant, commencing with fiscal year 1970, shall be transferred from the Colorado River Development Fund to the Upper Colorado River Basin Fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin Fund from the Lower Colorado River Basin Development Fund, as provided in subsection (g) of section 403.

"TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

"SEC. 601. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994; 59 Stat. 1219), the decree entered by the Supreme Court of the United States in Arizona against California and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774; 43 U.S.C. 618a), or the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620).

"(b) The Secretary is directed to—

"(1) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1970. Such reports shall include a detailed breakdown of the beneficial consumptive use of water on a State-by-State basis. Specific figures on quantities consumptively used from the major tributary streams flowing into the Colorado River shall also be included on a State-by-State basis. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and to the Governors of each State signatory to the Colorado River Compact; and

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

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

"SEC. 602. (a) In order to comply with and carry out the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, and the Mexican Water Treaty, the Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of the Colorado River Storage Project Act, the Boulder Canyon Project Act, and the Boulder Canyon Project Adjust-

ment Act. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River storage project and releases of water from Lake Powell in the following listed order of priority:

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

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

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

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

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

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

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

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

"SEC. 605. Part I of the Federal Power Act (41 Stat. 1063; 16 U.S.C. 791a–823) shall not be applicable to the reaches of the main stream of the Colorado River between Hoover Dam and Glen Canyon Dam until and unless otherwise provided by Congress.

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

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

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

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

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

"(f) 'Western United States' means those states lying wholly or in part west of the Continental Divide; and

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

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and the House agree to the same.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
ED EDMONDSON,
MORRIS K. UDALL,
CRAIG HOSMER,
LAURENCE J. BURTON,
Managers on the Part of the House.

HENRY M. JACKSON,
CLINTON P. ANDERSON,
FRANK CHURCH,
ERNEST GRUENING,
CARL HAYDEN,
THOMAS H. KUCHEL,
GORDON ALLOTT,
LEN B. JORDAN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 1004, to authorize the construction, operation and maintenance of the Central Arizona Project, Arizona-New Mexico, and for other purposes, submit this statement in explanation of the effect of the language recommended and adopted in the accompanying conference report.

The Committee of Conference adopted the form of the House amendment and for the most part the House language. The differences between the language of the House amendment and language agreed to in conference are explained herein along with other matters involved in the legislation which warrant comment or require clarification.

TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

A short title for this legislation is cited in the Senate version of S. 1004 as the "Central Arizona Project Act" and in the House amendment as the "Colorado River Basin Project Act". The House language was adopted by the Committee of Conference. The Committee of Conference also adopted the remainder of Title I of the House amendment, none of which is in the Senate version of S. 1004.

The statement of the objective of this legislation and the establishment of Congressional policy with respect to meeting the long-range water needs of the Colorado River Basin, as set forth in this title, combined with the planning directive set out in title II clearly give to the Secretary of the Interior the authority and the responsibility for planning the best possible use of this Nation's water resources west of the Continental Divide and for meeting the future water needs of our eleven western States.

TITLE II—INVESTIGATIONS AND PLANNING

The language in this title is not in S. 1004 as passed by the Senate, and the major difference between the Conference Report and the House amendment occurs in this title.

Out of the deliberations of the Committee of Conference in connection with this title came a completely new Section 201 which, for the first time, provides for coordinated Federal water planning on a west-wide basis.

Section 201 in the House amendment called for a series of investigations and studies to be conducted by the Secretary of the Interior in connection with the long-range water needs in the Colorado River Basin and the availability of water to meet these needs. The Secretary would have been required, by the House amendment, to prepare reconnaissance reports covering all of the matters listed for study and to submit such reports to the President and the Congress not later than June 30, 1973. In addition, he would have been required to prepare a feasibility report on a plan which shows the most economical means of augmenting the water supply in the Colorado River by two and one-half million acre feet annually and to submit this report to the Congress not later than January 1, 1975.

The language developed by the Committee of Conference as a substitute for Section 201 of the House amendment directs the Secretary of the Interior to conduct full and complete reconnaissance investigations for the purpose of developing a general plan to meet the future water needs of the Western United States, a term which is defined in Title VI of the Conference Report as those States lying wholly or in part west of the Continental Divide. The investigations and development of the plan are to be in accordance with reclamation law, and the studies, investigations and assessments of water availability must be coordinated with other water planning activities being conducted under the Water Resources Planning Act. The purpose of the reference to the Water Resources Planning Act is to assure cooperation and coordination among all Federal agencies, affected States, and study commissions established pursuant to the Planning Act and to eliminate possible duplication in the overall water resources planning effort. The reference to the Planning Act does not, of course, subject the Secretary of the Interior to the prohibition in that Act against the study of transbasin transfers of water.

It is intended that the Secretary initiate this west-wide planning effort by determining the water supplies available and the long-range water requirements in each water resource region of the Western United States. When this phase of the study is completed, the Secretary can then proceed with investigations to determine the most economical means of augmenting the water supply of the Colorado River in order to serve the most critical water-short area of our Nation. When the water needs of the Colorado River Basin and the time schedule therefor have been established, all possible sources of water must be considered, including water conservation and salvage, weather

modification, desalination and importation from areas of surplus. However, for a period of ten years from the date of this Act, the Secretary cannot undertake studies of any plan for importation of water into the Colorado River Basin from any other drainage basin lying outside the States of Arizona, California, Colorado, New Mexico, and those portions of Nevada, Utah and Wyoming which are in the natural drainage basin of the Colorado River. As the studies proceed, the Secretary is required to submit progress reports every two years and to submit, not later than June 30, 1977, a completed reconnaissance report on water supplies and water requirements for the entire eleven western States area as well as the possibilities of augmentation from within the Colorado River Basin States. Both the progress reports and the final reconnaissance report are to be submitted to the President, the National Water Commission (while it is in existence), the Water Resources Council, and the Congress.

The investigations and studies under this title do not end with submission of this initial report in 1977. This is only the first phase. It is intended that, following the completion of this phase of the investigations and studies, the Secretary shall continue, pursuant to existing authority, to pursue vigorously the stated objective of Section 201 which is to develop a general plan to meet the future water needs of the entire Western United States. He is expected to make such recommendations with respect to feasibility studies as are justified and appropriate, including feasibility studies of augmentation opportunities within the Colorado River Basin States. Also, it is intended that the Secretary, when the 10-year moratorium on studies of importation from outside the Colorado Basin States comes to an end, will conduct such additional reconnaissance investigations as are justified of importation from outside the Colorado River Basin States and make such recommendations with respect to feasibility studies as are warranted. He will do this pursuant to existing authority and in the light of the investigations and studies he has completed up to that time.

The importance to the Central Arizona Project and to the entire West of the westwide water planning provided for in this legislation cannot be over-emphasized. While there is disagreement with respect to time, the cold fact remains that eventually the water supply for the Central Arizona Project from main stream Colorado River water will be reduced to less than 300,000 acre feet annually unless augmentation becomes a reality.

The remainder of the language in Title II adopted by the Committee of Conference is the language of the House amendment with one minor clarifying change. Section 202 warrants special mention. This section is a Congressional declaration that satisfaction of the water requirements of the Mexican Water Treaty constitutes a national obligation which shall be the first charge against any augmentation project. It relieves both the Upper Basin and the Lower Basin from the Colorado River Compact requirement covering deliveries of water to Mexico at such time as the Secretary of the Interior determines and proclaims that means are available and in operation for delivering annually into the Colorado River system sufficient water to satisfy the Mexican Treaty water requirements together with associated losses. A further provision in the House amendment made such relief to the Colorado River Basin States contingent upon the authorization of a plan to augment the Colorado River water supply by two and one-half million acre feet annually. This provision is retained in the Conference version of S. 1004 which, however, adds clarifying language to indicate that such plan has not only to be authorized but also to be in operation to the extent of providing the additional water necessary to satisfy the Mexican Water Treaty requirements.

The declaration that satisfaction of Mexican Treaty water requirements constitutes a national obligation carries with it a nonreimbursable allocation of the costs of providing the necessary water or replacement for such water. The authority for this allocation on a nonreimbursable basis is included in title IV of the Conference Report, and clarifying language adopted by the Committee of Conference with respect to it is explained in this statement under title IV.

Section 203 of the Conference Report is language from the House amendment which provides the fullest possible protection to States and areas of origin in the event of transbasin diversions of water.

TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

The second most important difference between the language adopted by the Committee of Conference and the House amendment occurs in Section 301 in connection with the capacity of the Granite Reef aqueduct, the main conduit for conveying water from the Colorado River to the Central Arizona Project service area. The Senate version of S. 1004 provides for a capacity of "not less than 3,000 cubic feet per second". The House amendment provides for a capacity of "not to exceed 2500 cubic feet per second". The language adopted by the committee of conference authorizes a capacity of "3,000 cubic feet per second or whatever lesser capacity is found to be feasible". The Conference language is intended to fix the capacity at 3,000 cubic feet per second if this is the desire and decision of the State of Arizona and it can be shown that an aqueduct of this capacity is economically justified and financially feasible.

The Committee of Conference added two qualifying provisions in connection with the aqueduct capacity. The first provides that any capacity in the aqueduct in excess of 2500 cubic feet per second shall be utilized for the conveyance of Colorado River water only when Lake Powell is full or releases of water are made from Lake Powell to prevent the reservoir from exceeding elevation 3700 feet above mean sea level, or when releases from Lake Powell are made under Article III (e) of the Colorado River Compact at times when the active storage in Lake Powell is not less than the active storage in Lake Mead. Releases of Article III(e) water is of lower priority than storage of water in Lake Powell to fully protect and assure all prospective annual consumptive uses in the Upper Basin under the Compact. Thus, the Upper Basin States are given assurance that any capacity in the aqueduct in excess of 2500 cubic feet per second will not be used so as to impair in any way Upper Basin rights and uses under the Colorado River Compact.

The second qualifying provision in connection with the aqueduct capacity requires that the cost of any capacity in excess of 2500 cubic feet per second must be repaid either from Central Arizona Project revenues, from that portion of the Lower Colorado River Basin Development Fund which, pursuant to subsection 403(f), is available to assist the Central Arizona Project, or from sources other than the development fund. This provision makes it clear that the cost of any capacity in excess of 2500 cubic feet per second shall not be an obligation against that part of the development fund which is dedicated to assisting the future construction of augmentation works.

Except for the difference in the capacity of the aqueduct, the plan of development and the plan of operation for the Central Arizona Project as set forth in the Conference Report is unchanged as compared with the House amendment. The conference report retains the provision in the House amendment which gives California 4.4 million acre-feet of water annually with a priority over Central Arizona Project water when there is less than 7.5 million acre feet of mainstream Colorado River water released annually for use in Arizona, California and Nevada. The Secretary must recognize this priority in the administration of the United States Supreme Court decree in *Arizona* v. *California*. The priority given California uses in the Senate version of S. 1004 was limited to 27 years. Arizona and its representatives on the Committee of Conference agreed to accept the House version in view of the fact that it called for assumption of the Mexican Treaty water requirement as a national obligation.

The Committee of Conference was made aware of the disagreement of the Pima Indians with the Globe Equity Decree Numbered 59 and their concern over the mention of this decree in connection with the operation of Buttes dam and reservoir. The mention of this decree in this legislation is not intended to constitute Congressional ratification or approval of the stipulated portions thereof or to enhance or impair any Gila River water rights.

Section 302 of the Conference Report relates to the acquisition of the Indian lands that are needed for construction of the Orme dam and reservoir. This section was not in the Senate version of S. 1004. The Committee of Conference adopted the language of the House amendment with two changes. The House amendment provided that if lands purchased from the Indian communities cease to be needed for the Orme Dam and Reservoir, or alternative, they should be restored to the community. The Committee of Conference added a requirement making restoration of the title contingent upon repayment by the communities of the amount paid by the Government for the purchase of the lands.

The other change relates to the fair market value of the Indian lands acquired by the Government. The language of the House amendment provided that the fair market value of the Indian lands acquired shall reflect the value of the right retained by the Indians to extract minerals, but not the value of any other uses permitted under section 302. The Committee of Conference took the position that the value of those other uses should also be considered when determining fair market value, and amended the House amendment accordingly. Those other uses include the right of the Indians to use or lease the lands for purposes not inconsistent with the project, the right to develop and operate recreational facilities on the lands, and the right to hunt and fish without charge.

Section 303 of the Conference Report establishes the procedure for meeting the pumping power requirements of the Central Arizona Project. It is the language of the House amendment with minor changes. It directs the Secretary to continue studies of ways and means of supplying the pumping power for the Central Arizona Project and of augmenting the Lower Colorado River Basin Development Fund, and it authorizes the "prepurchase" plan for meeting the pumping power requirements if this plan is determined by the Secretary to be feasible and in the best interest of the Federal Government. The Committee of Conference adopted minor language changes to permit the Secretary to acquire the right to powerplant capacity in more than one location if such a procedure should prove to be desirable.

In section 303(b)(1) the Committee of Conference substituted "contractual arrangements" for "contracts" to indicate that all of the required contracts in final form do not necessarily have to be completed and executed before any Federal funds are made available to start paying the Government's share of the cost of generators and other ma-

jor equipment that require considerable time for delivery. For the purpose of this section the placing of orders for such equipment can be considered preconstruction activities. It is recognized that it may require as much as two years to complete execution of all the contracts, and it is not intended that the other participants have to bear the Government's share of progress payments during this period or that purchases be held up. Letters of intent or other suitable understandings which commit all parties to participation in the undertakings are deemed adequate to permit the United States to make such payments for equipment as are due under the provisions of this legislation and for which funds have been appropriated.

The committee of conference also modified the language of subsection 303(b)(2), which relates to operation and maintenance costs of the power plants, to make it clear that the United States will share depreciation cost only on such replacements as might be financed entirely by the non-Federal interests.

Subsection 303(b) authorizes the Secretary to dispose of power and energy acquired under the "prepurchase" plan when such power and energy is not required for project purposes. A proviso in Section 14 of the Senate version of S. 1004 relating to the disposition of this excess power and energy was eliminated by the Committee of Conference as surplusage since the sale or disposition of power or energy acquired pursuant to section 303 and surplus to the requirements of the Central Arizona Project will be in accordance with the provisions of Section 9 of the Act of August 4, 1939 (53 Stat. 1193), as amended. We believe this to be in accord not only with the Secretary's testimony before the House and Senate Committees but with the "Summary Report, Central Arizona Project with Federal Prepayment and Power Arrangements, dated February 1967", and will not limit the Secretary in his use and disposition of the prepurchase capacity for project purposes or other purposes authorized by this Act.

The limitation in Section 303(d) on the source of water for any thermal electric plant located in Arizona is not intended to preclude the Secretary from making, under existing laws, short term sales of surplus water, which would otherwise be wasted below Lee Ferry, for the purpose of generating electric energy in a coal-fired plant in Arizona. Neither is this language of Section 303(d) intended to impair in any way existing rights to water from the 50,000 acre feet apportioned to Arizona by the Upper Colorado River Compact.

Section 304 of the Conference Report deals with the furnishing of water from the Central Arizona Project. The Conference Committee adopted one subsection from the Senate version of S. 1004 which is not in the House amendment. This is subsection (g) which relates to surplus crops and prohibits, for a period of ten years from the date of enactment, the delivery of project water for the production on newly irrigated lands of any basic agricultural commodity which is in surplus supply as determined by the provisions of the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949 unless increased production is called for in the interest of national security.

Sections 305, 306, 307 and 308 of the Conference Report are identical to language in the House amendment.

Section 309 of the Conference Report places a ceiling of $832,180,000 (subject to adjustment to reflect changes in price indices) on the amount authorized to be appropriated for construction of the Central Arizona Project. The increase of roughly $53 million over the amount included in the House amendment is for the purpose of constructing the Granite Reef aqueduct with a capacity of 3000 cubic feet per second rather than 2500 cubic feet per second. It is the intention of the Committee of Conference that, if this additional capacity or any part thereof is not constructed, the amount authorized to be appropriated is to be reduced accordingly.

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

Section 401 of the Conference Report provides for allocation among the project purposes of project costs, including the costs of future units and augmentation works. It is the language of the House amendment with additional clarifying language in connection with the nonreimbursable allocation to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty. The new language adopted by the Committee of Conference provides that this nonreimbursable allocation shall be made on a pro rata basis to be determined by the ratio between the amount of water required to comply with the Mexican Water Treaty and the total amount of water by which the Colorado River is augmented pursuant to the investigations authorized by title II of the Act and any future Congressional authorization. This language is intended to prevent a disproportionate share of the cost of any augmentation program from having to be borne by the taxpayers of the Nation. Under this new language, if a plan is authorized for augmenting the water supply available in the Colorado River by two and one-half million acre feet (the estimated amount necessary to satisfy annual consumptive use of 7,500,000 acre feet of main stream Colorado River water in Arizona, California, and Nevada and, thus, the amount most urgently needed and the amount contemplated for the initial augmentation program throughout the consideration of this legislation) and if it is assumed that 1.8 million acre feet are required to comply with the Mexican Water Treaty, then 18/25 of the cost of such a plan would be nonreimbursable and 7/25 of the cost would have to be repaid. However, should augmentation works be authorized to make available only increments of water within the amount required to comply with the Mexican Water Treaty, as would likely be the case should desalination be found to be the most economical means of augmentation, the total cost of such works would be nonreimbursable. On the other hand, should the investigations authorized by title II lead to authorization of a plan for augmenting the water available in the Colorado River by, say, eight million acre feet through importation from an area of surplus, the nonreimbursable allocation would be limited to 18/80 of the total cost of the plan.

The Committee of Conference adopted the remainder of the language of Title IV in the House amendment. The Lower Colorado River Basin Development Fund is established and dedicated to assist the future construction of augmentation works and construction of the Central Arizona and Dixie projects. Financial assistance to the Central Arizona Project from the development fund, other than project revenues, is limited to those revenues accruing to the development fund from the Pacific Northwest-Pacific Southwest intertie and those revenues from the Hoover-Parker-Davis power operations derived from the sale of power and energy for use in Arizona.

TITLE V—UPPER COLORADO RIVER BASIN: AUTHORIZATIONS AND REIMBURSEMENTS

Title V of the Conference Report deals with development in the Upper Colorado River Basin. The Committee of Conference adopted the language of the House amendment with minor clarifying changes.

Section 501 authorizes the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide and San Miguel projects in the Upper Colorado River Basin as participating projects under the Colorado River Storage Project Act, and authorizes the appropriation of $392 million (subject to adjustment to reflect changes in prices) for the construction of these five projects. The Uintah unit of the Central Utah Project is conditionally authorized, with construction contingent upon completion and submission to the Congress of a feasibility report along with the certification by the Secretary that the unit is economically justified and is physically and financially feasible. The Committee of Conference added language to make it clear that the Uintah unit cannot be undertaken until Congress has authorized the appropriation of funds for its construction.

The Committee of Conference adopted the language of the House amendment with respect to subsection 501(b) relating to concurrent construction of five Upper Basin reclamation projects with construction of the Central Arizona project. The intention of the language is to require the Secretary, in construction of the five Upper Basin projects, to plan and accomplish preconstruction and construction activities in such a manner that each of the five projects will be capable of operation not later than the date of first delivery of Colorado River water to water users under the Central Arizona project, assuming that appropriate repayment contracts have been executed in accordance with the terms of section 4 of the Colorado River Storage Project Act (70 Stat. 107) before construction begins. Not all of the projects will require the same length of time for construction. Therefore, in order to carry out the intent of the language it will be necessary for the Secretary to adjust the dates of initiation of construction of each project, within limitations of appropriation Acts, in order that the five Upper Basin projects will become operational within the period required for construction and initiation of operation of the Central Arizona Project. The attainment of this objective can resolve one of the major facets of the ages-old conflict over use of Colorado River water. Thus, by providing for concurrent construction of these projects, the Committee is also expressing its desire that they be adequately funded through support of the Executive Branch and appropriations of monies by the Congress.

The language of subsection 501(e) of the House amendment was adopted by the Committee of Conference after consideration at some length. The Committee of Conference was made aware of the fact that this language is intended to resolve sectional differences within the State of Colorado. It is in the legislation at the specific request of Colorado and for the specific purpose of assuring the people of the State of Colorado that the water laws of that State with respect to priority of appropriation will be complied with. The language provides that in the administration of projects authorized by this Act or by the Colorado River Storage Project Act that are within and for the sole benefit of Colorado, the Secretary must comply with the laws of Colorado with respect to priority of appropriation and with respect to Federal and State Court decrees entered pursuant to such laws in the diversion and storage of water. The Committee of Conference understands this requirement to mean that diversion and storage rights for these projects will be junior to existing rights recognized under Colorado law. This is merely a reaffirmation of the rule of law that would apply in any event. The Secretary is also directed to comply with any operating principles approved by the State which he may adopt for these projects. The Secretary is not required, however, to adopt any operating principles. This language is not intended to interfere with the executive discretion of the Secretary in contracting for the sale and distribution of water.

Section 502 deals with the financial problems created by the filling of Lake Powell and the resulting impairment of firm power production at Hoover dam. The Committee of

Conference adopted the language of the House amendment with one change to make it clear that the annual transfer of $500,000 to the Upper Colorado River Basin Fund from the Colorado River Development Fund starts with fiscal year 1970.

TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

The language of Title VI relates primarily to the reservoir operating criteria for Hoover and Glen Canyon dams. The Committee of Conference adopted the language of the House amendment with two minor changes.

Section 601(b) requires the Secretary to make reports at five-year intervals showing consumptive uses and losses of water from the Colorado River system. The Committee of Conference added language which requires that such reports include a detailed breakdown of the beneficial consumptive use of water and specific figures on quantities consumptively used from the major tributary streams flowing into the Colorado River on a State-by-State basis.

The Committee of Conference was fully aware of the long and arduous negotiations among the seven Colorado River Basin States with respect to the reservoir operating criteria set out in Section 602 and of the importance of these operating criteria toward finally settling the disputes which have long existed between the two basins. The language expressed in this title, which is in both the House amendment and S. 1004 as passed by the Senate, constitutes a fair and reasonable solution of the problem of protecting the future water resources development of the four Upper Division States and also providing for the use of the water in the Lower Division States until the water is required upstream, thus resulting in the greatest beneficial use of the available water.

Sections 603, 604 and 605 of the Conference Report are identical to language in the House amendment. Section 605 prohibits any licensing by the Federal Power Commission on the Colorado River between Hoover Dam and Glen Canyon Dam until and unless authorized by the Congress.

In Section 606, which defines certain terms used in the Act, the Committee of Conference added language defining "Western United States" as those States lying wholly or in part west of the Continental Divide.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
ED EDMONDSON,
MORRIS K. UDALL,
CRAIG HOSMER,
LAURENCE J. BURTON,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I am pleased to be able to advise my colleagues that the Colorado River Basin project legislation which we bring back from conference today is in much the same form that passed this body on May 16. As the statement of managers on the part of the House indicates, the House amendment to S. 1004 was adopted by the committee of conference as to form, and relatively few changes were made in the language.

There are only two changes in the House language which I consider of major significance. The first relates to the study provisions included in title II which are directed toward meeting the long-range water needs of not only the Colorado River Basin but the entire western part of our Nation. You will recall that when this legislation was before the House, our colleagues from the Pacific Northwest opposed it because of their concern that the study provisions in title II might, in some way, adversely affect future development in the Northwest. They felt that their area was a target of the studies for new sources of water. This, of course, was not the case, and I was very disappointed that our attempts to develop language acceptable to the Pacific Northwest were not successful. Therefore, it is particularly gratifying to be able to report that in conference we have resolved this matter to the satisfaction of both the Pacific Northwest and the Colorado River Basin States and that we have done so without sacrificing the westwide water planning concept which I consider so important to future water development in the West.

The new study provisions developed by the committee of conference appear in section 201 of the conference report. This study directive along with the statement of congressional policy and objective in title I clearly give the Secretary of the Interior the authority and responsibility for planning the best possible use of this Nation's water resources west of the Continental Divide and for meeting the future water needs of our 11 Western States.

The new language agreed to in conference as a substitute to section 201 of the House amendment directs the Secretary of the Interior to conduct full and complete reconnaissance investigations for the purpose of developing a general plan to meet the future water needs of the Western United States, a term which is defined as those States lying wholly or in part west of the Continental Divide. The Secretary is required to report periodically on the investigations and to make such recommendations as are warranted as the study proceeds. Top priority is to be given to determining the most economical means of augmenting the water supply of the Colorado River since the Colorado Basin is the most critical water-short area of our Nation. All possible sources of water must be considered, including water conservation and salvage, weather modification, desalination and importation from areas of surplus. However, studies of any plan for importation of water into the Colorado River Basin from other drainage basins lying outside the Colorado River Basin States are prohibited for a period of 10 years. During this moratorium all other phases of the westwide water study will go forward and after the moratorium ends the overall westwide study can continue without restriction.

Mr. Speaker, the importance of the provisions for westwide water planning as a part of this legislation cannot be overemphasized, for without augmentation of the water supplies available from the Colorado River, there can be no successful central Arizona project.

The agreement we reached in conference on the study provisions opened the way to a quick settlement of all the other differences in the legislation. The only other major change in the language approved by the House is in connection with the capacity of the Granite Reef aqueduct, the main conduit for conveying water from the Colorado River to the Central Arizona project service area. The language agreed to in conference permits an increase in the capacity of this aqueduct from 2,500 cubic feet per second to 3,000 cubic feet per second if such an increase is determined to be feasible. If this additional capacity is constructed it will add about $53 million to the cost of the central Arizona project, but all of this additional cost will be repaid.

Having explained the two major changes by the committee of conference in the language approved by the House, let me briefly refresh your memory on what this legislation does.

In addition to the planning provisions which I have already covered, the legislation declares that satisfaction of the water requirements of the Mexican Water Treaty constitutes a national obligation which shall be the first charge against any augmentation program. This means that the Colorado River Basin States will be relieved of the requirements of delivering water to Mexico under the treaty at such time as sufficient new water is made available through federally financed augmentation works to satisfy the treaty requirements.

As to physical works, additional water resources developments are authorized in both the Lower and Upper Colorado River Basins. In the lower basin, the central Arizona project is authorized at a cost of about $932 million while in the upper basin the Animas La Plata, Dolores, Dallas Creek, West Divide, and San Miguel projects are authorized at a cost of about $392 million. The Dixie project in Utah is reauthorized as a lower basin project and the Uintah unit of the central Utah project is conditionally authorized as an upper basin project.

In connection with the administration of the Supreme Court decree in Arizona against California, California is given 4.4 million acre-feet of main-stream Colorado River water annually with a priority over central Arizona project water.

A Lower Colorado River Basin development fund is established which will assist the central Arizona project and the previously authorized Dixie project, but which is dedicated primarily to assist the future construction of augmentation works which may be authorized by the Congress.

The legislation also includes guidelines for water management throughout the Colorado River Basin, and reservoir operating criteria for Hoover and Glen Canyon Dams which assure equitable treatment of all seven States of the basin now and in the future.

Lastly, the legislation removes that stretch of the Colorado River between Hoover Dam and Glen Canyon Dam from the licensing authority of the Federal Power Commission, thus reserving decision with respect to any development on this stretch of the river for action by the Congress.

Mr. Speaker, more important than the projects which this legislation authorizes is the fact that it represents the first real approach to unity in the West on water development since the 1920's—unity and cooperation not only among the Colorado River Basin States but between the Pacific Southwest and the Pacific Northwest. I believe that this legislation opens a way to a new era of water development and economic prog-

ress in the West, and I urge the approval of the conference report on S. 1004.

Mr. Speaker, at this time I yield to my friend, the gentleman from Oregon [Mr. WYATT].

Mr. WYATT. I thank the gentleman.

I should like for the purpose specifically of making legislative history to ask our distinguished chairman this question: Does section 201 of this bill change the responsibilities of the Water Resources Council and the river basins commissions organized in the Western States with regard to the preparation of coordinated budgets for water planning in the Western States in which the Secretary of the Interior is directed to make reconnaissance studies?

Mr. ASPINALL. May I advise my colleague that it does not. It is coordinated with those acts.

Mr. WYATT. I would also ask my colleague: Is there any intent to change the direction of the comprehensive studies already underway in the Pacific Northwest under the sponsorship of the Pacific Northwest River Basins Commission?

Mr. ASPINALL. There is not. That Commission will continue to act.

Mr. WYATT. Finally, my assumption is that it is not intended that the Secretary of the Interior be placed in any different relationship to the Water Resources Council and the river basins commissions insofar as those agencies are now authorized, than presently is the case. I do assume that the Secretary may be authorized to summarize and report from such studies and to conduct independent study of any factors not undertaken by the studies fostered by the Water Resources Council on river basins commissions. Is that correct?

Mr. ASPINALL. As I understand the situation, that assumption is correct.

Mr. WYATT. I thank the gentleman.

Mr. ASPINALL. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Speaker, the matter now before the House, the conference report on S. 1004, regarding the central Arizona project, is a most important piece of legislation. It is important because this legislation introduces a new concept in water resource development. We now abandon the traditional concept of river basin water resource development and embark upon the new concept of regional or "westwide" water resource development and planning.

I submit, Mr. Speaker, that the adoption of this new concept is a most convenient instrument for the benefit of certain vested interests in the Colorado River Basin, and most subtly devised as the price the State of Arizona must pay for its long-sought central Arizona project and the right to put to consumptive use its share of the Colorado River waters as decreed by the U.S. Supreme Court in *Arizona* v. *California* (376 U.S. 340).

Over the years that I have served in the Congress I have consistently supported the authorization of the central Arizona project. However, in the past, attempts to obtain Federal authorization of the central Arizona project have been thwarted by every possible means until the decree in *Arizona* v. *California* (376 U.S. 340) could be legislatively reversed.

Mr. Speaker, I want my colleagues to know that, in approving the conference report on S. 1004, they are legislatively reversing that Supreme Court decree.

As the member of the Committee on Interior and Insular Affairs who offered the motion sending the States of Arizona and California into the Supreme Court, I do not wish to support a legislative reversal of that decision.

While the conference report on S. 1004 authorizes the construction, operation, and maintenance of the central Arizona project, this authorization has not been without serious and bitter controversy.

During the 89th Congress, similar legislation authorizing the central Arizona project in the Lower Colorado River Basin project sought to place two dams in the Grand Canyon area as the "cash registers" for financing the project.

All of you in this body know that the attempt to place these dams in the Grand Canyon touched off one of the major conservation issues of our time. As an ardent conservationist, I was privileged to lead the fight in the Halls of Congress against placing the proposed dams in the Grand Canyon. And, I am happy to state that we conservationists won that fight. But more so, Mr. Speaker, I am proud that we were able to fight off the threat which would have destroyed a most treasured segment of our American heritage.

The conference report on S. 1004 now before us still contains some most controversial provisions. While the conference committee did make some improvements in the legislation as reported, the conference committee failed to remove from the legislation the provision making the Mexican Water Treaty burden a national obligation, and the provisions of the legislation which grant to the State of California a guarantee of 4.4 million acre-feet of water per year in perpetuity.

These two objectionable features which remain part of this legislation make it impossible for me as a conferee to sign the conference report.

The major premise espoused by the proponents of this legislation as the justification for its controversial provisions is the shortage of water in the Colorado River and "the fact that the river has never produced the water expected of it." If this is in fact true, then it would follow that the legislation should not contain provisions which guarantee the availability of 4.4 million acre-feet of water in perpetuity to the State of California. Is there now some guarantee from the Almighty that we shall have available in perpetuity at least 4.4 million acre-feet of water in the river? I think not.

The most objectionable provisions of this legislation remain the shifting of the burden of the Mexican Water Treaty from the Colorado River where it belongs to all the United States and at the expense of all the people of this Nation.

The import of these provisions is in the fact that if the satisfaction of the Mexican Water Treaty requirements is made a national obligation, the States of the Colorado River Basin receive a windfall of approximately $2.5 billion in the costs of the proposed Colorado River Basin project.

It is also stated that the apportionment of water to Mexico under the treaty was done on the basis of a mistake of fact as to the amount of water available in the river. An examination of the record clearly shows that all the basin States participated in the treaty negotiations as early as 1922, and since 1944, all the basin States have known the amount of water Mexico is entitled to from the Colorado River.

There is no reason at this time to unilaterally legislate the satisfaction of the Mexican Water Treaty burden nor to shift costs of satisfying this burden upon all the American taxpayers.

Mr. Speaker, because these controversial provisions remain in the legislation, I have refused to sign the report of the conference committee as a member thereof.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, it is with gratitude and humility that I speak today to my colleagues of the House in support of the Colorado River Basin project bill. After all, it was the great majority of you who so resoundingly voted for the bill on last May 16 who have made it possible for me to stand here before you today to ask for the final approval of this great natural resource act as it is proposed by the joint conference committee.

Yes, certainly, this bill benefits my own State of Arizona, and as a native son of Arizona I hold it very close to my heart. The central Arizona project is an essential ingredient of my State's future. But in the years during which so many dedicated Arizonans, both here in the Congress and at home, have labored to achieve their goal we have learned the special statesmanship of water which now reaches far beyond the boundaries of any one State.

This bill now before you was in a very real sense mastercrafted by the very wise chairman of the Interior Committee, the gentleman from Colorado [Mr. ASPINALL]. I am sure he would insist that he had the assistance of the many able members of his committee on both sides of the House. That, too, would be true, and I pay tribute to all of my colleagues who helped shape a bill which no doubt will become a milestone in a new era of water resource development in this Nation.

As you well know, this bill is the result of very difficult and agonizing compromise which required several years and involved a great many people and many areas of widely divergent interests. There has been no doubt of Arizona's need for the central Arizona project; and since the Supreme Court decree of March 9, 1964, there has been no question of Arizona's right to use its 2.8 million acre-feet of mainstream Colorado River water.

The basic issue has been the possible effect of the central Arizona project upon the equal rights of other States. Thus, regional considerations became primary, and the challenge became a national interest, testing old and new ideas and

principles of vital natural resource development.

Believe me, this bill has been through the legislative mill again and again, and it comes before us now—ground, faceted, and polished to a state as near perfection as any such complex matter can be. Its enactment is supported by the administrative branch. It is essentially the same bill previously passed by the House on last May 16. It has gone through a joint conference committee with the other body, and we of this body can be justifiably proud that our work was so well done that no great difficulty was encountered in composing the differences between the bill which you, my colleagues, passed and the bill previously passed by the other House.

As is the case with most major legislation, the passage of this bill is the result of many difficult but important compromises. Perhaps the greatest of these was the ultimate resolution of the long and bitter controversy between Arizona and California concerning priorities in times of shortage. California contended that it should have a priority to 4.4 million acre-feet of water annually over the central Arizona project when there is less than 7½ million acre-feet of mainstream Colorado River water available for consumptive use in Arizona, California, and Nevada.

On the other hand, Arizona contended that, by the decision of the Supreme Court, its rights were equal to California's rights and that the Congress should not "reverse the lawsuit." Arizona did, however, in the Senate version, agree to give California a priority for a period of 27 years, which period coincides with bond payments for the metropolitan aqueduct.

The House version which is now agreed to by Arizona and approved by the conference committee does give California its desired priority—but with one important feature added. This feature is the assumption of the treaty obligation to Mexico as a national obligation. Without this, Arizona could never have agreed to California's demand. But with the agreement by the United States to provide Mexico's entitlement under the treaty, the so-called priority to California becomes of little or no consequence. When shortages do begin to occur—some time near the turn of the century—then the United States is obligated, under this compromise, to provide water needed for delivery to Mexico.

Furthermore, should a shortage ever in reality develop to the extent of bringing into force the priorities against some part of the central Arizona project diversions in some years, the available supply from that source can be supplemented in those years by the use of our precious but available groundwater.

Other provisions of the bill are not only intended to prevent the occurrence of shortages in water allocated to the Colorado River Basin States but are further intended to provide supplemental waters to meet the increasing water requirements of the entire basin.

The Secretary of the Interior is directed to conduct reconnaissance investigations for the purpose of "developing a general plan to meet the future water needs of the Western United States," and to make a final reconnaissance report by June 30 of 1977. Quite naturally, Arizona and the other Colorado Basin States wish that this bill did not impose a 10-year moratorium on investigation of the practicability of augmenting the supply of Colorado River water by importation from sources outside the Colorado drainage basin.

We sincerely believe that surpluses do exist and will continue to exist for the foreseeable future in some other basins, and that they could be utilized to the economic advantage of both the import and the export regions with adequate protection of the potential areas of origin. However, we accept the restriction in a spirit of interregional good will and understanding, and with the conviction that the delay will result in sound and mutually acceptable conclusions and action. In the meantime, other means for achieving some supply of augmentation can and will be investigated.

While on this subject, we ought to understand as precisely as possible what is meant by augmentation. Section 603(g) of the bill defines the words "augment" or "augmentation" of Colorado River water supply as any increase of the available supply in the river which is the result of an introduction of water into the main stream of the river or its tributaries, which introduction is in addition to the natural supply of the system.

Since the purpose of this bill is "to provide a program for further comprehensive development of the water resources of the Colorado River and for the provision of additional and adequate water supplies for use in the Upper as well as in the Lower Colorado River Basins," there can be no doubt that new water added to the system, whether by importation, desalting of sea or brackish waters, weather modification, watershed treatment, salvage, or other means, is in fact an augmentation of the "natural supply of the system." Certainly the conference committee intended that meaning.

We are indeed gratified that the bill does recognize and implement the contention of the Colorado Basin States that the water burden imposed upon the river by the Federal treaty with Mexico is a national obligation. Satisfaction of that delivery requirement is made the first obligation of any augmentation project for which plans are made. Augmentation of the Colorado River supply by an amount sufficient to meet the full burden of the Mexican Treaty will in fact make whole the presently allocated uses in the seven States of the Colorado Basin; and the priorities for present users in the lower basin, as against the central Arizona project in the event of flow shortages, will not become applicable.

A compromise feature of the bill which makes good economic and financial sense is that which provides for a central Arizona project Granite Reef aqueduct having a capacity of up to 3,000 cubic feet per second if such capacity is found to be feasible.

This provision relates to both the annually fluctuating supply of water available from the river under present conditions, and to planning for eventual augmentation of that supply. The original Granite Reef Aqueduct designed capacity was only 1,800 cubic feet per second. With this built-in physical limitation, no more than 1.2 million acre-feet of water annually could ever be diverted into central Arizona. We all know that there will be some years in which more than that will be available—available, but not usable unless there is adequate aqueduct capacity to deliver it. Any such available surplus can be used to proportionately reduce ground-water pumpage and thus store the extra water against years of reduced Colorado River water availability.

In addition to that advantage of greater aqueduct capacity, there is the obvious one that, with greater capacity, Arizona will be physically able to utilize some part of the increased water supply which will eventually become available from the Colorado River through augmentation by whatever means is found to be most feasible. Building to a greater capacity now will save many millions of dollars at a later date when costs will have very substantially increased.

Flexibility of designed capacity is thus in the national interest as well as being advantageous to Arizona. We understand that the 3,000 cubic feet per second is intended to set the capacity unless studies indicate a reduction thereof is essential under the construction feasible. Arizona is satisfied with this provision and appreciates the agreement and support of her sister States.

In examining the bill in more or less orderly fashion, I must at this point make a brief reference to a matter that is of great significance to users of water along the Gila River. In 1935 the U.S. District Court for the District of Arizona decreed—Globe Equity No. 59—certain water rights which have been the subject of legal disputes and negotiation among water users. It very definitely is not the intent of the Congress in any way to increase, diminish, alter, affect, or disturb the validity, if any, of Globe Equity No. 59 by the reference to it in section 301(a)(3) and section 304(f)(3) of this bill.

This Congress can take justifiable pride in the manner in which it has resolved the sticky problem of power generation required for the central Arizona project. The misguided but effective campaign of the preservationists who opposed the construction of hydroelectric power dams on the mainstream of the Colorado River between Hoover Dam and Glen Canyon Dam brought this problem to us in a forceful manner. This bill provides a moratorium on construction of dams in this reach of the river unless such dams are authorized by some future Congress.

Many water leaders in the Colorado River Basin States are firmly convinced that the proposed dams would have actually enhanced the value of the river and that the dams should have been built. Despite this feeling, it was the decision of the Congress to eliminate the dams even though the powerplants at these dams could have contributed so much to the central Arizona project, and to the economic and social welfare of two needy Indian tribes in Arizona.

Substituted for the hydroelectric dams, as a source of energy for pumping central Arizona project water is a prepurchase plan calling for a cooperative approach with the utility industry. The Secretary of the Interior will be authorized to make arrangements with non-Federal interests to acquire the right to a portion of the capacity and associated energy from large thermal powerplants to serve project purposes.

It is recognized that such a plan may result in the Bureau having excess energy for pumping from time to time. The disposition of excess power and energy acquired under the prepurchase plan will include negotiating power banking arrangements with the utilities in the area. This accords with the Secretary's testimony before the House and Senate committees.

Cooling water required for such a thermal electric generating plant located in Arizona will be acquired by contract with the Secretary of the Interior and shall be from the available portion of the 50,000 acre-feet allocated to Arizona annually by the Upper Colorado River Basin compact. We in Arizona, including the Navajo Indian Tribe whose lands comprise virtually all of Arizona's upper basin areas, agree that this use for that water is the best economic purpose to which it can be dedicated.

Although this bill makes no reference to the fact, it is nonetheless true that if the presently unused portion of the 50,000 acre-feet allocated to Arizona by the upper basin compact proves to be inadequate for the thermal plant operation, the Secretary is not precluded from making, under existing laws, short-term sales of presently surplus Colorado River water to operators of the proposed thermal plant in Arizona.

One other provision of this bill bearing on acquisition of power for central Arizona project pumping and augmentation of the Lower Colorado River Basin fund requires clarifying comment.

The language of section 303(b)(1) might be misinterpreted to require completely finalized formal contracts for the purchase of power generated at thermal plants to be built by non-Federal interests before the Secretary of the Interior could advance any Federal funds for purchase of generating capacity. Because of the complexity of such contractual negotiations, and the need to place orders for large generators and other major equipment by no later than January 1, 1969, letters of intent or other suitable understandings between the Secretary and plant participants will be deemed an adequate basis upon which the Federal Government can make its share of construction progress payments as such payments become due.

Those provisions of the bill which provide benefits for the upper basin have Arizona's support. I refer to benefits other than the primary one, which, of course, is the provision for investigations of river augmentation and the all-important assumption of the Mexican Treaty burden as a Federal obligation.

For the State of Utah, the Dixie project is reauthorized to make it eligible for repayment participation in the Lower Colorado River Basin development fund. Again, this represents a compromise in the interest of basinwide unity.

The bill authorizes six projects in the upper basin, one of which benefits both Colorado and New Mexico; four of which benefit Colorado only; and one in Utah. Collectively, these projects when completed will go a long way toward achieving utilization of the upper basin's share of Colorado River water. And in this case, too, Arizona agrees in the interest of regional unity.

Early in the period of negotiated and agreed-upon compromise, Arizona accepted the concept of a Lower Colorado River Basin development fund as a means of financing repayment of lower basin States projects, including the central Arizona project, and of financing whatever means is developed for augmentation of the water supply in the Colorado River beyond the Federal responsibility for the Mexican Treaty obligation.

Arizona did not anticipate being given separate treatment under the terms of the fund provision, and although we now accept those terms, we do so again only as a concession to the overriding need for regional unity.

The central Arizona project participates in the disbursement of moneys from the fund only to the extent of the surplus available from her usage of power from Hoover and Parker-Davis generating plants and the Pacific Northwest-Southwest intertie.

In summary, gentlemen, I ask for approval of the conference report. Arizona's life depends upon it. Her hope of continuing and expanding her role in the future of this great Nation of ours is wrapped in this legislative package. Beyond that we share with our sister States of the Colorado River Basin the belief that in this bill we have honestly faced and resolved problems of water resource development in a manner that opens a new era of regional accommodation and cooperation. We believe we have established a pattern that will serve the essential goals of all other States and regions as they, too, come to grips with the increasingly complex nature of water supply development.

Bringing peace to the Colorado River States—and that is what we believe this bill accomplishes—may be a small thing in a world that is torn by suspicion and ugly conflict, but where can a better beginning be made in peacemaking than here in our own land among our own people?

The Bible suggests that if we cast our bread upon the waters it will be returned to us again.

Arizona faithfully casts its bread upon the waters of regional cooperation. We trust that our act of faith will be rewarded by this act of the Congress.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield to me?

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

Mr. STEIGER of Arizona. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Arizona [Mr. UDALL].

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

Mr. UDALL. I yield to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I thank my colleague for yielding to me. Although I am not completely in accord with all of its provisions, I support the conference report. This is a great day for the West and for the State of Arizona. I wish to congratulate the members of the Committee on Interior and Insular Affairs for the job that they have done.

Mr. HANSEN of Idaho. Mr. Speaker, will the gentleman yield?

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

Mr. HANSEN of Idaho. Mr. Speaker, I urge adoption of the conference report.

The conference report is infinitely better legislation than the bill which passed the House authorizing the Colorado River project in that it does not transfer to the entire United States, en toto, the obligation of the Colorado River Basin States under the United States-Mexican Water Treaty of 1944, but rather stipulates that they pay their pro rata share of any project built.

Another feature of the conference report that is superior to the House-passed bill is the amendment offered by the gentleman from Colorado, the distinguished chairman of the House Committee on Interior and Insular Affairs [Mr. ASPINALL], and Senator LEN B. JORDAN of my State of Idaho, which instructs the Secretary of the Interior not to undertake any study leading to the importation of water into the Colorado River Basin during the next 10 years from any other river basin.

This moratorium, Mr. Speaker, will give States in other river basins sufficient time in which to justify their own long-range water needs. It is absolutely essential for their continued growth and progress that this be done.

It has been a long time, Mr. Speaker, since the great State of Arizona first proposed their own central Arizona project, and I am pleased that the language of this bill will make their dream at last come true.

I would like to commend both House and Senate conferees for the statesmanlike approach they took in ironing out the differences in the House and Senate versions of this bill, and particularly I commend the gentleman from Colorado [Mr. ASPINALL] and Idaho's distinguished Senator LEN B. JORDAN for the solution they reached in allowing the State of Idaho and the other States of the Pacific Northwest the time needed to study their water resources and future needs. It has been a great pleasure working with House conferees on this matter and I am deeply gratified that they were able to see and support our position on this all-important aspect of the bill.

Mr. Speaker, again I urge adoption of the conference report.

Mr. ASPINALL. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. WYATT].

Mr. WYATT. Mr. Speaker, I thank the gentleman from Colorado for yielding this time to me.

This is indeed a great day for us in the West. In the 4 years that I have been on the House Committee on Interior and Insular Affairs this has been the major project and the big item that we have been considering. I could not sit through these hearings without compassion and real sympathy for the people of the Southwest and for our colleagues here in the House and on the Senate side

with regard to the problems that they have had. Particularly I would like to note that we in the Northwest attempted to take an affirmative approach to this. I was a cosponsor of the bill authorizing Federal participation in the Bolsa Island plant, which is unfortunately running into great difficulty. Many of us have had a great interest in desalting and new techniques which have been developed with regard to that throughout the world. I personally visited 14 installations. We have not been negative in our attitude on the matter. I would particularly like to commend the conferees for the agreement they have achieved as represented by this report and would like to express my particular appreciation and gratitude to the chairman of the committee and to the ranking Republican member of the committee for the strong efforts that they have made during the last 4 years to accommodate the interests of the Northwest.

This has been done in this conference report. I had to vote "no" in committee and voted "no" on this bill when it came up for consideration on the floor of the House. However, today I am going to vote "yes" and I am proud of this vote and I congratulate the conferees for the job which they have done.

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

Mr. WYATT. I yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Speaker, I would like to associate myself with the remarks of my colleague, the distinguished gentleman from Oregon [Mr. WYATT]. There is no single more important item in the Far West, embracing the Southwest as well as the Northwest, than water. We in the Northwest are deeply concerned that the water needs of our friends in the Southwest be adequately taken care of, without damage to the water requirements of the Northwest. I believe that the compromise of conflicting desires achieved in this conference report is fair to all sides.

Mr. Speaker, I have joined my colleague from Oregon in following very closely the progress of S. 1004. In its earlier form I strongly opposed it when it was before the House for action. But in its amended form as it appears before us today in this conference report, I shall support it.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, I am happy to urge the adoption of the conference committee report on S. 1004. This bill is of vital concern to the rapidly growing States of the Western United States. It represents the best of the work of many individuals from those States who have worked diligently and long these past years. Enactment of the bill into law will be a great step forward in helping the people of the Colorado River Basin resolve numerous problems and controversies which have been created by the rapid population growth and dwindling water supplies.

I am especially pleased that the committee saw fit to include as a part of this bill two sections which affect only the State of Colorado. These sections are section 501(e) and section 501(f). The city and county of Denver being the First Congressional District of Colorado, which I have the privilege of representing, derives a significant portion of its water supply from the major tributaries of the Colorado River. Because of its dependence upon that source of water, it is vitally concerned with any Federal legislation affecting the Colorado River. Enactment of these two sections into law will help to eliminate the concern which has arisen because of this legislation.

My interest in these provisions stems from the fact that Green Mountain Reservoir is located on the Blue River, one of the major tributaries of the Colorado River, from which the Denver metropolitan area now derives a part of its water supply. That area must necessarily look to this river for increasingly large amounts of its supply to support its future growth. Denver's rights to the use of this water, created by the people of Denver at a cost of more than $70 million, are closely tied in with the operation of Green Mountain Reservoir under Senate Document No. 80, 75th Congress, first session, by reason of the incorporation of certain provisions of that document in that decree of the U.S. District Court for the District of Colorado which defines the rights of both the United States and Denver in the Blue River.

Under the law, the definition of those rights by the court is simply a description of what Denver and the United States, as appropriators, did to create their respective rights. In describing the rights of the United States therefore, the court, rather than presuming to intrude upon the functions of Congress, merely copied the language of Senate Document No. 80 without interpreting it. Since question exists, not as to any court interpretation, but as to the Congress purpose in creating Green Mountain Reservoir, it is appropriate that only Congress resolve any problem relating to this Federal property which may have arisen out of this congressional document.

In reporting on sections 501(e) and 501(f), the Committee on Interior and Insular Affairs of this House, stated in its report on H.R. 3300—Report No. 1312, 90th Congress, second session, at pages 81 and 82:

> In the administration of projects authorized by this Act or by the Colorado River Storage Project Act that are within or for the sole benefit of Colorado, the Secretary is required to comply with the laws of Colorado with respect to priority of appropriation and with respect to Federal and State Court decrees entered pursuant to such laws, in the diversion and storage of water. The Committee understands this requirement to mean that diversion and storage rights for these projects will be junior to existing rights recognized under Colorado law. This is merely a reaffirmation of the rule of law that would apply in any event. The Secretary is also directed to obtain the approval of the State of Colorado to any operating principles he may decide to adopt for these projects. The Secretary is not required, however, to adopt any operating principles. The Committee does not intend this language to interfere with the executive discretion of the Secretary in contracting for the sale and distribution of water.
>
> Subsection (f) has been included in the legislation in order to give congressional interpretation to the meaning of the words "any western slope appropriations" that appear in paragraph (i) of the section of Senate Document No. 80, 75th Congress, 1st session, entitled "Manner of Operation of Project Facilities and Auxiliary Features.' The meaning of these words which this subsection approves is the same as that approved by the Colorado Water Conservation Board. The section of Senate Document No. 80 referred to provides for three principal water components of the Colorado-Big Thompson Federal reclamation project; namely, for diversion of water to the eastern slope of Colorado, for storage of replacement water, and for storage of water for use in western Colorado. The replacement water (52,000 acre-feet) and water for use in western Colorado (100,000 acre-feet) are stored in Green Mountain Reservoir in western Colorado.
>
> The last sentence of paragraph (g) of the particular section of Senate Document No. 80 in question says:
>
> "The 100,000 acre-feet of storage in said reservoir shall be considered to have the same date of priority of appropriation as that for water diverted or stored for transmountain diversion."
>
> This quoted sentence is subsequently qualified by paragraph (i) of the same section which, with reference to the Colorado River Compact, states, in part, as follows:
>
> "Notwithstanding the relative priorities specified in paragraph (g) herein, if an obligation is created under said compact to augment the supply of water from the State of Colorado to satisfy the provisions of said compact, the diversion for the benefit of the eastern slope shall be discontinued in advance of any western slope appropriations."
>
> The Committee was informed that there has been considerable misunderstanding within the State of Colorado as to the effect of the additional projects herein authorized when viewed in the light of the above quoted provisions of Senate Document No. 80. Although the misunderstandings may be less real than they appear, the Committee agrees to resolving the matter by approving the interpretation of the words 'any western slope appropriations' to mean and refer to the appropriation heretofore made for storage in Green Mountain Reservoir on the western slope of Colorado. It is the view of the Committee that any other interpretation would interfere with water rights vested by law in prior appropriators, and that the approved interpretation defines and observes the purpose of said paragraph (i) of Senate Document No. 80, and does not, in any way, affect or alter any rights or obligations arising under Senate Document No. 80 or under the laws of the State of Colorado.

This matter concerning Senate Document No. 80 affects no other State than Colorado. If it did, as a Member of the national Congress, I would have to exercise my judgment, not only from the local viewpoint but from the viewpoint of national interest as well. Here I have no such problem; the State of Colorado has spoken officially through its water conservation board, its legislature, and its Governor who testified before the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs of this House on May 9, 1966—pages 1044 and 1045 of serial No. 89–17, part II, hearings on H.R. 4671 and similar bills, 89th Congress, second session.

Governor Love, in the following quoted testimony, refers to sections 501(d) and 501(e) of H.R. 4671, then pending before the committee. Sections 501(e) and 501 (f) of the conference committee report on S. 1004 are now identical with sections

501(d) and 501(e) of H.R. 4671, respectively. Governor Love said at that time:

Because it is of interest to the State of Colorado only, I would like to call the committee's attention to sections 501(d) and 501(e) in title V of the committee print. We always have an educational problem in Colorado concerning reclamation projects, and I presume the same is true in other States. In planning any project there are always rumors circulated to the effect that the Federal Government is attempting to destroy vested water rights. While this has never been the case in our State, we feel that the matter is of sufficient importance to justify the insertion of a section directing the Secretary to comply with the priority of water rights established under our State Constitution. Actually, each project has always been planned by the Secretary on this basis. Nevertheless, from our viewpoint, it is highly desirable to have the Congress approve the language of section 501(d). We are not attempting in any way to interfere with the discretion of the Secretary in entering into appropriate contracts for the sale and distribution of water from the projects under his jurisdiction.

The current controversy concerns the meaning of the words "any western slope appropriations." It appears clear enough from the document that such words apply only to the priority of water in Green Mountain Reservoir for use in western Colorado, as set forth in paragraph (g). Any other interpretation would do violence to rights vested by law in prior appropriations.

Since it is a congressional document which creates the problem, we feel that it is necessary to have the matter clarified by the Congress. It is not our intention that any rights in western Colorado to the use of water from Green Mountain Reservoir be diminished or impaired. We ask only that the intent of Senate Document No. 80 be observed by all parties.

The Colorado Water Conservation Board, the official water policy group of the State of Colorado, when considering this problem at its meeting of February 8, 1966, in official action, adopted the following position:

While the misunderstanding may be more vexatious than real, it now appears necessary that this Board adopt, as a matter of state policy, an interpretation of paragraph (i) of the section of Senate Document No. 80 entitled "Manner of Operation of Project Facilities and Auxiliary Features." This interpretation is that the words "any western slope appropriations" in said paragraph (i) mean and refer to the appropriations heretofore made for storage in Green Mountain Reservoir. This interpretation defines and observes the purpose of said paragraph (i), and does not, in any way, affect or alter any rights or obligations arising under Senate Document No. 80 or under the laws of the State of Colorado.

The Colorado Water Conservation Board was not a party to nor heretofore has taken any position on Senate Document No. 80. It is now the position of the Board that it ratifies, confirms, and accepts all of the provisions of Senate Document No. 80, 75th Congress, 1st Section, as though it were originally a party signatory to said document, subject to the interpretation of paragraph (i) as above set forth.

The congressional interpretation of the meaning of paragraph (i) of Senate Document No. 80 as stated in section 501(f) and the official adoption by the State of Colorado of the provisions of Senate Document No. 80, including the interpretation of paragraph (i) thereof as contained in section 501(f), along with section 501(e), wherein the Secretary is directed to comply with operating principles, if any, adopted by the Secretary and approved by the State of Colorado, give further assurance that the intent of paragraph (i) of Senate Document No. 80 will be observed by all parties. That intent as clarified by section 501(f) was expressed in my question to the chairman of the Committee on Interior and Insular Affairs of this House on May 15, 1968, during the debate on H.R. 3300—CONGRESSIONAL RECORD, page 13466. My question was:

Do you understand that the effect of section 501(f) is to cast the burden of providing water for a Lee Ferry deficiency upon all the water rights on the Colorado River within Colorado in the order of their priority under state law?

To which the chairman replied: "Yes, I do."

With sections 501(f) and 501(e) in the bill, I give my wholehearted support to its passage.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. FOLEY].

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. ASPINALL. Mr. Speaker, I yield the gentleman 1 additional minute.

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

Mr. FOLEY. I am delighted to yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, I too wish to join with the gentleman from Washington in commending the members of the conference committee for the manner in which they have worked out this problem, especially with respect to our water problem in the Pacific Northwest. All of us who represent the State of Washington feel that they did a very good job and we are very grateful to them for considering this matter in the way and in the efficient manner in which agreement on the controversy was reached.

Mr. Speaker, I too voted "no" when this legislation was under consideration in the House originally. However, I am going to support the conference report today.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Utah [Mr. BURTON].

Mr. BURTON of Utah. Mr. Speaker, I rise in support of the conference report. Water and its use is the life and death of this country. More specifically, and more important to my part of the country: water from the Colorado River.

The Colorado River bill, is the culmination of 46 years of give and take, problems of water rights, debate, and finally a House-Senate conference to iron out the problems.

It is understandable that the seven basin States should have problems, but other States have been concerned, too. After all, the water from the Colorado has been a life source for millions of people, an untold number of farmlands, and has been a source of water for our friends to the south, in Mexico.

It was fitting that the House version of the legislation included many projects of importance to the people of Utah.

If I might, Mr. Speaker, I would like to mention a few of these important Utah projeccts which have been given the green light by this conference report.

First there is the important Dixie project. The House saw the problem of the Senate's acceptance of only $42 million, certainly not enough money for the project. The House reauthorized the project, and the conferees accepted $58 million, a more reasonable figure.

The report today also authorizes the $43 million Uintah unit, the first segment of the comprehensive Ute Indian unit, and a planning acceleration of the Ute Indian unit by a 6-year stepup, from 1968 to 1974.

And of interest to the entire basin States was the lessening of the burden of delivery water, under the Mexican treaty, to Mexico. The bill now stipulates the burden be a national obligation rather than just one for the basin States.

These are just a few of the major points of interest to my constituents which are a part of this legislation.

Mr. Speaker, I think the legislation finalized by the House-Senate conferees is excellent. It was an honor to serve on the conference and to have worked harmoniously with its distinguished members. I, for one, am proud of the job we did.

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

Mr. BURTON of Utah. I yield to the gentleman from Utah.

Mr. LLOYD. Mr. Speaker, I thank the distinguished gentleman from Utah for yielding to me at this time and I wish to associate myself with his remarks.

Mr. Speaker, I, too, would like to pay my compliments to the distinguished chairman of the House Committee on Interior and Insular Affairs as well as to the ranking minority Member for engineering a realistic compromise accommodating many of the objectives of all the various interests of the States involved. Also I would like to compliment my colleague from Utah, the Honorable LAURENCE J. BURTON, who as a member of the conference committee joined in support of the conference report. He has rendered great service to his State.

Mr. Speaker, it has been suggested by some that in the course of the conferee's meetings on this important legislation that the conferees had retreated from the matter of reconnaissance studies on augmenting the Colorado River, and that the State of Utah and other States of the upper basin had lost something in the shuffle. I submit that this is not the case. There is much in the final package drawn up by the conferees of vital importance to the water development of Utah and the entire Colorado River Basin. Among the provisions in the conference report are:

First. Language to make the Mexican Water Treaty burden a national obligation, rather than an obligation to be borne by the Colorado River Basin States.

Second. Provisional authorization for the $43,782,000 Uintah unit of the central Utah project.

Third. Reauthorization of an enlarged $58 million Dixie project for southwestern Utah.

Fourth. A provision setting a deadline

of 1974 for planning reports on the Ute Indian unit, largest and final unit of the central Utah project.

Although there is a proviso in the conference report delaying for 10 years reconnaissance studies for augmenting the Colorado River, it has been noted by the Central Utah Water Conservancy District that:

Within the terms and conditions of the Colorado River Compact, by this legislation and from testimony presented at hearings on this legislation, water will be available for all the units of the central Utah project.

I believe the conference report represents a workable compromise among the Western States, and I wholeheartedly urge its immediate adoption.

I note for the record the resolutions from the Central Utah Water Conservancy District and the Utah State Board of Water Resources supporting the conference report. They are incorporated herein. I join with the many other Utahans to compliment my colleague, LAURENCE J. BURTON, on the work he has done as a member of the conference committee.

The resolutions follow:

CENTRAL UTAH WATER CONSERVANCY DISTRICT RESOLUTION

Whereas, the text of language has been agreed upon by the Senate and House Conferees for the Colorado River Basin Project Act, and

Whereas, the agreed to language includes:

(1) authority for the Secretary of Interior to conduct a comprehensive investigation for the purpose of developing a general plan to meet future water needs of the Western United States;

(2) that the satisfaction of the Mexican Water Treaty is a national obligation;

(3) the conditional authorization of the Uintah Unit of the Central Utah Project;

(4) a priority of planning status for the Ute Indian Unit of the Central Utah Project;

(5) the reauthorization, at a higher cost, of the Dixie Project and its participation in a lower Colorado River Basin Development Fund;

(6) the reaffirming of the Colorado River Compact and provisions for the establishment of operating criteria for the Colorado River;

(7) directives that the consumptive use of water in the upper basin available from the Colorado River System under the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin; and

Whereas, the language includes an unfavorable proviso which directs that the Secretary of Interior shall not, for a ten year period, undertake a reconnaissance study of any plan for the importation of water into the Colorado River from any other drainage basin lying outside the States or portion of States of the Colorado River drainage basin; and

Whereas, within the terms and conditions of the Colorado River Compact, by this legislation and from testimony presented at hearings on this legislation, water will be available for all the units of the Central Utah Project; now, therefore be it

Resolved, That the Directors of the Central Utah Water Conservancy District recognize the difficulty in development of this important legislation—however believe the benefits that will accrue to the District and to the State of Utah from this legislation merits its support and encourage Utah's Congressional Delegation to support its passage; and be it further

Resolved, That copies of this resolution be provided to the Governor of the State of Utah, Utah's Congressional Delegation, Director of the Utah Division of Water Resources, Utah's Upper Colorado River Commissioner, and other interested parties.

RESOLUTION OF THE BOARD OF WATER RESOURCES

Whereas, the Senate and House Conferees have agreed on language on the Colorado River Basin Project Act, and

Whereas, the report of the Conferees will be considered by both houses of Congress in early September, and

Whereas, the time for compromise and further amending the legislation is past since the report must be either accepted or rejected, and

Whereas, the legislation contains items of great interest and benefit to the State of Utah, and

Whereas, the legislation represents the best overall compromise that can be achieved at this time: Now, therefore be it

Resolved, That the Board of Water Resources, in view of its statutory responsibilities in interstate stream matters, recommends to the Governor and to Utah's Congressional Delegation that they individually and collectively use their influence, give active support, and work to secure the final passage of the Colorado River Basin Project Act as reported by the House and Senate Conferees.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, I believe there are still certain matters that should be made clear. Although the gentleman from Pennsylvania views the terms of the bill to be what he considers a unilateral change in the treaty with Mexico, I believe the conferees by and large regarded it not as any such change in our obligations to Mexico, which of course could not be made by Congress in any event, but rather as a domestic change in positioning the burden of the Mexican Treaty. I would like to make that attitude clear for the record.

Also with respect to the complaint of the gentleman from Pennsylvania about what he chooses to call an alleged "guarantee" to California. The fact is that this bill does not guarantee California 4.4 million acre-feet of water annually. Rather, its provisions are an extension of the gradually developing water shortage formula for the Colorado River which has been taking shape by agreement among the States for several decades. And the fact that it is a fair and equitable extension of the shortage formula is evidenced by the fact that gentlemen from Arizona today arose, as did the other Representatives from other affected States, to express approval of these provisions and to urge favorable action on the conference report. Once such a group of States and their Representatives in Congress can agree on a bill in relation to such a vital matter as water in their arid States and a whole region of the Nation, then it must be a fair compromise and I believe the Congress should approve it.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the chairman of the subcommittee, the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, and Members of the House, I am very happy to be able to come here today and support the conference committee report. I want to say that as far as California is concerned, we are very well satisfied with the agreement that has been reached on the river.

I want to say to the chairman of the full committee that he is to be commended for the fine way in which he has handled this matter this year, and certainly his participation in the conference brought about the compromise that was necessary for all of the people to agree on this report for the most part.

I am very sorry that the gentleman from Pennsylvania did not see fit to sign the conference report, but I am sure nothing in here will be of any detriment to any areas of the United States.

It has been a pleasure for me to have worked with all of the people from the basin States that are affected, in perfecting this piece of legislation. It will resolve our problems for now. We can go ahead with planning and development.

I certainly hope we adopt the report this afternoon.

Mr. ASPINALL. Mr. Speaker, I yield myself 30 seconds to advise my colleagues that as soon as the previous question is ordered I shall ask for a quorum call.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. ASPINALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

CALL OF THE HOUSE

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

The SPEAKER. The gentleman requests a straight quorum call?

Mr. ASPINALL. That is correct, Mr. Speaker.

The SPEAKER. The gentleman from Colorado makes the point of order that a quorum is not present, and evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 308]

Adair	Conyers,	Gurney
Anderson, Ill.	Corman	Halleck
Andrews, Ala.	Cowger	Hansen, Wash.
Andrews, N. Dak.	Cunningham	Hays
Arends	Davis, Ga.	Hébert
Ashley	Dawson	Herlong
Ashmore	Delaney	Holifield
Baring	Denney	Ichord
Barrett	Derwinski	Jacobs
Berry	Dickinson	Johnson, Pa.
Betts	Diggs	Jones, Mo.
Blatnik	Dow	Karsten
Bolling	Eckhardt	Kee
Bolton	Evans, Colo.	King, Calif.
Brown, Calif.	Evins, Tenn.	Kleppe
Brown, Ohio	Fallon	Kyl
Cabell	Flynt	Landrum
Carey	Fraser	Long, La.
Casey	Fulton, Tenn.	McClory
Clancy	Gallagher	McCloskey
Clawson, Del	Gardner	McDade
Colmer	Gray	McMillan
	Gubser	Machen

Mailliard	Rarick	Snyder
Martin	Resnick	Stafford
Matsunaga	Ronan	Stephens
May	Roudebush	Stubblefield
Miller, Calif.	Ruppe	Sullivan
Mink	Satterfield	Teague, Calif.
Monagan	Scherle	Teague, Tex.
Moore	Schweiker	Walker
Moorhead	Sikes	Wiggins
Morris, N. Mex.	Sisk	Yates
Pirnie	Skubitz	
Poage	Smith, N.Y.	

The SPEAKER. On this rollcall 326 Members have answered to their names, a quorum.

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

CONFERENCE REPORT ON S. 1004, CENTRAL ARIZONA PROJECT

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 20, COMPREHENSIVE REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask the distinguished chairman of the Committee on Interior and Insular Affairs if it is his intent to take a little time during which to explain the results of the conference between the two bodies, and to explain as to whether or not any amendments which were added are germane, or other points of interest to the members, to the bill as changed in conference from its structure as passed in the House.

Mr. ASPINALL. Mr. Speaker, if my distinguished colleague from Missouri will yield I shall advise him that at the right time I shall take some time to do what he desires.

May I say to my distinguished colleague from Missouri that as soon as we dispense with the reading of the statement of the managers on the part of the House I shall take 2 or 3 minutes during which to explain just what is contained in the conference report.

Mr. HALL. Mr. Speaker, I appreciate the response of the gentleman from Colorado and, therefore, I withdraw my reservation of objection.

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

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1862)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the Bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the language inserted by the House amendment insert the following:

"(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, except as a retired officer or retired civilian employee of the United States."

And the House agree to the same.

That the Senate recede from its disagreement to the amendments of the House numbered 2, 3, 4, 5, 6, 7, 8, 9, and 10.

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
JAMES A. HALEY,
JOHN P. SAYLOR,
ED REINECKE,
Managers on the Part of the House.

HENRY M. JACKSON,
CLINTON P. ANDERSON,
ALAN BIBLE,
FRANK CHURCH,
ERNEST GRUENING,
THOMAS H. KUCHEL,
PAUL J. FANNIN,
LEN B. JORDAN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes between the two Houses on the amendments of the House to the bill, S. 20, to provide for a comprehensive review of national water resource problems and programs and for other purposes, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report.

The language agreed upon is the language of the House with one exception. House amendment No. 1 includes a provision prohibiting appointment to the Commission of retired officers or employees of the United States. The conference committee recommends the removal of this language.

Although, therefore, the conference report language contains no restriction on the appointment of a retired officer or retired civilian employee of the United States as a member of the National Water Commission, it is clear that the appointment of retired Federal officials who have been deeply involved in Federal water resources development activities would not be consistent with the administration's stated position on the composition of this Commission. In his testimony before the House Committee, Secretary Udall stated:

"It [the Commission] is an outside-Government approach to the problem on the assumption. I think, that when you look at the big water problems that we face in the next 25 or 50 years, that it is wise from time to time not merely to have government agencies and government people make studies but to have distinguished outside people who, perhaps can detach themselves from the vested interests that government agencies have."

The administration's intention as thus stated was the basis for the House amendment. Thus, while removing this language from the legislation, the conference committee was in general agreement that only in unusual circumstances should consideration be given to the appointment of a retired Federal official as a member of the Commission, particularly an official who has had responsibilities closely related to Federal water programs.

As agreed upon in Conference, this legislation authorizes the establishment of a seven-member National Water Commission to conduct a comprehensive review of national water resource problems and programs and report thereon to the President and to the Congress within 5 years from the date of the act. This is to be a Presidential Commission which, in the President's words, "will be composed of the very best minds in the country" and "will examine our major water problems and develop recommendations guidelines, and long-range plans for the most effective use of available water resources".

The House conferees want to reiterate the position of the House Committee on Interior and Insular Affairs as set out in its report:

"The job of the National Water Commission will be a difficult one. If the Commission is to be successful in accomplishing its mission, its recommendations must be susceptible of fulfillment. This means that the Commission cannot approach the difficult problems involved in its mission without considering the views of all parties and interests involved. It must therefore work very closely not only with Federal Departments and agencies having responsibilities in the water field but also the States and public and private groups which will be affected by its studies and recommendations. The Commission must foster full discussion of the complicated and controversial water issues of this Nation and attempt, through negotiations and understanding, to forge a consensus.

"While the objective of this review of national water resource problems and programs is to improve water management and provide for maximum and best use of our water resources in the future and to assist in the formulation of consistent and effective national policies, it is not intended that the planning of urgently needed water resources development projects, or recommendations of the executive agencies concerning such projects, be delayed while the work of the Commission is underway. Neither is it intended that the Commission take a position on specific project proposals."

WAYNE N. ASPINALL,
HAROLD T. JOHNSON,
JAMES A. HALEY,
JOHN P. SAYLOR,
ED REINECKE,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, to review briefly what is involved in this legislation, it authorizes the establishment of a seven-member National Water Commission to conduct a comprehensive review of national water resource problems and programs and to report thereon to the President and to the Congress within 5 years from the date of the act. The Commission must work closely with the Water Resources Council and the river basin commissions established pursuant to the Water Resources Planning Act, and with Federal agencies and States.

The conference version of S. 20, which we bring back to the House today, is identical to the House version with one exception. The committee of conference rejected a provision in the House language which would have prohibited the appointment to the Commission of retired Federal officers or employees. There was agreement in conference that such a restriction on membership would be inappropriate and unnecessary. Nevertheless, because of the intended non-Federal nature of the Commission, the conference committee was in general agreement that only in unusual circumstances would it be appropriate for the

President to appoint a retired official who has been closely involved in Federal water activities.

Mr. Speaker, the President has stated that this Commission will be composed of the very best minds in the country and that it will examine our major water problems and develop recommendations for the most effective use of available water resources. I hope that the President's appointments not only are recognized authorities in the water field but that they are men who recognize that the complicated and controversial water issues of this Nation can only be settled through negotiations and understanding among all levels of government and all parties and interests involved. Recommendations are of no value unless they are susceptible of fulfillment. The National Water Commission has a difficult job to do. I hope it will be successful in accomplishing its mission.

Mr. Speaker, I urge the adoption of the conference report on S. 20.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, I rise in support of the conference report on S. 20, a bill to provide for a comprehensive review of national water resource problems and programs.

This legislation passed the House on July 12, 1967, and proposes the establishment of a seven-member National Water Commission to conduct a comprehensive review of the problems, programs, and management of our national water resources. The Commission's activities will involve a Federal expenditure of approximately $5 million and will report its findings to the President and the Congress within 5 years from the date of enactment.

The members of the Commission are to be appointed by the President and utilize an outside-Government approach to evaluate our national water resource problems and programs. The Commission is also charged with the responsibility of developing recommendations and long-range plans for the more effective use of our water resources.

The major difference resolved by the committee on conference between the two Houses concerned the language in the House bill which prohibited appointment to the Commission of retired officers and employees of the Federal Government. This provision was placed in the bill as an amendment which I had the privilege to sponsor because one of the major premises upon which the administration justifies the need for this legislation is the need for "an outside-Government approach to the problem," and the need "to have distinguished outside people who can detach themselves from the vested interests that Government agencies have."

The conference committee adopted the position that the language prohibiting retired officers and employees of the Federal Government from serving on the Commission was too restrictive. On the other hand, the conference committee has expressly stated its general agreement in the statement of managers on the part of the House, that only in unusual circumstances should a retired Federal official or employee be appointed to serve as a member of the Commission.

Mr. Speaker, the task envisioned by this legislation for a Nation Water Commission is an enormous job to be accomplished. It is with some degree of optimism that I anticipate this Commission's work will bring order out of chaos in the more than 50 Federal agencies now involved in water resource activities and management. If the Commission is to carry out its mandate the number of Federal agencies involved in water resource activities should be curtailed.

Mr. Speaker, I urge the adoption of the conference report.

Mr. REINECKE. Mr. Speaker, the conference report on S. 20 is now before this body. Its adoption together with similar action by the Senate presents a great opportunity to advance the welfare of the entire Nation by establishing a National Water Commission.

This Commission is directed, within a 5-year period, to conduct a study of the entire water resources problem of our country; to consider the economic and social aspects of water development programs, including alternative means; and the impact of water resources development on regional economic growth, institutional arrangements, and esthetic values affecting the quality of life of the American people.

The Commission is to consist of seven members appointed by the President, none of whom shall be an officer or employee of the Federal Government while serving at the pleasure of the President.

This will assure a fresh approach for institutional prejudices and commitments will be eliminated.

There are now 38 Federal agencies involved in some aspect of water resource activities. It is almost certain that there is duplication, overlapping, and a working to cross-purposes, and that many crucial problems exist. The National Water Commission study would reveal these, and after consideration, in depth, of alternative means of development of our precious water resources, provide to the President and the Congress the basis for a considered judgment and decision as to the most efficacious and desirable means of development.

The Senate Select Committee on National Water Resources in 1959 completed a broad-based study of the Nation's water resources and needs which served admirably as an informed base for considerable progress in water resource development.

However, drawing upon my own experience of over 20 years as a professional engineer dealing with the problems of water conservation and, further, on my work as a member of the Committee on Interior and Insular Affairs, I felt for some time that this was not sufficient.

Circumstances change, new problems arise, and old methods sometimes prove to be inadequate.

Federal water resources policies are a rag and tag collection of legislative directives, mostly directed at single problems with little or no concern for interrelationships. The problems, needs, and solutions in one area or region are not necessarily those of other regions. Some methods of development designed to solve a problem even tend to create others.

What is needed is a broad-based, comprehensive study of all the water related problems of our country. Consideration must be given to all of the possible alternate solutions including the related ramifications involved before an adequate basis for decisions can evolve.

We know all too well that the precious resource of water is finite, and must be husbanded well if we are to survive.

It was in realization of this need that in 1965 I introduced a bill to establish a National Water Commission.

Both the House and Senate of the 89th Congress approved such legislation after a thorough hearing. However, final approval proved impossible when some disagreement arose over the question of sectional interests.

In this Congress I again introduced this bill, H.R. 5346, and a similar proposal, S. 20, was introduced in the Senate. Again, each body has approved it, in slightly different form.

Happily conferees of the two bodies have agreed on a final version which is now before you for approval. In conference, in which I was a participant, it was agreed that the bill substantially as it passed the House would be presented to both Houses.

The only difference is that in appointing members of the Commission the President may consider retired officers or employees of the Federal Government. This would occur only under unusual circumstances.

The function of the Commission is to review and study national water resource problems and programs of development in order to improve water management and to provide the President and the Congress the best information upon which to base consistent and effective policies.

In achieving this end it will have a professional staff and may utilize all of the services of all of the Federal agencies now concerned with water resources. It will consult with and hear from all interested parties public and private. It will consider all alternatives, evaluate them and forward them together with the comments of the Water Resources Council to the President and the Congress.

The work of the Commission will make it possible for the Nation to have an informed base upon which to formulate policies which will enable us to utilize most efficiently that most precious resource—water.

I strongly urge approval of the conference report on S. 20.

Mr. PETTIS. Mr. Speaker, I am delighted to pay tribute to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado, WAYNE ASPINALL, and the other conferees who have been able to do what no other men of the Congress of the United States have been able to do in the history of this country, in reaching an equitable solution to the complex problems which surround the development of water resources, not only for our parched

Southwest, but for other parts of our Nation as well.

By the adoption today of S. 20, which calls for a comprehensive review of national water resources problems and programs and the Colorado River Basin Project Act, whose object is to provide a program for the further comprehensive development of the water resources of the Colorado River Basin and for the provision of additional and adequate water supplies for use in the upper as well as the lower Colorado River Basin, we have set the stage for solving one of the Nation's vital and critical problems—the problem of water, which is as important as life itself.

This legislation will also serve the purposes of regulating the flow of the Colorado River; provide for the storage and delivery of the water of the Colorado River; provide for reclamation of lands, including supplemental water supplies, and for municipal, industrial and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife; and the generation and sale of electric power as an incident of the foregoing purposes.

We will have also established as a policy of the Congress that we shall continue to develop, after consolidation with the affected States and appropriate Federal agencies, a regional water plan which will serve as a framework under which projects in the Colorado River Basin may be coordinated and constructed with proper timing to the end that an adequate supply of water may be made available to all our people.

We will have clearly indicated to the Secretary of the Interior that he not only has the authority, but the responsibility for planning the best possible use of this Nation's water resources west of the Continental Divide for meeting the future water needs of our 11 western States. We will have also indicated to our Secretary of the Interior the great need to initiate this west side planning effort by determining the water supplies available and the long-range water requirements in each water resource region of the western United States, and when this phase of the study is completed, it will then be possible to proceed to determine the most economical means of augmenting the water supply of the Colorado River, in order to serve the most critical water-short area of our Nation. When the water needs of the Colorado River Basin and the time schedule have been established, all possible sources of water must be considered, including water conservation, salvage, weather modification, desalinization, anti-evaporation measures and importation of water from areas of surplus.

All of us, from the State of California, can breathe a sigh of relief knowing that this Congress "guarantees" to California 4.4 million acre-feet of water annually, with a priority over the central Arizona project water when there is less than 7.5 million acre-feet of main stream Colorado River water in the lower basin, and the Secretary of the Interior must recognize this priority in the administration of the U.S. Supreme Court decree in Arizona against California.

Mr. ASPINALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE POPULAR ELECTION OF THE GOVERNOR OF GUAM

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 449) to provide for the popular election of the Governor of Guam, and for other purposes, with Senate amendments to the House amendment, and concur in the Senate amendments to the House amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 7, of the House engrossed amendment, strike out lines 4 to 9, inclusive.

Page 13, of the House engrossed amendment, strike out lines 7 to 11, inclusive, and insert:

"(u) The following provisions of and amendments to the Constitution of the United States are hereby extended to Guam to the extent that they have not been previously extended to that territory and shall have the same force and effect there as in the United States or in any State of the United States: article I, section 9, clauses 2 and 3; article IV, section 1 and section 2, clause 1; the first to ninth amendments inclusive, the thirteenth amendment; the second sentence of section 1 of the fourteenth amendment; and the fifteenth and nineteenth amendments.

"All laws enacted by Congress with respect to Guam and all laws enacted by the territorial legislature of Guam which are inconsistent with the provisions of this subsection are repealed to the extent of such inconsistency."

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

There was no objection.

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my own remarks in the RECORD at this point, and that the gentleman from Pennsylvania [Mr. SAYLOR] and any other Members desiring to do so may likewise have the same privilege.

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

There was no objection.

Mr. ASPINALL. Mr. Speaker, S. 449, provides for the popular election of the Governor and Lieutenant Governor of Guam, for the appointment of a Government comptroller and further extends the principles of local self-government to the Territory of Guam.

This legislation was passed by the House on June 17, 1968, with an amendment striking all after the enacting clause and inserting the House amendment. By action in the other body the House amendment has been agreed to with an amendment.

The amendment adopted by the other body to the House amendment strikes the provision of the bill providing for the popular election of members of school boards and boards of elections. The amendment of the other body also inserts language extending to Guam certain provisions of the U.S. Constitution not now applicable to Guam. These provisions are: Article I, section 9, clauses 2 and 3, providing that the writ of habeas corpus shall not be suspended; article IV, section 1 and section 2, clause 1, providing that the full faith and credit clause and the privileges and immunities clause shall have the same force and effect in Guam; the first to the ninth amendments inclusive; the 13th amendment; the privilege and immunities, due process, and equal protection clauses of the 14th amendment; and the 15th and 19th amendments.

Mr. Speaker, the amendments of the other body improve this legislation and resolve some technical questions raised by the House language.

AMENDING THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Mr. O'HARA of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 15045) to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 15045, with Mr. MACDONALD of Massachusetts in the chair.

The Clerk read the title of the bill.

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

Are there any amendments?

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: Beginning on page 4, line 19, strike everything through the end of page 5, line 16, and insert in lieu thereof the following:

"(b) Section 202 of the Act is further amended by adding at the end thereof the following new subsection:

"'(m) Nothing in this section shall prevent the funding of training in approved skill centers, on an annual basis.'"

Mr. STEIGER of Wisconsin. Mr. Chairman, I am proposing this amendment as a substitute for subsection 4(b) of the bill before us. This proposed substitute serves the same purpose as does subsection 4(b), and avoids some of the flaws which able and distinguished members of the committee see in the language of that section.

Section 4 of the bill seeks to overcome by legislation one major administrative problem which was discussed before the subcommittee, and which, I believe, the members of the full Committee on Education and Labor approach unanimity in seeking to correct.

During the several years that MDTA has been in operation, it has made a great many contributions to the array of institutional weapons we can utilize in our efforts to combat manpower problems. One of the major contributions has been the development of the skill center —an institution which provides a broad variety of skill training, specifically directed toward the needs of MDTA trainees, as distinguished from the more traditional clientele of the vocational education system. Skill centers, such as those in Detroit, Philadelphia, New York City, Atlanta, and in some 60 other areas, have been able to combine the talents and personnel of that vocational education system with the talent and abilities of other sectors in a "mix" which has produced excellent results with specific reference to the people MDTA is trying hardest to assist.

In the course of the hearings on this legislation—and, indeed, even before the hearings—it had become obvious that one major problem was affecting the efficient working and full utilization of these skill centers. In order to be utilized most efficiently, they must maintain a permanent operation, with the most economic use of space, of equipment and, above all, of staff. The ideal way to provide such use is to allow for annual funding, on a continuing, institutionwide basis, of such centers. But as the present law is interpreted, because of the requirement for a "reasonable expectation of employment" before a trainee can be referred to training, it is necessary for the Labor Department, through the State employment security agency, to conduct a survey before any course can be established in a skill center. These surveys take time, and there is, inevitably, a lag between the proposal that a course be set up and the certification of such a course as meeting an expected employment need. This means in theory, and very often in practice, an experienced and competent instructor's talents will be utilized for a period of 10 to 12 weeks, and that, before he is sure what will happen after that, a further survey must be conducted, and further delay incurred in setting up a new course.

In addition, the operation of a skill center on the basis of certifying each course separately, involves substantial extra bookkeeping, with a skill center, as one witness told the subcommittee, being required to operate on 40 or 50 separate and distinct budgets in the course of a given fiscal year.

Section 4 of the reported bill was an amendment, offered by me in the full committee, to give priority to skill centers, and to provide for mechanisms which, we all felt at the time, would insure such priority in a meaningful way.

After further consultation with members of the executive branch and with representatives of the vocational education profession, I am persuaded that it would be simpler and more effective to strike the second half of section 4; namely, section 4(b), the mechanisms by which I had hoped to insure priority for the skill centers, and to replace it with a simple provision that allowed directly for annualization of funding for skill centers. The substitute amendment which I have offered, is intended to allow such annualization, and to permit the operation of these valuable centers without removing the basic MDTA requirement that training be offered only where a reasonable expectation of employment exists. Such an expectation is essential. It would make no sense to run skill centers, however effective they might be, to train buggy whip makers and sasparilla bottlers. But it makes no sense, either, to allow job opening surveys to hold up training when there is a known demand for a given skill. I offer this amendment, not truly as a substitute for, but as a clarification and improvement of the original section 4(b).

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am happy to yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, I would like to point out that the other members of the committee share the gentleman's intention to make easier and more efficient the use of skill centers. I supported the gentleman's original amendment in the full committee, and if the substitute does the job the gentleman suggests, I am of a mind to support it on this floor.

I would like to ask the gentleman a question about that.

Does the gentleman intend that the requirement, now found in other subsections of section 202 of the act, that trainees only be referred where a "reasonable expectation of employment" exists, should be suspended or modified where skill center training is involved?

Mr. STEIGER of Wisconsin. No, indeed. The reasonable expectation requirement is essential to MDTA, and, as I said before, is left in full force by my substitute amendment. The thrust of this substitute amendment is to remove the procedural barrier which that language has posed to efforts to provide for annual funding. The Departments of Labor and Health, Education, and Welfare are, I understand, trying to eliminate the problems posed by the overly rigid application of the "reasonable expectation" language. This amendment, which preserves that basic requirement should enable them to surmount the technical obstacles which, they feel this language has so far offered to the annual funding of skill centers, and, will unmistakably indicate that the intent of the Congress is clearly that skill center funding is to be on an annual basis.

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

(On request of Mr. O'HARA of Michigan, and by unanimous consent, Mr. STEIGER of Wisconsin was allowed to proceed for 2 additional minutes.)

Mr. O'HARA of Michigan. Mr. Chairman, if the gentleman will yield further, I would like to say with that assurance I wish to commend the gentleman for having offered this substitute amendment. I think the substitute is better than the original. I supported the original, and I shall certainly support the substitute. The gentleman has made a constructive contribution to the operation of this program. I take pride again in the fact that this program is one in which Members on both sides, the majority and the minority, have had an opportunity to make such constructive contributions and are making them in this bill today.

I congratulate the gentleman for his having offered the amendment.

Mr. STEIGER of Wisconsin. I thank the gentleman for his support of the amendment and his kind words.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. Since section 4(b) covers three paragraphs on pages 4 and 5, did I correctly understand that the gentleman's amendment would strike the language beginning on line 19 of page 4, through line 16 on page 5?

Mr. STEIGER of Wisconsin. Yes; the amendment would strike the language beginning on page 4, line 19, through to the end of line 16 on page 5, and would insert a new subsection (b).

Mr. GROSS. I thank the gentleman.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STEIGER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOODELL

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

The Clerk read as follows:

Amendment offered by Mr. GOODELL: On page 6, immediately following line 5, insert the following:

"SEC. 6. (a) Section 206(a) of the Manpower Development and Training Act of 1962 is amended to read as follows:

"'SEC. 206. (a) To the fullest extent consistent with the effective administration of this Act and in order to achieve maximum coordination with all manpower training programs authorized by this and other Acts, the Secretary of Labor shall, in his discretion, enter into agreements to carry out the purposes of this part with each State so requesting, or with the appropriate agency of each State, pursuant to which the Secretary of Labor shall, for the purpose of carrying out his functions and duties under this Act, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, shall make payments to such State or appropriate agency for expenses incurred for such purposes. Agreements with States or aproppriate State agencies shall assign to them the promotion, development, funding, monitoring and other services associated with implementation of training programs under this title, and responsibility for utilization of funds apportioned to the States in accordance with section 301 of this Act. In States where such agreements are entered into between the Secretary and the State or its appropriate State agency, the Secretary shall not enter into additional agreements which duplicate in any way the functions of the State or its appropriate agency authorized by agreements under this section.'

"(b) Section 301 of the Manpower Development and Training Act of 1962 is amended by striking the period at the end of the second sentence thereof and insert-

ing in lieu thereof the following: " ';*Provided further*, That funds apportioned to the States and made available to appropriate State Agencies in fiscal year 1969 through agreements entered into under section 206 of this Act shall remain fully available to the appropriate State agency until either the funds have been completely encumbered or the State agency backlog of programs that meet Federal criteria have been exhausted; *Provided, however*, That the provisions of the preceding proviso shall not be effective until there shall have been appropriated for fiscal year 1969 under the authorizations for this Act not less than $48,000,000 to carry out the program known as Job Opportunities in the business sector and not less than $31,800,000 to carry out the concentrated employment program.' "

Mr. GOODELL. Mr. Chairman, this House has engaged in debate with reference to the problems in the manpower bill earlier this year, particularly in connection with the appropriation bill, to which the gentleman from Minnesota [Mr. QUIE] and I offered amendments to try to correct some deficiencies that had developed in the manpower training legislation largely because of the transfer of funds from the on-the-job training program to the two new programs started in the Labor Department, known as job opportunities in the business sector and concentrated employment programs. Both of these programs were started under the general authority granted in the MDTA and the Economic Opportunity Act, without specific authorization or hearings by the committees of the Congress.

We are facing this year a total budget request of $354 million for the manpower program, under title II of the MDTA. Of that amount, the budget plans to take $99 million of the title II funds to fund the JOBS program and the CEP program.

The amendments I have offered I have worked out with the majority. They are different from the amendments offered in the committee, and they are different from the amendments offered by the gentleman from Minnesota and me earlier this year on the floor of the House.

In effect they say to the Secretary of Labor, first, it was the intent of Congress, and still is, that these manpower programs to the maximum extent possible be administered through responsible existing State agencies, and where possible agreements must be entered into with such State agencies if they are responsible and prepared to administer the programs effectively in the discretion of the Secretary of Labor.

This language is very clear in my amendment. The discretion remains with the Secretary of Labor to determine whether the State is equipped to administer the program effectively, but it would carry out further the mandate of Congress that we wish in those States that have effective State labor departments to have these programs coordinated at the State level and that we have maximum involvement of the State agencies in administering the programs.

The discretion left to the Secretary in my amendment offered here today would permit the Secretary to turn down agreements with States where they were unwilling or unable to administer these programs effectively, where it would not be consistent with the objectives of the program to have a particular State administering the program.

The second part of my amendment goes to the heart of the question of the JOBS and CEP programs being funded out of regular manpower funds. Rather than request additional money for the new programs, to involve private enterprise in the solution of the hard-core employment problem, the Secretary of Labor sought funds and obtained them from the poverty program and from the manpower program and from other sources. This, in effect, depleted the regular on-the-job training program in many States, including New York, which found itself held up on programs that had been approved in substance and on their merits, but funds could not be obtained for them.

My amendment would prevent the transfer of funds that have been allocated to the States if the Congress has appropriated not less than $48 million for the JOBS program and not less than $31.8 million for the CEP, the concentrated employment program. Those are the amounts for these two programs that have been allocated for JOBS and CEP, respectively, from the title II, MOTA budget request.

I believe these amendments are fair compromises of the various views expressed on both sides. I believe we share on both sides of the aisle a deep concern over the problems which have developed because of the pinching in the budget and in the appropriations.

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

Mr. GOODELL. I am delighted to yield to the distinguished Speaker.

Mr. McCORMACK. Do I correctly understand the amendment now offered by the gentleman leaves this in the discretion of the Secretary?

Mr. GOODELL. That is correct. I would clarify by saying it leaves to the discretion of the Secretary the question of whether he enters into agreements with the States, whether the States are capable and willing to administer programs.

The second part does not leave it to the discretion of the Secretary. This is the one that says after the JOBS program and the CEP program have been funded at the level they request—and that means cash available and appropriated—then they cannot withdraw money allocated to the States which the States are planning on using for their own programs.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. GOODELL was allowed to proceed for 3 additional minutes.)

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, I have had an opportunity to work with the gentleman from New York on this program since its inception several years ago. I feel he is undoubtedly one of the most knowledgeable citizens in our country on this program, and certainly one who has contributed greatly to its success.

I have discussed with the gentleman, particularly these amendments. I would think that, under the amendments, as the gentleman has presented them, the proper emphasis would be contained in this legislation. Certainly the gentleman from New York has stated very cogently why he feels the State employment agency ought to be the operating agency in all cases where the State employment agency can do the job and wants to do it and is willing to do it. I would agree with him completely there.

Both of us recognize there may be some circumstances, such as these nationwide contracts with, for instance, the United Brotherhood of Carpenters & Joiners or the AFL–CIO Appalachian Council or the Labor International Union of Machine Tool Builders, where they cover a number of States and operate in a particular way, and other cases where a particular private agency might be the only one with the particular experience and association to do a very particular kind of job, where we want to be able to say to the Secretary in these cases, "Certainly, go ahead with your private arrangements."

I am in complete agreement with the gentleman from New York that for the ordinary, typical, traditional type of MDTA contract, the kind which has worked so well and the kind we want to promote, if the State employment service is willing and able and desirous of doing the job they ought to be given the opportunity to do that job.

Mr. GOODELL. I thank the gentleman for his generous comments, and particularly appreciate our agreement as a matter of legislative history here on what our objective is and the way we want the programs administered under the circumstances when it is feasible to accomplish the objectives of the act through the State agencies.

I believe the gentleman will agree that where a State is responsible and where it has an organization of employees who are experienced in administering these types of programs they can do a great deal to coordinate the many training programs we have.

Unfortunately, today in New York we have a minimum of 14 and probably a maximum of 30 or 35 different training programs, many of them emanating from different legislative sources than the Manpower Development and Training Act. I believe the States can help us in beginning to coordinate those programs because many of them are also administered at the State level.

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

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

Mr. BELL. Mr. Chairman, I rise in support of the amendments offered by my good friend and distinguished colleague from New York.

With few exceptions, programs administered by the States under the Manpower Development and Training Act have been extremely effective in meeting the needs of those whose training is not adequate for our increasingly technological society.

Operation of MDTA has since its inception been almost free of the kind of criticism frequently leveled against some of our other legislative efforts.

Possibly it is MDTA's very popularity—and consequently its relative assurance of continued funding support—that is responsible for its present role as a source of funds for new programs initiated by the executive branch.

Let me make very clear, Mr. Chairman, my complete agreement with the minority report statement of wholehearted approval of the innovative concepts in CEP and JOBS programs.

But regardless of the worth of these new endeavors, State-run MDTA programs of proven merit should not be subject to severe cutbacks for the others' benefit.

By the same token, I would not favor gutting a successful and on-going education program so that funds might be placed in another.

The point is, Mr. Chairman, that successful programs operating under MDTA—programs which have demonstrated their effectiveness—programs meeting community needs—should not die for lack of funds so that those funds may be channeled elsewhere under nonexistent legislative authority.

Back-door pilferage is not consistent with responsible legislating.

Traditional manpower programs should be assured of continued existence until such time as Congress decides that they are no longer necessary or useful.

Their fate should not depend solely on whether a new approach might be equally or more effective.

I therefore strongly urge my colleagues to support the amendments before us today.

Mr. O'HARA of Michigan. Mr. Chairman, I move to strike the last word.

I merely want to say, speaking for myself, that the amendments offered by the gentleman from New York, as they were read to the Committee, certainly do nothing to detract from the effectiveness of the program, and I believe, by putting emphasis on our desire to work through State employment services, they enhance the effectiveness of the legislation.

With respect to the second portion of the amendments—that is, the use of the MDTA allocated funds for the JOBS and CEP programs—I can certainly understand the gentleman's concern.

I understand him to say that in New York, for instance, very, very little is left for the regular MDTA-OJT programs after the CEP and NAB programs have been funded from the State's allocations. At the same time the gentleman from New York recognizes he does not want to hurt those programs, either. As I understand his amendment, it only goes into effect after the requisite funds for the CEP and JOBS programs have been appropriated.

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

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. GOODELL. That is correct. The gentleman will recall that on the appropriation bill, as I earlier stated, we debated this point back and forth at some length. The gentleman from Minnesota [Mr. QUIE] and I tried to clarify that we were not attempting to attack the concept of involving business in the CEP and JOBS programs, but we felt that we should protect the sanctity of the regular MDTA on-the-job program. The merit of adopting this amendment is that people will know exactly where they stand. If the appropriation process produces the money that has been requested for the JOBS and CEP programs, the State will get full funding for OJT. If not, then JOBS and CEP get their money and the rest will be allocated thereafter to the States. Even if Congress does not give all of the money necessary, as I think it should, we will avoid the situation we have had where the States thought that they would get a great deal more money and went through the process of approving applications and then found that the money was not available.

Mr. O'HARA of Michigan. I think that the amendment in its present form is certainly acceptable.

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

Mr. O'HARA of Michigan. I yield to the gentleman from Colorado.

Mr. BROTZMAN. I thank the gentleman from Michigan for yielding to me.

I rise in support of the MDTA and particularly in support of the amendment offered by the gentleman from New York [Mr. GOODELL].

Mr. Chairman, I support the extension of the Manpower Development and Training Act of 1962.

This act has been an important and, I might add, a successful tool in fighting unemployment in this country. Under this measure, hundreds of individuals have been given job training so that they can successfully compete in the job market and contribute to our growing economy in a positive way.

This measure can provide the answer to one of America's most pressing social problems. It can provide job training and employment for the disadvantaged—particularly the poverty-stricken who live in urban ghettos. It can take these people off the welfare rolls and make them active participants in our economic system.

The Manpower Development and Training Act is an outgrowth of a Republican effort to utilize the vast resources of American private enterprise in upgrading and developing our manpower resources. The Republican effort in this area began in 1961 with a study by the House Republican policy committee which became the basis of the Manpower Development and Training Act of 1962, enacted into law by the 87th Congress.

It is clear, Mr. Chairman, that Congress, when it passed this measure back in 1962, intended that the States should be full partners in the Federal manpower program. Section 301 contains an allocation formula which provides a method of distributing funds to the States. Section 206 encourages and authorizes the Secretary of Labor to enter into agreements with the States and to utilize the services of the State agencies.

The Johnson-Humphrey administration has disregarded this congressional intent. The States have experienced delays in the funding of projects. The Department of Labor has completely bypassed the States by proposing that the promotion, development, and funding of on-the-job training projects be assumed by Federal personnel. Many sound on-the-job training projects have been eliminated because the administration has diverted funds to finance new programs under the Economic Opportunity Act. These new programs should have separate funding—they should not be funded at the expense of a proven and on-going program.

In order to have an effective training program, States must be permitted to participate on an active partnership basis with the Federal Government. Efforts to involve private enterprise should be encouraged—not discouraged. Funds that have been appropriated to implement the Manpower Development and Training Act should be utilized for that purpose. Funds allocated to the States should be released to finance approved projects. The Secretary of Labor should be required to enter into appropriate agreements with the States and State agencies interested in becoming active working partners in the Federal manpower program.

Amendments will be offered today which if adopted, will achieve these purposes. The Manpower Development and Training Act can be the basis for a successful program in the field of job training. It can utilize the training resources of the Federal Government, the States and private enterprise, all working together to provide meaningful training for jobs that are waiting to be filled.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GOODELL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REID OF NEW YORK

Mr. REID of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REID of New York: On page 6, line 5, after "Samoa, and the Trust Territory of the Pacific Islands", insert the following new section:

"SEC. 6. Section 106 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"'LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM

"'SEC. 106. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

"'(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

"'(2) job opportunities and skill requirements;

"'(3) labor supply in various skills;

"'(4) occupational outlook and employment trends in various occupations; and

"'(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, The Social Security Act, the

Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

"'(b) The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local, or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

"'(c) A report on the activities and achievements under this section shall be included in the report required under section 107.

"'(d) Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for carrying out the provisions of subsection (b) of this section.'"

Mr. REID of New York. Mr. Chairman, this amendment would fill a most serious gap in our efforts to train unemployed and underemployed persons and place them in jobs of permanence and substance. Simply stated, it would gather data on job availability and labor supply in particular skills and geographic areas and match them by a variety of programs, utilizing the techniques of electronic data processing.

Mr. Chairman, this provision would be a significant part of the MDTA's effort to train and employ people at a job level which is comparable to their ability. It is already a part of the MDTA bill reported out by the Senate Committee on Labor and Public Welfare.

Mr. Chairman, according to the Bureau of Labor Statistics there are now some 3 million unemployed Americans. However, the important figure is the underemployed and the Bureau of Labor Statistics data is limited to some 2.3 million who are "employed part time for economic reasons."

Mr. Chairman, clearly there are four or five times that number. It is conservatively estimated that there are between 10 and 11 million people who fall into this category, who are working in jobs below their level of skill and ability. This information gap only serves to highlight the fact that our training programs are often unrelated to the location, ability, and potential of those to be assisted.

In addition, it is becoming increasingly difficult for us to formulate meaningful programs and to encourage private enterprise participation without accurate knowledge about the persons available to be trained and employed. A nationwide job opportunity statistics program which will provide periodic and timely information on the site, extent, and type of job vacancies, combined with a program of research and analysis by the Department of Labor, would further the objectives of MDTA.

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

Mr. REID of New York. I shall be happy to yield to the gentleman from Kentucky.

Mr. PERKINS. Is this the identical language that is contained in the Senate bill?

Mr. REID of New York. It is the identical language.

Mr. PERKINS. Mr. Chairman, if the gentleman will yield further, insofar as I am concerned and I do not know the position of the gentleman from Michigan [Mr. O'HARA] on this particular amendment, I cannot see any objection to the amendment which would make it unacceptable to the committee.

Mr. REID of New York. I thank the chairman for his comments.

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

Mr. REID of New York. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Would this amendment involve any additional costs? Would it expand the program to the extent whereby it would call for any additional costs?

Mr. REID of New York. In response to the distinguished gentleman from Iowa, the amendment specifically provides that not less than 2 percent of the sums appropriated in any fiscal year to carry out titles I, II, and III of the act shall be available for this purpose. There would not be added funds. It would say that of the funds appropriated 2 percent could be utilized for collecting and disseminating data. The basic purpose would be to obtain data on skills needed and persons available to fill them. At the moment we do not have adequate information in this area.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further——

Mr. REID of New York. Certainly.

Mr. GROSS. While I have not had the opportunity to read the amendment, I did hear it read and I must say to the gentleman I am surprised that the Secretary of Labor is not presently doing the things that are proposed to be done under the terms of your amendment.

It is hard for me to believe that if this sort of information is necessary that we have to call upon the Secretary to act.

Mr. REID of New York. I can well understand the point raised by the gentleman. I have long felt that the Department should do this, but the Secretary of Labor, Mr. Wirtz, and Under Secretary Reynolds, whom I talked to this morning, would like to have this authority and feel that it would be very helpful to any intelligent planning for private enterprise participation in future programs to have inventories of skills and needs and capabilities. However, the fact is that the Department has not been doing it, and I believe they should.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. I would like to add, in response to the inquiry of the gentleman from Iowa, that the Department under the provisions of title I of his act has been acquiring certain information with respect to the categories listed in subsection 1 of the amendment offered by the gentleman from New York, but they do not have this in a systematic inventory form. They have on several occasions requested appropriations from the Congress for the purpose of establishing this sort of system that the gentleman from New York [Mr. REID] envisions in this amendment. Those appropriations have not in the past been forthcoming, and I do not know if they will be now or not. I believe that would still remain the problem because, as the gentleman from Iowa clearly perceives, to do this on a thorough and large-scale basis would require considerable involvement of funds.

The amendment offered by the gentleman from New York authorizes the use of 2 percent of the sums appropriated under this act for this purpose.

I would want to inquire from the gentleman, if I could, does the gentleman envision—and I notice that the gentleman says here in his amendment, not less than 2 percent of the sums appropriated shall be available only for carrying out the provisions of subsection (b) of this section. Does the gentleman envision that no matter what the needs of the rest of the manpower program are, that they must use at least 2 percent of the funds appropriated under the MDTA authorization to do this job regardless of whether this shorts them in some other areas?

When I got to reading the amendment, I became worried about this.

Mr. REID of New York. That is not my understanding. I believe it would be discretionary, but I would hope, and I believe it is the view of the gentleman from Michigan as well, that the Department would be given the authority, and that the Congress in its wisdom would provide such funds as might in the future be necessary. But I believe if we have these various programs without establishing systems for the collection and dissemination of data—or without funding such systems adequately—that we would not be maximizing the skills we have in this country, and we will not necessarily be training people for existing or future jobs.

The CHAIRMAN. The time of the gentleman from New York has expired.

(On request of Mr. O'HARA of Michigan, and by unanimous consent, Mr. REID of New York was allowed to proceed for 2 additional minutes.)

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Michigan.

Mr. O'HARA of Michigan. Mr. Chairman, when I talked to the gentleman before he offered the amendment I expressed my agreement with the amendment, but since then I have become concerned about the last subsection, subsection (b). I wonder if the gentleman from New York would object to an amendment which would simply strike subsection (b) of his amendment so that

it would simply say that this is one of the purposes for which funds appropriated under this act could be used?

This would leave the Secretary some discretion as to the level of funding for this operation.

Mr. REID of New York. I would have no objection to that. But I would hope the gentleman would join with me in expressing the hope that there would be an understanding that certain funds would be utilized.

Mr. O'HARA of Michigan. I would certainly be happy to do this, but I do not want to put them in any situation where they have to do this at the expense of their primary duties.

Mr. REID of New York. I understand that. I believe we ought to express the hope that they would find a way to do this.

Mr. O'HARA of Michigan. I thank the gentleman.

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

Mr. REID of New York. I yield to the gentleman from California.

Mr. BELL. I thank the gentleman for yielding.

Mr. Chairman, my understanding is that this amendment primarily clarifies the authority of the Secretary in this area. Is that correct?

Mr. REID of New York. That is correct. That is because it is not systemized and it is not disseminated, so that the private employers as well as the public employers are not presently in a position to know what skills are needed or what training programs should be developed to match future job openings.

Mr. BELL. Mr. Chairman, I thank the gentleman, and I rise in support of this amendment. I wish to commend the gentleman from New York for bringing this amendment forward.

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

Mr. REID of New York. I yield to the gentleman.

Mr. GUDE. Mr. Chairman, I think this is a very good amendment and I rise in support of the amendment and the bill now under consideration by the House, to extend the Manpower Development and Training Act of 1962, and in particular to express my support of the amendment offered by my distinguished colleague, the gentleman from New York [Mr. REID]. This amendment would set up a labor market information and job matching program within the Department of Labor.

One of the many ways of combating poverty is to help the poor become productive members of society. Job training is one positive way; but obviously, training, by itself, is not always enough. We must also match people with jobs. I have long been aware that to do this, we must know what jobs need to be filled, to what extent, and where. The availability of such job vacancy information will certainly be a factor in bringing America's unemployed and underemployed into the ranks of fully productive citizens. I hope the amendment and this legislation are approved by the House.

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

Mr. REID of New York. I yield to the gentleman.

Mr. SCHEUER. Mr. Chairman, I rise in enthusiastic support of the amendment offered by my distinguished colleague, the gentleman from New York.

Would the gentleman's amendment also include the design of a computer system of linking available jobs with individuals who are in the job market?

I would like to call to the attention of our colleague the testimony that the Secretary gave about such a computer system that is already in existence throughout all of Japan where there is a computer bank which links individuals who are looking for jobs with jobs demanding those skills.

Mr. REID of New York. Mr. Chairman, in response to the gentleman, the answer would be in the affirmative.

The language in the amendment specifically states:

> In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

I would interpret that to mean a job computer banking system that would be broadly used and would be hooked up with various offices and which could provide very promptly the information to be disseminated throughout the country.

Mr. SCHEUER. And it would link the jobseekers with the available jobs.

Mr. REID of New York. Yes; and it is the linkage which, as the gentleman knows, is lacking in this important work.

Mr. SCHEUER. I congratulate the gentleman on the very thorough work he has done and I wish to say I am very much in favor of this amendment.

Mr. REID of New York. I thank the gentleman very much.

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN TO THE AMENDMENT OFFERED BY MR. REID OF NEW YORK

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New York [Mr. REID].

The Clerk read as follows:

> Amendment offered by Mr. O'HARA of Michigan to the amendment offered by Mr. REID of New York: On page 3 of the amendment, strike out all of lines 21 through 24.

Mr. O'HARA of Michigan. Mr. Chairman, this simply strikes out the provision about the 2 percent.

It leaves this one of the functions for which funds are authorized under this act but sets aside no particular share of funds earmarked for this purpose.

This is the amendment that I discussed with the gentleman from New York, and we are in agreement that an effort should be made to institute and effectively operate such a system, but we do not want to set aside any particular sum. We want that to depend upon the other needs of the whole program and upon the amounts appropriated.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Chairman, that is a correct statement.

It is certainly our hope that nonetheless the work described in this amendment will go forward.

Mr. O'HARA of Michigan. Mr. Chairman, I ask that this amendment be agreed to and likewise that the amendment offered by the gentleman from New York be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. O'HARA] to the amendment offered by the gentleman from New York [Mr. REID].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. REID], as amended.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. STEIGER of Wisconsin: On page 6, immediately after line 5, insert the following:
>
> "LIMITATION ON SECRETARY'S REAPPORTIONMENT OF FUNDS
>
> "SEC. 6. The proviso to section 301 of the Manpower Development and Training Act of 1962 is amended by—
>
> "(1) striking out the words 'sixth month' and inserting in lieu thereof the words 'ninth month';
>
> "(2) striking out the words '30 days' and inserting in lieu thereof the words '15 days'; and
>
> "(3) striking out the phrase 'except that the requirement for prior notice shall not apply with respect to any reapportionment made during the last quarter of the fiscal year.'"

Mr. STEIGER of Wisconsin. Mr. Chairman, this amendment is an amendment that is in the bill in the other body offered by the distinguished Senator from Vermont, Mr. PROUTY.

The priviso to section 301 in the present law provides that MDTA funds apportioned to a particular State for a fiscal year may not be reapportioned by the Secretary of Labor until after the sixth month of such fiscal year. It further provides that funds may be reapportioned during the third quarter of the fiscal year after 30 days' notice has been given a State and during the fourth quarter without any prior notice to the State.

My amendment prohibits the Secretary of Labor from reapportioning a State's MDTA funds until after the 9th month of the fiscal year. It also requires that a State be given 15 days' prior notice if its funds are to be reapportioned.

Unfortunately there is often a freeze on approval of State programs during the early months of a fiscal year, while legislative deliberations are still taking place. This amendment will allow the States more time to develop programs and the Department of Labor more time to consider State applications, once the freeze is removed.

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

Mr. STEIGER of Wisconsin. I am happy to yield to the gentleman from Kentucky.

Mr. PERKINS. I would like to ask the distinguished gentleman from Wisconsin if this amendment, as I understand it, in no wise takes away from the Secretary the authority to reapportion

funds but merely changes the time from the sixth month to the ninth month before the Secretary can reapportion them and reduces the required period of notice from 30 to 15 days?

Am I correct in that statement?

Mr. STEIGER of Wisconsin. The gentleman from Kentucky is absolutely correct.

Mr. PERKINS. With that understanding there is no objection to the amendment that I know of on this side.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STEIGER].

The amendment was agreed to.

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

Mr. Chairman, when the Economic Opportunity Act was extended last year an amendment was included whereby the General Accounting Office was directed to study the efficiency of program administration by the Office of Economic Opportunity and local public and private agencies and to determine the extent to which OEO activities achieved the objectives as set forth in the legislation. The legislation called for an evaluation of the effectiveness of the entire program as well as recommendations for additional legislation that GAO might deem advisable, with a final reporting deadline of December 1, 1968. The Office of Economic Opportunity presently allocates over $18 million for research, evaluation, and audit work. Yet, in spite of this great outlay of money, it was the thinking of the Congress that GAO, being the congressional instrument for the legislative oversight in checking the efficiency of governmental operations, should conduct an objective evaluation. This evaluation was considered advantageous in view of the substantial opposition to many of the programs operated by the Office of Economic Opportunity and their effectiveness in operating them.

Although the manpower development and training programs have not been as expensive as the programs operated by the Office of Economic Opportunity, there has been a considerable amount of money expended. There has not been, however, the degree of opposition to MDTA and other vocational and manpower programs as there have been to the Office of Economic Opportunity's. In fact, throughout the history of MDTA there has been strong bipartisan support, from the inception of the bill through its extensions and here again today as agreement has been reached on all amendments that have been offered.

We have found in the past that there have been internal studies and evaluations of programs by the governmental agencies operating them, but this has not been done in MDTA. I have some reservations regarding agencies conducting their own studies and providing objective evaluations comparable to those in which GAO is involved. The GAO has indicated that it does not wish to be obligated to a statutory requirement for another compulsory study as they were with the Office of Economic Opportunity. I would like to see now that MDTA has operated for approximately 6 years, that the effectiveness and efficiency of this program be studied and that the GAO be involved in it. I would go even further to say that in the future the Congress itself ought to address itself to oversight matters in its own authorizing committees. We have not, however, reached that point.

I would like to ask the gentleman from Michigan—and I would gladly yield to him—if he agrees with me in these observations and what comments he might have on this matter.

Mr. O'HARA of Michigan. Mr. Chairman, I would like to get on the record that I agree completely with the gentleman from Minnesota. We have been underway in this program now for about 5 or 6 years. We know a number of programs have worked out very well. Others have not worked so well. But I feel as the gentleman from Minnesota feels, that there is a much gerater need for definitive data in the evaluation of the several approaches that have been utilized in these MDTA programs that would offer some guidance to us as legislators in terms of the shaping of future legislation and in reshaping this legislation as needed.

I am optimistic that some steps have been taken in this regard that will be helpful. I like to think the Department has become more aware of the need for this sort of thing. I am also apprised of the fact that GAO has been getting involved somewhat in the Department's own evaluation of the program. I certainly hope they will continue, because I think their experience could be very useful here.

I am with the gentleman from Minnesota on this. I think the next thing we ought to undertake to do with MDTA is really to build into it some evaluation, and particularly I think we ought to exercise our own responsibilities in terms of getting some evaluation we think we can rely on and use to guide us in our future consideration of these programs. I think the gentleman is making a valuable contribution.

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

I hope next year and in the years thereafter we will consider evaluation not only in MDTA but in other vocational and educational programs. In a number of programs I have already indicated my desire for better coordination by recommending a new Department of Education and Manpower, in order that our decisions may be made wisely in future Congresses. I think we need better studies by the Department and also by the GAO itself—which at present is the only independent agency responsible to the Congress.

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

(On request of Mr. McCORMACK, and by unanimous consent, Mr. QUIE was allowed to proceed for 2 additional minutes.)

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

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I merely want to state that I am wholeheartedly in agreement with the suggestion of the distinguished gentleman from Minnesota [Mr. QUIE] and in agreement with the colloquy that took place between him and the gentleman from Michigan [Mr. O'HARA].

I certainly feel that in many areas the programs have not been properly evaluated. For instance, in the Office of Economic Opportunity we authorized an evaluation and study, and I have some information that some money has not been, in my judgment, wisely expended through contracts, on evaluating certain programs. But, be that is it may, there would be no way as I see it, to evaluate the MDTA programs by the General Accounting Office unless the Secretary of Labor participated.

The suggestion of the gentleman from Minnesota deserves consideration in the future, and I know that we will work toward that end to improve not only the MDTA and vocational education but also the quality of these programs.

Mr. QUIE. Mr. Chairman, I thank the gentleman from Kentucky.

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

Mr. Chairman, I rise in support of H.R. 15045 which extends the Manpower Development and Training Act another 4 years to June 30, 1972.

This act when it was first conceived seemed to be the answer to turning unemployed and underemployed men and women into more useful and productive members of our society.

This program was an excellent opportunity to meet the needs of the hard core unemployed through a massive, coordinated effort by Federal, State, and local governments combined with the private sector.

But this has not been accomplished. We cannot look upon this bill as the whole answer to unemployment and underemployment. What has been accomplished in recent years is a disillusionment of the private sector through the unfulfilled promises of the Federal Government.

To carry out an effective program, more effort must be made to bring in the States and private sector as partners. Mr. Chairman, I have supported amendments to this act, H.R. 15045, which would enhance a partnership effort.

The Governor of my great State, the Honorable Nelson A. Rockefeller, in a telegram to me today, says that New York is ready and willing to join the Federal Government as a partner in this effort. New York is particularly interested in the on-the-job training aspects of this program.

Governor Rockefeller has urged support of those amendments which would clearly identify and delegate to the States those phases of Federal manpower training programs which the States are able and willing to undertake.

It is of critical importance that this approach be incorporated in the final legislation of the nation is to have a viable Federal-State partnership in solving manpower problems.

The Governor said.

Just last week in my 36th Congressional District, a State senate hearing

was held on this problem, clearly showing that this legislative body is aware of the problems.

My friend and colleague in the State legislature, State Senator Thomas Laverne of Rochester, chairman of the New York State Senate Committee on Labor and Industry, spelled it out when he said:

> This Committee, after a year-long study, has concluded that our government efforts are inadequate and misdirected. While we have made substantial investments in manpower, these investments are dwarfed by the size of our welfare budget.

In New York State alone the annual budget at all levels of government for welfare is $1.8 billion. Think what a substantial cut in the number of persons requiring welfare would mean to our economy.

The National Alliance for Business—NAB—says it is surpassing its quota of 100,000 jobs in 1968 for the hard core.

Well, I for one do not think we can be satisfied with meeting quotas on such a crucial problem. Our "quota" must be a job-training opportunity for all who seek work to upgrade themselves and provide for their families.

We have so far fallen far short of this goal.

There is a major example of an unfulfilled promise by the administration in my own district. This was the rejection of a retailers employment program by the Labor Department. More than 200 hard-core unemployed men and women in the Rochester area would have been trained for work in retail stores and warehouses.

This was a shortsighted act by the Department.

The administration has touted its NAB program as a major step toward solving urban unemployment and underemployment.

But like past programs, the administration has not followed through in a way which could achieve the publicized goals.

The job opportunities in business—JOBS—program launched by the NAB was supposed to be this year's glamor program. Businessmen in Rochester, including many of our retailers, were encouraged to prepare for the JOBS program. In the end they got 100 slots.

These businesses had cut back summer hiring in anticipation of the JOBS contract. They had already tooled up when the Washington ax fell.

Scores of businessmen are now disillusioned and rightly so.

What happens to unfulfilled promises, Mr. Chairman? They die off leaving many persons discouraged, such as the Rochester retailers who had actually geared up to absorb prospective trainees.

The manpower development training program in New York State has been the victim of unfulfilled Federal promises.

Similarly, appropriations for the Office of Economic Opportunity were not distributed fully resulting in severe cutbacks to the community action program, Neighborhood Youth Corps, Headstart, Job Corps centers, and migrant assistance programs.

These unfulfilled promises—no matter how well intended—do more harm than good. The administration should first assess the resources and its ability to apply them before promising us the moon.

Those companies, like Xerox, which have been able to participate in the JOBS program will find it worthwhile. But a communitywide effort must fill the void left by promises made to other firms and potential trainees.

One such program could be helped by a tax incentive to apply nationwide, for firms hiring and training the unemployed and unskilled.

This concept, called the Human Investment Act, which I have sponsored, would look to the private sector for its initiative and fulfillment.

Over the past several years America has experienced an unprecedented economic boom.

Within that expanding economy, however, there has been a major shift in the employment structure. The number of job openings for the untrained and unskilled drops drastically each year.

The continued existence of such groups is incompatible with our standards of human justice and threatens the stability and strength of our Nation.

Presently only about one out of every 10 jobs calls for unskilled labor and this percentage will continue to decrease. The vacancy rate for those few unskilled jobs is lower than for the more skilled positions.

The advances made into this space age require a more highly trained work force. The vitality of our economy depends on providing each individual with equal opportunity for meaningful employment.

Our increasingly complex society will no longer permit the unskilled, deprived, or disadvantaged to be absorbed into a sophisticated economy.

One thing is obvious. Despite steadily increasing productivity of the Nation's economy, significant levels of poverty, unemployment, and underemployment exist. This is visibly acute in the core areas of our major cities.

About one-third of those living in the blighted areas either do not work or earn a wage that is insufficient to maintain themselves and their families.

Poverty and underemployment are not limited to urban life.

About half of the Nation's unemployed are still in rural areas where employment opportunities are growing all too slowly. Unless rural economies can be rejuvenated or restructured, the rural poor will continue to move into the urban centers, compounding the problems there.

What we have in H.R. 15045, is a good start toward reaching our goals. But we must remember that it is only a start. It is imperative that we continue to develop new and imaginative programs to meet these problems.

I particularly support the committee recommendations to set aside 2 percent of the yearly appropriation for training and related technical assistance, and to allow a more effective and flexible use of skill centers.

But on top of all this we must assure greater cooperation at all levels of government and with the private sector. Through this cooperation we can really meet the needs of the people.

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

Mr. Chairman, during the adjournment that took place during August, one of the most respected Members of this body took the journey into the great beyond. I rise not to give a eulogy about him on this occasion, because eulogies will be given at a later date. I refer to our dear and valued friend, our late colleague from Pennsylvania, Elmer Holland. I was in Boston when I heard of his death. We knew he had been ill for some time, but his death apparently occurred with some unexpected suddenness. My purpose in making these few remarks on this occasion is to call attention to the fact that probably no Member of this body has contributed more toward the passage of manpower development and training legislation than did our dear friend, Elmer Holland. Other members of the committee also participated, and I commend them for their part.

I can remember when Elmer Holland was chairman some years ago—not so many years ago, but several years ago—of an ad hoc subcommittee to make a certain investigation, and out of the investigation and inquiry of the subcommittee emanated the first Manpower Development and Training Act. It was in the early 1960's.

The passage of this bill is a tribute to the memory of Elmer Holland. We all miss him. He performed his duties under great physical difficulties, even to the day we adjourned 5 weeks ago, being on the floor of the House and participating in the deliberations of this body. He always conducted himself not only in a gentlemanly manner but as a dedicated legislator.

My purpose in rising on this occasion is to let the RECORD contain the fact that Elmer Holland played a very important part, a leading part, in this legislation. In fact, he introduced the original bill, as I remember, in connection with the passage of the important legislation we are considering today.

I know all of my colleagues on both sides of the aisle will pause for a second or two on this occasion to pay tribute to our late friend and our late colleague, Elmer Holland.

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

Mr. McCORMACK. I am glad to yield to the gentleman from New York.

Mr. GOODELL. I want to associate myself with the Speaker's comments.

I worked with Elmer Holland on that original legislation which he introduced first in 1961. We held long hearings. He was diligent and very much committed to the purpose of this act. It was a somewhat revolutionary or unusual approach in 1961. He was very constructive and cooperative in developing a bipartisan approach to the manpower program. It was because of his approach we were able, in 1962, to pass this legislation with a very major bipartisan imprint on it.

Certainly Elmer Holland deserves a great deal of credit for that.

More than that, it was always a privilege for me and I believe for his other colleagues who worked with him on the

Committee on Education and Labor to be associated with him, working in the best interests not only of the laboring man and labor legislation but also our Nation.

I am proud to join the Speaker at this time.

Mr. McCORMACK. I appreciate very much the remarks of my friend. I know his remarks will be very consoling to Mrs. Holland.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise to endorse H.R. 15045, a bill to extend the Manpower Development and Training Act of 1962. I wish also to add my voice to the chorus of tribute to the late Elmer Holland, whose patient and skillful efforts in earlier Congresses were primarily responsible for the enactment of the MDTA legislation, and, more generally, for the development of a coherent and balanced national manpower policy.

H.R. 15045 extends programs which, in my judgment, must be characterized as success stories. Since its inception, the MDTA has created 1.2 million opportunities to train and educate the human victims of automation and of an ever more sophisticated technology. These opportunities have not been of the busy-work variety. They have rather been chances to train for the skilled jobs which our economy has created, jobs which provide their holders with a productive and satisfying occupation.

I will leave to other Members the explanation of the specific provisions of H.R. 15045. I wish to discuss one aspect of the MDTA, the very successful skills centers. My home city of Trenton was fortunate to receive quite recently almost $600,000 in MDTA funds for the Trenton Skills Center. This project is designed to provide education and training to unemployed workers in several occupational skills, including automobile repair, welding, key punch operation, electrical appliance service, and others. As this brief description indicates, the Trenton Skills Center is concentrating on preparing men and women for occupations where qualified workers are sorely needed. This undoubtedly accounts for the extremely commendable 89-percent placement rate of trainees who graduate from the Skills Center. In my opinion, the Trenton Skills Center has already contributed a great deal to the economy and the people of Trenton. I fervently hope that the skills centers programs can be continued and expanded.

Mr. Chairman, I am sure others have similar success stories from their States which would testify to the merit of the MDTA programs. The human and economic value of these programs is obvious. I would make one final comment, which may not be obvious. This Congress has properly undertaken a firm commitment to stop the crime which threatens all of our constituents. But I think we should constantly keep in mind that although effective aid to our law enforcement agencies is an essential part of that commitment, it is not the whole answer. As the Report of the President's Commission on Law Enforcement and Administration of Justice concluded:

> The criminal justice system . . . was not designed to eliminate the conditions in which most crime breeds. It needs help. Warring on . . . unemployment is warring on crime.

H.R. 15045, like all measures intended to improve the opportunities of our citizens for a productive and dignified life, will be of long-range help in stopping the violence which we all detest.

Mr. Chairman, I strongly recommend enactment of this legislation.

Mr. PHILBIN. Mr. Chairman, I am in strong support of this very meritorious bill, H.R. 15045, to extend the Manpower Development and Training Act. The passage of this bill is necessary in order to maintain program continuity and insure continued progress toward full employment.

I have been interested in the proposals covered by this legislation since it first came before the Congress, and in its early stages indicated my strong support and urged favorable action.

I am convinced that this legislation moves in the right direction and has been a contributing factor in solving some of the problems of hard-core unemployment. There is no question whatever concerning the great merits of the basic legislation.

It is with a sense of real satisfaction that I support the measure and hope and believe that it will continue to be of great benefit to the many people who will receive consideration and help under its provisions.

Mr. MILLER of Ohio. Mr. Chairman, I have long been interested in establishing a program to help solve this country's manpower problems by utilizing the ingenuity and resources of private enterprise. Properly amended and administered the Manpower Development and Training Act of 1962 can do much to accomplish this end. From the beginning the Manpower Development and Training Act has contained provisions to make it clear that congressional intent is that States are to be partners in the Federal manpower program.

Unfortunately this intent has been downgraded during the past few years, resulting in delays in funding projects. Disregarding this congressional intent the Department of Labor has proposed that the promotion, development and funding of on-the-job projects be assumed by Federal personnel. The State agencies would only retain the responsibilities for monitoring and servicing such programs.

In order to have an effective training program States must be permitted to participate on an active basis, and efforts to involve private enterprie must be increased.

The Manpower Development and Training Act can be the basis for a successful program in a field that has been marked by frustration. Amendments offered by the minority on the House floor can go far to achieve an effective program for developing skills among the untrained in the Nation. I support these amendments, and the other provisions of H.R. 15045.

Mr. PICKLE. Mr. Chairman, I am happy to lend my support to the bill to extend the Manpower and Development Training Act of 1962.

The history of this program has been marked with significant progress, and as a former member of the Texas Employment Commission, I have some familiarity with the problems faced in this field. In the early days of this program, I am proud that I pushed the MDTA training program in Texas.

Manpower projects have traditionally been aimed to make employable those who, sadly enough, have not been able to get the kind of job they need to support themselves and families. It is a practical program: It talks dollars and cents to the little man who needs a job; it pays for itself in the form of increased tax revenues; and the bill before us now carries forward the requirement that there be a reasonably sound expectation that the type of training given will equip the person to get a decent job.

In my own district over the past year, we have seen concrete examples of the good flowing from manpower projects.

In February, a program was started in Austin to provide training to 20 hotel and restrauant cooks. Austin also was awarded a program to train 307 auto mechanics and auto parts countermen.

Another similar on-the-job training project in Austin provides experience in auto repair for 196 people.

These programs have been good. They have proven themselves for a number of years, and I am hopeful that we may continue this effort.

I realize that there have been problems in planning the financing available to the Manpower Administration over the past year and a half. I hope this bill will, in some measure, clear the air so that the jobs to be made available in the future will bring an even greater success story.

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

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MACDONALD of Massachusetts, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15045) to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended, pursuant to House Resolution 1271, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the committee amendment? If not, the question is on the amendment.

The amendment was agreed to.

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 315, nays 0, not voting 118, as follows:

[Roll No. 309]

YEAS—315

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Ashbrook
Aspinall
Ayres
Bates
Battin
Belcher
Bell
Bennett
Bevill
Biester
Bingham
Blackburn
Blanton
Boggs
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carter
Casey
Cederberg
Chamberlain
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Collins
Conable
Conte
Corbett
Cramer
Culver
Curtis
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Dent
Devine
Dingell
Dole
Donohue
Dorn
Dowdy
Dulski
Duncan
Dwyer
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Everett
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Fulton, Pa.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Griffin
Griffiths
Gross
Grover
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammer-schmidt
Hanley
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Irwin
Jarman
Joelson
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClure
McCulloch
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Madden
Mahon
Marsh
Mathias, Calif.
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Minshall
Mize
Montgomery
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Pickle
Pike
Podell
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Roybal
Rumsfeld
Ryan
St. Onge
Sandman
Saylor
Schadeberg
Scheuer
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Slack
Smith, Calif.
Smith, Iowa
Smith, Okla.
Springer
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Taft
Talcott
Taylor
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—118

Adair
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Baring
Barrett
Berry
Betts
Blatnik
Boland
Bolling
Bolton
Brown, Calif.
Brown, Ohio
Cabell
Carey
Celler
Clancy
Clawson, Del
Colmer
Conyers
Corman
Cowger
Cunningham
Daddario
Dawson
Delaney
Denney
Derwinski
Dickinson
Diggs
Dow
Downing
Eckhardt
Edmondson
Evans, Colo.
Evins, Tenn.
Fallon
Flynt
Friedel
Fulton, Tenn.
Gallagher
Gardner
Gray
Green, Pa.
Gubser
Gurney
Halleck
Hansen, Wash.
Hays
Hébert
Herlong
Holifield
Howard
Ichord
Jacobs
Johnson, Pa.
Jones, Mo.
King, Calif.
Kleppe
Kyl
Landrum
Long, La.
McClory
McCloskey
McDade
McMillan
Machen
Mailliard
Martin
Mathias, Md.
Matsunaga
May
Miller, Calif.
Mink
Monagan
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Nix
O'Hara, Ill.
O'Neill, Mass.
Philbin
Pirnie
Poage
Rarick
Rees
Reifel
Resnick
Ronan
Roudebush
Ruppe
St Germain
Satterfield
Scherle
Schweiker
Sikes
Sisk
Skubitz
Smith, N.Y.
Snyder
Stafford
Stephens
Stubblefield
Stuckey
Sullivan
Teague, Calif.
Teague, Tex.
Walker
Wiggins
Wydler
Yates
Young

So the bill was passed.

The Clerk announced the following pairs:

Mr. Philbin with Mr. Arends.
Mr. Hébert with Mr. Mailliard.
Mr. Downing with Mr. Berry.
Mr. Matsunaga with Mr. Pirnie.
Mr. Hays with Mr. Brown of Ohio.
Mr. Ashmore with Mr. Cunningham.
Mr. Blatnik with Mr. Derwinski.
Mr. Fallon with Mrs. Bolton.
Mr. Evins of Tennessee with Mr. Adair.
Mr. Edmondson with Mr. Johnson of Pennsylvania.
Mr. Holifield with Mr. Betts.
Mrs. Hansen of Washington with Mr. Roudebush.
Mr. Ronan with Mr. Smith of New York.
Mr. Satterfield with Mr. Martin.
Mr. Stubblefield with Mr. Andrews of North Dakota.
Mrs. Sullivan with Mr. Moore.
Mr. Teague of Texas with Mr. Dickinson.
Mr. King of California with Mr. Halleck.
Mr. Miller of California with Mr. Morton.
Mr. Monagan with Mr. Mathias of Maryland.
Mr. O'Neill of Massachusetts with Mr. Morse of Massachusetts.
Mr. Sikes with Mr. Clancy.
Mr. Sisk with Mr. Gurney.
Mr. Celler with Mrs. May.
Mr. Barrett with Mr. Stafford.
Mr. Green of Pennsylvania with Mr. Denney.
Mr. Gray with Mr. Del Clawson.
Mr. Friedel with Mr. Kyl.
Mr. Fulton of Tennessee with Mr. Conyers.
Mr. St Germain with Mr. Teague of California.
Mr. Yates with Mr. Wydler.
Mr. Andrews of Alabama with Mr. Reifel.
Mr. Boland with Mr. Gubser.
Mr. Brown of California with Mr. Ruppe.
Mr. Daddario with Mr. McCloskey.
Mr. Delaney with Mr. McDade.
Mr. Colmer with Mr. Kleppe.
Mr. Cabell with Mr. Scherle.
Mr. Carey with Mr. Gardner.
Mr. Gallagher with Mr. Wiggins.
Mr. Ichord with Mr. McClory.
Mr. Walker with Mr. Snyder.
Mr. Machen with Mr. Schweiker.
Mr. Young with Mr. Skubitz.
Mr. Jacobs with Mr. Ashley.
Mr. Corman with Mr. Dawson.
Mr. Long of Louisiana with Mr. O'Hara of Illinois.
Mrs. Mink with Mr. Conyers.
Mr. Dow with Mr. Diggs.
Mr. Resnick with Mr. Nix.
Mr. Morris of New Mexico with Mr. Landrum.
Mr. Eckhardt with Mr. Baring.
Mr. McMillan with Mr. Poage.
Mr. Stephens with Mr. Stuckey.
Mr. Rarick with Mr. Rees.
Mr. Flynt with Mr. Herlong.
Mr. Evans of Colorado with Mr. Howard.

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes."

A motion to reconsider was laid on the table.

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill just passed, the Clerk be authorized to correct section numbers to reflect the amendments adopted to the bill.

The SPEAKER pro tempore (Mr. McFALL). Is there objection to the request of the gentleman from Michigan?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the

program for the remainder of this week and the program for next week.

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

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, Monday is District Day, but there are no District bills.

On Monday we will program H.R. 10564, marketing orders on pears for canning or freezing, under an open rule, with 1 hour of debate.

For Tuesday and the balance of the week:

S. 3293, the Defense procurement authorization, fiscal year 1969, conference report;

H.R. 15681, the Foreign Military Sales Act, under an open rule with 1 hour of debate;

H.R. 15890, additional positions in certain executive agencies, under an open rule with 1 hour of debate;

H.R. 18707, the Department of Defense appropriation bill, fiscal year 1969—calling this bill up will be subject to the conference report on S. 3293 being approved by both Houses of Congress; and

H.R. 18260, the National Scenic Rivers Act of 1968, subject to a rule being granted.

In addition, Mr. Speaker, the distinguished chairman of the Committee on Ways and Means has advised that on some day next week he will call up, under unanimous-consent request, a number of bills unanimously reported by the Committee on Ways and Means; and I ask unanimous consent that a list of these bills may be included at this point in the RECORD.

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

There was no objection.

The list is as follows:

H.R. 6909, relating to the rate of duty on stethoscope parts;

H.R. 7567, relating to the definition of compensation under Railroad Retirement Tax Act;

H.R. 11394, amending Internal Revenue Code re distilled spirits;

H.R. 13419, providing for the free entry of Cuprophane;

H.R. 15003, preventing payment of multiple customs duties on certain racehorses;

H.R. 15114, relating to losses incurred in connection with redemption of savings notes; and

S. 1578, relating to authorization for appropriation for U.S. contribution for International Union for Publication of Customs Tariffs.

Mr. ALBERT. Mr. Speaker, the program which we have announced is, of course, subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. GERALD R. FORD. Although the Defense Department appropriation bill is listed fourth, if both Houses of the Congress approve the procurement authorization bill on Tuesday, would that bill be programed ahead of the other two listed?

Mr. ALBERT. If the distinguished gentleman will yield, I believe that would be covered under our reservation that any further program may be announced later. We might get that bill sooner, because it is obviously the paramount bill on the program for next week.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—I would like to inquire of the distinguished majority leader the prospects for adjournment sine die?

Ordinarily, if this were an off year, I would be inquiring from the standpoint of trying to get in a little fishing before the ice forms out in the Middle West.

Mr. ALBERT. The gentleman is a fisher for men.

Mr. GROSS. I am a fisher for votes this year.

Mr. ALBERT. That is what I mean to say.

Mr. GROSS. And I think there are a lot of others in the same boat.

This is not much of a workweek we have in front of us here. With the exception of a couple of bills, the rest of them could be scrapped, and it would certainly be a service to the public to scrap the rest of them, including this supergrades bill, I will say to my friend from Oklahoma. What are the prospects, so that we can make some firm commitments in the business of campaigning? We are getting close to October 1. I would hope that the distinguished majority leader could give us some information as to how we can respond to campaign requests.

Mr. ALBERT. Will the gentleman yield?

Mr. GROSS. Yes. I am glad to yield.

Mr. ALBERT. The majority leader is very sorry that he cannot give the gentleman specific information at this time. I think I can make the general observation that any failure to adjourn at a reasonable time will not, I believe, be the fault of this side of the Capitol.

Mr. GROSS. I would think that the Democrat Members of the House would want to get out into the hustings and explain away the creation and then abandonment of Fort Daley and a few other things that I am sure you are going to be confronted with. At least some of us on this side of the aisle will be in the business of reminding you of the events of the past week or 10 days.

Mr. ALBERT. Will the gentleman yield further?

Mr. GROSS. Of course.

Mr. ALBERT. That was no Democratic fight. That was just a scrimmage. We were only getting ready for the Republicans this fall.

Mr. GROSS. I would suggest that you devote your dry runs to some other subject.

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

Mr. GROSS. I yield to the gentleman from Florida.

Mr. PEPPER. The gentleman brought up the subject about Fort Daley. I would have thought that the distinguished nominee for the GOP for President, when he was out there yesterday, would have denounced Mayor Daley and everything the city of Chicago did. However, when the subject was raised, he, like Pilate, washed his hands and had nothing to say about it.

Mr. GROSS. Of course, I cannot anticipate what the next President of the United States is going to say on any subject.

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

Mr. GROSS. I yield to my friend from Missouri.

Mr. HALL. I appreciate the gentleman from Iowa yielding to me.

I am a little bit concerned about the statement of our distinguished majority leader in connection with H.R. 18707. My query is this: Would acceptance by unanimous consent of his statement "subject to conference report on S. 3293 being approved by both Houses of Congress" make it in order to consider H.R. 18707 before it had been signed into law by the President of the United States?

Mr. ALBERT. Will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. ALBERT. The gentleman is referring to S. 3293 being signed into law?

Mr. HALL. That is correct.

Mr. ALBERT. I think the answer is, as the gentleman will recall, that prior to the recess for the conventions the distinguished chairman of the Committee on Appropriations had stated he would not call up the appropriation bill for the Department of Defense until the conference report on S. 3293 had been passed by both the House and the Senate. He did not limit or restrict that to the signing of the bill. Of course, the Department of Defense appropriation bill has a rule waiving all points of order. So if the conference report is agreed to, it would be in order both under his announcement and under the parliamentary situation governing the appropriation bill to bring it up before the President signed the authorization bill.

Mr. HALL. Mr. Speaker, if the gentleman from Iowa would yield further, I appreciate the fact that he has made the very point which I wanted to emphasize, and that is the fact that we will revert to the waiver of points of order as adopted under considerable duress in this House and great colloquy as contained in the legislative record in the interest of expediting the business of Congress.

Mr. Speaker, I know full well the need for the passage of the Department of Defense appropriation bill. I say this if the procurement authorization bill is agreed to in conference. I would only hope we could have some more appropriation bills next week for the consideration of the House and get the business of the Congress completed. However, I did want to make it clear that we would be operating under a waiver of points of order if this procurement authorization bill is not signed into law at the time of

the consideration of the Defense appropriation bill.

Mr. ALBERT. This is correct.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. McFALL). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT TO MONDAY NEXT

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

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

There was no objection.

SOVIET INVASION OF CZECHOSLOVAKIA

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, I am joining today with the distinguished chairman of the Committee on Foreign Affairs, Dr. MORGAN, and a number of other colleagues in presenting a resolution which condemns Soviet invasion of Czechoslovakia, expresses our admiration for the Czechoslovak people, and gives voice to the hope that the principles of equal rights and self-determination of peoples embodied in the Charter of the United Nations will be applied once again in that country.

Mr. Speaker, the conscience of mankind was shaken by the brutal Soviet military occupation of Czechoslovakia. This act undermined all the progress that has been achieved in recent years in building a solid foundation for lasting and just peace and for the reconciliation of Europe.

I know that all of us are deeply distressed by the developments taking place in Czechoslovakia not only because of our sympathy for the Czechoslovak people but also because of its impact on world affairs generally.

We call upon the Soviets and their allies not to "unleash the dogs of war." Let them call their troops home, and leave the Czechoslovak people free to pursue their own destiny.

Mr. Speaker, the text of our resolution reads as follows:

RESOLUTION CONDEMNING THE INVASION OF CZECHOSLOVAKIA

Whereas the invasion of Czechoslovakia by the armed forces of the Soviet Union, Poland, Hungary, Bulgaria, and the East German regime constitutes a flagrant violation of Czechoslovakia's territorial integrity and political independence, a disruption of the international order, and violation of the Charter of the United Nations; and

Whereas the people of Czechoslovakia by their calm and courage in the face of irresistible force have earned the respect of free peoples everywhere: Therefore be it

Resolved, That the United States House of Representatives—

(a) condemns the invasion of Czechoslovakia as an affront to human rights and as an unlawful use of force contrary to the fundamental principles of the United Nations Charter and of international law;

(b) expresses its admiration for the people of Czechoslovakia and its earnest hope that the principles of equal rights and self-determination of peoples embodied in the Charter of the United Nations will be applied once again in Czechoslovakia.

Mr. Speaker, on July 30, 1968, I placed in the CONGRESSIONAL RECORD beginning on page H7883, a chronology of events relating to Czechoslovakia, covering the period from January 1 through July 30, 1968.

Today I wish to bring that chronology up to date for the information of all Members of Congress. The chronology follows:

CHRONOLOGY OF EVENTS RELATING TO CZECHOSLOVAKIA SINCE AUGUST 1, 1968

August 1: Meeting at Cierna ends. Communique extremely vague, announces that a limited East European summit meeting would take place in Bratislava on August 3rd. The communique is followed by uninformative speeches by Svoboda, Dubcek, Smrkovsky, and Cernik.

August 2–3: Soviet, East German, Polish, Hungarian and Bulgarian leaders arrive in Bratislava for meetings with Czechoslovak officials. Subsequent declaration appeared to be a patch job of previously agreed-to cliches.

August 8: *Literarni Listy* publishes attack on Russian tactics leading up to the Bratislava meeting.

August 9: President Tito of Yugoslavia arrives in Prague for a 2-day visit, given a hero's welcome.

August 10: New Warsaw Pact maneuvers begin along the entire length of the Czechoslovak frontier.

August 12: The East German Communist Party First Secretary, Walter Ulbricht, meets with Czech leaders at Karlovy Vary.

August 14: Soviet press reacts sharply to the *Literarni Listy* article. Anti-Czech polemics, dormant for two weeks, resumed.

August 15: First Secretary Nicolai Ceausescu of Romania arrives in Prague for a 2-day visit and high level talks.

August 16: Soviet Politburo meets in special session, reportedly to discuss the question of direct intervention in Czechoslovakia.

August 17: Czech Party Presidium holds talks with press leadership and asks for restraint.

August 19: Brezhnev sends Dubcek letter complaining that loyal communists are being persecuted in Czechoslovakia. Dubcek asks the press to impose self-censorship.

August 20: Soviet, Polish, East German, Hungarian, and Bulgarian troops invade Czechoslovakia. Czech leaders taken into custody. Prague occupied. Borders sealed and communications cut off.

August 21: Czechoslovak Government and party officials state that they had no knowledge of, nor did they grant approval for, the invasion of Czechoslovakia by the Warsaw Pact Five. Soviets and allies maintain that they were "invited" into Czechoslovakia by "Party and Government officials." Czechoslovak leadership calls for calm; Army told not to resist.

August 21: Czechoslovak National Assembly calls invasion a violation of sovereignty and demands the immediate withdrawal of foreign forces. Representatives of Canada, Denmark, France, Paraguay, United Kingdom, and United States request that the UN Security Council be convened to discuss the Czech situation. President Johnson expresses shock on behalf of nation at the tragic news that Soviets and their allies have invaded Czechoslovakia.

August 22: Security Council convenes and considers the Czech question.

August 22–23: Czechoslovak Communist Party holds secret Party Congress and elects new liberal leadership.

August 23: Svoboda departs for the Soviet Union and negotiations; upon arrival in Moscow, demands that Dubcek and other leaders who were spirited away from Prague be allowed to join him. Czechoslovak representative addresses the UN Security Council and condemns the invasion of Czechoslovakia.

August 24: Tito and Ceausescu meet at Romanian-Yugoslav border. Czechoslovak Foreign Minister Hajek addresses Security Council and terms the occupation of Czechoslovakia unjustified and counter to international law.

August 26: Moscow meeting end. Communique ominous in content, calls among other things for occupation, censorship, and removal of Czechoslovak question from Security Council agenda.

August 27: Czechoslovak leadership returns from Moscow; includes missing members Dubcek and Smrkovsky.

August 28: Czechoslovak leaders address the nation and bluntly tell the population that the road ahead will be dangerous and difficult.

August 29: Reports of Soviet military buildup against Romania.

August 30: Soviet Ambassador assures Secretary Rusk that the Soviets have no intention of invading Romania.

August 30: President Johnson speaks on Eastern Europe, warns "let no one unleash the dogs of war."

August 30–31: Czechoslovak Central Committee meets and elects a new Presidium expanding that body from 11 to 21 members. The majority of members are believed to be liberals or progressives.

LIMITATION ON THE EXPORT OF LOGS FROM FEDERAL TIMBER

Mr. WYATT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WYATT. Mr. Speaker, logs are the lifeblood of my State. And half of them come from Federal forests. Our national forests were established by Congress late in the last century to guarantee an adequate timber supply for the people of the United States. Later, in 1937, when Congress established policies for the management of the revested O & C Railroad grant lands in western Oregon, it said that their resources were to be used primarily for stabilization of the economy of local communities.

The forest industry in Oregon is our No. 1 employer with more than 85,000 direct jobs and an annual payroll approaching $600 million. Our forest harvest brings in a billion and a half dollars a year. More than twice as much as our second largest breadwinner—agriculture. Based as it is upon a renewable resource, forestry will always produce our basic economy. Oregon forests are not only important to those of us who live and work there, but because they contain a fifth of the Nation's timber supply are important to homebuilders, newspaper and magazine readers and TV viewers and others of the millions of forest products consumers throughout our Nation.

Our friends in Japan have been buying an increasing number of logs from the Pacific Northwest in the last decade. This

year it will be more than 2 billion board feet. That is nearly 18 percent of our total annual domestic consumption of logs in Oregon and Washington. This heavy additional demand on top of our normal pressures to meet the needs of the people of the United States for wood has greatly boosted timber and log prices and is now raising lumber prices to the American homebuilders to almost unprecedented levels.

My colleagues and I have joined in urging an amendment to the foreign aid bill, now in conference, which would limit the export of logs from Federal timber in the West to 350 million board feet per year. Our Federal forest agencies and the industry agree that this is a safe level to allow without jeopardizing the domestic supply of forest products or opportunities for employment in our basic forest industry.

Mr. Speaker, I am hopeful that under the competent leadership of the distinguished chairman of the Committee on Foreign Affairs that the House conferees will support this amendment to the foreign aid bill to safeguard the timber supplies of the American people and jobs of the people in the hundreds of western communities where sawmills and plywood plants are the main source of employment.

PROBLEMS CONFRONTING MAYOR DALEY AND CITY OF CHICAGO DURING DEMOCRATIC CONVENTION

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, on Wednesday this week my distinguished colleague, the Honorable ROMAN PUCINSKI, a former newspaperman in the city of Chicago, asked and was given permission for a special order for 1 hour in order to bring to the attention of the Members of the House and the people of America in proper perspective the problems confronting Mayor Daley and the city of Chicago during the recent Democratic Convention. ROMAN PUCINSKI *is eminently* qualified because of his background and training as a newspaperman to present a true picture of the happenings of Wednesday and Thursday of the convention week.

I share with him the belief that the whole country must be told in order that a fair and honest appraisal can be made before judgment is passed on an entire community. I have known Mayor Daley since 1940 and he is not the kind of a man who tackles a job haphazardly. He is a man of great human understanding. He is a man who uses tremendous discretion before a decision is made. He has had one of the most outstanding political careers as a public servant of any man I know in American politics. I have watched him as the minority leader of the Illinois Senate and in this capacity he was responsible for the enactment of social and liberal legislation that to this day is benefiting the people of Illinois. He served with great distinction and honor as a member of Governor Stevenson's cabinet as director of revenue. I, too, served in Governor Stevenson's cabinet working alongside Dick Daley and during those years I had the opportunity to observe the tremendous contribution that he made to the establishment of new procedures for the collection of much needed revenues in our State.

He became the county clerk of one of the largest counties in the Nation—Cook County—and under his jurisdiction are all of the election precincts in our county outside of the city of Chicago, Berwyn, and Cicero. He was one of the leaders to bring election machines to the precincts of Cook County and was responsible for many of the reforms in that office, again serving the people of his city and his county with humility, understanding, dedication, and devotion.

In 1955 he was elected mayor of the city of Chicago and during the past 12 years as mayor of our city he has completely reorganized, updated, and modernized every branch of service to the citizens of Chicago. Our police department, our fire department, our bureau of streets and sanitation, our air pollution department, our health department—in fact, every department, has felt the impact of this man's dedication to bring good, honest, and efficient government to Chicago.

I cannot and will not agree with the critics of Dick Daley—that he had any forethought or malice to hurt anyone at the Democratic Convention. The situation that occurred in Chicago would have occurred in any city in the United States had the convention been held in that city. It may be true that in many instances the police overacted but on the whole we must agree that the police department is to be congratulated for doing an outstanding job. With all of the so-called demonstrations or rioting that took place, the record will show that not one person was killed in Chicago. The record will show that not one delegate was bothered on the streets of Chicago. The record will also show that not one delegate was injured, that not one delegate was robbed nor molested. The record will also show there was not one complaint to the police department from any delegate, or alternate delegate, that he had been abused in any way.

The Conrad Hilton Hotel is located in the Seventh Congressional District which I have the honor to represent in the Congress of the United States. On Wednesday night I walked on Michigan Avenue from the Congress Hotel past the police over to the Conrad Hilton Hotel and I observed the demonstrations of these 10,000 people who came from outside our city as "visitors" to this convention. I observed the television cameras on these people and on the police, yet only a block away from the Conrad Hilton Hotel there were no demonstrations or riots. Life went on as normal, and except for the TV coverage of the events, no one outside of the small area around the hotel would have known that any disturbances were taking place.

I want to say in all frankness that in my entire district there is nothing but praise and plaudits for Mayor Daley because not one place of business and not one home was burned in Chicago. One must remember that in my district on the West Side of Chicago we have already had two riots. I have seen the businesses in two different sections of my district burned out. I have seen the peoples' homes burned and mothers, fathers, and children made homeless—because of the outside agitators who came in to destroy and I must say in all candor and frankness that we in Chicago are grateful to the Chicago Police Department and the great mayor of our city because no home nor business places were burned, no children were injured, and in fact, no one was hurt. We have had a proud record of noncasualties.

In my opinion I think it is the responsibility and the obligation of the television media and the press to tell the whole and complete story. There has been too much concentration on the scene that took place on Wednesday and Thursday night in a small area near the Conrad Hilton Hotel and Grant Park where over 10,000 demonstrators had gathered for the express purpose of causing trouble and disrupting the orderly procedures of the convention.

The American people must be told that the trouble that took place in Chicago was only in a small area and that the entire city of Chicago and the county of Cook did not know what was happening except what they saw on the television screen.

Mr. Speaker, I want to say to my colleagues that on Friday, Saturday, and Sunday our city looked as though we never had a convention. Our people went about their own business in a normal fashion.

I have heard many statements made about our great Attorney General, Ramsey Clark. I know the Attorney General. He visited Chicago on October 12, 1967, as the grand marshal of the Columbus Day parade and marched with me, Mayor Daley, and many other government officials and dignitaries.

There are those who are screaming for indictments of the Chicago demonstrators. Let us remember that we do not live in Communist Russia. We do not live in Hitler's Germany. We do not live in Fascist Italy. We live in the United States of America where evidence must be brought before a grand jury and indictments made before a grand jury and this evidence must be brought to a court of law. No man in America is judged guilty by an individual but he must be tried by a jury of his peers. This is the American way.

We are fortunate that Ramsey Clark is the Attorney General of the United States because he is a man of great stamina and believes in the American way of jurisprudence. I am sure that if there is any evidence, and when this evidence is collected, and indictments are made in a proper manner, that the strength and might of the Justice Department of the United States will be used to punish the guilty and protect the innocent.

Mr. Speaker, the Democratic Party is a party composed of southern Democrats, liberals, labor people, and many

other elements. Our convention is over and I am asking that all of these groups give sober thought and judgment to what lies ahead, so that we can be united again to work in our party on behalf of America and the American people. I condemn any man or woman who uses what happened at the Democratic Convention for political purposes. This is demagoguery of the worst sort.

I have heard no Democrats nor Republicans criticize the convention in Miami where riots did take place, where men were beaten, where people were killed, and their homes and businesses burned.

No party and no man is without sin, but if we are to have a campaign in 1968 to elect a President who will represent all of the people of this country it is necessary that we go about our business in a manner which will bring the issues before the American people.

The television, radio, and the press must understand the important role they have if we are to save America from those anarchists who want to destroy us. The news media cannot present just one part of the picture—they must present the whole picture. Because when all of the facts are brought to the attention of the American people, they will vote their conscience as they have done from the beginning of our country. I know that when all of the oratory of the campaign is over, that the 1968 campaign will be resolved by the American people only on the issues, without hatred, without bigotry, without prejudice, but with love, understanding, and compassion for their fellow man.

ATTORNEY GENERAL CLARK MAKES SENSE ON LAW AND ORDER

Mr. TENZER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. TENZER. Mr. Speaker, the Attorney General of the United States, the Honorable Ramsey Clark, has consistently made sense in analyzing the problems relating to maintaining law and order and meeting the challenges of our riot-potential cities.

There are those who call for use of maximum force to quell civil disorder—those who quickly support the use of an overwhelming militia to protect the people—and those who find it politically expedient to not only use a show of force, but also to call for shooting of looters.

There can be no law and order without social justice. We should be equally or even more concerned with improving the quality of law enforcement through modern training, better salaries, higher educational standards, and expanded opportunities for those who enter the field of law enforcement.

Attorney General Clark has long been an advocate of these progressive steps and a recent editorial broadcast over WTOP in Washington on August 23 and 24 strongly supported Ramsey Clark in opposing unwarranted overreaction, such as the shooting of looters.

With unanimous consent, I place the text of the editorial in the RECORD in its entirety:

This is a WTOP Editorial.

There are opportunists everywhere, it seems, who see political gold in the issue of looting. Emotional appeals for turning guns on people hauling goods out of store-fronts have been fairly common in the Washington area since the April disturbances. Too often they get a sympathetic hearing from those who are frightened by the times and desperate for a quick end to our social unrest.

U.S. Attorney-General Ramsey Clark warned in a speech the other day that those who encourage shooting in such situations are not doing the police or the nation a favor. "Anyone who thinks bullets are cheaper than adequate numbers of $10,000 per year, college-trained policemen," said Mr. Clark, "values life cheaply and misunderstands human nature."

Looting is a crime which must be punished; but under our laws it is not a capital crime punishable by death. "What is it that causes some to call for shooting looters," wonders the Attorney-General, "when no-one is heard to suggest the same treatment for drunk drivers who kill 25,000 people each year?"

There is a dangerous inconsistency in the argument that deadly force is justified to protect property. Bank embezzlers, Mr. Clark notes, steal more property by far than looters, but there is no clamor among the seekers after votes to shoot embezzlers.

Well-trained and well-financed police agencies, strong police-community relations, adequate numbers of officers—these are the proper weapons for preventing riots and looting and for controlling such conflagrations when they occur.

The enlightened police agencies in this country have long operated under the rule that firearms should be resorted to only in self-defense or to protect the lives of other citizens. When police officers witness looting, they should use every means at their disposal—except bullets—to arrest the individuals involved.

The shrill politicians who want looters shot are wrong. The judicious Attorney-General who says such use of deadly force is neither necessary, effective, nor tolerable—is right.

This was a WTOP Editorial—Norman Davis speaking for WTOP.

Mr. Speaker, I urge my colleagues in the House to carefully review the advice of the Attorney General and to beware of the simple answers from those who seek political recognition first, and an answer to urban problems last.

THE LATE MAX HESS

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the 15th Congressional District of Pennsylvania and the entire merchandising industry were stunned this week by the loss of a man who earned for himself international recognition as a retailing genius.

Max Hess, who propelled merchandising at Hess' Department Store in Allentown, Pa., to national and international prominence over a period of 33 years, died at his Allentown home Sunday.

It was only 6 months ago that Mr. Hess sold his retailing business. At the time of his death he was planning to seek the office of mayor of Allentown, the city which has maintained an extraordinary strong "downtown shopping district," largely through the efforts of Max Hess.

His merchandising techniques frequently attracted thousand of shoppers to Allentown, where they packed the sidewalks at all entrances to Hess', awaiting the start of business hours. His store became a mecca for name personalities who came to shop and to meet their public.

His citations for achievement in merchandising were numerous. Max Hess was one of six persons to receive the Eastman Achievement Award presented by the Eastman School of Business in New York. He received the Keystone Merit Award for "outstanding contributions to Pennsylvania," and his home city's bicentennial "certificate of merit."

He was named Chevalier of Honor by France for encouraging commercial relations between the United States and France. He was honored by the city of Rome and the Italian Institute for Foreign Trade.

As evidence of the high respect his community had for him, I would like to include in the RECORD at this point several newspaper articles and editorials which reflect the deep feeling of loss experienced by all who knew him. Allentown and Pennsylvania have lost a fine citizen and a tremendously energetic force.

The articles and editorials follow:

[From the Allentown (Pa.) Evening Chronical, Sept. 3, 1968]

CIVIC, BUSINESS LEADERS EXTOL HESS' CONTRIBUTIONS

The unexpected death Sunday of Max Hess, Allentown's retail merchandising giant, has thrust many segments of a shocked community into a sense of profound loss.

Mayor Ray B. Bracy, speaking in behalf of the community, said, "Allentown has lost a citizen who has probably done more to advance downtown Allentown and to promote Allentown nationwide than any other person in recent years. His dedication and confidence in Hamilton Street has helped keep that street one of the leading retail business sections of this country.

"Allentown and the Lehigh Valley have lost a great leader as well as a citizen, and Max Hess's family has lost a fine husband and father.

"The best memorial to Max Hess, and it will stand for years, is Hess's Department Store."

Philip I. Berman, president of Hess's since purchasing the store last March, also thought of the store as a memorial.

SHOCK EXPRESSED

"I was shocked when I learned of Max Hess's death. I expressed my deepest sympathy to the family on his untimely death.

"I can speak very highly of his contributions to this community. I would like to think of the great store which bears his name as his memorial, and we—all of us who work there—will make a great contribution to make this store even greater. I believe this is what he would have wanted.

"There is a bit of fate that in his own lifetime, by his own wishes, he turned the store over to us with the feeling it would be in hands that would carry on. We of the

store are going to dedicate ourselves to fulfilling this faith and pledge."

Berman and Donald P. Miller, publisher of the Call-Chronicle Newspapers, were among the first to call upon Mrs. Hess after learning of Max Hess's death.

CARVED OWN NICHE

Miller said:

"Max Hess carved a niche in the community that was all his own. When we called him the 'Merchant Prince,' we really meant it because he was a master in his field. There was no phase of the great store unfamiliar to him, whether buying, pricing or advertising. He sat in on an advertising course developed for department managers, and within a year had doubled his ad volume.

"His policies, initiated by a shrewd understanding of the department store business, brought him national recognition. Allentown to many people in America, is Hess Brothers.

"It is a sheer tragedy that he sold the business so close to his heart with plans for rest and travel, only to be gone overnight.

"We will miss Max."

EXTRAORDINARY MERCHANDISER

Another with first-hand knowledge of Max Hess's contributions to Allentown is Don Dix, president of the Allentown-Lehigh County Chamber of Commerce. He said: "Max Hess was a truly extraordinary merchandiser.

"He built the image and reputation of Hess's of Allentown to the point where it was known worldwide. In so doing, he brought recognition and acclaim to Allentown. We are indebted to him for all that he did to make Allentown a leading retail center."

A keen competitor of Hess's for many years, one of the executives of H. Leh & Co., John Henry Leh, joined others in expressing shock at the loss to the community.

"Max Hess was a great merchant," said Leh. "He carried on the fine tradition of his father and uncle (Max and Charles Hess), the founders of Hess Brothers.

"It is a difficult assignment to step into the shoes of successful predecessors. Not only did he ably do this, but he succeeded in his own right in developing his great store. Allentown has been a good place in which to live because he has been a part in making it so."

A man who was friend to the founders of Hess Brothers as well as Max Hess, the former board chairman and president of the First National Bank, Frank M. Cressman, was shocked and sorrowed to learn of the untimely death.

"He was the leading merchandiser of this city and was looked upon as being a promoter of high standard merchandising. It was my privilege to know Max since his boyhood—knew both his father and mother through the Red Cross and Allentown Library, as well as the uncle, Charles Hess.

"Although I was a young man in those years, they symbolized good merchandising. Max followed through and improved upon their methods—and won worldwide renown in his field."

Jack K. Busby, president of the Pennsylvania Power & Light Co., whose office building stands across 9th Street at Hamilton from Hess's in Allentown, stated his feelings in this way:

"He changed the whole climate and pattern of activities of commercial Allentown and added a luster, local, national and international, to Allentown's name. He was a creative and innovative individual."

The general manager of Sears, Roebuck & Co.'s department store at Whitehall Mall, Charles Raab, said, "We'll miss one of the greatest merchants in the country. We did when he retired, but now more so. Max Hess was greatly respected in our business. He was an individualist, an imaginative entrepreneur. This respect was held for him throughout the country."

Donald G. Vollmer, president of Zollinger-Harned Department Store, said:

"I'm deeply sorry to learn about this." "It's a most unfortunate thing. I feel extremely sad for the family."

[From the Allentown (Pa.) Morning Call, Sept. 3, 1968]

MAX HESS—1911–68

Few contemporary careers in retail merchandising have been as glamorous and fabulous as the one that has come to a close with the death of Max Hess, until a few months ago the president and owner of Hess's department store.

Although his father and uncle established the foundations of the store some 70 years ago, in an era when few believed Allentown's business district ever would extend far west of 8th Street, their son and nephew was every bit as much of a pioneer. He expanded Hess's until it became what many regarded as the biggest single-store retail operation in the United States, an institution with a worldwide reputation and customers in every state.

Since he took over the full and active management of Hess's more than 33 years ago, he pioneered colorful merchandising techniques that brought customers pouring into his store and helped make Allentown one of the major shopping areas of the eastern megalopolis. Among these techniques were the kind of clearance sales that never let merchandise stay on counters or racks long enough to become shopworn or unfashionable, the art of making many husbands as fashion-conscious as their wives, the skill of catering as much to customers who count their pennies to meet family needs on strict budgets as to those who buy the most luxurious minks.

The decisions on which Hess's has grown through these years were basically his own. He made them as he moved through the store observing customers, talking to clerks and department heads, looking over the markets of the world either through the reports from his buyers or on his own frequent travels. The results indicate that the decisions were sound, for Hess's, for its 1,500 coworkers and for Allentown.

As he invested his energy, his talents and his means in his own store, Max Hess also expended them for Allentown. The success he achieved for his store has been an important factor in making the community that always was his home a better place to live, to work and to shop.

[From the Bethlehem (Pa.) Globe-Times, Sept. 3, 1968]

MAX HESS

The impact of Max Hess who died unexpectedly on Sunday is far-reaching. He was a merchandising marvel who built Hess's into one of the nation's finest department stores. He was a showman who hired anything and everything from roller-skating chimpanzees to movie stars to promote his store. He was a kind person sometimes moody, at times quick-tempered, but with a flair that made knowing him an adventure.

The rise of Max Hess to prominence in the merchandising world is a classic in the American tradition. He dropped out of Muhlenberg College in 1932 to take over Hess Brothers, the store founded by his father and an uncle. Sapped by the depression and hindered by staid practices, the department store found renaissance under its young leader. He instituted an inventory system that kept fresh stock constantly in front of customers. He built escalators, installed air conditioning, and gave customers the feeling of shopping excitement. He sent buyers to all corners of the world looking for fashions and new products to catch the fancy. Meanwhile, he never lost the hometown touch and never gave up his direct contact with shopper and employes. In 1951, the New York Times wrote of him: 'The ideas of young Hess have attracted nationwide attention. Some of the giants in the business could take a leaf from his book."

The influence of Max Hess upon retailing in the Lehigh Valley also went considerably beyond his bustling establishment at 9th and Hamilton. His Allentown competitors would be the first to agree that Mr. Hess brought traffic and gave Hamilton St. banner years when downtowns elsewhere were fading.

His impact upon Bethlehem was just as great, if not so evident. The challenge of every city retailer was to give the people something which would keep them from "going to Hess's." But each year Bethlehem shopping dollars helped swell Hess's gross volume of business to new records. In one year-end promotion, Mr. Hess rubbed it in by buying a full page ad in the Globe-Times which showed Lady Godiva riding down a deserted Broad St. while the crowds flocked to Hess's. Mr. Hess confided later he regretted the ad. Nevertheless, this was the measure of the competitiveness in the man. It is said that several prominent stores, after surveying the expansion potential in this area, were dissuaded because they did not wish to do battle with Max Hess.

Earlier this year at age 57, Mr. Hess sold out his department store to Philip Berman, a man with many similar promotional gifts. No one expected that would be the last of Max Hess. Indeed, by spring, he had already started testing the political pulses as a prelude to running for mayor when Allentown starts its first year of strong mayor—council government in 1969.

The success which Mr. Hess achieved as a merchandising genius stands as his monument. But it is regrettable that he was deprived of a chance to try for a second career in Allentown politics. His death so early in his mature years takes from this general community an exciting, venturesome man. So few of them cross our path in a lifetime.

MAX HESS, COMMUNITY ASSET

Most cities are best known for products of their factories.

The name of Allentown also is associated with certain products in many minds.

But it is even more widely known as the home of Hess's department store.

This is no accident.

It is the result of the magic worked by Max Hess, a master merchandiser who in 33 years developed the department store which bears the family name into the largest single retail store operation in the United States.

Less than six months ago Max Hess sold the store founded more than 70 years ago by his father and uncle. After 33 years as its guiding genius he was looking forward to a more relaxed life, including travel.

But now Max Hess is dead at 57, his life cut short unexpectedly while he appeared to be in good health.

Although Hess's now is under other ownership, the magnificent store at 9th and Hamilton Sts. will stand as a memorial to this man who had an unbelievable talent for promotion and development of merchandising techniques which brought him worldwide fame and acclaim, and gave Allentown the unique distinction for being better known for a store than for any other single reason.

Max Hess's faith in the future of downtown Allentown contributed greatly to survival of the midcity retail shopping district which has disappeared so rapidly in other cities.

He was a familiar figure in the markets of the nation and the world, where he joined his buyers in the quest for merchandise to appeal to all tastes, all levels of society and all economic strata.

Unquestionably, Max Hess was Allentown's most widely known citizen.

He also was a valuable community asset, not only because of the personal and business recognition he received from local, national and world bodies, but also because in making his mark in the world of merchandising he was making a mark for Allentown and the Lehigh Valley as well.

MORALITY IN MASS MEDIA

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

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, the increase of violence and immorality in our country has alarmed the great majority of law-abiding Americans who support and work for orderly progress.

Statistical reports of law enforcing agencies are not encouraging. Indeed, through television news we are eyewitnesses to current disorders which can only ultimately divide, disrupt, and defeat even their own purposes.

Crime, assassination, and mob rule are not the American heritage. They will not be tolerated by the American people. The General Federation of Women's Clubs, an 11 million member organization, which I am proud to say includes 16,683 women in my home State of West Virginia, has announced a campaign for morality in mass media which I am pleased to commend.

Their announcement follows:

MORALITY IN MASS MEDIA

A nationwide campaign to halt the proliferation of lurid sex, crime and violence in movies, television, magazines and paperbacks, has been launched by the General Federation of Women's Clubs, an international organization with eleven million members.

Mrs. Walter Varney Magee, president of the General Federation, said that it was dismaying to her that "although far more youngsters today have a college education than ever before, the quality of life seems to be deteriorating. Consideration for others is practically a thing of the past, and a coarseness has replaced refinement, making life, in too many cases, a rather drab, subsistence affair."

This situation she blames on the virtual takeover of the entertainment media by crime, violence and sex. "Self-regulation by the industries involved has not worked," she said. "Promises by the Motion Picture Association and heads of TV networks have not been carried out. Movies are increasingly vulgar and offensive, television is rampant with crime and violence."

Mrs. Magee asked, "If we believe that the good and true and the beautiful have beneficial effect on our youth, why do not the cheap, the immoral and the salacious have a similar impact? The fact of the matter is . . . they do!" She cited as instances in point the skyrocketing number of illegitimate births, the broken marriages, the number of young fathers who refuse to accept their parental responsibilities and the upsurge in venereal disease.

Through the organization's national magazine, GFWC Clubwoman, the Crusade for Morality in Mass Media will be brought to its 15,000 clubs in the States. An Agenda for Action each month will give clubwomen step-by-step procedures how to carry on the Crusade in their towns.

TO ALLOW GROUPS ASSISTING AMERICAN SERVICEMEN TO PARTICIPATE IN THE DISTRIBUTION OF SURPLUS FOOD COMMODITIES

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. PICKLE. Mr. Speaker, today I am introducing a bill to allow groups providing assistance, entertainment and recreation to American servicemen to participate in the distribution of surplus food commodities of the Department of Agriculture.

The benefits of the United Service Organization, the Red Cross, the Salvation Army, and other similar groups can be no secret to anyone who has been in the service.

These organizations daily give our servicemen a place to spend leisure hours, to get oriented in a strange town, to meet friends in a hospitable and cordial atmosphere. In addition, they provide valuable contact between the serviceman and his family.

One of the greatly appreciated services of these groups is that of providing snacks and meals. As with all volunteer, donation groups, however, the budgets under which they must operate is tight, and the dollar otherwise spent on food could go a long way in providing other services.

Unfortunately, present laws dealing with the disposition of surplus foods are not broad enough to include groups providing aid to our servicemen. I feel this bill will improve the lives of our men in uniform, as well as benefit the overall operation of the food program.

Many of the surplus foods not of particular suitability to one of the programs already established could well be used to help the USO, the Red Cross, the Salvation Army and other groups.

I am hopeful, Mr. Speaker, that this move will be endorsed both by the Department of Defense, and the Department of Agriculture, and it is my strong hope that the Congress can move to give this question its closest consideration.

Currently, 16 commodities are being made available through the commodity distribution program. They include, dried beans, butter and margarine, cheese, corn grits, instant potatoes, cornmeal, flour, chopped meat, nonfat dry milk, peanut butter, dried split peas, raisins, shortening and lard, rolled wheat, and oats and rice.

REFORM IN THE IRS

The SPEAKER pro tempore. Under previous order of the House the gentleman from Oklahoma [Mr. SMITH] is recognized for 60 minutes.

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, on August 30, 1967, and again on November 2, 1967, I brought to the attention of the House that serious charges made in a leading national magazine, the Reader's Digest, against an agency of the Federal Government, the Internal Revenue Service, had been investigated and "whitewashed" by a committee of this Congress.

The Treasury and Post Office Subcommittee, chaired by the Honorable TOM STEED, of Oklahoma, convened last fall to allegedly probe the charges contained in the August 1967 issue of the Digest entitled "Tyranny in the Internal Revenue Service." Editorial comments from various newspapers in Oklahoma and elsewhere endorsed this action, as I did, because of the impact of the article. To the dismay of the average taxpayers, however, even though documentation of the Digest's charges were offered to the chairman by the author of the article, John Barron, no one from the Digest was called to testify, and none of the injured parties mentioned in the article were interrogated by the committee.

Instead, the subcommittee, behind closed doors, heard only from witnesses representing the Internal Revenue Service, and received into evidence nine letters praising the IRS. With this the committee was recessed by the chairman, with his closing comments:

Commissioner, on behalf of the committee I want to express our real deep appreciation to you and your colleagues for coming here today and providing us this information.

We appreciate the candid and complete way you have responded to the questions and the information that you have made available. We hope that out of this will come some clarification of the facts in the minds of the people who are interested, both in and out of the Government.

The probable bad result from such an attack made on the Service has been minimized, we hope. We think that you are doing a good job and will continue to do so and assure you that this committee will continue to cooperate with you.

This statement by a chairman of a subcommittee which has a constitutional duty to hear at least both sides, rather than be utilized as a forum for the propagation of the bureaucracy, did not indicate, in my opinion, that the chairman was willing to conduct a full investigation of a serious charge. A committee of the Congress is not in business to minimize damaging evidence against a governmental agency or department, but to arrive at the truth or falsity of the charges in the public interest.

After reading the subcommittee report, the Reader's Digest submitted a rebuttal document, their only recourse, which was placed into the RECORD on August 30, 1967, and it charges:

The IRS has made (during the committee hearings) a number of deliberately false statements—statements clearly disproved by Federal court decisions as well as by previous admissions of the Government itself . . . In one case, IRS has fabricated a quotation and attributed it to the written decision of a Federal judge.

In connection with this, on page 45 of the printed subcommittee report concerning this investigation, my distinguished colleague from New York, Hon. HOWARD ROBISON, asked IRS Commissioner Sheldon S. Cohen:

As I understand from what you have said, there is no quota or other standard of measurement by which IRS agents are judged with respect to their efficiency or productivity and by which measure they earn promotions?

The answer from IRS Commissioner Cohen was:

Absolutely not. It would be silly of us to operate on that basis because an issue determined today on one basis may work to the taxpayer's advantage tomorrow.

However, Mr. Speaker, in the December 1, 1967, issue of the "Bulletin" which is published by the National Association of Internal Revenue Employees, a column entitled "It Already May Be Too Late" states:

This column has repeatedly urged that the IRS Commissioner take decisive action to call a halt unconditionally to the production rat race, which has been operative in the Internal Revenue functions for some time now . . . It is not inconceivable that the courts will soon be deluged by law suits claiming that capricious and indiscriminate actions were taken against those citizens' rights by agents of the IRS. The main reason for such violations of taxpayers' rights doubtless will be because of the preposterous production goals set by the IRS for its employees.

On January 17, 1968, in a statement before the Senate Subcommittee on Administrative Practice and Procedure, the president of the National Association of Internal Revenue Employees, Mr. Vincent L. Connery stated:

Aside from the outside pressures, however, it is our considered judgment that certain IRS management policies and procedures tend to generate and foster a climate in which offensive practices may well take root and flourish. We have in mind specifically management's emphasis on quotas and production goals. The pressure begins in Washington, is transmitted to the Districts through the Regional pipelines, and is vented on the working agent and Revenue Officer. Under such a system, quality of performance is a casualty, and in too many cases, the taxpayer may be the victim of an overzealous agent or officer frantically trying to meet his quantitative goals or quotas imposed upon him from higher up in the IRS management structure."

Judging from these statements by the revenue agents' representatives themselves, it is obvious that the credibility gap of this administration has even penetrated the taxgathering agency of our Government. Commissioner Cohen, in his testimony before the committee, was either misrepresenting the facts or simply does not know what is occurring within his own department. In either case the mistake is deplorable.

To further deepen the controversy and the resentment created by a committee of Congress being swerved from its constitutional duties of providing checks and balances between the various branches of Government, the Reader's Digest published another article, "Time for Reform in the Internal Revenue Service," in their September 1968 issue. This article, much of which is taken from evidence offered by IRS agents themselves, describes one IRS order which warned agents:

We will be watching very closely the Revenue Officer who doesn't average at least one levy per week and one seizure per month . . . *Get the Dollar.*

After one reads this latest article with the examples of American taxpayers who have been bullied, crushed, and victimized by our Government's tax-collection agency, it renews one's determination to stop this sort of business before our whole tax-gathering system is destroyed.

Mr. Speaker, there must be immediate reforms in the IRS. Quotas and production goals must be stopped. The individual taxpayer's constitutional rights must be protected. Indiscriminate and arbitrary levies on personal property without justification must be halted. The Congress must undertake a thorough and unbiased investigation of this matter immediately.

It is not a matter of protecting or minimizing charges made against an agency with which one deals in making appropriations. It is the very integrity of the American Government and its system that is under attack. The honest, hardworking members of the Internal Revenue System, who suffer as well from the demands of the higher-ups, deserve a better deal than a cursory investigation which protects the Government or the Johnson administration's appointees.

Mr. Speaker, I offer today a resolution that there be created a select committee to be composed of five Members of the House, three from the majority party, and two from the minority party, to be appointed by yourself. The committee would be authorized and directed to conduct a full and complete investigation of the charges made against the Internal Revenue Service by the various articles published in the Reader's Digest during 1967 and 1968. I urge the House to pass this immediately, so that public confidence can be restored in the agency.

I have repeatedly called for this subcommittee to be reconvened, but my pleas have not been regarded. These latest revelations and the overwhelming evidence presented by these articles call for needed reform in the IRS. To do otherwise makes a mockery of our representative form of government.

TAX FAIRNESS IS THE GOAL

Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point.

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

There was no objection.

Mr. DOLE. Mr. Speaker, I appreciate the opportunity to speak on behalf of the beleagured American taxpayer. Most of the taxes paid in the United States are collected from middle-class, blue- and white-collar families, where every penny of family income is important and must be budgeted. When there is a conflict over payment of Federal income tax between the Internal Revenue Service and the taxpayer, the individual family has little real choice but to pay up.

Often a taxpayer is pressured into paying a claim against him when he knows he should appeal. He pays, because he cannot afford to fight the virtually unlimited resources of the IRS and its myriad of expert tax lawyers.

HEARINGS HAVE BEEN UNPRODUCTIVE

In August 1967, the Reader's Digest published an article charging the Internal Revenue Service with improper conduct in its aggressive pursuit of alleged tax delinquents. The article was so sensational that the House Appropriations Committee Treasury and Post Office Subcommittee held investigative hearings. Unfortunately, little of value evolved from those hearings.

Reader's Digest has again published a most provocative article, entitled "Time for Reform in the IRS" in the September 1968 issue. The allegations in this piece are most disturbing, for they allude to cases of IRS disregard for our greatest source of strength: the honest American taxpayer. Such disregard cannot be tolerated. If more than a few isolated agents are involved, positive action must be taken to reverse the trend, and taken soon. The burden is on the administration to clear the air and develop a program to remove all vestiges of oppression from the practices and policies of the Internal Revenue Service.

SMALL TAX CLAIMS MUST BE RESPECTED

Mr. Speaker, I am confident a great majority of the agents and employees of the IRS are completely dedicated to fair treatment of taxpayers. I have no evidence to indicate otherwise. But even with a determined effort on the part of all employees to be fair and unbiased, there will still be occasional cases of misunderstanding. There will still be disagreements and disputed interpretations of IRS regulations and statute law. There are appeal procedures which protect the wealthy in America, but legislation is needed to provide relief for the small taxpayer in contesting decisions of the IRS.

FEDERAL TAX FAIRNESS BILL

I have introduced legislation, called the Federal tax fairness bill, now pending before the House Ways and Means Committee. This bill, H.R. 5409, establishes a Small Tax Division within the Tax Court and provides for appointment of 20 tax commissioners—two for each circuit—to hear complaints from taxpayers who have been notified of deficiency or refused a refund, provided the contested amount does not exceed $2,500.

Under this legislation, the small taxpayer is allowed to plead his own case, if he so chooses. The Government can call for a Tax Court review of a Commissioner's decision, but only at its own expense.

INVESTIGATION IS URGED

Simply put, this legislation I have introduced will allow an individual to appeal what he considers unfair treatment by the IRS. He will not be burdened with long and costly Tax Court appeal procedures now in force. Today, legal fees would consume most contested payments, thus making appeal meaningless in economic terms.

I urge the administration, and the Congress, to investigate the various charges in the September 1968 Reader's Digest article, and to determine if these charges have substance. The American taxpayer deserves this consideration. I also urge passage of H.R. 5409 to establish a Small Tax Division to review the appeal of the individual citizen who believes his case has merit.

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

Mr. SMITH of Oklahoma. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

I wish to say to the gentleman I share his concern that nothing has been done—or that all too little has been done—to get at the facts of the controversy about which he speaks.

I want to commend the gentleman from Oklahoma for taking this time this afternoon to bring this matter to the attention of the Members of the House.

Mr. SMITH of Oklahoma. I thank the gentleman for his remarks.

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

Mr. SMITH of Oklahoma. I yield to the gentleman.

Mr. ROBISON. I appreciate the gentleman yielding to me.

Mr. Speaker, I also would like to commend my colleague, the gentleman from Oklahoma, for bringing this matter to the attention of the House.

I happen to serve on the subcommittee that the gentleman has mentioned. Of course, I do not wish to find myself in the midst of any pushing match between my good friend, the gentleman from Oklahoma, and chairman of that subcommittee [Mr. STEED], or my other good friend, the gentleman from Oklahoma [Mr. SMITH], now addressing us in the well.

But the gentleman has quoted the president of the National Association of Internal Revenue Employees to the effect that there is a quota system of sorts operating within the Internal Revenue Service, and bringing undue pressures on taxpayers. This is at complete variance from the statement as given to me by Commissioner Cohen, and given to other members of the subcommittee on numerous occasions, that there is no such quota system insofar as IRS employees are concerned, and this does produce a conflict here which does require further congressional consideration—whether it be by our subcommittee, or by a special committee such as the gentleman now in the well proposes, or whether it be by one of the other standing committees of the House. So I would like to commend the gentleman for having pointed this out and for his continued interest in this problem that we are all interested in.

I thank the gentleman very much for yielding.

Mr. SMITH of Oklahoma. I thank the gentleman from New York for his statement.

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

Mr. SMITH of Oklahoma. I yield to the gentleman.

Mr. HALL. I appreciate the gentleman yielding.

I compliment the gentleman on his resolution and appreciate him bringing this to the attention of the Members of the House.

I have had many complaints of harassment and overbearing attitude on the part of these Revenue Service internal functionaries. I have heard many of the glib explanations that they give, and in certain instances have been able to solve a problem between our constituents and these people capped and bedecked with the power of appointment. I was one of the ones, and the research of our office revealed the covers that they were placing on the mail with the cooperation of the Postmaster General recently in order to replevin funds allegedly due the Internal Revenue Service from dividend checks and others, and I am glad to say that this process has been stopped by the cooperation of the two appointive bureaus under this administration. If, indeed, we cannot exercise surveillance and oversight in the legislative branch of the appointive executive branch, then I question if we are fulfilling our function and our duties.

It concerns me that the gentleman has stated that we cannot have an impartial investigation on the part of the legislative branch. For the last 3 years I served on the Joint Committee on the Reorganization of the Congress, and we have dealt with surveillance, oversight, and the review function very often. We have also dealt with our committee system and the Lobbying and Corrupt Practices Act and the Federal Practices Act.

Although I am not generally for establishing an additional study group, as the gentleman's resolution does, I think he has adapted himself in this resolution to the only modus operandi we have remaining to exercise our legitimate legislative function, and I therefore will be in strong support.

I wonder if the gentleman has any further comments about why the oversight has not been exercised?

Mr. SMITH of Oklahoma. I thank the gentleman for those remarks. My response would be that it is the responsibility of those powers that be, in this case the administration, to oversee the bureaucracy and the agencies of the Government which they have appointed, and it would be my viewpoint that it is their responsibility to see that this is carried out, and to date this has not been done to the satisfaction of the taxpayers.

To remove the credibility gap in this particularly connection, I believe this matter should be given a full hearing, and that an understanding be given to those members of the Internal Revenue Service who are doing a good job that no condemnation is being placed upon them, and, at the same time, the truth be brought forward to correct this matter so that people can have confidence in the tax-collecting agency of our Government.

The Johnson-Humphrey administration must bear the responsibility for this conduct inasmuch as they have a 2-to-1 majority in the Senate and a 3-to-2 majority in the House, which gives the Democrats the chairmanship of all committees.

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

Mr. SMITH of Oklahoma. I am glad to yield to the gentleman from Delaware.

Mr. ROTH. I, too, would like to associate myself with the remarks of the distinguished gentleman from Oklahoma. I commend him for the outstanding job he has done in researching this matter and, as has been said before, bringing it to the attention of the House. I can think of no matter more important than this to the already overburdened taxpayer, as well as the Congress, and I fully support what the gentleman is doing. This is another example of the excellent work and leadership the gentleman from Oklahoma has become so well known for in the 90th Congress. The people of the Sixth District of Oklahoma have just reason to be proud of the efforts of their Representative during the 2 years he has been a Member of this body.

Again, I commend the gentleman on bringing this matter to the attention of the Congress, and I am pleased to join with him in this very important effort.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Oklahoma. I am glad to yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, I, too, would like to join with the other gentlemen here in commending the gentleman from Oklahoma in bringing this subject to the attention of the House. I appreciate the gentleman's forthrightness. I think he is on the right road, and I wish to associate myself with his remarks.

Mr. SMITH of Oklahoma. I thank the gentleman.

Mr. Speaker, I yield back the remainder of my time.

Mr. PRICE of Texas. Mr. Speaker, I welcome this opportunity to join my colleague, the gentleman from Oklahoma, in stressing the need for reforms in Internal Revenue Service procedures.

As an example of the highhanded, rude, inconsiderate, and inhuman methods and tactics apparently employed by at least some IRS agents, I am entering a letter I have just received from a constituent whose property was confiscated and sold at auction at a ridiculous price while he begged for a delay so that he could meet the obligation:

AUGUST 31, 1968.

Hon. BOB PRICE,
Congressman,
Washington, D.C.

DEAR SIR: I hope you will take a little time out from your busy schedule to help me. We own two houses and a lot in Amarillo and business property in Hereford, Texas. My husband worked 24 years for Lee Way Motor Freight Line in Amarillo, when he took a commissioned station at Hereford for Red Ball Motor Freight. I have lived in Amarillo since 1926.

In March 1967 we were transferred to Clovis, New Mexico and on May 17, 1968 the Company folded leaving us unemployed. We had the trucks financed with Red Ball's credit union and they were paid for when they deducted the total balance from our final paycheck May 22, 1968.

We could not find employment in this part of the country so we decided to go to California to find work. We were stranded out there two months with no money and was unable to return to Clovis, New Mexico for the rest of our furniture and trucks until last Thursday, August 22, 1968. When I arrived I found the Internal Revenue here in Clovis had taken my trucks a 1959 Chev Tractor worth $1000.00 and a 1955 Chev Van worth $750.00. The trucks were to be auctioned off August 28. I drove another 1955 Chev Van to California on my first trip.

On Friday, August 23, I called the Internal Revenue Office and asked to make an appointment with Mr. William Dameron. I was told he was not in and they did not expect him the rest of the day. I then explained to the man on the phone I had arrived in Clovis yesterday and had just learned they were holding my two trucks and the reason

I could not be reached. I told him I had a buyer for the two vans, $750.00 each as soon as Red Ball released the titles. The man said he did not know anything about it and would turn me over to Mr. Dameron's assistant. He identified himself as Mr. Jim Neibert. I again explained the situation to Mr. Neibert and he told me the only way I could redeem the trucks was to have $1310.95 in their office by 8:00 Monday morning as that was the day they were scheduled to be auctioned.

On Monday morning I went to the office in the Federal Building to see Mr. Dameron. The girl in the office advised me he was not in yet and she would be glad to call his assistant. Mr. Neibert came into the outer office with my file and was very rude and told me it was too late if I did not have the full amount. I told him if he did not believe I had buyers for the trucks they could contact their office in Long Beach, California and the men could pay them for the trucks. He said this had never been done and could not be done. I again reminded him that if Red Ball had sent the titles we would have our income tax paid. He said this was not his worry and this time he said the sale was set for 10:00 Wednesday morning August 28th. While in the office the phone rang and someone reported Mr. Dameron ill and said he would not be in that day.

I am living in the country without a telephone and transportation and could not contact Mr. Dameron again before the sale. I feel I was done a great injustice and Mr. Neibert was negligent in his duties as Mr. Dameron's assistant when he failed to forward our conversation on to him. I tried three times to see Mr. Dameron and each time I was confronted with his assistant.

Due to this lack of communication in this office my $1000.00 Chev tractor sold for $350.00 and my 1955 Chev Van sold for $150.00. If these sales stand as sold I will lose approximately $1150.00 and still owe the Government quite a sum. Mr. Dameron said had he known this he could have helped me get my titles, save my trucks and the full amount I owed the Government would be paid in full. I showed a telegram from Rev. Weaver in Wilmington, California stating he would purchase the van truck for $750.00 upon receipt of a clear title.

I hope this letter will not go unread nor filed in the waste paper basket. My family is living in California, my daughter and I are now stranded in Clovis. I have two new hip sockets, walk with the help of canes and am unable to work at just any kind of a job. The van truck sold at the auction was my only means of moving the rest of my furniture to our new home in California. I told Mr. Neibert this. I contacted the Internal Revenue five days prior to this sale. One of the men from their office stated he did not believe I would hear anything from this. If you are unable to help me would you please send me the name and address of someone that could.

Very truly yours,

MRS. NADINE SIMPSON.

I am referring this case to the Commissioner of Internal Revenue with a request for a full investigation.

If the treatment this man received is as he states it, I believe the Government of the United States owes this man full restitution and, had he been treated like this by a company or corporation or a private individual, he would certainly have rights under the law for not only financial restitution but also damages for physical harassment and mental anguish.

I believe it high time that the appropriate committees of Congress took a real look at the apparent tyranny in the Internal Revenue Service.

Mr. LONG of Maryland. Mr. Speaker, I join with my colleagues in calling for reforms in the Internal Revenue Service.

Most citizens have not been treated unfairly, and their chief problems are with a tax code so complicated that even Einstein had to call in a tax consultant. Many, however, in modest income brackets, have been hurt by arbitrary IRS action and inconvenienced by delays and redtape.

My office receives moving appeals from honest taxpayers who do not know how to cope with the IRS. Unfortunately, many taxpayers do not think to ask for help, but wait years for a refund, or pay unjust deficiencies rather than launch an expensive court fight that would only swallow up the tax saving. As an August 1967 Reader's Digest article put it:

Bewildered, afraid, lacking money to hire lawyers, the lone individual often succumbs in silence when the awesome powers of government are brought down upon him.

According to a more recent Reader's Digest article, much of the problem lies with the revenue agents, many of whom want to be reasonable and just, but are often under pressure to track down tax evaders and to increase their "output" of returns audited, deficiencies asserted, and cases closed.

Our citizens must have relief from these abuses. During the last congressional session I introduced a bill in the House of Representatives to help the small taxpayer with unjust tax assessments. The Long-Magnuson measure would set up a nationwide network of small claims commissioners, to which any citizen, who felt he was unfairly billed for underpayment of taxes or who was denied a refund, could present his own case. Numerous complaints about the IRS have proved the need for a fair and impartial intermediary between the taxpayer and the revenue agent, and this legislation would provide an inexpensive means for someone other than the revenue agent to judge the work of the Internal Revenue Service.

GENERAL LEAVE

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks and include extraneous matter on the subject of my special order immediately following my remarks of today.

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

There was no objection.

PROPOSAL TO LIMIT LENGTH OF TRUCKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 60 minutes.

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, first I want to add my voice and my endorsement to those colleagues who have spoken about the contribution of the gentleman from Oklahoma and the articles appearing in the Reader's Digest, which I have read and which impressed me very much.

I am grateful the gentleman has taken the time to bring that to the floor of the House. Hopefully these matters will have the attention of the administration and somehow justice will be done in this area and improvements will be made.

Mr. Speaker, yesterday I introduced a bill which has for its purpose the study of the truck problem. I introduced a bill that would require the Public Works Committee to hold hearings to gather testimony and information on the advisability of limiting the length of trucks on the highways of America.

As all of us know, we now have established policy that we limit the weight and width of trucks. If this is good policy, then it is certainly in the interest of the public to set a limit on the length of trucks. So I hope members of the committee will take this under consideration and begin those hearings immediately.

Mr. Speaker, I urge my colleagues to give attention to the remarks I have been making on this subject and especially to the prepared text we have which will be inserted in the RECORD and which will help Members to make up their minds on this whole question which is before the Congress now on the trucks as far as the weight and width and length.

Mr. Speaker, yesterday I introduced House Resolution 1289 calling for the House Public Works Committee to make a full and complete investigation of the length of motor vehicles and to set, as a matter of national policy, the maximum length for these vehicles. With S. 2658 completely silent as to an overall length limit on these vehicles, I feel that now is a particularly critical time for us to confront this issue.

If passed, the truck bill will virtually open the door to truck-trains on the Nation's highway system. Francis C. Turner, Director of the Bureau of Public Roads, expressed his opinion in the July 19 Pittsburgh Press that the truckers really wanted this bill in order "to have the opportunity to work toward trains on the roads, trucks with triple and quadruple trailers." That Mr. Turner is correct in his observations is clearly revealed by the record over the past few months. Just a short while ago trucking interests succeeded in gaining access for triple-trailer combinations on the Massachusetts Turnpike. This they did despite the vehement protests of Massachusetts registrar of motor vehicles, Richard McLaughlin, who warned against the increased safety hazards such a move would bring. Pullman Inc.'s advertisement in the August issue of Dun's Review also lends credence to Mr. Turner's feelings. This advertisement which, I believe, reflects the true disposition of the trucking industry to get longer vehicles on as many roads as possible as quickly as possible, reads as follows:

WHAT WE'RE TESTING IS ILLEGAL IN 47 STATES

Eight short years ago, only 8 states allowed you to haul doubles over their highways. Today the number is 34.

But faster, more economical over-the-road hauling can't wait. That's why our Trailmobile Division is already hard at it testing triples . . . not just two trailers hitched together . . . but three.

We don't know when this new transportation efficiency will be legalized in all 50 states, but when it is, Trailmobile will know more about it than anyone else.

Solving problems that haven't come up yet is standard practice with the divisions of Pullman Incorporated. For example, ceramic processing equipment that is now producing 90% of America's sparkplugs . . . new ideas for ammonia production that are now responsible for a third of the world's recent nitrogen fertilizer output . . . a new rail car that unloads 100 tons of coal in 9 seconds.

All around the world, strange new questions are being asked about transportation, about production, about profits. We already have strange new answers to many of them.

What's your question?

PULLMAN INC.

John J. O'Mara, professor at the State University of Iowa, has outlined better than I can hope to, many of the problems the lack of any truck length limit would bring. Dr. O'Mara remarked:

The characteristics of vehicles govern the design of many highway features including the steepness of grades; width, height and strength of bridges; sharpness of curves; and the width and thickness of pavements. Consequently, it is necessary that the public regulate the size and weight of vehicles in order that they not exceed the capacity of existing highways and streets and their components.

Safety is the primary consideration involved in establishing most limiting criteria, and this is true of maximum lengths for vehicles operating on the public highways and streets.

One aspect of the question of truck length concerns the fact that the rear wheels of a highway vehicle on a curve follow a path closer to the center of the curve than the path of the front wheels. For example, a long truck making a right turn at a street intersection often must encroach upon the left lanes of both streets in order that the rear wheels clear the curb on the inside of the turn.

The same phenomenon occurs on a highway curve to a lesser extent. The longer the truck and the sharper the curve, the more the rear end of the truck will be displaced toward the adjacent lane.

Although the National System of Interstate and Defense Highways has been built to high standards, it is likely that some parts of the System cannot safely accommodate trucks longer than 50 to 55 feet. These lengths are the design lengths recommended by the American Association of Highway Officials and used for the design of most of the System.

It is certain that trucks longer than these lengths cannot negotiate some of the ramps, loops and similar components of the System and keep the whole of the truck within proper confines. Furthermore, it is likely that there are thousands of miles of access roads and streets over which Interstate Highway traffic must operate in order to use the System, which cannot safely accommodate longer trucks. On these highways, because of the narrowness of the pavement and the sharpness of the curves it will be impossible to operate long trucks without the rear of the unit encroaching on the opposite lane or coming dangerously close. If this should be true, it could be disastrous to the unwarned, unsuspecting drivers and passengers of vehicles in the opposite lane.

Another one of the hazards of increased length is the increase in time and distance required for a passenger car to pass a longer vehicle. Using the American Association of State Highways official standard procedure 550 ft. more clear space in the left lane is needed to pass a 100 ft. long truck; the space now required for traffic width is 55 ft.

On two-lane primary highways this would require increasing passing sight distance from about 2,500 ft. to 3,000 ft.—an almost impossible vision procedure economically.

Sight distance consideration similarly would increase primary and interstate highways and even more so if one vehicle in operation is passing the passenger car or what is even worse if a truck is passing one or more trucks.

Realizing full well the dangers of unlimited truck length that Dr. O'Mara has discussed, I initiated a survey of the Nation's Governors, State highway patrol chiefs, State safety officials, and mayors to determine the sentiment of the representatives of these jurisdictions which would be most visibly affected by this bill.

As the initial returns have come in, the mayors of this country have overwhelmingly vocalized their opposition to this bill and its lack of an overall length limit. To date, 26 mayors favor a length limit somewhere near present limits. Only one mayor is opposed to the establishment of an overall length limit on trucks. These mayors, concerned about the problems these long trucks will have when they leave the interstates and have to negotiate narrow city streets, have commented along these lines:

"The weight and length limits on trucks are particularly critical in the southeastern United States and in many areas of the country where the roads are curvilinear and in older cities where streets may not be as spacious as they are in the midwest and western parts of the country. The long tandem trucks, I believe, were developed in the western United States where grades are generally flat and where highways are usually straighter. They may be appropriate in those areas but on hilly and mountain terrain and in older cities where streets are narrow, their effect on safety would be much greater." Don Blackburn, Traffic Engineer, Raleigh, North Carolina.

"Vehicles longer than (40 feet) cannot easily maneuver on city streets." Jere E. Meredith, Traffic Engineer, Saginaw, Michigan.

". . . obviously the city street system again is no place for truck or truck-trailer combinations of excessive lengths. The Colorado maximum of 60 feet seems to be a reasonable limit for city operations." Richard C. Thomas, Assistant Traffic Engineer, Denver, Colorado.

"The length of the truck would affect its maneuverability which is important in urban traffic. It is believed that the truck length should be limited to 50–60 feet."

And yet under S. 2658, truck trains running upward of 100 feet with triple trailers would be allowed on our Interstate System. In no time at all the trucking interests would be able to successfully mount pressure to gain access for these monsters to our State and local road systems creating additional hazards for motorists as well as substantial cost increases.

Of the 10 State highway patrols which have responded to our questionnaire this far, all have urged strong length restrictions on trucks. John J. Harbinson, chief of the Minnesota Highway Patrol told me that:

Sixty-five-foot limitations are absolute maximums on combinations of vehicles.

These State police officials also voiced their concern over the increased safety hazards double and triple bottom trailers would bring. Major E. Olaff, operations officer of the New Jersey State Police noted that double bottom trailers will slow movement on existing grades thereby causing congestion and creating a greater potential for accidents. He observed that it will double the amount of flammable material big tankers will be able to carry and deter some motorists from attempting to pass these long vehicles thereby further adding to congestion and safety problems.

Concurring with Major Olaff, Capt. C. R. Kimber of the planning and research section of the Ohio State Highway Patrol said:

Any increase in lengths would create a hazard in passing, turning and other highway maneuvers. Here again, many Ohio highways will not accommodate longer vehicles. A special problem arises where highways are routed through cities and villages where streets are not of sufficient width to allow safe turning movements for longer vehicles.

Despite such statements, truckers are still pushing vigorously to gain access to all our Nation's roads for their 100-foot truck-trains.

By 16 to 3, State safety officials also strongly favor the establishment of an overall length limit. H. N. Kirkman, director of the Florida Department of Public Safety, made the following typical comment:

We feel that vehicles which would exceed these (55 foot) limits on our present highway system would not be in the best interest of safety on our highways.

James F. Williamson, Rhode Island registrar of motor vehicles also agreed. He reported that:

To go beyond (55 feet) would encourage use of vehicles that would create a hazard on the highways.

And Robert G. Barlett, secretary of highways for the Commonwealth of Pennsylvania, commented that:

In the interest of traffic safety and highway capability, the maximum length of a tractor trailer or combination should not exceed 55 feet.

Several of our leading Governors have also been resolute in their opposition to the lack of a length limitation on these trucks. John W. King, Governor of the State of New Hampshire stated:

I do wish to emphasize that my Highway Commissioner and I feel most strongly that our highway system cannot possibly accommodate double and triple bottoms, which we believe to be implicit in the lack of any length restrictions in the proposed legislation. If these rubber-tired highway trains are forced upon us it can only result in the creation of great and unwarranted safety hazards, as well as intolerable congestion.

His neighbor, Gov. John H. Chafee, of Rhode Island, was also vocal in his opposition to the lack of a length restriction. Governor Chafee said:

I am particularly opposed to the use in this section of the country of double and triple bottoms. There isn't any question in my mind that their use on our already overcrowded interstate highways would create a danger to the many passenger cars which daily travel through Rhode Island on the interstates.

Despite this overwhelming support from State and local officials, there has been no overall length limit placed in the bill. This is why I have submitted my resolution calling on the House Public Works Committee to establish as a matter of national policy an overall length limitation for motor vehicles. This is crucial not only for the safety of the Nation's motorists, but also because of the need to hold highway costs down. Francis C. Turner, Director of the Bureau of Public Roads, wrote me that:

An increase in length does require either greater radius of curvature or greater width on ramps at interchanges. For example, a tractor-semitrailer unit 50 feet long requires a lane width of about 15 feet to make a 270-degree turn on a 100-foot radius curve. A combination of a tractor-semitrailer and a full trailer totaling 100 feet in length would require 24 feet of ramp width to negotiate a 270-degree turn on the 100-foot radius curve. It could keep within a 15-foot width if the curve radius was increased to 225 feet.

To modify all the exits from our Nation's highways so that they can safely handle these longer trucks will prove costly indeed. And when these added costs are considered along with the increased safety hazards this bill would create, I feel we should give strong consideration to having the House Public Works Committee establish a national policy on overall truck length before we consider this bill before the House with no length limit whatsoever.

HON. LAWRENCE BROCK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, the newspapers report the passing of a former useful and conscientious Member of this Assembly, the Honorable Lawrence Brock, of Nebraska. His death occurred August 28, 1968, at an Illinois hospital, after a long illness. Funeral services were conducted at Wakefield, Nebr., his home city, on Sunday, September 1. His immediate survivors include four daughters, to whom we respectfully offer our deepest sympathy.

Lawrence Brock, or Larry, as he was affectionately known to his many friends and associates, was elected to the 86th Congress in 1958. He was chosen for service in the Interstate and Foreign Commerce Committee, where his fine judgment and sincere devotion to the public interest gained him immediate recognition. His valuable contributions to the work of the committee, and to the deliberations of the House, are remembered with admiration and respect by those of us who were fortunate enough to be his associates.

Mr. Brock was by instinct and by choice a true son of the soil. His root interests lay in the production of food for a hungry world. After a term in the House, he accepted the post of Assistant Administrator of the Farmers Home Administration. His abiding bequest to his State and his Nation, and the fitting memorial to his usefulness as a citizen, lies in the many family farm ownerships which he helped to establish, and in the farm facilities which he set up in rural America. Agriculture is still a dominant force and an indispensible way of life in this land of ours, and it needs men like Larry Brock to nourish it. We mourn his passing.

A eulogy from the Washington, D.C., Star of August 29, 1968, follows:

LAWRENCE BROCK, FHA AIDE, EX-NEBRASKA CONGRESSMAN

Lawrence Brock, 62, former Democratic representative from Nebraska and later assistant administrator of the Farmers Home Administration, died yesterday in a Zion, Ill., hospital after a long illness.

He represented the 3rd District of Nebraska from 1959 to 1960, after which he joined FHA.

In charge of the sale of insured loan notes to private lenders from the FHA, an Agriculture Department credit agency, Mr. Brock was involved in fund raising for more than 60 percent of the agency's annual $1.3 billion volume of loan programs for family farm ownership and operation, housing and community facilities in rural parts of the United States.

Before he was elected to the 86th Congress, he was a cattleman and businessman at Wakefield, Neb. He had also been president of the Nebraska and Cornbelt Livestock Feeders associations, and highway and power commissions in Nebraska.

A native of Platte County, Neb., he was graduated from the University of Nebraska College of Pharmacy in 1929. He lived at Wakefield, Neb., and at 1201 S. Courthouse Road, Arlington.

Mr. Brock became ill in January while returning here after the burial of his wife in Wakefield.

He leaves four daughters, Mrs. Harold Tell of Hoffman Estates, Ill., Mrs. William Gibson of Santa Ana, Calif., Mrs. Richard Rosenbahn of Omaha, and Mrs. Soderberg of Wakefield.

Services will be Sunday in Wakefield.

LIMITING DIRECT PAYMENTS TO INDIVIDUALS FOR COMMODITIES AND PROGRAMS COVERED BY 1965 FOOD AND AGRICULTURE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 10 minutes.

Mr. CONTE. Mr. Speaker, just prior to our August recess, this body debated and finally passed legislation to extend the Food and Agriculture Act of 1965 for 1 year to December 31, 1970. However, before passing the bill, the House voted 230 to 160 to add an amendment limiting direct payments to any individual to $20,000 per year for commodities and programs covered by the 1965 act. As the author of the House motion to limit these agricultural payments, I have a very real and deep interest in this legislation. At the time I offered my motion, I stated that the Nation faced an extremely difficult financial picture, a situation which had required us to place expenditure and appropriation limitations on our fiscal 1969 budget. I felt that the payment limitation would help in dealing with our financial situation and at the same time correct an inequitable and unjustifiable Federal program.

Nothing has happened since that time to cause me to change my attitude as it relates to the need for a limit on the direct payments under our agricultural programs. In fact, there are several things which make a direct payment limitation even more warranted now than a month ago.

On August 14, the various newspapers carried reports which indicated that an additional $1 billion reduction would have to be made by the administration to carry out the provisions of the Revenue and Expenditure Control Act of 1968. According to the Budget Director, Charles Zwick, this resulted from unexpected increases in expenditures in two "uncontrollable areas"; namely, the Commodity Credit Corporation and welfare payments. Mr. Zwick has informed the President that outlays for farm price support and adjustment programs authorized by the Food and Agriculture Act of 1965 are exceeding earlier estimates by $700 million. This clearly indicates that present farm legislation authorizes relatively uncontrollable spending by the Commodity Credit Corporation and that a payment limitation could help to control Federal agricultural expenditures.

The second thing that has occurred since the 1-year extension of the farm bill was passed by the House is the recognition on the part of the Democratic Party for limiting direct payments to farmers, a recognition which followed my successful Republican-led efforts in the House. The Democratic Party platform adopted in Chicago certainly suggested the need for limitations of payments to extremely large corporate farms that participate in Government programs.

This statement in the Democratic Party platform indicates support for limiting direct payments to farmers such as the House authorized when the farm bill was up for consideration in late July. I assume the Democratic House Members will want to see their party platform carried out.

My reason for commenting on this matter is that I want to make it clear that I intend to do everything possible to make sure that any extension of the Food and Agriculture Act of 1965 that is voted on by the House contains the $20,000 payment limitation added by the 230-to-160 vote margin earlier this summer.

The Tuesday, September 3, Journal of Commerce contains a story that indicates that a farm bill compromise has been reached. The chairman of the House Committee on Agriculture, the gentleman from Texas [Mr. POAGE], according to the story, did not reveal details of the likely settlement but the story says that it "seems apparent that any compromise would not contain the $20,000 payment limitation tacked on to the 1-year extension voted by the House." I want to make it clear to the House conferees that I believe the attitude of the House of Representatives on this subject as demonstrated by our vote is very plain; namely, that any farm legislation must contain the $20,000 payment limitation approved earlier by this House. I am confident it was the clear intent of the House that this vote was to be interpreted as an instruction to them to support a payment limitation.

If farm legislation is brought to the House by the conferees that does not contain the $20,000 payment limitation, I will vigorously oppose it. The only way as far as I am concerned, that any farm legislation can pass the House this year is for it to contain a payment limitation. Any farm bill that does not contain such a payment limitation will be vigorously

opposed by myself and other Members of the House who feel that it is vital to have such a provision if we are to control Federal spending and eliminate the inequities of the present farm program.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 15 minutes.

Mr. ADDABBO. Mr. Speaker, it is said that a man can show no greater love than to lay down his life for his fellowman. Such a man amongst men was Pfc. Louis E. Willett, deceased, son of my constituents Mr. and Mrs. Louis Willett.

Mr. Speaker, it was with mixed emotions of deep sorrow and pride that I witnessed the presentation, posthumously, of the Congressional Medal of Honor to this young soldier's parents by the Honorable Stanley R. Resor, Secretary of the Army, on behalf of the President of the United States.

It is again with deepest sympathy to the family of Private First Class Willett on the loss of their son, a great American boy, and prayers that the good Lord will comfort them, and with a great sense of pride that I now read for the record of posterity the citation which accompanied the Congressional Medal of Honor:

The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor, posthumously, to Private First Class Louis E. Willett, United States Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Private Willett distinguished himself on 15 February 1967 while serving as a rifleman in Company C, 1st Battalion, 12th Infantry, 4th Infantry Division during combat operations in Kontum Province, Republic of Vietnam. His squad was conducting a security sweep when it made contact with a large enemy force. The squad was immediately engaged with a heavy volume of automatic weapons fire and pinned to the ground. Despite the deadly fusillade, Private Willett rose to his feet firing rapid bursts from his own weapon and moved to a position from which he placed highly effective fire on the enemy. His action allowed the remainder of his squad to begin to withdraw from the superior enemy force toward the company perimeter. Private Willett covered the squad's withdrawal, but his position drew heavy enemy machine gun fire, and he received multiple wounds enabling the enemy again to pin down the remainder of the squad. Private Willett struggled to an upright position, and, disregarding his painful wounds, he again engaged the enemy with his rifle to allow his squad to continue its movement and to evacuate several of his comrades who were by now wounded. Moving from position to position, he engaged the enemy at close range until he was mortally wounded. By his unselfish acts of bravery, Private Willett insured the withdrawal of his comrades to the company position, saving their lives at the cost of his own. Private Willett's valorous actions were in keeping with the highest traditions of the United States Army and reflect great credit upon himself and the armed forces of his country.

CHICAGO—ATTORNEY GENERAL SHOULD PROSECUTE

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, Communist sympathizers, anarchists, and their beatnik stooges tried to take over the great city of Chicago last week, create anarchy and break up the Democratic National Convention.

Had these subversive forces succeeded in overpowering the police, their sinister scheme of looting, stealing, and pillaging would have erupted throughout the city. Murder, arson, and destruction of private property would have become rampart. This bizarre and brazen attack on law enforcement had been planned for a long time. It was a ruthless, calculated attempt to make democracy look helpless and impotent before the eyes of the world.

It was timed to coincide with the Red Communist invasion of Czechoslovakia and renewed Communist attacks on Saigon.

Mr. Speaker, I commend Mayor Richard Daley and his outstanding police department for turning back this diabolical plan to wreck one of our greatest cities and destroy democratic processes in action. Mayor Daley and his men not only maintained law and order in Chicago, but they stood fast in the cause of national security and world freedom. Mayor Daley responded to this invasion of his city with firmness, alacrity, and decision. In so doing, Mayor Daley and his gallant men prevented disaster and saved our entire Nation from a humiliating setback at the hands of trained agitators and hard-core Communists. Mr. Speaker, I wish to also commend the National Guard who performed admirably under every type of insult and abuse.

Mr. Speaker, I urge the Attorney General to prosecute these subversive agitators who crossed State lines to incite riot and destroy the great city of Chicago. I ask the Attorney General to move under the antiriot law passed by this Congress and uphold the law and order in America. No community in this Nation will be free from violence, rioting, arson, and murder if the hard-core leaders of violence who invaded Chicago go unpunished.

Mr. Speaker, the Chicago invasion and attack upon the police does not warrant another advisory committee or study, but calls for action and prosecution of the ringleaders by the Attorney General of the United States.

"THE BEHAVIORAL SCIENCES AND THE FEDERAL GOVERNMENT": AN IMPRESSIVE REPORT OF THE NATIONAL ACADEMY OF SCIENCES

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, September 3 was one of the most important of all days for the social and behavioral sciences in the United States.

On that date a distinguished group of our social and behavioral scientists issued an impressive report on the place and the potentialities of the behavioral sciences in Federal programs.

The report is the result of more than 2 years of studies and discussions conducted by the Advisory Committee on Government Programs in the Behavioral Sciences of the National Academy of Sciences and the National Research Council.

The central theme of the report is that "the decisions and actions taken by the President, the Congress and the Executive departments and agencies, must be based on valid social and economic information and involve a high degree of judgment about human behavior."

To this end, the report recommends that the knowledge and the methods of the behavioral sciences be applied as effectively as possible to Government decisionmaking.

The findings of this report parallel many of the recommendations of the House Foreign Affairs Subcommittee on International Organizations and Movements, which I have the honor to chair.

As early as 1965, in a report on "Behavioral Sciences and the National Security"—House Report No. 1224, 89th Congress, second session—our subcommittee urged that the Federal Government avail itself more extensively and effectively of the insights and the knowledge produced by the social and behavioral sciences.

One of the most far-reaching recommendations outlined in the National Academy of Sciences report calls for the creation of a "National Institute for Advanced Research and Public Policy."

This is an interesting concept which, in some respects, elaborated and builds upon legislation which I introduced during the past two Congresses, calling for the convening of a White House Conference on the Social and Behavioral Sciences, and for the establishment of a National Social Sciences Foundation.

Mr. Speaker, I want to commend the National Academy of Sciences report to the careful attention of my colleagues.

The report's "Summary and Recommendations" follow:

SUMMARY AND RECOMMENDATIONS

The primary purpose of this report is to examine how the knowledge and methods of the behavioral sciences can be brought to bear effectively on the programs and policy processes of the federal government. The federal government faces increasingly complex decisions in foreign affairs, defense strategy and management, urban reconstruction, civil rights, economic growth and stability, public health, social welfare, and education and training. These decisions must be based on all the information that can be made available to administrators and policy-makers. The lack of vital social and economic information on critical issues and the lack of methods for analyzing information and relating it to policies and operations have been constantly emphasized in recent years by a number of public commissions, study panels, and government groups. These have included the National Commission on Technology, Automation, and Economic Progress; the President's Commission on Law Enforcement and Administration of Justice; the Committee on Foreign Affairs Personnel; and the United States Advisory Commission on Information.

In response to the needs of policy-making, there has also been increased support from government departments and agencies for building up the bases of knowledge and information for social and economic programs. The Manpower Training and Development Act of 1962, the Elementary and Secondary Education Act of 1965, the Public Works and Economic Development Act of 1965, and the programs of the Office of Economic Opportunity and the Department of Housing and Urban Development, together with established programs in the Department of Agriculture and the Department of Defense, all include a range of behavioral science activities from data collection to techniques for program evaluation, as well as support of fundamental research related to agency missions. These activities represent recognition of the relevance of the behavioral sciences to government affairs. They underscore the need to examine the way behavioral science research is related to planning and management and the methods used for testing research for quality and relevance.

There is no assumption, in this review of the role of the behavioral sciences in the federal government, that knowledge is a substitute for wisdom or common sense or for decision-making. Behavioral science knowledge is a source of understanding about social and individual behavior that has been confirmed by as careful observation, testing, or statistical analysis as is possible. Much of the knowledge of the behavioral sciences is fragmented, much is based on limited verification, and many propositions are only approximate explanations of complex social and behavioral phenomena. The behavioral sciences are, nonetheless, an important source of information, analysis, and explanation about group and individual behavior, and thus an essential and increasingly relevant instrument of modern government. At the same time, there is need to be concerned as much with the development of the behavioral sciences as with their use; indeed, to see both the development and use of the behavioral sciences as parts of a total and continuing problem.

EFFECTIVE USE OF KNOWLEDGE

Past experience in the use of the behavioral sciences provides a reference point for examining the organization of research in government. In the field of statistical services, the Bureau of the Census, for example, has contributed to, and relied heavily on, the development of research knowledge and methods. The experience of the Bureau of the Census—with its expertly trained staff, its close ties with the professional communities, its concern with methodologies, and its systematic procedures for substantive review and analysis—provides a pattern of research planning and utilization applicable to research throughout the government. Likewise, there is valuable experience in the application of economic information and analysis to the formation of fiscal and monetary policies. The evolution of the economic advisory system in the federal government has had several results: large-scale participation by professional economists in extending and improving the federal statistical system; employment of trained economists in departments and agencies; creation of high-level advisory agencies, such as the Council of Economic Advisers; and the stimulation of basic research in economics, inside and outside the government, as a result of increasing needs of government for both information and knowledge.

The economic advisory system, like the federal statistical system, is a highly advanced example of applying the knowledge and methods of the behavioral sciences in government. Its development is the result of a good deal of trial and error; increased understanding about the use of the knowledge and methods of economics in the professions and occupations from which many policy-makers come; the accumulation of large and manageable sources of economic data; and increasingly reliable instruments of analysis and projection. Similar developments must be encouraged in other fields of the behavioral sciences, especially in sociology, social psychology, political science, and anthropology, that are relevant to new social programs at home and to programs of development assistance in the international field.

From past experience, three sets of conditions appear necessary for the effective use of the knowledge and methods of the behavioral sciences in government. These conditions are: (1) an understanding by top administrators of the nature of the behavioral sciences and their relevance to the policies and programs for which they are responsible; (2) a professional environment to attract behavioral scientists into government and to provide incentives and opportunities for their scientific development; and (3) a strategy for research to give cohesion and purpose to behavioral science activities carried on by a department or agency and to relate them to policy processes and program operations.

In order to strengthen these conditions throughout the federal government, the Committee recommends:

1. That each major department and agency, with the support of the Office of Science and Technology and the Civil Service Commission, initiate a staffing study to identify positions for which substantial training and experience in the behavioral sciences should be an increasingly important criterion for appointment, most especially positions involving policy planning, program evaluation and analysis, and research administration and operation.

2. That each major department and agency, with the support of the Office of Science and Technology and the Civil Service Commission, initiate a series of continuing programs to strengthen its staff competence in governmental activities involving the behavioral sciences, including:

a. In-service training for planning, evaluation, and research staff in the scope and methods of the behavioral sciences;

b. Opportunities for planning, evaluation, and research staff to gain advanced university training in the behavioral sciences and to participate in professional activities; and

c. Fellowships and internships for university-based behavioral scientists and graduate students to participate in governmental activities involving the behavioral sciences.

3. That each major department and agency, with the assistance of an advisory panel of behavioral scientists, develop a strategy for the use and support of the behavioral sciences and maintain under continual review a long-range research program that includes:

a. A broad spectrum of research activities from applied research to investigations of fundamental behavioral and social processes relevant to department or agency missions;

b. Opportunities through internal staffs and contract and grant arrangements to utilize research resources both inside and outside the government;

c. Continuing programs for the systematic maintenance of historical and operating records as essential sources of research data; and

d. Application of behavioral science knowledge and methods to program evaluation and analysis with provision for experimental projects designed to provide relevant information for future planning.

FOREIGN AFFAIRS

These recommendations relating to the effective use of the behavioral sciences apply to departments and agencies involved in foreign operations as well as to those chiefly responsible for domestic programs. Nevertheless, research in foreign affairs agencies depends heavily on information sources in foreign countries. This special feature has been complicated by the convergence of three developments since the second world war: the social, political, economic, and technological changes in the world; the increasingly complex international position of the United States; and the growth of the behavioral sciences and their relevance for government planning. This convergence has created two major problems for the government in supporting behavioral science research overseas: the problem of relating the several research programs of foreign affairs and military agencies; and the problem of reconciling the use of research by the government with the requirements for international cooperation in the behavioral sciences.

By and large, the research programs of departments and agencies with foreign operations have developed according to the perception each had of its needs in relation to its own mission. The variety of research programs has encouraged a pluralism in approach to policy issues that is important to retain. It has also reflected the lack of central coordination that has been a constant problem of American foreign policy since the second world war. It has produced pluralism without the counterbalance of central overview and a heavy domination of funding from defense agencies. Generally, research in civilian foreign affairs has been fragmentary, erratic, and weakly defended. Moreover, a low value has been placed on research as an instrument of planning in the Department of State. This has served to limit the Department's role in providing leadership for government-wide research in international affairs and in supporting a place for research in other foreign affairs agencies.

The major mechanism for relating research programs in international affairs on an interagency basis is the Foreign Area Research Coordination Group (FAR). FAR, however, is a voluntary group of some 20 participating agencies with no binding authority over its members and no firm lines to the policy planning process. The Foreign Affairs Research Council in the Department of State serves as another clearinghouse through its function of reviewing research projects for their sensitivity to foreign policy issues. Neither mechanism provides a basis for defining government-wide objectives for research in international affairs. There are no organized means of assuring that areas of research essential to policy planning are supported and that cumulative bodies of knowledge on international problems are developed.

In order to strengthen research in international affairs and achieve balance among the research programs of foreign affairs and military agencies, the Committee recommends:

4. That, in the field of foreign affairs, long-range behavioral science research objectives be drawn up by an interagency planning group headed by the Department of State, with the support of the Office of Science and Technology, and that the research programs of all departments and agencies that operate overseas, including the United States Information Agency, Agency for International Development, Department of Defense, and the Peace Corps, be continually related to these long-term objectives through the Foreign Area Research Coordination Group and foreign affairs planning mechanisms like the Senior Interdepartmental Group.

INTERNATIONAL COOPERATION IN RESEARCH

The effective use of research in foreign affairs must be reconciled with the requirements for international cooperation in the behavioral sciences. A lack of financial support threatens the continued growth of international and comparative studies in colleges and universities throughout the country. This situation has been created by the failure to establish the Center for Educational Cooperation authorized under the International Education Act of 1966 and by the decisions of the major private foundations to reduce their support for research and education in

international affairs before the government's new program was fully funded.

The level of government support for research and education in international affairs is, however, just one part of the problem. The behavioral sciences have a special need for free and healthy international exchange in research. The important influence of culture on social and human behavior makes it necessary to undertake observations on a cross-cultural basis in order to test general hypotheses. Such research requires, in turn, free access to different national groups and extensive exchange among behavioral scientists from all countries.

From a practical point of view, international and comparative behavioral science research cannot be carried out by Americans without the cooperation of foreign scientists. From both political and scientific perspectives, "unilateralism" will be resisted increasingly and opportunities for research in foreign countries progressively delimited unless research is made a matter of international cooperation. Major responsibility for international cooperation rests with behavioral scientists themselves. A responsibility of the government is to create the most advantageous environment for this development. Such an environment would be enhanced: (1) by placing major governmental responsibility for supporting university-based research overseas in science- and education-based agencies rather than in departments and agencies that have foreign policy or military missions; (2) by strengthening research programs in international organizations; and (3) by programs to assistant behavioral science training and education in the developing countries.

The Committee, therefore, recommends:

5. That primary responsibility for government support for behavioral science research and training conducted in foreign countries by universities in the United States be placed in agencies and programs committed to basic research and research training, particularly the National Science Foundation, the National Institutes of Health, and the proposed Center for Educational Cooperation under the International Education Act.

6. That a pattern of programs be developed to strengthen the bases for international cooperation in behavioral science research and to assist in the growth of behavioral sciences in foreign countries, especially in Asia, Africa, and Latin America, through:

a. Provision in technical and economic assistance programs for the development of faculties and facilities in the behavioral sciences in foreign universities;

b. Special institutional grants to United States universities by the National Science Foundation and the National Institutes of Health to support fellowships for foreign students selected by academic departments and to permit continuing cooperative programs of research and training with foreign universities; and

c. The extension of bilateral and multilateral programs of scientific cooperation in the behavioral sciences and increased support for the behavioral science programs of international organizations like UNESCO and the United Nations Institute for Training and Research.

SCIENCE POLICIES

The development of research strategies and staffing and training policies to strengthen the research component in the government depends on the value attached to the knowledge and methods of the behavioral sciences. This is true, not only within departments and agencies, but also at the highest levels of the government, where policies on the use and support of the sciences are shaped. There is, at present, no central forum for dealing with common problems of behavioral science research or for giving top-level support to policies designed to strengthen the behavioral sciences as an instrument of policy-making and program operations.

The science policies of the federal government are the responsibility of the President and the Congress. With the increased relevance of science to public policies, a number of mechanisms, largely stimulated by new advances in the physical sciences, have grown up within the Executive Branch to bring scientific advice to the top level of the government and to support the effective growth of scientific activities throughout the federal establishment. These mechanisms have included the Office of Science and Technology (OST), the President's Science Advisory Committee (PSAC), and the Federal Council on Science and Technology.

In practice, problems presented to OST and PSAC have been discussed mainly in terms of the physical and biological sciences. As a consequence, OST and related organizations have been slow to recognize responsibility for reviewing behavioral science programs or for assessing the impact of behavioral science knowledge on national policies. OST has never developed a staff competence in the behavioral sciences, and only recently was the first behavioral scientist appointed to PSAC. Nevertheless, on a number of occasions, issues of behavioral science research, such as the rights of privacy in relation to research, have been the subject of study by OST- or PSAC-sponsored groups. Also, many technological problems examined by OST, PSAC, and the Federal Council have been infused with economic, social, political, and legal elements. In such cases, OST and PSAC have made use of behavioral science resources, usually on a limited *ad hoc* basis.

The question of greater behavioral science capacity in both OST and PSAC gains in importance as behavioral science activities increase in government and as technological problems raise increasingly difficult social and economic issues. There are alternatives to placing responsibility for behavioral science activities in OST. It is possible that such responsibility might be exercised by the Bureau of the Budget, by an expanded and more broadly conceived Council of Economic Advisers, or by a separate office under a new Special Assistant to the President. In the case of the Bureau of the Budget and the Council of Economic Advisers, responsibilities for review of research programs would detract from their primary policy obligations. At the same time, it would be unrealistic and mistaken to separate the impact of the behavioral sciences from that of the physical and biological sciences in top-level policy processes by setting up what would be two Special Assistants for Science.

In the fields of public health, urban reconstruction, and economic and social development at home and abroad, a key requirement is the ability to work out comprehensive programs that utilize and relate knowledge from all the sciences. By the same token, the policies of the federal government regarding scientific development and educational growth need to be conceived in comprehensive terms, especially as federal support of science becomes increasingly related to federal support for higher education. The Committee therefore recommends:

7. That the functions of the Office of Science and Technology be broadened and its resources strengthened in order to assume the same responsibilities for governmental programs in the behavioral sciences as it now exercises for programs in the physical and biological sciences, including the review of government support for the continuing growth of these sciences and special problems with regard to their application to government programs and processes.

8. That the President's Science Advisory Committee be organized to include behavioral scientists in its membership in order to deal with the full range of matters brought to its attention, including the social and economic effects of scientific and technological change, the state and needs of American higher education, and the role of the federal government in strengthening scientific developments in all fields, including the behavioral sciences.

SUPPORT FOR BASIC RESEARCH

The needs of government departments and agencies for new sources of social and economic information and for new tools of analysis increase the need for a structure within which basic research of a theoretical and methodological nature can be encouraged and supported.

While the federal government finances basic research in the universities and research institutes through a pluralistic system of support, major responsibility for supporting scientific development falls on the National Science Foundation (NSF). The behavioral science program of the NSF has developed in scope and depth in recent years with increased support for the full range of disciplines and methods and with the initial extension of departmental and institutional grants to the behavioral sciences in addition to the more established project grants. The question has arisen, however, whether the patterns of support within the NSF are sufficient to meet the development needs of the behavioral sciences or whether there is need for the establishment of a separate National Foundation for the Social Sciences.

The future expansion and direction of government support for the behavioral sciences require a full and balanced assessment of the current state and future needs of these sciences. Such an assessment, together with indications of the ability of the NSF to meet the needs of the behavioral sciences, should emerge as three current reviews are completed: the congressional action to amend NSF legislation to specify the social sciences for NSF support and to authorize the Foundation to fund applied as well as basic research; the review of the needs and opportunities for scientific growth being undertaken by the Behavioral and Social Sciences Survey Committee sponsored by the National Academy of Sciences—National Research Council and the Social Science Research Council; and the study of the Special NSF Commission on the Social Sciences on the utilization of the social and behavioral sciences to meet the problems of society.

The combined effect of these reviews could lead to changes in the government system of support for the behavioral sciences within the current structure of the NSF or through new institutional arrangements. Pending completion of these studies, certain general directions and requirements for the development of the behavioral sciences, nonetheless, have become increasingly evident. These were outlined in the report, *Strengthening the Behavioral Sciences*, issued by a special panel sponsored by the PSAC in 1962: the extension of general education in the behavioral sciences; support for graduate training; systematic collection and processing of basic behavioral data for the United States and for other societies; and larger units of support for basic research.

The recommendations of the PSAC-sponsored panel provide guidelines for an expanded NSF program in the behavioral sciences that need not await the result of current studies. Expansion along these lines, moreover, would provide the Foundation with increased operating experience as a base for a larger effort once the direction of these studies becomes clear. The Committee, therefore, recommends:

9. That the National Science Foundation, which has special responsibility for the growth and development of all the sciences and for continuing support of training programs in the sciences, give increased emphasis to institutional and departmental grants in the behavioral sciences and to support of centers that are organized to develop cumulative information and knowledge in the behavioral sciences, and begin to develop an organized base through which to examine and implement the recommendations of cur-

rent major study groups on the future needs for development and use of the behavioral sciences.

FUTURE-ORIENTED RESEARCH AND PUBLIC POLICIES

The recommendations in this report have thus far emphasized strengthening existing instrumentalities in the federal government for the use and support of the behavioral sciences. The report seeks to stress that there are no "instant" answers to the effective use of knowledge. The use of research requires an integration of the knowledge and methods of the behavioral sciences into the on-going processes of government and not necessarily the creation of new and separate institutions. The application of knowledge to public programs and the formation of science and educational policies, moreover, require the combined efforts of all the sciences—physical, biological, and behavioral.

The pluralism of the federal science structure, nevertheless, provides a framework for new and innovating institutions aimed at advanced research and at a continuing examination of the relevance of knowledge to current and future problems of the society. The National Institutes of Health, the national laboratories, the special non-profit research corporations, and the contract method have all served to bring intellectual resources to bear on public policies. They supplement the research, evaluation, and analytical services within the government that, no matter how broadly conceived and administered, are often restricted by pressures of time and by the operating assumptions of existing policies. In a period of rapid and substantial change at home and abroad, the policies and programs of the federal government must become increasingly future-oriented. This orientation will always require new kinds of information, new ways of analyzing data, new collaboration among scientists, new relations between scientists and policy-makers, and new attitudes about the nature of planning.

A new federal institute to sponsor advanced research related to public purposes would serve to strengthen the recommendations for internal review and organization made in this report. It could go farther to provide a kind of lightning rod for future changes as an alternative to the frustrating process of analyzing social and economic crises after they have occurred and taken their toll. It could have important effects, not only on the role of knowledge in federal policy-making, but also on the growth of a deeper sensitivity throughout the society to the problems of applying knowledge to practical issues.

Such an institute would need an independent base of support in order to be free to examine, not only the issues of the society, but also the prevailing premises and perceptions of these issues. Providing this kind of independence would give positive recognition to the place of knowledge in democratic government. The Committee, therefore, recommends:

10. That the President and the Congress create and independently endow a National Institute for Advance Research and Public Policy in Washington, D.C., to undertake continuing and long-range analyses of national policies and problems, to serve as a center for continuing interchange between government policy-makers and scientists, and to provide a forum in the nation's capital for the full exploration of the growth and application of knowledge from all the sciences to the major issues of the society.

NEW YORK TIMES EXPRESSES CONCERN OVER POTENTIAL DANGER OF ATOMIC POWERPLANTS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, a New York Times editorial on August 15 recommended a thorough examination of the more obvious perils from radioactivity as well as the danger of thermal pollution before a license is granted for a proposed reactor at nearby Fort Slocum. I request unanimous consent to have this statement—along with my letter to the Times—inserted in the RECORD at the conclusion of my remarks.

Growing concern among the Nation's editors over the dangerous aspects of nuclear powerplants may convince Congress of the necessity for adopting House Joint Resolution 599, which I introduced on June 1 of last year to create a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program.

As greater attention is directed toward the policy of allowing construction of atomic plants while safety problems remain unsolved, the general public can be expected to rise in indignant protest in the realization that AEC is promoting a program with latent disaster consequences. Equally disturbing is the fact that there is a limitation on the liability of companies operating nuclear generating stations while at the same time damage by radiation is completely excluded in a homeowner's insurance policy.

The Times editorial and my letter follow:

[From the New York Times, Aug. 15, 1968]

POWERPLANT AT FORT SLOCUM

An eighty-acre island in Long Island Sound off New Rochelle has much to recommend it as the site for the world's largest nuclear-fueled electric generating plant. If the Atomic Energy Commission approves the construction of an atomic power plant so close to a large urban area—something it has never yet done—Con Ed's newest will arise in place of the antiquated works of Fort Slocum.

It is easy to understand the enthusiasm that both Mayor Lindsay of New York and Mayor Alvin R. Ruskin of New Rochelle have expressed for the proposal. It would provide four million kilowatts of badly needed power for the homes and industries of the metropolitan area without either polluting the air or despoiling the scenery.

We will be just as pleased as the two mayors are if New York and its environs can thus obtain a future source of ample power free from the drawbacks that seem inseparable from coal or oil fueled plants, and that too often appear in hydroelectric plants of the pumped storage variety, such as the one proposed for Storm King Mountain.

A serious note of caution needs to be sounded, however. It must be remembered that when Con Edison first put its nuclear generating plant into operation at Indian Point in the Hudson River, tens of thousands of fish were killed by thermal pollution. Eventually the utility installed a system of screens and walls that, it says, put a stop to this slaughter.

If the initial effect of the discharge of hot water from the 280,000-kilowatt plant at Indian Point was so lethal, what would be the effect on the ecology of Long Island Sound of the discharge from a four-million-kilowatt plant? Worry on this score is compounded by the fact that several other atomic reactors are already planned along Long Island's north shore.

Such questions, as well as the more obvious perils from radioactivity, must be thoroughly examined before a license is issued for the Fort Slocum plant. It may well be, as Con Edison argues, that advances in nuclear technology have been so great that the new plant would be of unquestionable safety; but does Con Ed or anyone else have dependable answers to the effect on the environment of a project of such dimensions? Until it is clear that the dangers are minimal, the new proposal—attractive as it first appears—must be greeted with reserve.

Because of the possible hazards from thermal pollution and radioactive wastes, Senator Edward M. Kennedy of Massachusetts has proposed that the Atomic Energy Commission declare a moratorium on the licensing of nuclear powerplants until after the Federal Power Commission shall have made a study of their potential dangers to public health and safety, and recommended necessary protective measures.

This is a sound proposal. The Atomic Energy Commission, which is charged with the development of atomic power, should not be the judge of its own standards for safeguarding the ecology and the public. These should be passed upon by another agency competent in the field, so that no conflict of interest arises.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 5, 1968.

EDITOR,
Letters to the Editor, New York Times,
New York, N.Y.

DEAR SIR: The Times editorial, "Power Plant at Fort Slocum," of August 15 lends emphatic support to my long-standing position which proponents of the Atomic Energy Commission reactor program have attempted to ridicule because I represent a district heavily laden with coal.

Like the Times, I feel that the obvious perils from radioactive wastes and the possible hazards from thermal pollution should be thoroughly examined before a license is issued for Fort Slocum or any other plant. I have also demanded a moratorium on the licensing of nuclear plants pending an objective study on transportation and disposal of nuclear materials as well as on plant operation and its effect on the environment.

I would remind those who scoff at the potential danger of reactors that the AEC's own Brookhaven Report of 1957 estimated that a single accident at a nuclear plant could cost 3,400 lives, injure 43,000 more persons, and cause as much as $7 billion property damage. Today's reactors are considerably larger and, as admitted by the AEC, could in the event of an accident bring substantially greater losses.

What is not generally realized is that utilities which operate reactors are protected by a law limiting their liability to $560 million—or slightly less than 10% of the 1957 estimate of damage potential.

Nor are all homeowners aware of the provision written into their insurance policies which excludes liability from the effects of radiation.

House Joint Resolution 599, which I introduced June 1, 1967, is currently lying idle in the Joint Committee on Atomic Energy. The Times could implement the recommendations of the August 15 editorial by placing its prestige and influence behind this resolution to create a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program.

While the safety factor is being explored, the nation need not worry about the adequacy of fuel to satisfy demand. Pennsylvania alone has more than 35 billion tons of mineable coal reserves, or four times the amount extracted in the State in two cen-

turies of mining. New York is not affected by air pollution from the mine-mouth generating stations which are now supplying the East Coast with electricity; nor from the plants fifty or more miles from the city which are supplied with coal by unit train from Central and Western Pennsylvania.

Modern power plants are equipped with electrostatic precipitors which capture 99% of particulate matter before it leaves the stacks. If the Federal government would make proper use of research funds now being used by AEC to promote its reactor program, sulphur dioxide also would be quickly eliminated as an atmospheric contaminant.

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

LEADING EXPERT ON CORPORATE ECONOMIC POWER, A. A. BERLE, JR., COMMENDS RECENT BANKING AND CURRENCY SUBCOMMITTEE REPORT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, on Sunday, August 11, the Washington Post carried as one of its lead articles in the Outlook section an article entitled: "The Problem of Financial Power," by Prof. A. A. Berle, Jr., of Columbia University. Professor Berle has been recognized for the last 40 years as one of America's leading experts on corporate power as it affects the American economy.

Professor Berle's article was an appraisal of the recent staff study on "Commercial Banks and Their Trust Activities: Emerging Influence on the American Economy," put out by the Domestic Finance Subcommittee of the House Banking and Currency Committee. He praised this report highly by saying:

> A huge gap in our knowledge of American economic power has now been filled by . . . an outstanding piece of work, providing a goldmine of material for American economists and political scientists.

Professor Berle concludes from his examination of this study that—

> America must do some hard thinking and make some decisions about the men, the machinery and the standards by which the managements of its corporations shall be selected.

This noted lawyer and teacher also supports many of the legislative recommendations contained in the report and adds a few of his own.

Before placing in the RECORD in its entirety Professor Berle's article, let me point out to the House that the demand for copies of this study has been unprecedented. In 9 days' time after the printing of the study the entire supply both of the subcommittee and of the Government Printing Office was exhausted. Since that time requests for copies of the Domestic Finance Subcommittee report have continued unabated. These requests, which until a reprinting is made cannot be filled, have come from Members of both the House and Senate, college and university professors, economic consultants, law firms, businessmen, bankers, Government officials at all levels, students and interested private citizens. The subcommittee has at the present time approximately 1,000 unfilled requests. Every day brings more and more requests. In addition, the Government Printing Office intends, because of orders it has received, to put on sale an additional 1,000 copies if the report is reprinted.

Because of this tremendous demand for copies of this important study from such a wide variety of sources all over the country, it is imperative that the GPO be authorized to reprint the report. Anticipating this demand, on July 12, 1968, I introduced House Concurrent Resolution 797. This resolution is now pending before the House Administration Committee. It would be very unfortunate, considering the amount of interest that this study has generated, if the Congress did not act on this resolution immediately, or certainly before adjournment of the 90th Congress. Therefore, I respectfully urge that House Concurrent Resolution 797 be given immediate and affirmative consideration.

The article referred to follows:

OUR PROBLEM OF FINANCIAL POWER

(By Adolph A. Berle)

(NOTE.—A former Assistant Secretary of State, Prof. Berle is considered a leading authority on concentration of power in an industrial society and the role of the corporation in American life. A professor emeritus at Columbia Law School, he resides and still practices law in New York City.)

Who controls American finance and industry—and how? The evidence now points to two groups: the managements of several hundred big American corporations and, increasingly, the trust departments of the large commercial banks that vote stock they hold in trust for others.

Until recently, the power of these banks was suspected but unproved. A huge gap in our knowledge of American economic power has now been filled by an excellent staff report to the Domestic Finance Subcommittee of the House Committee on Banking and Currency headed by Rep. Wright Patman (D-Tex.). Patman and his committee—and especially their staff—have done an outstanding piece of work, providing a gold mine of material for American economists and political scientists. Whether credit should go to the chief investigator, Curtis A. Prins, or to the counsel, Benet D. Gellman and James F. Doherty, or to the minority staff member, Orman S. Fink, I do not know, but there is credit enough to go around.

The report notes a steadily growing concentration of control in a few hands and observes that the "snowballing economic power described in this study . . . is a situation which can only be ignored at great peril."

The report's figures prove it, though there is some question as to what the peril really is. Given our system, I feel that control is certain to be concentrated somewhere; that is unavoidable. But America must do some hard thinking and make some decisions about the men, the machinery and the standards by which the vast American economic machine shall be guided and by which the managements of its corporations shall be selected.

The salient facts are these. Some 500 corporations make 60 per cent of all the sales of any kind in the United States. Add another 300 or so, and it appears that the big corporations of the United States are the real source of supply for more than 200 million Americans—not to mention large sectors of foreign countries.

These corporations are "owned" by 24 million or more stockholders. So numerous and so scattered a group obviously cannot "control" anything. The directors and executives of these corporations really make all the decisions—including the choice of the corporations' directors and their successors.

There is nothing new about this. Rep. Patman's staff kindly notes that Dr. Gardiner C. Means and I documented that fact as long ago as 1932. Theoretically, stockholders determine managements by their power to vote. Practically, they do not and cannot.

Somebody has to make nominations, mobilize stockholders' votes and tell them what to do. Until relatively recently, the corporate managements did this. About once in 35 years, some outside group organized a proxy fight and put up an opposition slate—but these fights were rare and in any case did not threaten the largest corporations.

Then came the second development almost entirely since World War II. The big employe pension trusts (the staff report calls these "employe benefit funds") wisely began to invest in common stocks. In the 20 years following World War II these funds grew enormously. They now aggregate about $72 billion and are headed for a far higher figure. As they bought they acquired huge amounts of voting shares. With these their power increased.

In 1959 I noted their rise in an essay called "Power Without Property" and Dean Paul Harbrecht of the Detroit Law School outlined the figures in a Twentieth Century Fund study called "Pension Trusts and Economic Power."

The Patman committee took these studies as a take-off and have updated and expanded them. It observed that most of these funds were actually administered by the trust departments of big commercial banks. In fact, ten big New York banks and another ten banks scattered through the big industrial cities manage an overwhelming proportion of them. These trust departments thus were indicated as the focal points where voting control of American corporations was steadily gathering.

The trust departments of big banks do a great deal more, however, than manage pension and employe benefit funds. They also are executors and trustees for an enormous number of individual holdings. About these, little or nothing was known till the Patman staff report came along. The staff investigators noted that ten years ago, information about trust department stock holdings was a jealousy guarded secret. But the Committee on Banking and Currency could get information available to no private scholar and got it.

It developed that the trust department of the commercial banks hold altogether $253 billion (!) of trust assets—of which $72 billion are employe benefit funds, another $126 billion are the total of private trusts and a further $54 billion are held in agency accounts. This quarter-trillion dollars of assets are held by less than 400 banks—the ten largest banks alone hold about 37 per cent of the total. Prudently (no one quarrels with their judgment), the trust companies have invested an increasing proportion of this huge aggregate in common stocks.

With this investment goes, for practical purposes, power to vote and stocks and, by consequence, to influence American corporations if not to control them outright. The Patman committee staff estimates that by 1970, institutions will hold more than one-third of all the stocks listed on the New York Stock Exchange and there is no reason to suppose that their holdings will not increase. These holdings apparently will be

concentrated in big banks—notably in the 10 or 15 largest. If control of corporations is located anywhere outside corporate managements themselves, here is where you would expect to find it.

Now add another factor. Banks not only run trust departments; through their loan powers, they are also creators as well as lenders of money. They supply credit to American corporations who are, perhaps, the largest users of it. As lenders, they have considerable influence. When to this is added their ability to vote large blocks of the stock held in their trust departments, their power-position becomes formidable. Add to that the further fact that bank directors regularly turn up as directors of large industrial corporations and vice versa—interlocking directorates—and you have the picture.

As trustees, these banks are large stockholders. As suppliers of credit, they have the influence of lenders. With interlocking directorates, they potentially can influence the decisionmaking function of the operating corporate managers.

FACTS ARE UNANSWERABLE

The facts are established by the committee report. In my opinion, they are unanswerable. Bank by bank, stock holding by stock holding, corporation by corporation, interlock by interlock, the staff report documents its conclusions.

The situation is largely the product of the last 20 years. Apparently, however, we are only halfway along. Employe benefit funds are continuing to skyrocket. Trust arrangements continue to be a very popular and on the whole successful form of estate planning so trust holdings also are likely to grow. Banks themselves like to merge and have been doing so; the trend is toward growing size. Nothing in this picture suggests that the conditions outlined by the staff report will change—rather they will grow in intensity.

Well, if the trust departments of big banks are the heirs apparent to stockholder voting power, who controls the banks? Here a curious situation emerges. According to the report, 6 per cent of these trust companies hold (in trust, of course) stock *of their own banks*—many of them more than 10 per cent. In seven big banks, their trust departments hold more than 30 per cent of the bank stock itself—a clearly controlling minority where the stock is widely distributed. Each trust department also has trust investments in substantial blocks of stock in other, often competing, trust companies.

The possibilities of self-dealing and self-service are enormous, to put it mildly. The possibility of an ironclad, self-perpetuating control of corporate power is emphatically there. One remembers, more than half a century ago, Samuel Untermeyer's famous investigation of the "Money Trust," when the Pujo Committee studied the banks about 1910, and the Pecora investigation of banking control in 1931–2. Apparently the problem turns up acutely about once in every generation.

Now it is one thing to say that the possibility is there and another to conclude that the whole system is dangerous or rotten and should be changed. The companion fact is that the system in our time has not worked badly. Unlike the days of the Untermeyer and later the Pecora investigations, there have not been major scandals.

Some indeed have come to light. The committee report notes some startling cases where the commercial trust companies have abused their power or have sacrificed the interest of their beneficiaries to their own power interests.

In the struggle of the Pennsylvania Railroad and the Santa Fe to hold onto their control of the Toledo, Peoria and Western in 1954, Guaranty Trust Company and J. P. Morgan & Company (now merged into the Morgan Guaranty Trust Company) prevented a vigorous new competitor from moving in.

Again, the control of a newspaper, the Denver Post, was finally determined by intervention of the Denver United States National Bank, which handled its trust holdings so as to block the higher bidder, S. I. Newhouse, from buying a majority of the paper's shares. Probably for each such case there are a dozen others we know nothing about.

Even so, given the vast number of situations in which trust companies could have thrown their power-weight around, the number of cases where they did is probably tiny. In general, American corporations have been well, though not ideally, managed, whether their stock was held in trust by banks or individually owned, stockholder investors have prospered over the years.

Individuals have regularly confided their assets to trust companies and these concerns have made their money not by manipulating corporate control but by collecting their fees as trustees. Opportunity has existed and undoubtedly does exist for huge manipulation, but so far as appears, it has not been used.

When Warren Hastings was tried for enriching himself through his control of the East India Company operations, he said that he was amazed at his own moderation, considering his opportunities. That answer would scarcely do today, but the fact is that despite their opportunity for dealing for themselves instead of for their clients, trust company managements overall have benefited their beneficiaries and have not visibly harmed corporate managements. Unlike the Pujo and Pecora investigations, the Patman committee does not exhibit a shrieking scandal of vast oppression and wrongdoing.

Partly this is due to the fact that no one, but no one, in or out of a trust company, can know, let alone use, all the interrelationships. Justice Brandeis used to say that no man could understand a billion dollars. Still less could the heads of any set of trust departments know or understand the possibilities buried in the quarter-trillion dollar block of assets—much of it corporate stock—they control.

The unanswerable fact is that some 25 million scattered stockholders cannot control anything or even know enough either about finance or corporate operations to cast intelligent votes in corporate elections. This automatically sets up a vacuum in effective economic control that is bound to be filled by somebody. The apparatus of the trust companies seems to have not done too badly. The real problem is, if not this method of control what effective method can be devised?

As long as affairs go along as at present, no great demand for change is likely to emerge. Yet, given the rapid trend towards its greater concentration, the problem is bound to arise soon, as the Patman committee points out. Periods invariably come when standards of conduct are eroded, when business morals become lax and when opportunities for enrichment overcome scruples against conflicts of interest.

OUTLAW SELF-PERPETUATION

Then the question is, what method other than the present has anyone to suggest? I have no ready-made answer but here venture a couple of observations.

First, the self-perpetuating machinery ought to be outlawed. No trust company of a bank ought to be allowed to vote the stock of its own bank.

Sixty years ago, the then privately owned Prudential Insurance Co. bought a controlling block in the Fidelity Trust Co. and at once caused Fidelity to buy a controlling block in Prudential—an airtight machine for everlasting self-perpetuation. But when a stockholder sued for their injunction, a New Jersey court stoutly said that this kind of thing was illegal and stopped it. The same principle applies here.

A bill is presently pending in Congress—and should promptly pass—to outlaw voting by any Federally insured bank of stock of its own bank, directly or indirectly. This legislation would help.

Second, there should be a forum (other than a probate court in a private quarrel over trust administration) in which the use of a trust company's control powers should be periodically reviewed. At present, there is no effective dialogue between the management of a trust company and its beneficiaries, still less between it and the corporations whose stock winds up in its trust department.

The problems are not primarily those of beneficiary versus trustee. They are problems of overall policy. Conceivably, an annual disclosure to some agency—perhaps the Securities Exchange Commission—could be required and a forum provided in which anyone interested could present his observations or complaints.

The Patman staff report suggests, but does not develop, the possibility of a regulatory agency to take jurisdiction over management of part of the accumulated trust funds, notably the employe benefit (pension trust) funds, though its suggestion is limited to standards of protection and their enforcement. In effect this would create a Federal law for protection of beneficiaries.

Probably more is needed: an impartial agency capable of being called in when the power of the bank, as holder of a block of stock, may conflict with its interest as lender or as holder of other blocks of stock. After all, if the owners—that is, the beneficiaries—cannot choose how the power of the block of stock should be used, there is no particular logic in handing the power over to the bank to be used for the bank's purposes, which is what happens now.

If there is no conflict of interest, the bank's trust department will serve well enough. But as banks expand, conflicts become inevitable. Their holdings in corporation A indicate one policy, while their holdings in competing corporation B may dictate a contrary course. Then an impartial agency to which the question could be referred might be as much protection to the bank as to the beneficiaries.

In the long run, it seems likely that the deposit and lending activities of banks should be separated from trust and fiduciary operations. An intermediate suggestion would be leaving the mechanical trust functions in the hands of the bank, but placing the power to vote any stock in its trust department in the hands of a committee completely independent of the bank management.

A QUESTION OF NATIONAL POLICY

Finally, we are dealing with something far deeper than questions between powerless stock ownership and concentrated control. We are dealing with national policy as well as with commercial problems.

In France, these problems are resolved by a system of "indicative planning." The French Planning Commission lays down guidelines. It does not tackle directly the problem of who shall hold power and industrial control. Rather it indicates what results the controllers of industry ought to seek.

This conclusion goes beyond the excellent list of suggestions made by the Patman committee staff. They rightly want full disclosure, standards of protection for investment of funds, prevention of use of inside information and conflicts of interest, protection against "short-swing" profits and like safeguards. All well and good as far as they go. But they do not deal with the fundamental question.

Some group, it seems, is bound to centralize control of American industry in relatively few hands. There seems to be no way of preventing this. The real problem is to indicate the results the United States wants out of its industry and to make sure that the apparently inevitable controlling groups move toward achieving them.

CONVENTION REFORM AND REVIEW

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, I am introducing legislation today calling for the formation of a bipartisan, representative commission to consider revamping or abolishing national presidential nominating conventions. We must face the realization that there were many Americans who watched both national conventions on television with a feeling of disenfranchisement.

In some instances, as they were informed by national news commentators, there were whole State delegations picked by a single man, responsible to no one, or by an unrepresentative party committee. It is clear to me that unless State delegations can more nearly reflect the political viewpoints of a majority of its voters, the democratic pledge of a national convention is open to serious challenge and statements of popular mandate are empty words.

The 30-member commission I propose, concurrent with, the thoughts of my distinguished colleague in the Senate, the Honorable Senator GAYLORD NELSON, would include Members of Congress, appointees of the President, representatives of the six leading presidential candidates to the 1968 Democratic and Republican Conventions as well as State and local government leaders. The commission would hold an extensive review of the presidential nominating process and make its recommendations to the next session of Congress.

It is difficult for the American voter to believe that serious questions of grave national peril can be adequately discussed and resolved during the same 4 hectic days that a national presidential and vice-presidential candidate is chosen.

To insure that youth has a voice in the commission, I propose that two of the six Presidential appointments be youthful leaders under the age of 30.

As a possible point of reform, I would suggest that serious consideration by the commission be given to holding a separate convention by each party for the purpose of charting national goals and priorities. This convention of party delegates would be held in a year preceding the nominatiing convention and insure ample time for unlimited discussion of all points of view.

LAST CHANCE FOR THE VICUNA

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, Jeanne Bellamy of the Miami Herald has discussed the possible extinction of the vicuna, a relative of the llama, in a column entitled "Last Chance for Vicunas," published in the September 4 edition of her newspaper.

Mrs. Bellamy's column has a distinct bearing on the "endangered species bill" which I had the pleasure of supporting in the House Rules Committee and for which I presented the rule on the floor. As you know, I have been a strong supporter of this legislation and I was very gratified when the bill passed the House on August 1.

Mrs. Bellamy, who has written many thoughtful columns on conservation in the past, points out that only some 17,000 vicunas remain alive in all of Peru and Bolivia. One of the more active markets for poached vicuna hides has been the United States, where the mass importation of vicuna furs in the late 1950's resulted in a major scandal and congressional hearings in 1958.

The near extinction of the vicuna has led Peru's director of Forest and Game Service, Eduardo Izquierdo, to suggest an agreement between Peru and Bolivia to ban the export of vicuna hides for 10 years. The effect of the endangered species bill, now pending in the Senate, would broaden and compliment such an agreement enabling the Secretary of the Interior to end the traffic of vicuna hides in the United States.

With this in mind, I include Mrs. Bellamy's thoughtful remarks in the RECORD:

THE POLITICAL FUR FLEW: LAST CHANCE FOR VICUNAS

(By Jeanne Bellamy)

Vicuna is known in the United States mainly as a buffy brown color and as the exotic subject of a Washington scandal 10 years ago. We may be hearing more soon about this furry relative of the llama because it's close to extinction.

The plight of the vicuna is a lively topic in Peru, one of the four Andean lands where countless herds ranged the uplands in pre-Columbian times. Vicunas were valued by the Indians for their meat as well as their fur. The Incas used thousands of men to encircle and kill 10,000 or more in a single drive.

As many as 8,000 a year were being killed in the early 1900s, and the slaughter goes on despite protective laws which are poorly enforced. The finished fur, and cloth made of its silky wool, command premium prices which encourage poaching.

The value was implied at a Washington hearing in 1958 when textile tycoon Bernard Goldfine, who died last year, admitted giving lavish presents to key federal officeholders. A vicuna coat was one of Goldfine's gifts to Sherman Adams, ex-governor of New Hampshire, who was President Eisenhower's right arm in the White House. The testimony caused Adams' political downfall.

The creamy-coffee color of vicuna is as pleasing to the eye as is the fur's softness to the touch. Neither may be within reach much longer unless the extermination of vicunas ceases.

That was a major point raised at the Fourth Round Table on Conservation of Natural Resources last month in Lima. The director of the Forest and Game Service of Peru's Agriculture Ministry, Eduardo Izquierdo, suggested a solution. He favors an agreement between Peru and Bolivia to ban the export of vicuna hides for 10 years.

Such a ban would take the profit out of poaching, and give the graceful little creatures a chance to come back.

Sr. Izquierdo estimates that only about 15,000 vicunas are left in Peru and Bolivia, with another 2,000 or so in the Pampa de Galera.

The round table is one of the little known activities of the Organization of American States. It is cosponsored by local governmental and educational institutions. The worth of this OAS project can be seen from the unwelcome status of the vicuna as an endangered species. Nor is the vicuna alone in that category.

The need for sound conservation practices is acute in most of the New World. It is a proper concern of the OAS and of each member nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MONAGAN (at the request of Mr. ALBERT), for today, September 5 through September 17, on account of official business.

Mr. FLYNT (at the request of Mr. ALBERT), for today, on account of official business.

Mr. ARENDS (at the request of Mr. GERALD R. FORD), for Thursday, September 5, 1968, on account of death in his family.

Mr. MCMILLAN (at the request of Mr. DORN), from September 5 to September 13, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MAYNE) and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 1 hour, on September 10.

Mr. CONTE, for 10 minutes, today.

Mr. STAGGERS, for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. ADDABBO (at the request of Mr. BRINKLEY), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. TUNNEY (at the request of Mr. BRINKLEY), for 60 minutes, on September 9; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. JOELSON.

Mr. FASCELL in two instances.

Mr. HALL and to include extraneous matter.

Mr. REINECKE to revise and extend his remarks immediately following the discussion on the bill S. 20.

Mr. FOLEY to revise and extend his remarks following the remarks of Mr. ASPINALL on the bill S. 20.

Mr. PETTIS to extend his remarks following the remarks of Mr. REINECKE on the bill S. 20.

Mr. MADDEN and to include extraneous matter.

Mr. PUCINSKI in 10 instances.

(The following Members (at the request of Mr. MAYNE) and to include extraneous matter:)

Mr. ZWACK.

Mr. FULTON of Pennsylvania in five instances.

Mr. CURTIS in three instances.

Mr. SPRINGER.

Mr. TAFT.

Mr. JONAS.

Mr. WATSON.

Mr. MCCLOSKEY.

Mr. WYLIE.

Mr. HOSMER in three instances.

Mr. REID of New York.

Mr. SCHERLE in two instances.

Mr. ASHBROOK in two instances.

Mr. MILLER of Ohio in two instances.

Mr. DERWINSKI in three instances.

Mr. PELLY in two instances.

(The following Members (at the request of Mr. BRINKLEY) and to include extraneous matter:)

Mrs. GREEN of Oregon in five instances.

Mr. EILBERG.

Mr. LONG of Maryland.

Mr. MONAGAN in two instances.

Mr. MURPHY of New York.

Mr. GONZALEZ in three instances.

Mr. BROWN of California.

Mr. PODELL in three instances.

Mr. PEPPER in two instances

Mr. GALLAGHER.

Mr. EDWARDS of California in two instances.

Mr. RODINO.

Mr. BRADEMAS in five instances.

Mr. GRIFFIN.

Mr. MONTGOMERY.

Mr. BROOKS.

Mr. ROGERS of Florida in five instances.

Mr. MARSH in three instances.

ADJOURNMENT

Mr. BRINKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until Monday, September 9, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2170. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation for "Management of lands and resources," Bureau of Land Management, Department of the Interior, for the fiscal year 1969, has been apportioned on a basis which indicates a need for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

2171. A letter from the District of Columbia representative, the Ladies of the Grand Army of the Republic, transmitting a copy of the minutes of the 1967 national convention; to the Committee on the District of Columbia.

2172. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a letter and a declaration of the Rumanian National Assembly, as requested by the Rumanian Ambassador; to the Committee on Foreign Affairs.

2173. A letter from the Secretary of Health, Education, and Welfare, transmitting a supplemental report of property donated to public health and educational institutions and civil defense organizations during the period of January 1 through June 30, 1968, pursuant to the provisions of section 203(o) of the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

2174. A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting a report of claims paid for the fiscal year 1968 by the Department of Agriculture under the Military Personnel and Civilian Employees' Claims Act of 1964, as amended (31 U.S.C. 240–243); to the Committee on the Judiciary.

2175. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for withdrawal of a case involving suspension of deportation under the provisions of section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2176. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report of the number of employees in each general schedule grade on June 30, 1967, and on June 30, 1968, pursuant to the provisions of 65 Stat. 736, 758; to the Committee on Post Office and Civil Service.

2177. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 26, 1968, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Walnut Bottom Run, Beaver Falls, Pa., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 1, 1958; to the Committee on Public Works.

2178. A letter from the Chairman, Federal Council for Science and Technology, transmitting a report that the Council has requested that the National Science Foundation continue until further notice its collection of information on weather modification activities; to the Committee on Science and Astronautics.

2179. A letter from the Administrator, Veterans' Administration, transmitting reports on the activities of the Veterans' Administration during fiscal year 1968 under programs for sharing medical facilities and exchanging medical information, pursuant to the provisions of 38 U.S.C. 5057; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1866. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. PERKINS: Committee on Education and Labor. H.R. 6498. A bill proposing Welfare and Pension Plans Act; with an amendment (Rep. No. 1867). Referred to the Committee of the Whole House on the state of the Union.

Mr. UDALL. Committee on Post Office and Civil Service. H.R. 12881. A bill to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes; with an amendment (Rep. No. 1868). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee of Conference. S. 3293. An act to authorize appropriations during fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes. (Rep. No. 1869). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CURTIS:

H.R. 19566. A bill to amend the Internal Revenue Code to allow single persons the privilege of producing wine for their use in the same manner as head of family under section 5042 (a)(2); to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 19567. A bill to authorize the Civil Aeronautics Board to relieve congestion at certain airports having a high density of air traffic by designating the specific airport to be utilized by air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MESKILL:

H.R. 19568. A bill to make certain additional uninsured individuals eligible for hospital benefits; to the Committee on Ways and Means.

By Mr. PICKLE:

H.R. 19569. A bill to permit the donation of surplus agricultural commodities to certain nonprofit organizations serving American servicemen; to the Committee on Agriculture.

By Mr. QUILLEN:

H.R. 19570. A bill to amend title 10 of the United States Code to prohibt the assignment of a member of an armed force to combat area duty if certain relatives of such member died or became totally disabled while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. REID of New York:

H.R. 19571. A bill to amend section 203(a)(2) of the Immigration and Nationality Act to provide that parents of lawful resident aliens shall be eligible for second preference immigrant visas; to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H.R. 19572. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHWENGEL:

H.R. 19573. A bill to amend title 38, United States Code, to provide employment and relocation assistance for veterans; to the Committee on Veterans' Affairs.

By Mr. SMITH of Oklahoma:

H.R. 19574. A bill making a supplemental appropriation for the fiscal year ending June 30, 1968, to carry out title I of Public Law 874, 81st Congress, and for other purposes; to the Committee on Appropriations.

By Mr. WILLIS:

H.R. 19575. A bill to authorize the purchase of agricultural commodities under section 32 without charge to a quota; to the Committee on Agriculture.

By Mr. ZWACH:

H.R. 19576. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to

the Committee on Interstate and Foreign Commerce.

By Mr. PETTIS:

H.J. Res. 1441. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H. Con. Res. 813. Concurrent resolution expressing the sense of the Congress with respect to the occupation of Czechoslovakia by military forces of the Soviet Union and its satellites; to the Committee on Foreign Affairs.

By Mr. ZWACH:

H. Con. Res. 814. Concurrent resolution expressing the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H. Res. 1290. Resolution condemning the invasion of Czechoslovakia; to the Committee on Foreign Affairs.

By Mr. FOUNTAIN:

H. Res. 1291. Resolution condemning the invasion of Czechoslovakia; to the Committee on Foreign Affairs.

By Mr. JOELSON:

H. Res. 1292. Resolution condemning the invasion of Czechoslovakia; to the Committee on Foreign Affairs.

By Mr. MORGAN (for himself, Mr. ZABLOCKI, Mrs. KELLY, Mr. HAYS, Mr. SELDEN, Mr. O'HARA of Illinois, Mr. FARBSTEIN, Mr. MURPHY of Illinois, Mr. GALLAGHER, Mr. NIX, Mr. ROSENTHAL, Mr. ROYBAL, Mr. CULVER, Mr. HAMILTON, Mr. TUNNEY, Mrs. BOLTON, Mr. ADAIR, Mr. MAILLIARD, Mr. FRELINGHUYSEN, Mr. BROOMFIELD, Mr. WHALLEY, Mr. THOMSON of Wisconsin, Mr. FINDLEY, Mr. BUCHANAN, and Mr. TAFT):

H. Res. 1293. Resolution condemning the invasion of Czechoslovakia; to the Committee on Foreign Affairs.

By Mr. PUCINSKI:

H. Res. 1294. Resolution condemning the invasion of Czechoslovakia; to the Committee on Foreign Affairs.

By Mr. SMITH of Oklahoma:

H. Res. 1295. Resolution creating a select committee to conduct an investigation and study of certain charges made against the Internal Revenue Service; to the Committee on Rules.

By Mr. VANIK:

H. Res. 1296. Resolution condemning the invasion of Czechoslovakia; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

377. By the SPEAKER: Memorial of the Legislature of the State of California, relative to timber exports; to the Committee on Banking and Currency.

378. Also, memorial of the Legislature of the State of California, relative to national cemeteries; to the Committee on Veterans' Affairs.

379. Also, memorial of the Legislature of the State of California, relative to tax-sharing programs; 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. ADAMS:

H.R. 19577. A bill for the relief of Shee Ming Mah; to the Committee on the Judiciary.

H.R. 19578. A bill for the relief of Stanley Wing Soon Wong; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 19579. A bill for the relief of Caterina LoPipero and minor child, Guiseppino LoPipero; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 19580. A bill for the relief of Eufemio Dacanay Felix; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 19581. A bill for the relief of Jamie Chuntianlay Siy; to the Committee on the Judiciary.

By Mr. ECKHARDT:

H.R. 19582. A bill for the relief of Miss Boon Ok Kim; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 19583. A bill for the relief of Capt. Norman W. Stanley; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 19584. A bill for the relief of Mrs. Serafina Accurso; to the Committee on the Judiciary.

H.R. 19585. A bill for the relief of Mr. and Mrs. John Anagnostopoulos; to the Committee on the Judiciary.

H.R. 19586. A bill for the relief of Antonio Benanti; to the Committee on the Judiciary.

H.R. 19587. A bill for the relief of Mr. Giacomo Fragale; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 19588. A bill for the relief of Miss Bianca Maria Brazzola; to the Committee on the Judiciary.

H.R. 19589. A bill for the relief of Dr. Manuel Nate Roco, his wife, Nellie Marcelo Roco, and two children, Jonas Marcelo Roco and Manuel Marcelo Roco; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 19590. A bill for the relief of Irene G. Queja; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 19591. A bill for the relief of Daniel L. Pitzer; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 19592. A bill for the relief of Richard Guerra; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 19593. A bill for the relief of Michael Beno; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 19594. A bill for the relief of Josef Shvinger; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 19595. A bill for the relief of Dr. Aminollah Jazab; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 19596. A bill for the relief of Dr. Rameshchadra C. Shah; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 19597. A bill for the relief of Aniello De Chiara; to the Committee on the Judiciary.

H.R. 19598. A bill for the relief of Mario Sarni; to the Committee on the Judiciary.

H.R. 19599. A bill for the relief of Dimitrios P. Tassios; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 19600. A bill for the relief of Feliciana G. Avecilla; to the Committee on the Judiciary.

H.R. 19601. A bill for the relief of Jaime C. Avecilla, Sr.; to the Committee on the Judiciary.

H.R. 19602. A bill for the relief of Joo Bok Lee; to the Committee on the Judiciary.

H.R. 19603. A bill for the relief of Virginia Sansano Quidangen; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 19604. A bill for the relief of Aravamudhan and Edelgard Raman; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

COMMUNISM'S CHARACTER UNCHANGED

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, September 5, 1968

Mr. THURMOND. Mr. President, the Anderson, S.C., Free Press of August 15, 1968, contains a syndicated column entitled "Communism's Character Unchanged," written by the distinguished columnist Mr. Thurman Sensing. This column, reasserting a belief in the monolithic threat of communism, appeared in print a full week before the Soviet show of power by invading Czechoslovakia.

Mr. Sensing offers ample admonition for the need of a serious reevaluation of our Nation's foreign policy. Whereas he uses the Czechoslovakian incident as just another example to illustrate the Soviet power over the satellite countries, he also brings to mind the far more important idea of the monolithic threat of the Communist world.

The author is a strong opponent of the popular idea that the Communist world is divided and exists in a polycentric nature. To the new generations of Americans who have been nurtured with such propaganda and to those who have never experienced the flagrant tactics of a Stalin or a Beria, he offers us the following recent reminders of Soviet brutality: Hungary, 1956; the exploits in Africa; the entanglements in the Middle East; the penetration in Southeast Asia; Cuba, 1962; and now Czechoslovakia, 1968.

Mr. President, can we detect any mellowing in the Communist ideology? Do we now have any reason to doubt Moscow's direction of events in the satellite countries? Czechoslovakia is merely the most recent example.

However, even when presented with such evidence as this recent episode, our policymakers neglect to realize that Moscow still "calls the shots" in the Communist world.

Men such as Mr. Sensing are performing a valuable service to our Nation by constantly reminding us of the Soviet challenge. Such a prophetic voice crying in the wilderness is not always greeted with honor or popular reception, but such a mission is a noble and valuable one as the tide of history affirms his judgment.

I invite the attention of the Senators to this column and I implore them to take notice of Mr. Sensing's timely words.

I concur in his beliefs. I ask unanimous consent that his article be printed in the Extensions of Remarks.

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

COMMUNISM'S CHARACTER UNCHANGED

Whatever the immediate outcome of the Czechoslovakian situation, it should be clear from a reading of recent news that Communism has not changed its character. Hopefully, American "liberals" who have been saying that the Russia of today is vastly different from the Russia of Stalinist times will acknowledge to themselves and to others that they were wrong.

A few years ago Walt Whitman Rostow, then head of the State Department Policy Planning Council and now a top White House adviser, was the author of the thesis that Communism is "mellowing." The Czechs, however, have discovered that there is nothing mellow about the thinking or actions of the Soviet Union. As soon as the Soviets saw that their power position in Czechoslovakia was even slightly threatened, they began to display their military muscle. They demanded that the Czechs fall into line.

One of the pet phrases of recent years has been "polycentricism," meaning a variety of centers. The "liberals" vowed that communism no longer has a single center, Moscow, but is decentralized and developed in a variety of independent ways. From the Czech situation, however, we can see that the Russians hold that they are the one and only source of policy for the Communist world. They demand that their Central European satellites toe the mark and respect the authority of communism in the Soviet Union.

The end result of these developments on the international scene is that communism can be viewed as having the same face it had under Dictator Joseph Stalin. It is still an armed doctrine representing the Soviet dictatorship and utterly opposed to the slightest breath of personal or economic freedom.

It is instructive that the Czech situation should develop in this period before the American presidential election. The future of the cold war is still the chief issue facing the American people. If the U.S. fails to actively strive for victory in the cold war, it will continue to lose ground in the worldwide conflict between capitalism and communism.

A new generation of Americans has grown up with no memory of the communist record of tyranny and betrayal. Young Americans in their twenties aren't old enough to remember the soft-on-Communism outlook of the Roosevelt New Deal, the giveaway of lend lease supplies to the USSR, the surrender of Eastern Europe to the Russians at the end of World War II. These young Americans don't have personal recollections of the Soviet spy cases which showed that the Russians built their first atomic weapons on the basis of information stolen from the U.S. or supplied by traitors. They don't recall the case of Alger Hiss, the high-ranking State Department official who served as a Soviet agent.

Older Americans need to help educate younger Americans and explain to them how the interests of the U.S. were sacrificed by disloyal elements and appeasement types in our midst. The young also need to know about the struggle of anti-communists in this country over a 20-year period. They should be informed as to who stood for firmness against Communism and who had an ignorant or sentimental view of the communist threat to freedom. Young voters should ask themselves where the leaders and candidates of today stood in the decisive struggles involving communism and the cold war. For example, what was Hubert Humphrey's view of the Hiss case when it was the raging issue of the moment? Or, looking at more recent events, what was Mr. Humphrey's view when President Kennedy ordered withdrawal of U.S. missiles from Turkey in exchange for the alleged removal of Soviet rockets from Cuba?

These questions aren't ancient history. They are living questions that pertain to basic attitudes regarding the cold war, the struggle between the forces of freedom and the forces of tyranny.

The record will show that America's "liberals" have been consistently wrong about communism for 20 years. They have laughed at anti-communists, saying they "see Reds under beds." Meanwhile, the Soviets have swept on from success to success, capturing Cuba and penetrating Africa, the Middle East and Southeast Asia. The "liberals" have been determined to see communism as containing reforming elements, whereas communism is as brutal and ambitious as ever. The United States is in danger today because "liberals" have guided American foreign policy. It is imperative that there be a change in leadership in Washington, in foreign policy thinking as well as in the handling of domestic strife, which also stems from communist agitation.

America hasn't much time to adopt a new, vigorous posture toward the communist threat. The people need to act in 1968.

CRISIS IN AMERICA

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. TEAGUE of Texas. Mr. Speaker, it was my privilege to deliver the keynote address to the annual convention of the Disabled American Veterans in Philadelphia, Monday, August 19, 1968. Under leave to extend my remarks in the RECORD, I include the text of my remarks, as follows:

CRISIS IN AMERICA

There is one, few can doubt. In the past decade we have seen: Our cities convulsed with mindless destruction in the name of "civil rights"—universities shut down by self-styled revolutionaries in the name of "academic rights"—sedition and draft-evasion by cowards and over-educated milquetoasts, in the name of "morality"—militants and radicals openly advocating guerrilla warfare and anarchy in order to disrupt the democratic process and overthrow the government, in the name of "freedom"—a youth culture anesthetized and sustained by drugs, in the name of "self-expression"—hippies and flower children aimlessly wandering and littering the streets in the name of "love and peace"—an unprecedented, steadily rising crime rate, five times faster than the population—the assassination of political leaders—and finally, a shambles of primitive lawlessness in the nation's capital, in the name of "the right to equal shares for everybody."

What is happening in America? Why do we indulge and permit these excesses and outrages? Why do so many, even now, continue to perpetrate and sanction them? The answers, while complex, are not as difficult and mysterious as they may seem.

At the heart of the problem is an age-old moral dilemma with which every healthy society must come to terms. It is that of balancing the rights of the individual against the good of society as a whole, drawing the fine line between the function of government and the obligation of the citizen to himself and to his country. A stable, vigorous democracy must preserve the proper balance between the duties of government and the responsibilities of its citizens—each must uphold, so to speak, its end of the bargain. When one is exaggerated at the expense of the other, and the balance is lost, societies decay and eventually collapse from within. Rome fell when its citizens became so obsessed with greed and personal ambition that they lost sight of the long range goal—the good of the nation as a whole (without which there can be no fulfillment of individual interests).

In many ways we are experiencing symptoms of a similar moral breakdown. We are slowly losing perspective in the proper role of government in relation to the individual and are abandoning genuine rights for the sake of instant satisfaction of needs and desires. Too many of us confuse the desire for something with the right to something. There are certain rights in a free democracy which are the function of government to guarantee and protect. Among these is the right to life, liberty, and the pursuit of happiness. But there are other so-called rights, about which we hear a great deal lately, which are not really rights at all. They have taken on an aura of credence as "rights" because of the myths surrounding them. In the process of perpetrating these myths, genuine rights—such as the right of the majority to freedom from fear, to protection by the law, and to the freedom to choose—have been so twisted and degraded that not only has its true meaning been obscured, but the acts committed in its name have made a mockery of its original intention. It is becoming increasingly fashionable today to justify almost anything by calling it a "right".

It is time to take another look at the mythical rights on the altar of which we are slowly sacrificing our legitimate rights. Liberty does not mean license from the law. The right to dissent means protest within the bounds of law, not mob rule. The right to the pursuit of happiness means equal opportunity, not guaranteed income and equal shares.

The recent so-called "poor people's campaign" is a good example of misguided goals under the banner of "rights". Democracy calls for equal opportunity under the law. It does not believe in guaranteeing equal results for everybody irrespective of effort. It is not the function of government to guarantee prosperity for everyone. It is the function of government to provide a climate in which everyone is free to prosper. The present outcry for "equal rights" for the poor is really a demand for "special rights" for equal shares. While an affluent society ought to help those who cannot help themselves, and whereas we do cultivate the ideal of charity to the extent that we are probably the most giving nation in the world, that is charity and not a basic right. It is a gross distortion of the concept of equal opportunity to equate it with the right to equal shares. There is no such right in a free democracy. The right to equal property is a cardinal principle of communism. Even communistic countries have abandoned it because the apathy it breeds stifles everyone and in the end benefits no one.

The philosophy of equal shares is contrary to a man's fundamental right to place a value on his work. A man's work is an expression of himself. When you deprive him of the means by which to judge the quality of his efforts, namely, proportionate reward, you take away not only the dignity and incentive of work, but also pride in achievement. The philosophy that goes with the demand for guaranteed income is not only impractical; it is a direct denial of principles which have made this the richest nation in the world—the right to competition, free enterprise, and reward based on merit.

A popular fallacy perpetrated in connection with welfare demands is the belief that a huge segment of America is hopelessly trapped in grinding poverty. First, the so-called poverty is not as grinding as many like to believe. Professor Parish—a professor of

economics at the University of Illinois—cites in a study, entitled "Poverty in America: The Myth and the Reality," that based on consumer statistics, 96 percent of the U.S. families currently own T.V. sets, and in the active age group, 90 percent own cars. Over half the families with annual income under $3,000 have telephones, and among those with incomes under $5,000, 60 percent have telephones. A 1967 Bureau of Census survey of the kinds of things poorer families buy showed that of those under 25 years of age and earning less than $3,000 annually, 5 percent bought new automobiles and 49 percent bought used ones; 54 percent purchased T.V. sets. A TIME magazine survey of hunger showed that even in Mississippi's Tunica County, one of the poorest in the nation, 8 out of every 10 families living on less than $3,000 a year, 37 percent owned washing machines, 48 percent owned cars, and 52 percent had T.V. sets. You cannot eat or wear cars and T.V. sets. A major portion of the so-called poverty-stricken class of America enjoys fruits of affluence which the middle-classes of Europe cannot, or are only now beginning to be able to, afford, not to mention the rest of the world.

Secondly, it is a myth that poorer people in this country are "hopelessly" trapped. Today in America, anyone who really wants to work, and is willing to work, can get an education and a job. Thousands are working at something they are able to do while learning an additional skill. Yet, every day, as the demands for more money grow louder, the want ads grow longer with job offers, and the welfare lists grow longer with people who either lack the skills to fill the jobs or consider them too menial to be worth their while.

The trend today to make the government the scapegoat for every conceivable social ill is as irresponsible and unrealistic as the belief that the government can miraculously cure these ills in one stroke. For every 100 poor people, there are 100 different reasons. The instruments of government are not finely enough tuned to solve the individual grievances of 200 million Americans. The government can, and does, throw billions of dollars each year into attacking the root causes, such as lack of education, and ignorance of available opportunities.

But there are some things which are simply beyond the realm of government and money to cure. More often than not, the underlying causes of poverty are lack of initiative or just plain laziness. The government cannot make a man learn a skill. It cannot keep a woman from having children for whom she is unable to care. Money will not buy incentive, perseverance, the will to work, or the desire to take advantage of educational and job-training programs. It will not buy the wisdom or prudence to use one's money for balanced foods, instead of a shiny new automobile or a color T.V. set.

The core of the poverty problem often is psychological, not physical. We should be fighting human attitudes that cause poverty. We should stop appealing to men's weaknesses and start appealing to their strengths. Instead of excusing ourselves by blaming the government for every social ill, we should accept the responsibilities that rightly belong to the individual. We should replace the ethics of slavery—the brazen demands that "somebody do something" and the slogans that "the government owes it to us"—with the ethics of self-reliance. The leaders of the so-called poor people's campaign would do better to substitute self-reliance for servility and initiative for dependence. The illusion that society is responsible for one man's misery accomplishes nothing. It re-enforces the vicious idea that he is the victim of circumstances, incapable of self-support, instead of teaching him to rely on his own resources.

Akin to the poverty issue are the social abuses committed in the name of civil rights. Most people agree that the right to dissent must end where another man's freedom begins. Yet the same people who pay lip-service to peaceful protest, excuse violence when they feel it serves a useful purpose. They may feel that it takes disobedience of a law to change the law. These people may decide in their own minds which laws are worth obeying. They then find it easy to justify every kind of social atrocity in the name of civil rights.

No society can tolerate a breakdown of its laws and expect to survive. Dissent is healthy when it acts as a catalyst for needed improvement and change. But constructive change must come about as a steady, slow, and sure evolution; it cannot take place violently. Reform by anarchy and guerrilla tactics, using fear and crime as weapons, is self-defeating. Without laws, and more importantly, without the enforcement of those laws, there can be neither justice nor freedom. "Human rights" is a meaningless phrase when there are no laws to define them and no means to safeguard them. Law and order is the only thing that protects the rights of the individual from tyranny—a tyranny in which strength is measured by brute force and the laws of the jungle, not by the laws of justice.

That so much coercion and violation of the law has been allowed is, I believe, due in part to an unspoken assumption that, because there are social reasons for it, somehow it isn't crime. In part it is due simply to the spineless response of our national leaders. They excuse themselves by perpetrating the myth that violence is an inevitable result of just grievances and civil rights issues—that riots are spontaneous expressions of grief and rage for centuries of oppression. This is a convenient charade. The riots in Washington, for instance, had little to do with civil grievances. Self-styled revolutionaries and hoodlums saw an excuse for kicks—a chance to feel important in the only way they approve—through guns and molotov cocktails—using fear to gain the illusion of power. It escalated into an orgy of looting, vandalism, and arson when bystanders saw an easy way to get something for nothing. For two weeks, the Constitution of the United States was virtually suspended. There were hundreds of fires, eleven dead, one by the forces of law; property damage in the millions. And many persons felt afterward that congratulations were in order—that law enforcement officials had handled the uprising peacefully!

The rioters were not the ignorant, the oppressed, and the poor, as many would like to believe. A bail bond analysis of those arrested showed that 90 percent had jobs paying from $85 to $150 a week. Many of the rioters drove to the riot area in their cars. Washington, D.C. has few so-called oppressed people. It has a negro mayor, many negroes in high offices, fully integrated schools and little unemployment. The average citizen paid the price—in lost jobs, burned homes, incessant fear, not to mention the cost of millions of dollars in property damage and the bill for added police protection.

It is time to put an end to the no-backbone, soft-line response to violence. Too much disorder has been permitted for personal advantage under the guise of civil rights. Even if their were a just cause, which there is not, no end could justify the means. Our first duty is to uphold the law and to protect the rights of the majority. Decent, law-abiding citizens have a right to walk the streets without fear, a right to see their taxes spent for constructive purposes, and, above all, a right to the preservation of their property.

The current excuse for the permissive approach, that property is not as valuable as lives, is totally wrong. It not only establishes a dangerous precedent, which could result in complete anarchy; it is mistaken in principle. Property rights, along with the right to live, are among the oldest of all human rights. A man's property—his work—is an extension of himself. It is the concrete expression, the sign, of what he is and of his creative abilities. If you take away the product of his efforts, his life work, you destroy him as surely as if you had taken his mind and left his body as a live shell.

It is sheer folly, finally, to condone lawlessness in the belief that it is a form of social unrest which must have an outlet; or out of fear that to counter with surmounting force would result in more violence. That is to admit the criminal has become stronger than the law. The real oppressor is ignorance. To sacrifice the social order and the rights of the majority for the sake of pacifying a few depraved, warped minds is the epitome of misguided humanitarianism at best. At worst it approximates social suicide.

The tendency to blame the government for every social affliction, like the thinking which pardons simple licentiousness as retribution for imagined grievances, is symptomatic of a deep internal illness—a moral crisis in America. The disease could be characterized as the breakdown of values. It is sustained primarily by some very fundamental confusions of moral concepts.

We tend to forget what freedom really means. Freedom should not be confused with an equally strong and universal craving—the desire for recognition and the search for status. The need to be recognized, to be understood, to belong and not to be ignored, or patronized, is not the same as freedom to act. Free governments can guarantee equal opportunity under the law. They cannot legislate respect and social status. To attempt this would result in the worst despotism imaginable, a despotism which would control the opinions, attitudes, and tastes of its people. John Stuart Mill aptly described the consequences when he said, "unless men are left to live as they wish, in the path which merely concerns themselves, civilizations cannot advance; the truth will not, for lack of a free market in ideas, come to light, there will be no scope for spontaneity, originality, genius, for mental energy or moral courage. Society will be crushed by the weight of collective mediocrity. Whatever is rich and diversified will be crushed by the weight of custom, by men's constant tendency to conformity, which breeds only withered capacities . . . and warped and cramped human beings."

We must stop calling every adjustment in social position an increase in liberty. It is only the confusion of the desire for status with the need for liberty that makes it possible for men, in the words of Isiah Berlin, "while submitting to the authority of dictators, to claim that this in some sense liberates them." The great attraction of socialism and the paternalistic view of government, is that it takes the burden of real freedom and responsibility off the individual and places it upon the state—along with the illusion of freedom. To continue in the direction of gradually imposing more and more responsibility on the government is to treat men as if they were not free but must be shaped and cared for by a great benefactor . . . as if they are incapable of molding their own goals and purposes . . . as if they cannot determine their own destinies. While progressive socialism may give the outward appearance of benefitting the individual, ultimately it demoralizes him. It robs him of self-reliance and binds him in a mind of spiritual slavery. Real freedom is to be allowed to be one's own master. When the erosion of the ethics of self-reliance and discipline has progressed far enough, all forms of authority will seem oppressive. Freedom will be looked upon as license from restraint and responsibility replaced by power. The internal chaos generated in the individual will become manifest in society as a whole. We are indeed already seeing visible signs of this everywhere.

It is manifest in the student unrest in the universities . . . in their demands for "student power", in the use of subversive tactics to achieve such goals as seizing the role of administrators and wanting to teach rather than to learn, and in their choice of heroes such as Ho Chi Minh, Che Guevara, and Castro. Their parents pay tuition and board while they court communism and play at guerrilla warfare, without conception or concern for the consequences. It is a sad spectacle that many of our youth have become so immune to genuine values that they can take their own hypocritical attempt to play at being little men so seriously that they become a threat to themselves and to their country; when they can succeed in deluding themselves to the extent that annihilation of all authority seems a worthwhile goal and the swaggering demagogic posture of contempt for work, family, the home and society, a fulfilling life. It is an irony and a tragedy that the affluent permissive environment, out of which many of these so-called revolutionaries came, has backfired; that instead of contributing to the development of character and a sense of responsibility, it has led them to seek a life of continuous ease and escapism; a life in which the gap—the human need for socially worthy meanings—is pathetically filled by latching on to utopian, bizarre ideals, which, because they are so unrealistic, allow them to remain perpetual children. The danger to the country is that in their naivete such students become easy victims for real revolutionaries.

The same lack of integrity is evident in the aimlessness and rebellious mood of the militant "New Left". It is simpler to advocate anarchy and the destruction of the "power structure" than to try to influence constructive change from within. They claim "the system" is oppressive. The truth is that the lack of discipline and family control has left them with a sense of alienation and chaos. To fill the void and to give vent to their frustration, they project it onto and blame society as a whole. The absence of an internal system of controls and guidelines makes "the system", or any outward restraint, for that matter, seem oppressive. So, rather than formulate positive goals, they prefer to acquire an illusion of power through destruction and to counter with even more repressive totalitarian methods, arrogance, and deviation from the status quo. This too, is pathetic. To require the status quo as an object for destruction in order to achieve a sense of identity is a pitiful dependency on just that status quo. Those who rely solely on deviation to make their message meaningful are in effect saying that without the status quo and by themselves, they are nothing.

This is true of the black power movement with its need for exaggeration and belligerence. It is true of the hippies who require offensive manners, indolence, beads, beards, and filth to feel "turned on", and withdrawal into the unreal world of drugs to "really live". It is true of just plain hoodlums who must have crime to get their kicks, and it is true of those who need to burn draft cards to feel moral.

The real breakdown of law and order is in the individual. The frenzied aimless search for values, for Utopia and for absolutes indicates that the evil protested by the militants and the radicals is not so much in society as in themselves. It is manifested in the cries for instant change but the inability to say specifically what kind of change—in the preoccupation with personal desires in the name of rights—the quest for material goods at the expense of spiritual autonomy—the eagerness to generalize blame onto the government, or "the establishment", or "the system", as a scapegoat for all social ills—the trend to make the government take over obligations which should belong to the individual—the philosophy that the world owes me a living—twisting liberty into license from law, and finally, in the failure to recognize that freedom and responsibility to one's country are two sides of the same coin.

Present crime rates are a grave threat and of great concern. But a greater danger lies in a complacent attitude and false sense of security in the face of the root cause of widespread lawlessness—a breakdown of the moral fiber. The militants, radicals, and criminals can be identified and dealt with accordingly. But it is difficult to recognize and pinpoint the insidious concessions that slowly and imperceptibly undermine the principles of freedom and democracy.

It is time to counter the trend of overapplying concepts such as freedom and rights to the point that they are no longer recognizable; time to re-establish the balance between the role of government and the responsibility of the individual. We must affirm the ethics of individual strength and substitute them for collective dependence. We should remind ourselves again, and teach our children, that real power lies in moral strength and mental integrity. These qualities are hard-won products of a long process. They do not come from slogans, nor are they the prerogative of the young or underprivileged. They cannot be acquired or replaced by insolence, bad manners or violence. And we must never forget that freedom is not a gift, automatically bestowed, but something not easily attained and difficult to keep.

THE PRESS IS NOT THE PUBLIC

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, September 5, 1968

Mr. FANNIN. Mr. President, the violence that embroiled Chicago last week and the subsequent tarnishment of the political and civic reputations involved need no particular comment from me at this time. There has already been a deluge of words and newsprint on the matter, and I think most Americans are fully capable of making up their own minds provided they are fully informed.

There is, however, some reaction within the public media that I think is worthy of repetition. I refer to a column written by Joseph Kraft, and published in last Tuesday's Washington Post. In this commentary on the press reaction to the events in Chicago, Mr. Kraft makes a most cogent observation and one that members of the profession called journalism need to keep before them. Mr. Kraft says:

> The press is not the public.

His column basically concerns itself with the question: Is the press merely a neutral observer of events, or does it have a prejudice of its own? Mr. Kraft answers by stating:

> Most of us in what is called the communications field are not rooted in the great mass of ordinary Americans—in Middle America.

He goes on to examine some of the reasons why this may be and what some of the results may be. Essentially he notes that this disparity may result in an inordinate amount of attention given to those groups and issues that do not necessarily concern most Americans to the same degree.

Perhaps Mr. Kraft will not be popular among the members of the journalistic fraternity for pointing this out, but I think it is certainly a reasonable and well-justified argument and one that has wanted utterance for a long time. It hardly needs to be said that I imagine Mr. Kraft and I disagree, often fundamentally, on the public issues important enough to appear on the editorial pages of major newspapers; nonetheless, I commend him for his introspection at this point and suggest that if this attitude were more generally held among those who consider themselves "shapers of public opinion," there would be more understanding, less animosity, and thus more progress in America.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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

DALEY AND POLICE HAVE A POINT IN CLAIMING PRESS IS BIASED

(By Joseph Kraft)

If nothing else, the violence generated at the Democratic Convention in Chicago made it plain that the police are not merely the neutral custodians of public order. They are also part of an embattled social group, acutely hostile to student demonstrators and by no means friendly to reporters and cameramen.

But how about those of us in the press and other media? Are we merely neutral observers, seekers after truth in the public interest? Or do we, as the supporters of Mayor Richard Daley and his Chicago police have charged, have a prejudice of our own?

The answer, I think, is that Mayor Daley and his supporters have a point. Most of us in what is called the communications field are not rooted in the great mass of ordinary Americans—in Middle America. And the result shows up not merely in occasional episodes such as the Chicago violence but more importantly in the systematic bias toward young people, minority groups, and the kind of presidential candidates who appeal to them.

To get a feel of this bias it is first necessary to understand the antagonism that divides the white middle class of this country. On the one hand there are highly educated upper-income whites sure of themselves and brimming with ideas for doing things differently. On the other hand there is Middle America, the large majority of low-income whites, traditional in their values and on the defensive against innovations.

The most important organs of press and television are, beyond much doubt, dominated by the outlook of the upper-income whites. Increasingly, those of us in communications are well-educated and comfortably off. Many, particularly in television, have the aggressive self-confidence that comes from a rapid rise.

Our professional duty, moreover, gives us a vested interest in the free flow of ideas. We are necessarily concerned with that which yesterday was not—that which is new. And our special interest is less in ordinary men than in celebrities, headline figures, names in the news.

The impact of these ties can be seen most dramatically in almost any issue involving the Negroes. The media, following the general thrust of upper-income white opinion, tend to be sympathetic toward Negro claims for a better life and tolerant of even such means of forcing the claim as boycotts and sit-downs. Low-income whites, by contrast, feel threatened by many of the Negro demands and they resist pressure tactics.

More importantly, but less obviously, the split reveals itself in such major events as

presidential campaigns. Enormous press attention goes to activities related to Negroes and young people. Reporters and cameramen galore followed the late Robert Kennedy through the ghettos and trailed Eugene McCarthy to the universities. Nelson Rockefeller, when he wanted to make a maximum splash in the late stages of his campaign, quite rightly addressed himself to young people and Negroes.

But there is no corresponding press interest in ordinary things done by ordinary Americans. And candidates who concentrate their appeal on Middle America attract relatively little attention in the media.

Richard Nixon was almost entirely out of the news in the weeks before he walked off with the Republican nomination. Except for supposed differences with President Johnson on Vietnam, the same would have been true of Hubert Humphrey before his nomination. Judging by press attention, indeed, it is hard to see how either man could possibly have been nominated.

What this means is that the press is not the public. Between the news media and Middle America there is an imperfect relation, a lack of touch, a disharmony. That being so, there's an element of privilege in our work. It is done on the sufferance of the great majority. * * *

In these circumstances it seems to me that those of us in the media need to make a special effort to understand Middle America. Equally it seems wise to exercise a certain caution, a prudent restraint, in pressing a claim for a plenary indulgence to be in all places at all times as the agent of the sovereign public.

THE DRAFT AND ITS ALTERNATIVES

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. ESCH. Mr. Speaker, since I first came to the House of Representatives, I have been deeply concerned at the refusal of the Congress and the administration to take constructive action to correct the inequities in the present Selective Service System. Objective criticism of our draft system is a national necessity if we are to bring equality into the law which determines the future course of life for so many of our young men.

As you may recall, Mr. Speaker, I last year strongly supported amendments to the extension of the draft bill which would have assured that all young men, throughout the country, would be examined and considered under the same set of national standards. Although that amendment was included in the House measure, it was unfortunately deleted by the conference committee.

At the same time, Mr. Speaker, I fought for the inclusion in the legislation of a national commitment to move toward an all volunteer military. Once again, this amendment was deleted by the House-Senate conferees.

At the end of our short floor debate on this subject, it became clear to me that the leadership of the 90th Congress was unwilling to accept new ideas or to give serious consideration to the inequities which were present in the system. I therefore joined in supporting a motion to extend the draft for only 2 years in the hope that the next Congress would be more willing to accept its responsibilities in this field. Once again, however, the reform forces were defeated.

In the months since that debate, I have made every effort to bring about a climate favorable to change in our antiquated military manpower policies. I have endorsed the excellent work "How To End the Draft, the Case for an All Volunteer Army," written by several of my House colleagues and have encouraged debate and discussion of this issue among concerned citizens in my district and throughout the Nation.

Along with many other Members of Congress and educators throughout the Nation, I was shocked when the Selective Service System announced the abolition oi all graduate deferments except in the areas of medical and dental health. The implications of this decision are long-lasting and may well rob our Nation of the teachers, scientists, and engineers we will need so desperately in the years ahead. At the same time, it will certainly do a great deal of damage to the graduate schools throughout the Nation and cause serious problems in all institutions of higher learning.

It was for that reason that I called for extensive hearings on this subject before the House Special Education Subcommittee of the Education and Labor Committee. In that committee I was joined unanimously in calling for a reversal of this most unfortunate policy. Our pleas fell on deaf ears—and despite the consequences for the Nation, the Selective Service System let its ruling stand.

Mr. Speaker, my concern on this issue is a deep one and I pledge that I will not drop the fight for a more equitable system until the Congress has lived up to its responsibility and taken constructive action.

It was my privilege recently to author an article for the Forensics Monthly on the Selective Service System, its alternatives, and immediate action that can be taken to correct its inequities. Under unanimous consent I include text of that article in the RECORD following my remarks:

Throughout the past few years more and more people have begun to discuss and debate the antiquated draft system of our nation. As draft calls have increased, so too have the number of young men and their families who have been caught up in the debate on the system of the draft. As more people become involved, the inequities have become more obvious.

Just five years ago, the Senate approved the extensions of the Selective Service Act with only ten minutes of debate. The debate on the House Floor was only slightly more extensive. Today, however, people are beginning to call for reform. More and more people are recognizing that objective criticism of our draft system is certainly not unpatriotic but rather a national necessity if we are to bring equality into the law which determines the future course of life for so many of our young men.

Compulsory service, whether it be to an individual through a system of slavery or to the government through forced labor or military draft, is antithetical to the basic tenets of democracy. Our national heritage was built on citizen protests against a government ordering the details of their lives. Our goal has been the reduction of compulsion in our national life.

Nevertheless, our nation has turned to a system of compulsion in times of grave national need—the Civil War, the First World War and again in World War II. Because our international commitments to maintain the peace and protect freedom have remained at a high level since the end of World War II, the draft has been extended since that time. It has been widely assumed that there was no alternative to the present system and that the draft has become a permanent, though unfortunate, fixture of our society.

Only in the past few years have persons come to challenge that assumption. Only recently have people urged the nation to find a military manpower system which is compatible with our democratic structure while meeting the needs of our armed forces.

Because there are both immediate and long range problems, our analysis of the revisions necessary to reach such a system must be twofold. First, we must consider the immediate problems facing the system and correct the inequities that are present because of its administrative fumbling. Second, we must consider long-term alternatives which can meet the qualifications of a military manpower system in a democracy which must fulfill world-wide commitments.

THE PRESENT SYSTEM

The antiquated system under which we now call men to serve their nation imposes unequal, unfair and frequently irrational requirements on those it processes. It leaves in a state of limbo for seven years—never being able to make concrete plans or commitments. It fails to provide them with understandable information regarding their alternatives and denies them basic civil rights in presenting their personal situation to the draft board. It uses varying standards in their examination—depending on their geographical location, the state of world peace and the personal idiosyncrasies, likes and dislikes of their local Selective Service Board members.

It is important, in any such discussion, to point out that no system can ever be entirely equitable when one man is called to serve while another is left home to begin his career and family life. In his Draft Message to the Congress, President Johnson recognized this point "For the unavoidable truth is that complete equity can never be achieved when only some must be selected and only some must serve."

Within this framework, there are clear and broad inequities that can and must be corrected. Among the most ironic of the inequities in the system is the fact that draft calls are based not on the number of registrants, but the number of registrants "classified and available for service." Thus a draft board which is inefficient, which processes papers slowly and tolerates or causes long delays before classification, is rewarded for its inefficiency by the allotment of a smaller draft quota. This has led to broad differences in the burden which individual areas are required to bear.

In my home state of Michigan, for instance, there were only 764,218 registrants between 18 and 25. Of these, 16,166 were drafted into active service. Yet Pennsylvania, with 1,076,396 draft-age men (over 300,000 more) at the same time furnished only 14,829. Indeed, during the Fiscal year of 1967 for which these figures were furnished, a young man from Michigan has more than 33% more liability to bear his share of the military service.

Clearly, a first step in correcting national inequities in draft calls should be the institution of calls on a national, rather than geographical basis. This could be established through a nationwide computerized pool of draft manpower. This would guarantee the same treatment from coast to coast for all 1-A men. Where they happened to live or

where their draft board was located would no longer matter.

The crazy patchwork quilt of geographical inequities takes place not only in the assignment of quotas but in the classification of registrants. Many states, for instance, have extremely high IV–F ratings. In Maryland, for instance, 10.3% of all registrants were deferred on a IV–F rating while in Michigan that percentage dropped to 1.6%. Partial as I am to the wonderful climate and environment of my home state of Michigan, I find it extremely difficult to believe that young Michiganers are more than 3 times as healthy as Marylanders. Variances of a few percentage points from year to year might be understandable, but it is clear that the present system of classification imposes much more rigid standards in Michigan than in Maryland. The moral appears to be that if you have fallen arches you should move to Maryland.

The application of physical standards also appears to vary with the demands of the service for personnel. At times rejections for physical disqualifications may run as high as 60 to 70%. In mid 1961, for instance, the rejection rate was 72% while at the end of the year, just following the Berlin crisis, it dipped to 14%. As Bruce Chapman put it, "It definitely appears that the man found "unfit" in May would have been quite acceptable in December, depending more on the health of world affairs than on his."

The differences between draft boards appear not only in the rating of physical ability but in their viewpoints about the broad deferrment categories established by law. Because the categories are broad, there are no guidelines as to how they should be interpreted by local boards, thus leaving the decision up to them and their own concepts as to what is in the national interest. As Congressman Richard Schweiker said in his speech before the Congress on February 7, 1967, "local boards, and not Congress or the President, hold all the chips in the national manpower game of who gets deferred. . . . The particular draft board with which a young man registers at age 18 is probably the most important factor in determining when, and even whether, he is drafted." (Congressional Record, February 7, 1967.)

The House of Representatives last year included language to require national standards in deferments. Unfortunately, the Senate deleted this requirement and the language was not included in the conference report which was passed into law.

It was not our intention to remove local autonomy and personal consideration of all matters. It was, conversely, to provide guidelines so that local boards could have more complete knowledge regarding the legislative intent and the national manpower requirements. It still would have provided for the consideration of special community needs, but would have brought some semblance of unity of purpose and decision among the many boards.

One of the most common, and most justified, complaints made about the current system of involuntary conscription is that it provides no opportunity for a young man to plan his future. Though undergraduate deferments have now become a matter of law, there is extreme uncertainty when a man finishes his schooling as to whether he will be allowed to enter and complete graduate school, accept a job, or make plans for marriage and a family. This uncertainty is even more difficult for persons who are enrolled in Junior or Community Colleges—where their deferments can be 11–S, 11–A, or none at all—and where students enrolled in precisely the same program are treated differently by their individual boards. Most difficult of all, however, is the position of young men who do not attend college but who enter the job market upon leaving high shcool. Few employers are willing to invest the time and money involved in training a man to fill a skilled position when they know that at any time he can be called into involuntary service. No man is secure in making commitments or planning his future until his 26th birthday.

This is, perhaps, the most widely recognized objection to the draft and is the most easily rectified. The President's Civilian Advisory Commission on the Draft which was established to study the draft recommended the drafting of younger men first. The Department of Defense quite openly expresses its desire for younger soldiers and the President proposed the drafting of younger men in his message on the draft to the Congress.

Both the House and the Senate Armed Services Committees recognized the validity of this process and urged that it be instituted. Over a year has passed and the unanimous conclusions of the national experts on this issue have not been followed. The program can, and should, be by a simple executive order. The advantages to the men and the service would be great.

Recent Selective Service rulings which remove 11–S deferments for all graduate students (except medical, dental and theological) promise to be particularly discriminatory and contrary to the national need. There is a serious question as to whether, through drafting graduate students in the middle of their careers, we won't have cut off the majority of our future teachers, scientists, sociologists, biologists, etc. Evidence strongly indicates that a high percentage of students who would have completed their academic training will not return to school after their military experience, despite the advantages offered by veterans educational benefits. Our nation can ill afford to lose the teachers who are so desperately needed in the schools throughout the nation. We cannot continue to compete, in any orderly way, with nations who protect the talents of their brightest students and who are producing several times the number of science and engineering students each year.

I do not argue, however, that students should be exempted from the draft—merely that their deferral must be done on a rational basis. Once again, the adoption of the "younger men first" appears to be the preferable answer.

There are numerous other changes that can be made which would make the system more efficient and equitable. It is almost impossible for a young man to discover the military alternatives that are available to him. There are forty-four separate programs (with many varying alternatives within each one) through which a man can meet his military obligations, yet there is no one central place where he can be informed of his choices. A simple communications system setting forth these alternatives (probably a detailed booklet) to be given to a man at the time of his registration would certainly be a step in the right direction.

It is also difficult, if not impossible for a man to find out his rights within the Selective Service system itself. As Bruce Chapman has pointed out, "when a man does register he is given a tiny flyer whose chief function is to list the eighteen different categories of Selective Service classification—without explaining what they are and how one gets assigned to them. One is told that any appeal or classification must be entered to the local board in writing no more than ten days after notification, but one is not told under what circumstances an appeal should be made or what to put in the appeal.

Present Selective Service regulations forbid the appearance of a lawyer on the behalf of a client appearing before a Board. This is not a serious handicap to an articulate young man who is capable of presenting all the relevant facts in a concise manner, but it is a serious handicap to one who is unaccustomed to defending his views in public and is ignorant of the variances in the draft laws. Indeed, it seems in basic conflict with all the recent rulings of the Supreme Court which emphasize the importance of a right to counsel in litigation with the State. Presenly, the only lawyer who can be consulted on a free basis is the Government Appeals Agent, and his obligations are clearly stated to be with the Board rather than with the registrant. It is a poor defense indeed that is committed by law to the prosecution!

In summary, there are a great number of inequities which could be corrected with slight administration action of change in the law. They should in no way effect the basic nature of the system, but would greatly improve its equitability. The correction of these obvious fallacies in the system would certainly be helpful in providing equality under the law for all our young citizens.

LONG RUN SOLUTIONS

There are two long-range alternatives which have received support on a broad basis. The first is a national service system whereby all men (and perhaps women as well) would be required to give a period of service, either military or civilian, to their country. Despite the obvious advantages in having a wide base of workers for social projects, this plan has little to offer in a democratic society. Instead of lessening compulsion, it merely spreads involuntary service over a wider percentage of the society. If the draft is antithetical to a free society, national service is even more so—and without the justification that it has been necessary.

"It has been charged against national service that to achieve its objectives would require wholly unparalleled state control of human endeavor, far beyond the constitutional provision for conscription to provide for the national defense. Originally, proponents argued in reply that "assignments" to various social projects bearing the government stamp of approval would take into account individual interests and abilities. But the same might be said of the Communist system, the only difference being that national service proposes to conscript persons for only two or three years (though longer periods have also been suggested.)

It seems obvious to me that there is only one long term answer to the problems of military manpower procurement which is consistent with our democratic ideals—that is to make the military an attractive career which will attract men to serve on a voluntary basis. I strongly believe that such a system is both possible and desirable.

It is not my contention that we should suddenly abolish the present system of conscription immediately, or, indeed, that the draft should not be retained as an emergency manpower supplier. It is, I believe, important however that we commit ourselves to the long-term goal of an all-volunteer military. There are numerous steps that we can take to move in that direction.

The present system of pay in the military is badly out of date and imposes a disgraceful burden on the young men who serve. A recruit, be he volunteer or draftee, receives only $2191.77 in his first year of military service—including his pay and additional benefits. That is far below the national "poverty level" as established by the Administration, and does nothing to attract young men to the service of their nation. Indeed, this salary is below that which the government allows private industry to pay under the minimum wage regulations. It is inconceivable to me that we should continue to ask men to risk their lives in defense of their nation while, at the same time refusing to provide them with a minimum living wage.

A raise in the pay scales is, however, only a portion of the reform that must take place in the military pay system. The system is established totally on the basis of rank, length of service and number of dependents. There is no incentive based on the respon-

sibilities a serviceman is performing. His pay will be the same whether he is a highly skilled technician or an orderly. There is little coordination between the pay a soldier receives and the compensation he would rate for equivalent services in a civilian job. Indeed, it has become a common practice for men to take skilled military training and then leave the military for a far higher-paying, but similar, job in the civilian defense industries.

It is also clearly necessary to reorder the entire concept of military manpower usage. As Congressman Thomas Curtis of Missouri so accurately pointed out, "Every man who has ever served in the peacetime army is well aware of the staggering amount of featherbedding and goldbricking that goes on. It is practically a maxim that if a job can reasonably be done by two men in four hours, it will require six men for eight hours."

Not only is there a great deal of wasted motion (indeed, often no motion at all) among military personnel, there are also a great number of jobs which could better, and certainly more efficiently and cheaply, be handled by civilian contract. "Because manpower is cheap to the military, they now tend to waste it, using enlisted men for tasks that could be performed by civilians or machines, or eliminated entirely." It is a waste of the taxpayer's money and a soldier's time for him to be responsible for the maintenance of bases in the United States, bartending in a commanding officer's home, furnishing the meals for other servicemen, etc. Studies have shown that the government would save almost $500 per position if such jobs were accomplished by civilians under employment by the Defense Department or by civilian contracts. Any move toward an all-volunteer army would benefit greatly by a thoroughgoing house cleaning in military manpower utilization.

There are numerous other changes which could be made in the military to attract sufficient volunteers. These include: increased recruiting services by the armed forces and improvement of the quality of information furnished prospective volunteers; opportunities for advancement on the basis of contribution and skill; improved in-service education and technical training; enlistment of men who cannot meet combat physical standards for utilization in non-physical capacities; expansion of Project 100,000 to improve opportunities for those unable to presently meet mental and physical standards.

Very few persons presently doubt that an all-volunteer military is possible except in times of hot war and sudden and extensive manpower needs. There are a wide variety of estimates on precisely what the monetary costs might be (estimates run from approximately $4 billion per year to $20 billion per year) but there is considerable evidence that the savings in terms of efficiency, turnover rate, training costs and expertise would come close to meeting in savings the increased payroll costs.

"A volunteer army would be manned by people who had chosen a military career rather than at least partly by reluctant conscripts anxious only to serve out their term. Aside from the effect on fighting spirit, which would produce a lower turnover in the armed services, saving precious man-hours that are now wasted in training or being trained. Also it would permit intensive training and a higher average level of skill of the men in the service. And it would encourage the use of more and better equipment. A smaller, but more highly skilled, technically competent, and better armed force could provide the same or greater military strength." (Milton Friedman, op. cit., p. 4)

There are a number of non-financial questions about the advisability of a volunteer military which must receive attention. First it is charged that an all-volunteer military would place inflexible restraints on our use of military manpower and would be incapable of full expansion in emergency situations. First, it must be pointed out that most proponents of an all-volunteer military urge that the Selective Service system be kept alive for just such emergencies. Certainly it would take no longer to draft and train men in those circumstances than it does today. Second, as the Ripon Society pointed out "It must be said that to some extent inflexibility of numbers would be compensated by the greater flexibility and reliability of trained, seasoned personnel . . . from a military point of view it is quality, not quantity which matters."

It has also been argued that an all-volunteer military would be an all-negro military. While it is true that a professional and nondiscriminatory military might attract proportionately more black people, this is not necessarily an argument against its adoption. Certainly there is little wrong with any government policy which provides an opportunity for any citizen, no matter what his color or creed, to obtain a decent living and professional training and competence. "The military services should not be operated for the purpose of offering a better life to those in society who are deprived of the opportunity to share meaningfully in the Nation's prosperty. But neither is it alarming that the military services, while intending to serve only the objectives of National security, do offer as a by-product just that kind of better life."

There has also been concern that an all professional military would lead to a predominance of military control in the nation. Such a charge ignores three salient facts. First, the influence of the military on the politics of a nation is concentrated primarily in the decision makers—the officers. This is largely a professional class at the present time, and would continue to be so. Surely any "military coup" (which is what critics seem to hint might take place) would surely originate in this class, which is already as professional as it would be under a new system. Second, there is no historical evidence that the presence or absence of a professional military is a key factor in the raising of revolt. Napoleon, for instance, led his revolt with a volunteer force. Third, and most importantly, the tradition of civilian control over the military is thoroughly ingrained in the military establishment. Appropriations, appointments, authority to take action, etc. all must come through civilian channels in either the Administration or the Congress. It is hardly conceivable that a coup of some sort could take place—and it is just as unlikely that it could happen under today's system as that under discussion. I cannot believe that there are any who would believe, however, that such a possibility is a serious one. Our nation has been based on democracy since its birth and there is no reason to believe that our military is not just as dedicated to that democracy and that freedom as any other sector of our national life. Indeed, the dedication of a lifetime of sacrifice and service in the defense of that freedom contributes to an even greater, and ever present respect for that freedom.

SUMMARY

It is clear that the present system of Selective Service is contrary to the basic beliefs of our society and that it should be altered. Some of those alterations can come within the present system to make it more equitable but, in the long run, there must be a complete re-evaluation and revision of our military manpower procurement.

The advantages of changing that system to one of an all-volunteer military are also obvious in terms of efficiency, training, and technical ability to respond to challenges is clear. Though there are differing viewpoints on the cost factor, the advantages clearly outweigh the possible small increase in the national budget. Most importantly, an all-volunteer military preserves the concept of liberty and freedom of choice which is so central to our national life. "A voluntary army would preserve the freedom of individuals to serve or not to serve. Or, put the other way, it would avoid the arbitrary power that now resides in draft boards to decide how a young man shall spend several of the most important years of his life—let alone whether his life shall be risked in warfare."

THE 12 BIG GAPS IN OUR DEFENSE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, September 5, 1968

Mr. THURMOND. Mr. President, on July 29, 1968, Mrs. Phyllis Schlafly addressed the Republican platform committee in Miami on the subject "The 12 Big Gaps in Our Defense."

I have always been extremely interested in and concerned about the problem of national defense. Mrs. Schlafly does an excellent job in pointing out our deficiencies in this area. She has rendered a great service to our Nation by calling to the public's attention the mistakes of this administration in the field of national defense. Her presentation also offers positive steps by which we can reverse the trend toward unilateral disarmament.

Mr. President, Mrs. Schlafly has long been a student of military affairs and is well known as a competent military analyst. Not only did she work as a ballistics gunner and technician during World War II, but she has also found the time to coauthor two books with Rear Adm. Chester Ward, U.S. Navy, retired—"The Grave Diggers" and "Strike From Space."

Mrs. Schlafly is most knowledgeable in the field of national security. She is a great patriot and a great American and deserves to be highly commended for her distinguished service on behalf of an effective defense policy for this Nation.

Mr. President, I ask unanimous consent that at the conclusion of my remarks her speech be printed in the Extensions of Remarks.

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

THE 12 BIG GAPS IN OUR DEFENSE

(Statement to the Republican platform committee, July 29, 1968, by Phyllis Schlafly, delegate from Illinois)

PREAMBLE

The Republican Party lost the last *two* Presidential elections on the issue of *the nuclear threat to America.*

In 1960, John F. Kennedy used as his *principal* issue against Richard Nixon the so-called "missile gap," which alleged that the Soviet Union was ahead of the United States in the development of nuclear missiles.

In 1964, Lyndon Johnson used as his *principal* issue against Barry Goldwater the charge that Goldwater was trigger-happy and risking nuclear war.

Both charges were a hoax and a fraud on the American voters. Yet, these issues won two Presidential elections for the Democrats.

Will Republicans allow themselves to be deceived and defeated on the nuclear issue again in 1968?

This Statement is presented in the hope that the Republican Party, Platform, and Presidential candidate will seize our *best* issue and speak out with a loud, clear voice which the voters will understand before election day. The nuclear issue is the most important issue today because it concerns the very survival of 200,000,000 Americans, and the winning issue in the 1968 election because Republicans can point with pride to our record of maintaining overwhelming nuclear superiority on land, sea and air, but Democrats are highly vulnerable because the present Administration is *solely* responsible for our inferior position today.

FROM STRENGTH TO WEAKNESS

In January 1961 when the Republican Administration of Dwight Eisenhower turned over control of the Federal Government to the newly-elected Kennedy-Johnson Administration, the United States had decisive military superiority over every other nation in the world. We enjoyed more than a 5-to-1 lead in nuclear striking power over our nearest rival, the Soviet Union.

Our great nuclear power, built up under the Administration of President Eisenhower and Vice President Nixon, was what saved America from disaster at the time of the Cuban missile crisis in 1962. The intermediate-range nuclear missiles which Khrushchev had sent into Cuba were capable of destroying targets everywhere in the United States except in the far Northwest.

Anyone who thinks that Khrushchev "backed down" because President Kennedy confronted him "eyeball to eyeball," is cherishing a dangerous illusion. Khrushchev pulled his missiles off their launching pads in Cuba *only* because (after a U-2 flight proved they were there) our Strategic Air Command went on alert with 50,000 megatons of nuclear striking power. This was the great shield which protected our nation in its hour of most critical danger since the founding of our Republic.

Since the Cuban missile crisis in 1962, the United States has suffered a 50% decline in nuclear striking power, while the Soviets have increased theirs approximately 300%. The more than 5-to-1 lead in nuclear strength which the United States had over the Soviet Union is now completely gone, and our nation is in great and increasing peril. The responsibility for this decline must be laid upon the Johnson Administration, and particularly upon Robert Strange McNamara who was Secretary of Defense during the period when this drastic decline took place.

In 1960, the principal issue used by John F. Kennedy in his Presidential campaign against Richard Nixon was the so-called "missile gap." There was no such thing as a missile gap. It was merely a figment of the imagination of Kennedy's speechwriters. After Kennedy was elected, his own Defense Department admitted that there never was any "missile gap."

Let us look at the twelve real and grave "gaps" in our nation's defenses which exist *now* after seven years of Robert McNamara.

THE MEGATONNAGE GAP

The most striking result of seven years of the McNamara policies is the megatonnage gap which now exists, and the massive megatonnage gap which will exist within the next three years if present policies are not reversed immediately.

"Megatonnage" is the word we use to measure the firepower of nuclear weapons. "Megatonnage delivery capability" means how much nuclear firepower we can hit the enemy with. In the nuclear age, this is the most important measure of a nation's military strength.

The following chart from the U.S. House Armed Services Committee report of July 1967 entitled *The Changing Strategic Military Balance, U.S.A. vs. U.S.S.R.* proves what happened to the nuclear strength of America during the McNamara years. It shows that, in 1962 at the time of the Cuban missile crisis, we had at least a 5-to-1 lead over the Soviets in nuclear firepower. Since then, our nuclear strength has steadily decreased, while the Soviets have increased their nuclear firepower at a rapid rate.

The year 1967 was the crossover year when the Soviets went ahead of the U.S. in megatonnage delivery capability. If present policies are continued, the Soviets will have a massive lead over us by 1971. This graphic summary of what happened to the defense of America when it was entrusted to the stewardship of Robert McNamara was prepared by a distinguished committee which included General Bernard A. Schriever, chairman (longtime chief of our missile command), General Curtis LeMay (former Air Force Chief of Staff), General Thomas Power (former Commander-in-Chief of SAC who for seven years was in charge of 90% of the Free World's firepower), General Albert Wedemeyer (author of the Wedemeyer Report), and Dr. Edward Teller (father of the H-bomb).

The above chart (not printed in RECORD) means that in 1962 our country was safe from the evil designs of any aggressor—but in 1968 our nation is increasingly at the mercy of the Soviets who have repeatedly boasted that they intend to bury us. Within the next couple of years, the Soviets will have the nuclear capability of doing exactly that—because the McNamara megatonnage gap has stripped us of half of the nuclear striking power we had when President Eisenhower was in the White House.

THE DELIVERY VEHICLE GAP

When the Republican Administration left the White House in 1961, the United States was vastly superior to the Soviets in strategic nuclear delivery vehicles, which means the *vehicles* which can deliver nuclear weapons on the enemy (land-based missiles, submarine-based missiles, and bombers). During the McNamara Administration, our lead was lost because McNamara literally scrapped hundreds of delivery vehicles we had under the Eisenhower Administration, and McNamara refused to build any new ones except those already ordered by the Eisenhower Administration.

By 1967 the Soviets had gone ahead of the United States in strategic delivery vehicles, thus creating a gap which places our nation in great danger. The following chart is from the report entitled *The Soviet Military Technological Challenge* published by the Georgetown University Center for Strategic Studies in September 1967, and prepared by Admiral Arleigh Burke, Lt. General Arthur Trudeau (former Army Chief of Research and Development), Dr. Harold Agnew (Weapons Development Leader, Los Alamos Scientific Laboratory), et al. Note how sharply the U.S.S.R. is pulling ahead of us, and how fast the gap will increase within the next few years if the McNamara policies are not reversed at once.

The actual figures which went into this chart (not printed in RECORD) are specified by one of the authorities at the Georgetown Center for Strategic Studies, Dr. James H. McBride, in the following table from *U.S. News & World Report* of February 26, 1968, page 84:

"SOVIETS' MISSILE THREAT—A DANGER FOR UNITED STATES

"As Dr. McBride Assesses the Picture—

"Today: U.S. has 2,345 strategic nuclear delivery vehicles, U.S.S.R. has 2,700.

" 'Strategic nuclear delivery vehicles' include not only ICBM's—intercontinental ballistic missiles—and submarine-launched ballistic missiles, but submarine-based cruise missiles, strategic bombers and Soviet medium-range ballistic missiles.

"By 1972: U.S. will have 2,121 strategic nuclear delivery vehicles, U.S.S.R. will have 4,230.

"Soviet arsenal in 1972 will include 1,780 ICBM's, against 1,000 U.S. Minuteman ICBM's, Dr. McBride reports. He adds: 'The Soviet ICBM carries about 10 times the weight, or megatonnage, of the Minuteman, meaning that a Soviet ICBM may be able to carry at least six multiple, individually guided warheads, each capable of striking a different target with the explosive force equal to one Minuteman warhead. There is the strong possibility, therefore, that the Minuteman force of 1,000 missiles may be the equivalent of less than 200 Soviet ICBM's.' "

THE REAL MISSILE GAP

The first line of our nuclear missile defense is made up of the 1,000 Minuteman one-megaton missiles. This splendid weapon was developed and ordered under the Eisenhower Administration. McNamara cut back the number of Minutemen originally planned from 2,000 to 1,200, and finally fixed the number at 1,000.

McNamara scrapped three-fourths of our multi-megaton missiles—the so-called "big guns" in our nuclear arsenal. McNamara hired electricians and demolition men to deactivate 149 of our 203 multi-megaton missiles and then he sold their launch silos. He destroyed all our Atlas and Titan I missiles, built at great cost; and before he left the Defense Department he announced plans for scrapping all the Titan II missiles. McNamara called them "obsolete," although each one was seven times more powerful than each Minuteman. If you believe in the defense of our country, you should not scrap a weapon until you have something better to replace it.

The present Administration has refused to build any missiles larger than the one-megaton Minuteman, and McNamara cancelled our most powerful weapon, the 24-megaton bomb (reported by *Newsweek* on January 12, 1965). Meanwhile, Soviet weapons average 10 megatons, and McNamara testified on August 13, 1963 that the Soviets have tested weapons up to 100 megatons in power. Just as a good big man can usually beat a good little man, so a country equipped with big strategic weapons is better defended than a country with smaller strategic weapons.

During most of his Administration, Secretary McNamara argued that it didn't matter that the Soviet warheads were *bigger* because the U.S. had *more* missiles. He left the Defense Department just in time to escape admitting that Soviet production of strategic nuclear missiles has increased so greatly that now they even have *more* missiles than we have, in addition to a monopoly on the bigger ones. Study the following chart (not printed in RECORD) taken from *The Soviet Military Technological Challenge*, which compares U.S. and U.S.S.R. missile production. It shows that our missile production has been at a standstill for two years, while the Soviets are adding 380 ICBMs a year. This is the real missile gap.

McNamara scrapped *all* U.S. intermediate and medium-range missiles, while the Soviets have 750 such missiles threatening NATO cities and bases. Nothing is left of the extremely expensive U.S. complex of Thor and Jupiter missiles which were capable of countering these Soviet missiles in Europe. This is shown by the following chart taken from *The Changing Strategic Military Balance, U.S.A. vs. U.S.S.R.* referred to previously.

When McNamara scrapped all our IRBM and MRBM missiles, he argued that they were "obsolete." The fact is, however, that they had hardly been installed when they were removed, and the Soviets did not scrap their IRBMs and MRBMs of the same type.

THE BOMBER GAP

When President Eisenhower left the White House, the United States had 2,710 strategic bombers, i.e., bombers capable of carrying nuclear weapons to the enemy.

During the last seven years, McNamara scrapped 1,445 of these strategic bombers and also disarmed 600 carrier bombers of their

strategic nuclear weapons. This means that McNamara did what no enemy could have done; he "took out" three-fourths of our strategic nuclear bombers. Many of them today are rotting in the desert sun near Tucson.

The excuse given for scrapping the B–47s was that they are obsolete. But General Thomas Power, who headed our Strategic Air Command during the Cuban missile crisis, said: "I think the B–47 fleet in the hands of professionals could deliver weapons in the year 2000."

We should not scrap planes until they are replaced with something better. This, McNamara did not do. He absolutely refused to build the B–70 or any advanced manned strategic bomber. He simply ordered a fantastic 75% reduction of our bomber force.

STRATEGIC NUCLEAR-ARMED BOMBERS

	Under Eisenhower	1968
B–47's	1,400	0
B–52's	630	585
B–58's	80	80
Carrier based	600	0
Total	2,710	665

On December 8, 1965 McNamara announced plans to scrap more than half (345) of the remaining B–52s, and all 80 B–58s, and replace them with 210 F–111s. Our 6,000 Marines who were trapped at Khe Sanh can be grateful that this is one disarmament project which McNamara did not complete before he left the Defense Department. It was the precision bombing of the great B–52s which finally broke the siege of Khe Sanh and saved our brave Marines. The failure of the F–111 is described later in this Statement.

McNamara's last act before leaving the Defense Department was the cancellation of our airborne alert. He did this *after* admitting that the Soviet fractional orbital bomb (FOBS) could strike our bomber bases with zero warning. The SAC airborne alert was a brilliantly-conceived way to secure a powerful deterrent effect, without extra cost, by making use of the routine training flights of our strategic bombers. The cancellation of the airborne alert was craven appeasement of the Soviets and a severe blow to the defense of the United States.

THE ANTIMISSILE GAP

One of the principal functions of the Federal Government, according to the Preamble of the U.S. Constitution, is to "provide for the common defense." The clearest case of the failure of the present Administration to provide for the common defense is its stubborn refusal to build any anti-missile system which can protect America from a nuclear attack.

For three years, the Joint Chiefs of Staff have unanimously and urgently recommended the building of an anti-missile system. For at least three years, the Soviets have been deploying their own anti-missile defense. Yet, the McNamara Whiz Kids gagged the Joint Chiefs and refused to permit the United States to erect any defenses against a missile attack. The result is the anti-missile gap which is pictured in the chart below (not printed in RECORD) clearly showing that the Soviets have this essential weapon and we have not.

Finally, in the face of Congressional demands for an anti-missile system, McNamara reluctantly agreed to make a start on a "thin" anti-missile system which would protect us only against Red China in the 1970s. This "thin" system was named the Sentinel.

Although this Sentinel system was announced by McNamara in September 1967, no start on it has yet been made, and it appears to be subject to the same stall and delay that has doomed every new weapon under the McNamara Administration. Furthermore, the "thin" anti-missile is *not* what the Joint Chiefs recommend; they believe we must have a full anti-missile system to protect America from a *Soviet* nuclear attack today.

In addition to making the United States vulnerable to a *missile* attack, the civilians in the Pentagon have also rendered us vulnerable to a Soviet nuclear *bomber* attack. The present Administration quietly phased out most of our bomber defenses years before we can hope for new ones. Each year, McNamara rejected the military's unanimous request for new bomber defenses with the specious argument that, since we have no defense against missiles, little would be served by bomber defenses. High military sources have been quoted as saying that this is "another in a long series of 'calculated risks.'" Although we have developed a fine 2,000-mile an hour bomber-interceptor plane (F–12), McNamara refused to produce it.

THE SPACE WEAPONS GAP

The space weapon gap is shown by the following illustration from the report on *The Changing Strategic Military Balance, U.S.A. vs. U.S.S.R.* It makes clear that the U.S. has *no* space weapon whatsoever, while the Soviets have their 30-megaton weapon called the Scrag. This weapon has been repeatedly displayed in Moscow beginning in May 1965.

On November 3, 1967, Secretary McNamara announced at a press conference that the Soviets now have an orbital bomb called the FOBS which is capabile of hurling nuclear warheads with zero warning on the United States from space in 1968.

In his press conference, McNamara went on to say that the new Soviet orbital bomb would *not* violate the space treaty which we signed with the Soviets under the United Nations—because the Soviet orbital bomb is designed to hit its target *before* it makes a complete orbit, and only weapons which make one full orbit around the earth are considered to be "in space." This is one of the most appeasing statements ever made by a Secretary of Defense.

In other words, McNamara told the Soviets that we will not consider it a violation of the space treaty if their new orbital nuclear bomb (the FOBS) destroys U.S. cities—provided the bomb strikes the U.S. before it completes its first orbit. This interpretation of the space treaty was confirmed by the State Department.

THE OVERSEAS BASES GAP

A base close to the enemy is one of the most important of all strategic advantages. When President Eisenhower left the White House, we had important missile and bomber bases close to Soviet borders. Secretary McNamara closed down all our strategic missile and bomber bases close to Russia, including those in Turkey, Italy, England, and North Africa. While McNamara was retreating from our Mediterranean bases, the Soviets moved into the former great French naval base of Mers-el-Kebir in Algeria, as well as the former British bases, Alexandria and Port Said in Egypt. The Mediterranean used to be virtually an American lake, but now the Soviet Navy interferes with U.S. Navy maneuvers with impunity and even deliberately *bumps* our ships.

Yet, the Soviets, in violation of the Monroe Doctrine, have built missile and submarine bases in Cuba, only 90 miles off our coast. The Soviets can also use Cuba for electronic "terminal guidance" of their ICBMs to score direct hits on U.S. targets.

THE SUBMARINE GAP

The Soviet submarine fleet consists of about 350 conventional-powered and 50 nuclear-powered submarines, according to the Center for Strategic Studies report. In testimony released on July 5, 1968, *The New York Times* reported that Senator John Stennis said: "The U.S. is substantially inferior to the Soviet Union in terms of numbers of operational submarines." Soviet production of nuclear-powered missile-firing submarines continues at the rate of five or more per year. The U.S.S.R. has developed new nuclear-powered *attack* submarines for anti-submarine purposes. Typical are the new Leninsky-Komsomol hunter-killers which are fast, deep-diving attack submarines designed to shadow and destroy our Polaris submarines.

Vice Admiral Hyman G. Rickover testified in June 1968 that the Soviet submarine fleet is entirely post-World War II, while two-thirds of American attack submarines were built during World War II and are nearly 25 years old.

Despite Rickover's protests, McNamara refused to authorize the building of any new nuclear-propelled attack submarines to counter the large new Soviet attack submarine fleet. Admiral Rickover charged that McNamara kills a program through the device of "studying it to death." McNamara also refused to build any more missile-firing submarines and froze the number of our Polaris submarines at 41.

Almost all Soviet surface ships and many submarines are equipped with ship-to-ship or cruise missiles carrying conventional or nuclear warheads. The United States Navy is not equipped with any such missiles.

In a quarter-billion dollar blunder, McNamara refused to permit our latest carrier, the *John F. Kennedy,* to be nuclear powered. This was like building a new locomotive with an old-fashioned steam engine which requires frequent refueling.

THE NEW WEAPONS GAP

American inventive genius has developed many new strategic weapons which could play an important part in the defense of America in the nuclear age. The Eisenhower Administration invested millions of dollars in the development of new weapons, believing that the United States must stay ahead, scientifically and technologically.

The present Administration has refused to produce any new weapon system, and has cancelled or stalled many that the Eisenhower Administration started, including Skybolt, Pluto, Dynasoar and Orion.

One of the techniques developed in recent years to protect a nation's missiles from being destroyed by the enemy is "mobility." A moving target is obviously much harder to hit than a stationary one. All our land-based missiles are in fixed locations, well known to the enemy. Many Soviet missiles are known to be mobile.

Our Strategic Air Command developed a plan to equip each of 60 moving trains with five Minuteman launchers and crews. McNamara vetoed this plan.

The Navy developed a plan to ensure mobility of MRBMs by putting them on surface ships. McNamara vetoed this.

On July 7, 1968 the Senate Preparedness Investigating Subcommittee made public recent testimony of General Earle G. Wheeler, Chairman of the Joint Chiefs. General Wheeler listed the following measures recommended by the Joint Chiefs for the current budget which were vetoed by McNamara:

1. Full-scale development of a new, supersized ICBM.
2. A prototype of a new ballistic-missile ship.
3. Air-to-ground missiles for late-model B–52 bombers.
4. Full development of an advanced strategic bomber.
5. Further improvement of Polaris A–3 missile system.
6. Deployment of Nike X anti-missile defense for cities.
7. Production of F–12 jet interceptors.

THE NUCLEAR TECHNOLOGY GAP

On August 15, 1963 the Joint Chiefs of Staff told the Senate Foreign Relations Com-

mittee: "The U.S.S.R. is ahead of the United States in the high-yield (tens of megatons) technology . . . and in the yield/weight ratios of high-yield devices."

The House Armed Services Committee report on *The Changing Strategic Military Balance* concluded: "Thus it would appear that since 1961, the Soviets have had a 5-to-1 advantage over the U.S. in yield/weight ratio in contrast to their pre-1961 inferiority."

What this means is that, if both countries use their best weapons, Soviet strategic bombers can deliver 2½ times more megatons than U.S. bombers. This is one part of the nuclear technology gap.

Another part of the nuclear technology gap is the Soviet advance in knowledge and use of the X-ray effect. The X-ray concept "is that in the vacuum of space a thermonuclear explosion gives off most of its energy in the form of highly energetic X-rays that can travel hundreds of miles with the speed of light. If these X-rays impinge on an object, such as a warhead, their energy is translated quickly into heat." When added to an anti-missile defense, the X-ray effect thus destroys incoming missiles in space without having to score direct or near-direct hits.

The Soviets conducted four times as many high-yield tests in space as we did, and this is how they discovered the X-ray effect.

TFX—THE FLYING EDSEL

Every nuclear weapon which defends our country today was built or developed under the Eisenhower Administration. Robert McNamara scrapped 45 B-52s, 1,400 B-47s, the Atlas, Titan I, Jupiter and Thor missiles; he cancelled the B-70, Skybolt, Pluto, Dynasoar and Orion; he stalled the F-12, the Nike X anti-missile, and a new attack submarine.

The *only* new weapon which was produced during the seven years of the present Administration is the TFX plane, later christened the F-111, but usually referred to as the Flying Edsel.

The contract to build the TFX plane was the largest contract in the history of Federal spending: $6.5 billion. Every evaluation board in the Pentagon recommended the bid of the Boeing Company as a better plane at a cheaper price. But McNamara and his political aides overruled them and awarded the contract instead to General Dynamics which promised to make the plane in Texas (whereas the Boeing plane would have been made in Kansas).

The price tag which was originally $6.5 billion has doubled; it is now $13 billion, and this is for 400 fewer planes. Production is three years behind schedule, and the plane has been constantly plagued by technical difficulties. Eight F-111s have crashed because of what the Pentagon called "in-flight emergencies." In one test, the wings fell off. The F-111s sent to Vietnam were not used in combat with MIGs; three crashed in Laos and Thailand and all were grounded.

The Navy version is now admitted by everyone to be a total failure, unfit for use. The Senate killed it on March 29 by refusing to appropriate one more dollar for it. The Pentagon buried it on July 10 when it announced final cancellation. This means at least one billion dollars down the TFX drain, and now the Navy is calling for new bids to start all over again.

The TFX is a sordid tale of corrupt politics and conflicts of interest beyond anything ever before seen in the United States. (Two high Defense Department officials who participated in the contract award received financial favors from General Dynamics.) But that is not all. The worse part is the six years of time which have been lost. While billions have gone into the TFX, we have not bought the weapons we need for the defense of America. Six precious years have been lost while the U.S.S.R. has produced a swing-wing fighter plane and new-model MIGs which are so much faster that the TFX is no longer classified as a fighter plane.

THE PEACE GAP

During the Eisenhower Administration, no American boy was killed in any foreign war. On the other hand, four of the last five Democrat Presidents have led us into four bloody foreign wars. None of the last six Republican Presidents has involved us in any war.

In 1916, Woodrow Wilson won reelection on the slogan "He kept us out of war." Within a few months, he had the United States involved in World War I.

In 1940, Franklin Roosevelt won reelection with this famous promise: "Mothers and fathers, I give you one more assurance. I have said this before, but I shall say it again and again and again. Your boys are not going to be sent into any foreign wars." This line was put into Roosevelt's speech by ghost-writer Robert Sherwood, and today even the Roosevelt lovers no longer try to defend it. The historical fact is that Roosevelt, in the words of his own Secretary of War, Henry Stimson, tried to "maneuver them (The Japanese) into the position of firing the first shot without allowing too much danger to ourselves."

On June 1, 1950, Harry Truman said: "We are closer to peace now than at any time in the last five years." Within a month, he had us involved in the Korean War.

In 1964, the Democrats sponsored those infamous television spots which showed a little girl picking daisies being incinerated in an atomic mushroom cloud. These spots were deliberately designed to mislead the voters into believing that Barry Goldwater was a trigger-happy warmonger. We now know that, at the same time in 1964 that Lyndon Johnson was promising peace, he was committing American boys to fight the same type of a land war in Asia, with privileged sanctuaries for the enemy, which had cost us so many lives in Korea.

America is never so close to war as when the Democrats are promising peace. The American voters have been deceived again and again and again. By now the voters should know that the surest key to peace is to elect a Republican President.

"The credibility gap" has become a familiar expression in our nation's capital today. This is simply a polite term to describe the fact that nobody believes anything the Administration says.

This is particularly true of the civilians in the Defense Department where the chief of public relations during most of the past seven years was Arthur Sylvester, best known for his famous words, "The government has the right to lie." The Freedom of Information Committee of Sigma Delta Chi, the journalism fraternity, reported in 1967 that the Administration is guilty of "deliberately misleading the public, the press and Congress through flat lies, through half truths and through the clever use of statistics that distort." Sigma Delta Chi singled out the Defense Department as the worst offender and said the Pentagon continues to "pour out inaccurate information on everything from the controversial TFX plane matter to the question of whether there was Joint Chief disagreement over the conduct of the Vietnam War."

STRATEGY FOR PEACE

Weapons may be complicated—and in the nuclear age they certainly are—but the principles of war and peace remain the same. Weakness invites attack from greedy aggressors. Military strength is our basic guarantee of continued freedom and independence.

The Republican position—so successful under President Eisenhower, and still valid now—is based on a posture of overwhelming military superiority over any possible aggressors. This is the policy which will keep us out of war and safe from nuclear attack.

The McNamara policies, which have determined our defense for the last seven years, are based on three fallacies:

1. The fallacy that we can secure peace by treaties. The Soviets have broken treaties with every nation with which they ever signed an agreement, and they believe with Lenin that "promises are like piecrusts, made to be broken." Historian Dr. Anthony Bouscaren lists 93 major treaties which the Soviets have broken.

2. The fallacy that "parity" in nuclear weapons between the U.S. and the U.S.S.R. will either (a) persuade the Soviets to abandon their goal of world conquest, or (b) bring about a nuclear stalemate in which neither side will have the advantage. There is absolutely no evidence to support this most dangerous myth. The Soviets have not been striving for parity—they have been striving for superiority, and they have been approaching this goal at an alarming rate.

3. The fallacy of McNamara's "assured destruction capability." McNamara's whole strategy is based on his hope that the Soviets will be deterred from attack by the knowledge that—*after* they have hit us with a surprise nuclear attack and killed 150 million Americans—then we can hit back and knock out one-third of the Soviet Union. There are many holes in this argument: (a) What good will it do to kill one-third of the Russians *after* they have killed three-fourths of Americans? (b) There is no evidence that the Soviets would be deterred by the threat of our killing one-third of their people, since they care nothing for human life. (c) Competent authorities such as Congressman Craig Hosmer have computed that McNamara's figure of what we *can* destroy in Russia is inflated by at least 100%. (d) In any event, McNamaras' calculations were made before the Soviets deployed their anti-missile defense.

Therefore, as the 1968 election approaches, the Republican Party must pledge itself to:

1. Undo everything McNamara did to destroy U.S. nuclear power and the credibility of our deterrent.

2. Restore our posture of overwhelming nuclear superiority so we can protect the 200,000,000 Americans from nuclear incineration and assure the survival of the United States in peace and freedom.

HUBERT H. HUMPHREY'S ACCEPTANCE SPEECH: "THE BEGINNING OF A NEW DAY"

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. MOORHEAD. Mr. Speaker, the Democratic Party is extremely fortunate to have chosen as its nominee for the Presidency of our great Nation a leader capable of meeting the terrible tests of these times—the Honorable HUBERT H. HUMPHREY.

In his brilliant acceptance speech before the Democratic National Convention on August 29, Mr. HUMPHREY boldly stated his determination to make of "this moment of crisis" in our history "a moment of creation." He hailed "the beginning of a new day" in which a united America will move to end war abroad and injustice at home under his leadership.

Mr. HUMPHREY called upon all Americans to assert their "basic goodness" and to "risk the hard path of greatness." If we are to meet our challenges, he said, we must "put aside recrimination and dissension, turn away from violence and hatred, believe—believe in

what America can do, and believe in what America can be."

Mr. HUMPHREY's acceptance speech was an eloquent appeal to the best instincts in all Americans. Under leave to extend my remarks, I insert the speech at this point in the RECORD.

[From the New York Times, Aug. 30, 1968]

HUBERT H. HUMPHREY'S ACCEPTANCE SPEECH: "THE BEGINNING OF A NEW DAY"

Mr. Chairman, my fellow Americans, my fellow Democrats—I proudly accept the nomination of our party.

This moment—this moment is one of personal pride and gratification. Yet one cannot help but reflect the deep sadness that we feel over the troubles and the violence which have erupted, regrettably and tragically, in the streets of this great city, and for the personal injuries which have occurred.

Surely we have now learned the lesson that violence breeds counterviolence and it cannot be condoned, whatever the source.

I know that every delegate to this convention shares tonight my sorrow and my distress over these incidents. And for just one moment, in sober reflection and serious purpose, may we just quietly and silently, each in our own way, pray for our country. And may we just share for a moment a few of those immortal words of the prayer of St. Francis of Assisi, words which I think may help heal the wounds, ease the pain and lift our hearts.

Listen to this immortal saint: "Where there is hatred, let me know love. Where there is injury, pardon. Where there is doubt, faith. Where there is despair, hope. Where there is darkness, light."

Those are the words of a saint. And may those of us of less purity listen to them well and may America tonight resolve that never, never again shall we see what we have seen.

Yes, I accept your nomination in this spirit and I have spoken knowing that the months and the years ahead will severely test our America. And might I say that as this America is tested, that once again we give our testament to America. And I do not think it is sentimental nor is it cheap, but I think it is true that each and every one of us in our own way should once again reaffirm to ourselves and our posterity that we love this nation, we love America!

But take heart my fellow Americans. This is not the first time that our nation has faced a challenge to its life and its purpose. And each time that we've had to face these challenges we have emerged with new greatness and with new strength.

We must make this moment of crisis—we must make it a moment of creation.

As it has been said, in the worst of times a great people must do the best of things—and let us do it.

SEES A NEW DAY

We stand at such a moment now in the affairs of this Nation, because, my fellow Americans, something new, something different has happened. There is an end of an era, and there is the beginning of a new day.

And it is the special genius of the Democratic party that it welcomes change—not as an enemy but as an ally—not as a force to be suppressed but as an instrument of progress to be encouraged.

This week our party has debated the great issues before America in this very hall, and had we not raised these issues—troublesome as they were—we would have ignored the reality of change.

Had we just papered over the differences of frank, hard debate, we would deserve the contempt of our fellow citizens and the condemnation of history.

Yes, we dare to speak out and we have heard hard and sometimes bitter debate. But I submit that this is the debate, and this is the work of a free people, the work of an open convention and the work of a political party responsive to the needs of this nation.

Democracy affords debate, discussion and dissent. But, my fellow Americans, it also requires decision. And we have decided here, not by edict, but by vote; not by force, but by ballot.

Majority rule has prevailed but minority rights are preserved.

There is always the temptation, always the temptation to leave the scene of battle in anger and despair, but those who know the true meaning of democracy accept the decision of today but never relinquishing their right to change it tomorrow.

In the space of but a week this convention has literally made the foundations of a new Democratic party structure in America. From precinct level to the floor of this convention, we have revolutioned our rules and procedures.

And that revolution is in the proud tradition of our party. It is in the tradition of Franklin Roosevelt, who knew that America had nothing to fear but fear itself!

And it is in the tradition of that one and only Harry Truman, who let 'em have it and told it like it was.

And that's the way we're going to do it from here on out.

And it is in the tradition of that beloved man, Adlai Stevenson, who talked sense to the American people—and oh, tonight, how we miss this great, good and gentle man of peace in America—

And my fellow Americans, all that we do and all that we ever hope to do, must be in the tradition of John F. Kennedy, who said to us: Ask not what your country can do for you, but what can you do for your country.

And, my fellow Democrats and fellow Americans, in that spirit of that great man let us ask what together we can do for the freedom of man.

CITES JOHNSON TRADITION

And what we are doing is in the tradition of Lyndon B. Johnson, who rallied a grief-stricken nation when our leader was stricken by the assassin's bullet and said to you and said to me, and said to all the world—let us continue.

And in the space, and in the space of five years since that tragic moment, President Johnson has accomplished more of the unfinished business of America than any of his modern predecessors.

And I truly believe that history will surely record the greatness of his contribution to the people of this land.

And tonight to you, Mr. President, I say thank you. Thank you, Mr. President.

Yes, my fellow Democrats, we have recognized and indeed we must recognize the end of an era and the beginning of a new day—and that new day, and that new day belongs to the people—to all the people, everywhere in this land of the people, to every man, woman and child that is a citizen of this Republic.

And within that new day lies nothing less than the promise seen a generation ago by that poet Thomas Wolfe—to every man his chance, to every man regardless of his birth his shining golden opportunity, to every man the right to live and to work and be himself, and to become whatever thing his manhood and his vision can combine to make him—this is the promise of America.

Yes, the new day is here across America. Throughout the entire world forces of emancipation are at work. We hear freedom's rising chorus—"Let me live my own life, let me live in peace, let me be free," say the people.

THREE REALITIES

And that cry is heard today in our slums, on our farms and in our cities. It is heard from the old as well as from the young. It is heard in Eastern Europe and it is heard in Vietnam. And it will be answered by us, in how we face the three realities that confront this nation.

The first reality is the necessity for peace in Vietnam and in the world.

The second reality, the second reality is the necessity for peace and justice in our cities and in our nation.

And the third reality is the paramount necessity for unity—unity in our country.

Let me speak first, then, about Vietnam.

There are differences of course, serious differences within our party on this vexing and painful issue of Vietnam, and these differences are found even within the ranks of all of the Democratic Presidential candidates.

But I might say to my fellow Americans that once you have examined the differences I hope you will also recognize the much larger areas of agreement.

Let those who believe that our cause in Vietnam has been right, or those who believe that it has been wrong, agree here and now, that neither vindication nor repudiation will bring peace or be worthy of this country!

The question is not the yesterdays but the question is what do we do now? No one knows what the situation in Vietnam will be when the next President of the United States takes that oath of office on Jan. 20, 1969.

But every heart in America prays that by then we shall have reached a cease-fire in all Vietnam and be in serious negotiation toward a durable peace.

Meanwhile, as a citizen, a candidate and Vice President, I pledge to you and to my fellow Americans that I will do everything within my power, within the limits of my capacity and ability to aid the negotiations and to bring a prompt end to this war!

May I remind you of the words of a truly great citizen of the world, Winston Churchill. It was he who said—and we should heed his words well—"those who use today and the present to stand in judgment of the past may well lose the future."

A LESSON CITED

And if there is any one lesson that we should have learned, it is that the policies of tomorrow need not be limited by the policies of yesterday.

My fellow Americans, if it comes my high honor to serve as President of these states and people, I shall apply that lesson to the search for peace in Vietnam as to all other areas of national policy.

Now let me ask you, do you remember these words at another time, in a different place: Peace and freedom do not come cheap. And we are destined—all of us here today—to live out most if not all of our lives in uncertainty and challenge and peril. The words of a prophet—yes, the words of a President—yes, the words of the challenge of today—yes. And the words of John Kennedy to you, and to me, and to posterity!

Last week we witnessed once again in Czechoslovakia the desperate attempt of tyranny to crush out the forces of liberalism by force and brutal power, to hold back change.

But in Eastern Europe as elsewhere the old era will surely end, and there, as here, a new day will dawn.

And to speed this day we must go far beyond where we've been—beyond containment to communication; beyond the emphasis of differences to dialogue; beyond fear to hope.

We must cross those remaining barriers of suspicion and despair. We must halt the arms race before it halts humanity.

And is this, is this a vain hope, is it but a dream? I say the record says no.

Within the last few years we have made progress, we have negotiated a nuclear test ban treaty, we have laid the groundwork for a nuclear nonproliferation treaty.

We have reached agreement on banning weapons in outer space. We have been building patiently—stone by stone, each in our own way—the cathedral of peace.

And now we must take new initiative, new initiative with prudence and caution but

with perseverance. We must find the way and the means to control and reduce offensive and defensive nuclear missile systems. The world cannot indefinitely hope to avoid nuclear war which one last act, one erring judgment, one failure in communication could unleash upon all humanity and destroy all of mankind.

But the search for peace is not for the timid or the weak, it must come from a nation of high purpose—firm without being belligerent, resolute without being bellicose, strong without being arrogant. And that's the kind of America that will help build the peace of this world.

But the task of slowing down the arms race, of halting the nuclear escalation—there is no more urgent task than ending this threat to the very survival of our planet, and if I am elected as your President, I commit myself body, mind and soul to this task.

Now our second reality is the necessity for peace at home. There is, my friends, let's see it as it is—there is trouble in America. But it does not come from a lack of faith. But it comes from the kindling of hope.

When the homeless can find a home, they do not give up the search for a better home. When the hopeless find hope, they seek higher hopes. And in 1960 and again in 1964, you, the American people, gave us a mandate to awaken America. You asked us to get America moving again, and we have—and America is on the move.

And we have, we have awakened expectations. We have aroused new voices and new voices that must and will be heard.

We have inspired new hope in millions of men and women, and they are impatient—and rightfully so, impatient now to see their hopes and their aspirations fulfilled.

We have raised a new standard of life in America, not just for the poor but for every American—wage earner, businessman, farmer, school child and housewife. A standard by which the future progress must be judged.

CHALLENGE OF THE CITIES

Our most urgent challenge is in urban America, where most of our people live. Some 70 per cent of our people live on 2 per cent of our land, and within 25 years 100 million more will join our national family.

I ask you tonight—where shall they live? How shall they live? What shall be their future? We're going to decide in the next four years those questions. The next President of the United States will establish policies not only for this generation but for children yet unborn. Our task is tremendous and I need your help.

The simple solution of the frustrated and the frightened to our complex urban problems is to lash out against society. But we know—and they must know—that this is no answer.

Violence breeds more violence; disorder destroys, and only in order can we build. Riot makes for ruin; reason makes for solution.

So from the White House to the courthouse to the city hall, every official has the solemn responsibility of guaranteeing to every American—black and white, rich and poor—the right to personal security—life.

Every American, black or white, rich or poor, has the right in this land of ours to a safe and a decent neighborhood, and on this there can be no compromise.

I put it very bluntly—rioting, burning, sniping, mugging, traffic in narcotics, and disregard for law are the advance guard of anarchy, and they must and they will be stopped.

But may I say most respectfully, particularly to some who have spoken before, the answer lies in reasoned, effective action by state, local and Federal authority. The answer does not lie in an attack on our courts, our laws or our Attorney General.

We do not want a police state. But we need a state of law and order.

We do not want a police state but we need a state of law and order, and neither mob violence nor police brutality have any place in America.

And I pledge to use every resource that is available to the Presidency, every resource available to the President, to end once and for all the fear that is in our cities.

Now let me speak of other rights. Nor can there be any compromise with the right of every American who is able and who is willing to work to have a job—that's an American right, too.

Who is willing to be a good neighbor, to be able to live in a decent home in the neighborhood of his own choice.

Nor can there be any compromise with the right of every American who is anxious and willing to learn, to have a good education.

And it is to these rights—the rights of law and order, the rights of life, the rights of liberty, the right of a job, the right of a home in a decent neighborhood, and the right of an education—it is to these rights that I pledge my life and whatever capacity and ability I have.

And now the third reality, essential if the other two are to be achieved, is the necessity, my fellow Americans, for unity in our country, for tolerance and forbearance for holding together as a family and we must make a great decision. Are we to be one nation, or are we to be a nation divided, divided between black and white, between rich and poor, between north and south, between young and old? I take my stand—we are and we must be one nation, united by liberty and justice for all, one nation under God indivisible with liberty and justice for all. This is our America.

Just as I said to you there can be no compromise on the right of personal security, there can be no compromise on securing of human rights.

If America is to make a crucial judgment of leadership in this coming election, then let that selection be made without either candidate hedging or equivocating.

Winning the Presidency, for me, is not worth the price of silence or evasion on the issue of human rights.

And winning the Presidency—and listen well—winning the Presidency is not worth a compact with extremism.

I choose not simply to run for President. I seek to lead a great nation.

And either we achieve through justice in our land or we shall doom ourselves to a terrible exhaustion of body and spirit.

I base my entire candidacy on the belief which comes from the very depths of my soul—which comes from basic religious conviction that the American people will stand up, that they will stand up for justice and fair play, and that they will respond to the call of one citizenship—one citizenship open to all for all Americans!

So this is the message that I shall take to the people, and I ask you to stand with me.

To all of my fellow Democrats now who have labored hard and openly this week at the difficult and sometimes frustrating work of democracy, I pledge myself to that task of leading the Democratic Party to victory in November.

And may I say to those who have differed with their neighbor, or those who have differed with fellow Democrats, may I say to you that all of your goals, that all of your high hopes, that all of our dreams, all of them will come to naught if we lose this election and many of them can be realized with the victory that can come to us.

And now a word to two good friends. To my friends—and they are my friends—and they're your friends—and they're fellow Democrats.

To my friends Gene McCarthy and George McGovern—to my friends Gene McCarthy and George McGovern, who have given new hope to a new generation of Americans that there can be greater meaning in their lives, that America can respond to men of moral concern, to these two good Americans: I ask your help for our America, and I ask you to help me in this difficult campaign that lies ahead.

And now I appeal, I appeal to those thousands—yea millions—of young Americans to join us, not simply as campaigners. but to continue as vocal, creative and even critical participants in the politics of our time. Never were you needed so much, and never could you do so much if you want to help now.

Martin Luther King Jr. had a dream. Robert F. Kennedy as you saw tonight had a great vision. If Americans will respond to that dream and that vision, if Americans will respond to that dream and that vision, their deaths will not mark the moment when America lost its way. But it will mark the time when America found its conscience.

These men, these men have given us inspiration and direction, and I pledge from this platform tonight we shall not abandon their purpose—we shall honor their dreams by our deeds now in the days to come.

I am keenly aware of the fears and the frustrations of the world in which we live. It is all too easy, isn't it, to play on these emotions. But I do not intend to do so. I do not intend to appeal to fear, but rather to hope. I do not intend to appeal to frustration, but rather to your faith.

I shall appeal to reason and to your good judgment.

The American Presidency, the American Presidency is a great and powerful office, but it is not all-powerful. It depends most of all upon the will and the faith and the dedication and the wisdom of the American people.

So I call you forth—I call forth that basic goodness that is there—I call you to risk the hard path of greatness.

And I say to America: Put aside recrimination and dissension. Turn away from violence and hatred. Believe—believe in what America can do, and believe in what America can be, and with the vast—with the help of that vast, unfrightened, dedicated, faithful majority of Americans, I say to this great convention tonight, and to this great nation of ours, I am ready to lead our country!

INTO THE DAYLIGHT—ADDRESS BY HON. BARRY GOLDWATER

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, September 5, 1968

Mr. FANNIN. Mr. President, early last month a former colleague and distinguished Member of the Senate delivered a stirring address to the Republican National Convention in Miami Beach. As the standard bearer of the Republican Party 4 years ago, his remarks deserve recognition and a place in the records of the Nation.

Barry Goldwater, with outstanding magnanimity and certainly a remarkable spirit of fairness and perspective, delivered a clarion call to those who would see America regain the heights of respect and prestige enjoyed in former years. To domestic eyes as well as international vision he displayed his dreams and hopes for a better America. Even though he is my personal friend and fellow laborer in public service from the State of Arizona, I believe the address Barry Goldwater gave before the Republican National Convention displays to the world the workings of the democratic process in this Republic and is worthy to be included in the permanent RECORD of Congress.

I ask unanimous consent that Mr.

Goldwater's address, delivered August 5, 1968, before the Republican National Convention, be printed in the RECORD.

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

We are here, all of us, to select and then to *support*, the men whose administration will move history's mightiest nation out of a nightmare of doubt and disaffection and into the daylight of confidence, compassion and creativity.

We are not here to accuse, we are not here to divide. We are not here to bemoan the past. We gather here among other reasons to assure the target which the preservation of freedom has assigned us. This target is not to be found in this convention hall in Miami; it is not to be found in the Republican Party anywhere. Our assigned target is the winning of the Presidency, the taking of the House of Representatives, the gaining of strength in the Senate, the gaining of more Republican Governors and the accumulation of more seats in the State Legislatures of our fifty states.

We are here to deliver a message to the future and to find a meaning for today. We are not here to moan about yesterday. We can learn from yesterdays. We cannot live them nor go back to them.

On one yesterday, four years ago, this convention rang with the realization that more and more Americans were finding less and less meaning in their lives and hope in their future.

For year after year since then, the Johnson-Humphrey administration has made promises, spent money, spun webs, divided our people and wasted the substance of this nation.

But we cannot ask support merely on the rubble of their record and broken promises. It is performance that we always have offered and it is performance—not promises—that we must continue to offer.

Our Party stands now, stood then, and always *has* stood for the philosophy that holds that the meaning of a man's life and the hope of his future must come from within himself. It is not a gift that a nation, a leader, a Congress or a political party can confer upon him.

Our Party, our philosophy does not promise to give, and give—so that it can get and get. Our philosophy says that if the promisers and the power-seekers would only get out of the way, that Americans *would* be free to perform, free to perform person by person, people to people.

The meaninglessness that has marked and marred so many lives over the past years is summed up in the single question and complaints so many have voiced:

"What can I do? It's all beyond me." The callous response from the Johnson-Humphrey administration has been: "Nothing. You can do nothing. *We* must do it for you."

After January, 1969, two hundred million Americans can ask that question again. What can I do?

And the Republican Administration will answer:

"Everything! You can do everything."

On that day, my friends, it will be people—and not politics—that will have come back to power in these re-United States.

On one yesterday, four years ago, black Americans in particular felt that we had nothing to say to them. Our platform contained long and strong denunciations of racism. It contained long and strong commitments to civil rights. It stood head and shoulders above the virtual blank on civil rights in the platform of the other party. But black Americans felt we had nothing to say to them.

Now they know different.

Let me say here today what I have said in one way or another during my entire life: The merit of a man is only to be found within himself and not on the surface of his skin. There, too, and not on the surface of laws and political promises, will we find the only enduring answers to love of brother, respect of self, and the end of discrimination.

Black people do not need and no longer ask the promises and the pie-in-the-sky of white politicians. They have had enough of the promises of politics. They want a piece of the action. They must have it! Republicans have never promised them anything more and, mark this—Republicans have never asked anything *less* for all our citizens!

Because I feel this so deeply I will try to emphasize it most deeply.

Laws cannot change people. Promises cannot free people. This tired, frustrated, sometimes fearful, sometimes embattled land and all its people are sick to death of trying to build brotherhood through bureaucracy and trying to end discrimination through red tape.

This fruitful land cannot live or prosper in fear or in frustration. It cannot replace the handshake with handcuffs. It can't substitute social psalm singing for the right to earn three square meals a day.

We *can* turn this thing around!

Black power, white power, green power—red, white and blue power; it all adds up to *people power!*

We are one people with many differences. Within the oneness we can afford and respect those differences. But we cannot afford privilege and partisanship in this matter.

This is not now and it never has been a political matter. It is a matter of very simple right and wrong.

It is wrong to deny any man opportunity in this land. It is wrong to administer justice unequally or to refuse to administer justice at all. It is wrong in any way to use the power of the state to oppress anyone and it is equally wrong to use the power of the state to give advantages to one man and deny them to another.

The power of people finally to see what is right and to do it, is the only real hope we have. The power of the state is not and never has been the answer. People are the problem and people are the answer.

And our country's next administration, our Republican administration—will unleash all of *that* power—all of that *people* power!

It will use every law we have—just as we said we would four long years ago. But it will know that the final answer is in the constant reiteration for all our people of the flat truth: that hate of race is wrong, dead wrong, ugly, vicious, sick, warped and wrong, wrong, wrong.

America, heart, hand and soul is ready now to do what is right. It *knows* what is right. It has been moving toward it.

In January we will be free to go all the way!

Freedom, my friends, is what it is *all* about.

Freedom is what has drawn us together and it is what guides us as we meet.

Freedom drew us here today and freedom guided us four years ago as freedom has always guided our Party.

The freedom in which we choose a government does not confer a crown to rule, but only a consent to be led. And yet ruinous rule has been the return we have reaped for four unfortunate years.

One man strategy has bogged us down in a bloody war that has divided us at home, distorted us abroad, and deprived us of even any widespread understanding of where we are going, how to get there or even where we are now.

One-man partisanship has turned government into a factory for the preparation of monuments to a personality rather than being the performer of service to a people.

For four years, unless I badly miss my guess, millions of Americans have just been waiting to tell a certain party that this land is *our* land, yours and mine, and not the personal preserve or ranch of *any* party or person.

Those millions get their chance this year. They get their chance to say that Americans *are* individuals and not numbers in some bureaucrat's computer!

They get their chance this year to say that we consent to be governed, we do *not* elect to be ruled!

They get their chance this year to say that more of the same won't do. That we are two hundred million separate and sovereign souls in this country—not a mob, not a herd, and certainly not an ant-heap!

They get their chance this year to say that we understand that government *cannot* give meaning to our life; that plans and promises cannot give fullness to our life; that pleaders and politicians cannot give dignity to our lives. Only we the people, one by one, can do those things, achieve those things, earn and keep those things.

We all get our chance this year to say that we want to be set free, left alone, treated like responsible men and women and not helpless children.

I know that there are many issues that will occupy us during this campaign. I know that many are of urgent importance in every detail and that they will be discussed in detail, by our candidates.

We cannot discuss all of those details in this convention and we could never have debated them in all the conventions of all the elections of all the years of our entire history.

We do not assemble to quibble and to quarrel. We assemble to select men and to state principles.

This convention is not a shopping list, it is a sign post—not endlessly promising but emphatically pointing a way. We know and the country knows what political shopping lists have led to. They have led to the purchase of the worst possible political bargains which now endanger freedom and its future.

The confidence of our people has been dashed nearly to death in the yawning gaps of an administration that has put political survival on an exactly even par with national survival. Republicans warned of this four years ago. But that was yesterday. Tomorrow, Republicans will restore confidence by electing men who, very simply, will level with the American people and who will demand that every man and woman paid by your tax dollars do the same!

The security of our people has been dissipated by the absurdities of an administration that has permitted free world alliances to crumble. Republicans warned of this four years ago. But that was yesterday also. Tomorrow, Republicans will begin to restore that security by reaching out once again to become part of the world, to become a partner in the world and not a lonely recluse, huddling at home behind a wall of regulations and secret diplomacy and a dangerous isolationism.

And let me say that when a Republican administration sees signs of freedom behind the Iron Curtain, as we now are seeing in Czechoslovakia, it will not sit on its hands—it will applaud with those hands as loud as it can and ask, "How can we help?" Republicans always will ask of men wanting to be free anywhere—how can we help? And note I said "ask"—not "tell."

The integrity of our people has been abused in the massive ego of an administration that has denounced dissent, dodged debate, dodged justice and been insensitive to differences. Republicans warned of this four years ago. But that was yesterday. Tomorrow, a Republican administration will restore the integrity of dissent and difference by electing candidates and following principles dedicated to the notion that government is instituted among men to *protect* their right to

disagree and to be different and never to diminish that right for its own convenience or even its own political safety or survival.

The identity of our people has been distorted in the defeatism of an administration that has seen nothing but problems in the exuberance of a generation, nothing but programs in the potential of a nation, and nothing but slogans in the aspirations of what can be the most productive, peaceful, understanding, achieving, and exciting time in the history of mankind.

Now perhaps Republicans *have* been remiss here. Perhaps we have, also, let a generation gap grow in our own thinking. Certainly it is true that the tide of liberty, even of libertarianism that runs through all Republicanism has somehow escaped the notice of some of those who most loudly call for liberty today.

Perhaps we too often have let the heart of Republicanism be covered by the good, gray business suits of sound Republican respect for honest trade, industry and labor. But, so help me, and as hard as it will be for some who will hear me tonight to believe it, the heart of Republicanism always has beaten with ardor and respect for the youngest dreams of all—the dreams of people. People liberated to live their lives as they see fit so long as they do not harm or hinder the lives of others.

That is still the heart of Republicanism and in our minds we know that heart is right.

Today there is talk of a "new politics" and yet all we see is the same old weary politics of promise and program.

Republicans cannot tag their politics as new and many would hesitate to tag it politics at all—but they can tag their principles as the politics *of* people, politics *for* people, and politics *by* people—politics with the goal of letting people *be themselves!*

Now there is ample evidence that I am *not* a politician—but there also is ample evidence that I *am* a Republican!

And so this Republican, this one Republican among many peers and many friends—and a nation of neighbors in citizenship—this one Republican who looks forward to getting back to Washington even if it is the long way, this Republican asks of this convention and this Party only one thing:

Pride in our principles and determination to follow them.

Ours are the principles of liberty and never has a world been more ready for them or a generation more receptive.

Ours are the principles above all of the sovereignty of person against all the pretensions of political power and programing.

We Americans are not cogs in a political machine.

We are not numbers on a triplicate form; we are free men and women.

We are each of us a person, each of us important, each of us born free and with a potential that should never be bounded by more than our own ability and exertion.

Liberty such as this is found in the mood and in the manner of a people and not in the guided tours of an elected elite. It is found, rather, in the election of men who know that liberty's way is walked one by one, by living, thinking, striving men and women everywhere and that politics and politicians are assigned only the job of *guarding* the way, keeping it open.

When they block that way they must go, or liberty will go.

This convention will select the team who, with all our citizens, will now tear down the roadblocks of political arrogance.

This convention will select the team who, with all of our citizens, will retire the red-tape engineers of our long frustration.

This convention will select the team who, with all our citizens, will deliver this plain, clear and simple message in a wonderful new year: The way is clear! Clear for those who are not ashamed of being American; clear for those whose faith is strong; clear for those of courage; clear for all Americans. Let us provide the leadership, then follow it.

LAW AND ORDER

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. MICHEL. Mr. Speaker, there seems to be a good deal of discussion these days on the subject of "law and order" and it appears that this will be one of the major issues during the upcoming campaign.

During the congressional recess for the month of August, two editorials appeared in the Peoria Journal Star discussing some aspects of this critical social problem and I include the editorials at this point in the RECORD:

[From the Peoria (Ill.) Journal Star, Aug. 14, 1968]

ABA PASSES THE BUCK AGAIN

(By C. L. Dancey)

The American Bar Association has held another national convention and once again managed to make asses of themselves.

The last time the ABA made news was when it decided it was the business of the national press to solve procedural problems in court by handling crime with censorship and secrecy.

This time ABA members passed the buck again—in a different direction, and agreed that "Law and Order" is an inapt phrase, because "Law" doesn't have anything to do with "Order," and can't do anything about it. "Order" is up to the sociologists—not to them.

If this were true, we should dismantle this entire massive multi-billion dollar legal machinery we have constructed in this country and re-invest the money in "social work."

The tragedy is that the "Rule of Law" on which the whole of this and every civilization has been built is being deserted by a sizable group of its specialized practitioners.

A body of the organization, apparently, is eager to enjoy the personal privileges and profits of practice but equally eager to avoid the public responsibility involved.

Led by the retiring chief justice of the supreme court of the U.S., and the attorney general of the U.S., the ABA convention was an endless series of appeals to "drop out" of the problem, to pass the buck, to proclaim that "law" plays no decisive role and that crime and disorder spring solely from poverty and cannot possibly be dealt with except by relieving that poverty.

The policy of the American Bar association now appears to be that the "law" abdicates its responsibilities to deal with crime and the abuses of the citizenry on the one hand, and demands that the news media be muzzled so that this "do nothing, "appeasement" policy cannot be reported daily to the public!

Curiously, there was one dissenting vote—and it came from outside the American bar, from a visiting British jurist, Lord Justice John Widgery of the Court of Appeals of England.

He expressed some shock that police were never mentioned, and told them flatly that there is no way to keep the peace except through an "efficient police force."

He pointed out that Nazi bombs produced a massive "urban renewal" replacing the bombed out slums of England, and that Socialist Britain's "Robin Hood policies" of taking from the rich and pouring out the funds to the poor has produced no reduction in the crime rate but quite the opposite—increases in all categories.

He said flatly that the "loss of discipline" is responsible for the increases in crime and disorder in the whole western world, and that while the doctrine of "permissiveness" has enabled many young people to develop more fully than might otherwise have been the case, the "price" for this is a constant increase in the number of "undisciplined louts" among us.

"Law and order is the greatest privilege that a citizen can enjoy . . ." he told them and cautioned the American lawyers that "there should be no bargain and no concession for those who would have it otherwise."

It was a small dent in the stampede of the American Bar association to escape from the traditional responsibility of "the law" to provide a workable system for maintaining domestic peace.

It is clearly "fashionable" to seek magical "social" answers to problems of force and violence, but it is absurd when it becomes "fashionable" to consider that such are the only answers and that such efforts can function without the support of an effective system of law enforcement.

It is the last straw when such an approach is taken by the comfortable professionals whose duty and responsibility is to make the legal machinery effective.

And it is manifestly absurd when they defy the facts of record, which show a massive reduction in the scope of poverty simultaneously with a massive increase in crime, and postulate the opposite theory!

The only conclusion is that for the past two years the American Bar Association has specialized in "funking" its responsibilities toward improving the effectiveness of law in favor of passing the buck to other professions of which they know far too little, and concerning which they adopt fashionable, cocktail-party-type doctrines.

Does the ABA really represent the legal profession in this country? Have the lawyers generally, really become this decadent? This cowardly? This contemptuous of their own profession and role in society?

Are they only around to make money? With no responsibility to affect the climate of society?

This is indeed shocking.

[From the Peoria (Ill.) Journal Star, Aug. 16, 1968]

LAW AND ORDER VERSUS SOCIAL NEEDS

(By C. L. Dancey)

We confess to being nettled by Chief Justice Warren, Attorney General Ramsey Clark, and a series of speakers at the American Bar Association—by Gov. Sam Shapiro (for whom we have a very high regard), by Sen. Hubert Humphrey,—by all those who speak of "social needs" being "the real answer" and "law and order" as something only "on the side."

When did "law and order" cease to be a basic "social need?" When did "law and order" cease to have anything to do with social change, social climate? When was the role of restraint, accountability and discipline dropped from the science of sociology?

I missed it.

It is still my understanding that the basic social advance that most drastically changed the social climate and the quality of life in the western world occurred when the concept of crime prevention and organization of regular police forces came into being.

Lawlessness was at a particularly and peculiarly high level . . . it had become a characteristic associated with American society and, strange as it seems today, with British society.

Then came police forces, and no other drastic social change, and America and England quickly became models of security and tranquility in the world—thus going from one extreme to the other.

The respect for law then marked the Anglo-American world for a long period.

Then, came a series of "reform" ideas, crippling what had been normal police practices and especially the prevention role of police in the United States—without similar changes in Britain.

In aspite of a greater prosperity in America, in spite of a rate of three million people moving out of the "poverty bracket" annually (including last year according to the OEO figures), crime in the United States began, simultaneously with a series of "liberal" court decisions, to skyrocket. It now outruns population growth spectacularly in epidemic fashion.

History contains many such examples of where domestic peace was achieved (by good regimes and bad) not by "painless" social devices, but by the dedicated application of "law and order" producing a vast social change throughout the land.

Where is the example of domestic peace achieved without police action, but by some other mystic means of "social action?"

It is not to be found.

The separation of "law and order" from "social action" and "social needs" seems to be a device for people placed in positions of direct responsibility seeking to shirk that responsibility—to pick up their paychecks and avoid their unpleasant duty.

For the separation is unreal. "Law and order" is a prime "social need." It is indeed an absolute social necessity. It is a proven, effective form of social action. It is an inescapable part of the whole necessity for effective social action.

They are not "opposite" things or separate things.

They are completely intermixed, part and parcel of each other.

The "argument" is phoney.

It is a political device for some, and pure intellectual cowardice for others.

Unhappily, our problems require facing facts, pleasant and unpleasant alike because they won't be solved by finding attractive garden paths of promise to run down.

We had some experience with that in recent years. The bright blossoms of promise led us into a jungle of weeds.

FLETCHER THOMPSON REPORTS FROM U.S. CONGRESS

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, in order to make my newsletter available to as many people as possible in the Congress and all of those receiving the CONGRESSIONAL RECORD, I insert the text of the newsletter in the Extensions of Remarks, as follows:

FLETCHER THOMPSON REPORTS TO YOU FROM U.S. CONGRESS

RECESS ENDS

DEAR FRIEND: The 90th Congress is now back in session after having recessed for the National Democratic and Republican Conventions. I took advantage of the recess by making a number of speeches and talking to as many people as possible to determine their views on matters confronting the Congress. Yet I did not get as many opinions on the national issues as I would like to have had.

LITTLE CAMPAIGN TIME

The President has indicated that he will keep the Congress in session all the way through the November elections. As your Congressman, my first duty is to represent and serve you in Congress. So far this year I have had a 92.7% voting record. Because Congress is in session, Congressmen from all over the nation will not be able to be home as much as they would like to. However, I will attend as many meetings as possible at home and still not neglect my job as your Congressman in Washington.

WHAT'S AHEAD

Although Congress has not yet completed action on a number of bills such as Labor, Health, Education and Welfare; Agriculture and others, the Congress could complete action by October 15, except for the likelihood of a filibuster over the President's insistence that the Senate confirm his choices for the Supreme Court. Many feel the primary reason for the President keeping Congress in session is his determination to obtain the confirmation of his appointees, Abe Fortas and Homer Thornberry, as Chief Justice and Associate Justice of the United States Supreme Court. Look for the Senate to resist pressure and not confirm appointments even though Congress is held in session.

JUDICIAL QUALIFICATIONS

Though a Congressman does not take part in the Senate's confirmation of Supreme Court appointees, I have introduced a bill which, if it became law, would guarantee that only qualified jurists be named to our nation's highest court. At present, an appointee does not even have to be an attorney, much less a judge. The bill provides no one can be appointed to Supreme Court who has less than four years' experience as judge on a state's highest court or a federal appellate court. Chief Justice would have to have four years' experience on Supreme Court. This will give us a better Supreme Court.

RUSSIAN INVASION

Following the Pueblo incident where the U. S. took no action to force the release of our sailors and ship captured on the high seas by the North Koreans, I predicted we would see more events where the Communists would become bolder, believing the United States did not have the backbone to stand up to them. The Russian invasion of Czechoslovakia and its occupation is probably only one of a series of thrusts which will be made by the Communists throughout the world, for they believe we are too timid to resist. Let them not underestimate our strength for we are still the most powerful country in the world.

IKE'S RECORD

American thoughts have been focused on General Dwight D. Eisenhower's record of service. He led us to victory in North Africa and Europe in World War II. He ended the Korean War when he became President. Little known, however, is Ike's record regarding law and order in the Nation's Capital. Official figures of District of Columbia Police show that the crime rate in 1954 when he took office was 2,524 per 100,000 people and by the end of his term in 1960 it had dropped to 2,472. Since that time, in the last eight years, the rate has risen to 6,850 per 100,000. The last time the United States had a balanced budget was in 1960, Ike's last year as President. In 1968, we went in debt by more than $25,000,000,000.00 which equals about $500.00 for the average American family. That's quite a legacy to leave to your country.

ASKING YOUR OPINION

As your Congressman it is my privilege to serve you in Washington. However, to serve you best, I need to know what you think. Will you help by answering this questionnaire and mailing it to my Washington Office at 1641 Longworth Building, Washington, D.C. 20515. Please feel free to give more detailed answers on a separate sheet. In a future newsletter I will report to you the results of how you and your neighbors replied.

It is a high honor for me to serve you in Congress.

Yours very truly,

FLETCHER THOMPSON,
Member of Congress.

Do you favor—	Yes	No	Undecided
1. The agriculture program which takes land out of production and pays for crops not grown?	☐	☐	☐
2. Requiring Supreme Court judges to have prior experience as a judge before being appointed?	☐	☐	☐
3a. Apologizing to North Korea and paying blackmail to obtain the release of our servicemen captured on the Pueblo?	☐	☐	☐
3b. Serving notice on North Korea that we are not going to allow them to get away with seizing our Navy ships and sailors on the high seas though we might have to fight to protect our rights?	☐	☐	☐
3c. Forgetting about the 82 American sailors from the Pueblo now held by the North Koreans?	☐	☐	☐
4. Using restraint rather than taking immediate and strong action to stop riots?	☐	☐	☐
5. Stopping the bombing and allowing Communists to be a part of a new government in South Vietnam?	☐	☐	☐
6. Self-help programs of job training and education to help the poor become independent of welfare?	☐	☐	☐
7. My continuing to send you these reports and asking your opinion on various issues?	☐	☐	☐

THE YOUTHFUL COURAGE OF GLEN KEIR

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. WYLIE. Mr. Speaker, in a day when so much is heard of the misdeeds and evasions of responsibility by young people, I am honored to call attention to the heroism of my young constituent, Glen Keir, of Columbus, Ohio.

Glen risked his own life to save Andy Boli, aged 5, from the icy waters of the Olentangy River.

This story of youthful courage is told in these words by Ned Stout, in the Columbus Dispatch:

(By Ned Stout)

Andy Boli, the penny-bright, 5-year-old son of Mr. and Mrs. Mark Boli of 3679 Olentangy Blvd., went "looking for clams" Monday afternoon on the Olentangy River ice beside Northmoor Park.

Andy, a kindergarten pupil at Clinton Elementary School, has found clams there before, he said. "They're dirty and gold inside," Andy explained to a reporter Wednesday.

Andy had been cautioned against going to the river, "right behind our house," and he didn't let his mother know he was going.

The little boy's sister Amy, who is 8, got on her bicycle and rode about the neighborhood looking for her brother when Mrs. Boli could not find Andy.

Andy had fallen through the ice and plunged, screaming, into the icy water.

Nearby, a big and affable student at North High School special class, 17-year-old Glen Keir, son of Mr. and Mrs. W. J. Keir of 119

W. Dunedin Rd., heard the younger boy's outcries.

Glen ran onto the ice to reach him and "kept falling down"

Finally, the teenager sprawled and crawled the ice until he could reach Andy and drag him to safety.

The venturesome Andy, physically unscathed by his dip, understands now, he said Wednesday, why his mother does not want him wandering along the river alone.

MEMPHIS RECORD OF PROGRESS IS ANSWER TO TIME SLANDER

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. KUYKENDALL. Mr. Speaker, in order to keep the record straight in the running attack by the editors of Time on the great city of Memphis, I would like to call attention to the tremendous record of progress in the community I am privileged to represent.

Time's latest anti-Memphis report was contained in its issue of August 16. In an editorial analysis of the Time article, the Memphis Press-Scimitar answers each charge with the true facts. I would like to insert the Press-Scimitar article and an editorial from the same paper in my remarks at this point:

TIME'S NEW ANTI-MEMPHIS REPORT COMPARED TO FACTS

(EDITOR'S NOTE.—When an individual becomes the target of malicious slander, there are legal remedies at hand. He can go to court.

But what redress is there for a whole city? What can a community of people do when it is slandered as Time Magazine has slandered Memphis in its Aug. 16 issue?

The Press-Scimitar knows of only one weapon that can be effective in the face of published misinformation and shabby reporting, and that is honest reporting. In an effort to do that, The Press-Scimitar is publishing here Time's article in full and alongside it an item-by-item analysis, backed up by the facts as we are able to find them.

Inaccuracies and inflammatory language in Time's article are plainly obvious. That is The Press-Scimitar's opinion, but to back up our opinion we are going to the record. We are perfectly content to leave the verdict to any fair-minded reader.)

Below is the text of Time Magazine's new anti-Memphis report in its Aug. 16 issue:

ON THE BRINK IN MEMPHIS

"The sanitation workers' strike in Memphis erupted into one of this year's first race riots. Martin Luther King's murder stirred a second outbreak and a stiff curfew. The steamy city on the Mississippi still seethes in the residue of April's unlearned lessons, and the aloof attitude of Mayor Henry Loeb and other officials hardly helps. This week the Southern Christian Leadership Conference convenes defiantly in the city where its founder was murdered. The S.C.L.C. national convention could bring Memphis to flash point.

"An older catalyst is the Memphis police department's traditional policy of heavy-handedness toward Negroes, which ranges from routine rudeness to blatant brutality. Since King's visit and the marches, the Commission on Civil Rights has collected more than 50 documented cases of police brutality.

"Crime and punishment. Memphis Negroes are in a volatile mood over such recent cases as that of Larry James Mitchell Holt, 24, who crumpled the fender of his red Dodge while fleeing (at an estimated 40 mph) from a pursuing police car. The car's glass was unbroken; yet it took 180 stitches to close gashes in Holt's face and head. Holt contends that the two cops dragged him from his car and beat him. The cops maintain that Holt's injuries came in the crash, but do not explain why no blood was found on the white upholstery of his car.

"Last month Robert Stewart, 21, emerged from a grocery and was challenged by two cops. "Hey come here," commanded one, grabbing his arm. "Get yourself off this corner right now." When Stewart replied that he was there to buy canned milk, the cop spat, "Don't go getting smart." Stewart and eight witnesses claim that he was grappled into the squad car and pounded with night stick, fist and flashlight. Subsequent photos show Stewart's nose broken, eyes swollen nearly shut on a puffy face, the back of his head cratered by deep open wound. Stewart received a probationary sentence for loitering and resisting arrest.

"Deepened frustration. Four ranking cops were dismissed in a brutality incident last year, but all have been reinstated under the administration of Mayor Loeb. Such wrist-spanking discipline deepens Negro frustration. So does the chest-thumping of Fire and Police Director Frank Holloman, who recently promised an applauding white civic club that if Memphis' Negroes revert to "lawlessness," as he put it, "we'll knock them on their ass." There was further frustration when a bid by Negroes to prevent a sales-tax rise—partly to finance a 50-man increase in the police force—was defeated. The tax hike passed 3 to 2, which is roughly the ratio of whites to Negroes in Memphis."

Here are the facts, as Press-Scimitar reporters found them, on eight apparent charges in Time's story:

1—MAYOR'S ALOOFNESS

Said Mayor Loeb today:

"I am accused of being aloof. I don't see how I could become more involved. Long before I became mayor, when I was elected commissioner of public works, I was the first man to get these garbage workers vacations, sick pay and grievance machinery. They never had these things before.

"Since I took office on Jan. 1, I have appointed more Negroes to commissions and high city offices than ever before, including Odell Horton to be director of the Department of Health and Hospitals. And I'm saying right now, publicly, he is doing a damned good job.

"I have appointed the first Negroes to the Memphis Light, Gas and Water Division Board, the Airport Commission and to the Park Commission. I have appointed or reappointed many others.

"So far as my relations with Negroes are concerned, I have opened my doors to the public, both white and black, every Thursday to listen to complaints. I answer every letter I receive, from white or black citizens. Only this week I received a very warm letter of thanks from a Negro Vietnam war veteran whom I helped to get a better job, so he could support his family.

"I believe I am the best friend the Negroes in this town have and many of them know it."

2—POLICE "HEAVY-HANDEDNESS" TOWARD NEGROES

Frank Holloman, director of Fire and Police, said today:

"In December, before I took office I made a television appearance in which I said, speaking to both white and Negro citizens, that from now on there would be no second- or third-class citizens, but only first-class citizens.

"In January, immediately after taking office I issued an order to all police officers, directing them to use courtesy titles (Mr. and Mrs.) in dealing with Negroes. I have repeated that order. Both I and Chief Henry Lux have personally appeared at roll calls before all the men, reminding them that it is our duty to earn the respect of all the citizens and warning them about any conduct that could be termed police brutality.

"Since the first of the year I have instituted a re-training program for all veteran officers and human relations has been one of the items we stressed most. I have invited two prominent Negro leaders, Judge Ben Hooks and Odell Horton, to lecture to each one of these retraining sessions. I gave them a free hand to say what they wanted to say, and I can tell you they have been laying it on the line, with my blessings and support.

"I have also placed two Negro police lieutenants in positions of command where they have supervision over white officers.

"We have gone out of our way to recruit Negro police officers and I can say almost 50 per cent of our next recruit class will be Negroes. I don't know what more I can do than this."

3—FIFTY "DOCUMENTED" CASES OF BRUTALITY

Holloman pointed out that the "documentation" consisted of testimony by witnesses before the Commission on Civil Rights, without cross-examination or rebuttal testimony.

He also pointed out that the NAACP and other Negro agencies had declined his invitation to bring these cases to him for investigation.

"We have investigated 33 cases brought to our attention since Jan. 1, from other sources. Two of these were substantiated and the officers disciplined. In a number of others, where testimony was conflicting, we took no action, but we did have a talk with the officers accused, pointing out the seriousness of the acts they were accused of. We also took those unsubstantiated cases to our retraining classes, had them read and analyzed before all the men."

4—THE HOLT CASE

Time reported that Holt "crumpled a fender" while fleeing from police at an estimated 40 miles per hour.

Actually, according to Officer B. G. Cox and J. S. Coop, who chased Holt, the speed was from 90 to 100 miles per hour and the chase lasted some five to six miles during which Holt ran three red lights and at least seven stop-signs at high speed. He drove without lights and crashed his way through a road block.

Even when the case was tried in Traffic Court yesterday the driver of the car struck by Holt, Herbert Moon, 36 of 329 Peebles, also a Negro, testified that Holt was going at least 65 miles an hour when he struck Moon's car. This, after laying down some 300 feet of skid marks. Such skid marks, according to skid mark charts, would indicate speeds as high as 70 to 80 miles per hour, without counting the impact.

In court Holt was not put on the stand by his attorney, former mayor William B. Ingram, and no testimony of brutality was introduced.

Cox testified that when police approached the Holt car after the crash that Holt, bleeding from injuries received in the crash, came out of the car swinging a large screw driver, striking Officer Coop on the head. The screw driver was shown in court. Cox testified and Coop wrote in his report, that they did strike Holt to subdue him. Judge Beverly Boushe fined Holt $51 each on charges of resisting arrest and reckless driving, merging and dismissing the three red light and seven stop sign charges. Holt was held to the state on a reckless driving charge. None of the charges was refuted or denied in court.

5—THE STEWART CASE

There is one immediate discrepancy in the Time version and witnesses' statements to the Police Internal Security Bureau. Time said Stewart was buying a can of milk while

the witness himself said it was a can of vienna sausage.

Other than this, the record does show that Stewart and several witnesses did accuse police of beating him and squirting Mace in his face.

The police version is that officers went to Trigg and Mississippi in answer to a disturbance call on the night of May 28. Officers J. S. Coop and B. G. Cox, the same officers as in the Holt case, said they found a crowd and everyone ran at sight of police except Stewart.

The officers said they ordered him to leave, then drove away. When they came by again several minutes later they found Stewart still there, they said. When the officers attempted to arrest him he began cursing and fighting, striking one of the officers, they testified.

They also said they struck him, but that he was not seriously injured until after he reached John Gaston Hospital and refused to allow doctors to treat him. They said it appeared he suffered a broken arm when he leaped out of bed while handcuffed to the bed.

The record also shows that Stewart did not come to police with his complaint, but that officers of the Internal Security Bureau went to his home to obtain a statement.

Stewart has a long police record going back to April, 1962, when, as a juvenile, he was sentenced to two years at Pikeville on an armed robbery charge. He has since received prison sentences on two convictions, one on auto theft and the other on carrying a pistol.

6—REINSTATEMENT OF OFFICERS

The Police Internal Security Bureau did find evidence of brutality on the part of the four officers, including an inspector and three lieutenants.

The evidence was presented to the old City Commission, which dismissed the officers from the force. The officers appealed to the Civil Service Commission, which after a hearing, ordered them reinstated. The case was also presented to the Grand Jury, which refused to indict them.

The Grand Jury which did not indict anyone in the case of the four detectives consisted of five Negroes and seven white men.

But all this happened four months before Loeb and his administration took office. In fact it happened before the city election last November.

7—HOLLOMAN'S STATEMENT

Holloman is accused of making, at a club meeting, the statement police would "knock Negroes on their ass."

"This statement was an off-the-cuff remark and has been taken entirely out of context," said Holloman today. "What I did say was that if lawlessness came again to Memphis that Memphis police would not stand by, as had been done in some other cities, to allow looting, but that if the law was broken by ANYONE—I did not use the word Negro—that we would 'knock them on their arses.'"

8—THE SALES TAX INCREASE

Concerning the charge of frustration of Negroes at being unable to stop the sales-tax increase, this is the real joker.

Only about 13 per cent of the registered voters voted on the sales-tax referendum and the vote was so light that if Negroes had really been interested in defeating the measure they could easily have done so. Only 38,157 voters voted on the sales tax referendum and there were 94,640 registered Negro voters. The Negro community could have defeated the measure by drumming up less than 10,000 additional votes.

AN EDITORIAL

What is Time trying to do to Memphis . . . make trouble?

Implied in the caption over the magazine's article—"On the Brink in Memphis"—is the thought that something explosive is about to happen, triggered by the presence here of the Southern Christian Leadership Conference's annual convention.

Is this responsible journalism? Surely, Time cannot pretend that it is reporting "news" in its article. It contains no news except that the SCLC is meeting here.

The article says the SCLC "convenes defiantly" in Memphis.

Defiance? Until this afternoon when Dr. Ralph Abernathy made disparaging remarks about Memphis police, every statement uttered by SCLC leadership including Mrs. Martin Luther King Jr. and Memphis leaders, has been couched in terms of genuine friendship and goodwill. As far as we are able to observe, the gathering in Memphis of Negroes from all over the South is like any other convention.

On the brink? If we are on the brink of anything in Memphis, it is the brink of a new era of understanding and reconciliation between our racial groups. The Press-Scimitar believes that the men and women of the Southern Christian Leadership Conference are trying to do their share in bringing about this new era.

Time Magazine, in its article, suggests that the SCLC convention here "could bring Memphis to a flash point." It takes anger and hatred to create a "flash point." We see no evidence that Memphis, as Time says, is "seething" with anger and hatred as the SCLC meets here, though Time in its current article, and in the one it published just after Dr. King's assassination, seems to have a project of trying to keep racial feelings stirred up in what it called, in its April 12 issue, a "decaying Mississippi River town." This appellation simply betrayed Time's ignorance of our city.

As for "decay," all Time has to do to see it is to look out its window at some of America's worst slums, urban sore spots that Mayor John V. Lindsay says will cost billions to cure.

Yes, Memphis has its problems. We must be candid about that. We have an increasing crime rate, we have slums, the City Council has fiscal problems inherited from the previous administration, the sanitation situation still has not been straightened out.

These problems will be solved because our public officials are determined to solve them and because our citizens—black and white—are determined to live together in good fellowship.

It takes decaying people to make a decaying town, and Memphians are not decaying.

As further proof of what the people of Memphis are doing and the progress we have made in improving the lives of all our citizens, I would like to include some further articles. An article from the Memphis Commercial Appeal showing the number of new jobs for our black citizens created through a program of the Memphis Area Chamber of Commerce. Also four additional articles from the Commercial Appeal and an editorial presented by radio station WDIA relating what is being done to help black businessmen.

These news stories and editorials prove how baseless Time's charges are. One wonders why a major publication takes it upon itself to destroy the good relations enjoyed by the people of one of America's finest cities. The articles follow:

JOBS

The program of the Memphis Employers' Merit Employment Association has led to new jobs for 2,007 Negroes since its launching 10 months ago. Membership in the MEA has grown from 11 firms to more than 70 since November, 1967. A Memphis Area Chamber of Commerce survey revealed the large increase in new jobs among 43 participating firms. (The 2,007 jobs they provided raised Negro employment in these businesses to a total of 7,428, an increase of 27 per cent in Negro employment since the firms joined the MEA. This increase in jobs for Negroes ranks the Memphis MEA program as one of the most successful of the 65 programs now being conducted in major cities across the country.)

CITY PRAISED FOR NEGRO OPPORTUNITY

(By Gary Goodman)

Berkeley G. Burrell, president and chairman of the National Business League, yesterday ranked Memphis as one of the three most progressive American cities in providing new opportunities for "black entrepreneurship."

"We are very encouraged with Memphis," Mr. Burrell said after he addressed a luncheon meeting at the Sheraton-Peabody of members of the Downtown Association and NBL.

In his speech, Mr. Burrell called for the "development of a hand-holding operation that will prime the pump of (Negro) entrepreneurial talent until there is an outflow of capable small contractors and businessmen that are indigenous to the inner city."

He pointed with pride to the Memphis NBL chapter's plans for constructing "Freedom Center," a shopping plaza which will be built exclusively for businesses owned by Negroes or which have Negroes as business partners. One of the purposes of the meeting was to interest local business leaders in backing the venture.

Mr. Burrell said increasing Negro ownership of business "needs priority attention in high places, in both the public and private sector." Increasing the number of Negro businessmen, Mr. Burrell said, will fill a leadership void in the Negro community.

"We don't have enough natural leadership in the ghetto. It's missing in the black community, and it must be there if we are to have the tranquil urban society we all long for."

Mr. Burrell said Negroes must receive help from the white majority because "society has in the past imposed the prejudicial limitations and restrictions which resulted in our exclusion from the mainstream of economic activity.

"Therefore, it is society's responsibility to assist us in our effort to acquire our rightful position in that society."

Although government has taken some "tiny steps in the right direction," Mr. Burrell told the business leaders that "the majority business community holds the key to our nation's future."

But Mr. Burrell painted a dark picture of the reaction by many white businessmen and government leaders to his plea for increasing Negro business participation.

"The tragic fact is that this nation remains on the brink of disaster, and most of its stubborn, proud majority population—which happens to be white—has no intention of yielding to the legitimate demands of a long-suffering, deprived minority populace."

He said the present trend in American business indicates the beginning of "corporate plantationship, not interracial partnership."

"I implore you to be the exception," he told the leaders at the meeting.

He said he hoped his visit to Memphis coupled with the construction of Freedom Center and other similar projects here "will be effective in helping to reverse the trend of separatism which our great nation can ill afford at this critical juncture in its history and development."

"Our efforts need your assistance. For the sake of peace, let us move ahead together. Not later—now."

BLACK BUSINESS

The call given here for "black entrepreneurship" by Berkeley G. Burrell, president

of the National Business League, is one all Memphians can support.

Mr. Burrell was encouraged, as all should be, with plans for a "Freedom Center" shopping plaza exclusively for businesses owned or partially owned by Negroes.

The center and others like it will be a boon to ambitious Negroes who can organize and run competitive businesses, create jobs and pay rolls and eliminate some of the clogs in our consumer oriented economy.

Too long Negroes have felt—with some justification—that "business" was anti-Negro. White merchants, as the Kerner Commission reported, have often become a hated symbol of oppression. And in one of his wisest statements of the present campaign Richard Nixon has argued that Negro militants have a legitimate request demanding a larger share of the amazing American economy for black people.

The free enterprise system is, of course, not anti-Negro and any racism in it has been imposed by other forces. Actually it works better when it is color blind, when the businessman turns to the employe, customers, wholesaler or whatever who, black or white, can do the best job for him.

Black business, therefore, should not mean separation from the resources of the general economy. Special efforts are needed to give black businessmen and black communities full participation in the system. A great majority of the business wealth and talent for this is in the hands of whites and both races have much to gain if it is shared. The local businesses that are helping Freedom Center have offered a fine example.

As Andrew F. Brimmer, a member of the Federal Reserve Board and a Negro, points out "the prospects for a viable all-black economy are not at all promising. The advocates of a self-contained and self-sufficient all-black community," he says "are misguided and headed for a bitter disappointment." Black business should be part of American business.

White businessmen should realize that the right kind of black business means both a more stable community and a better economy. Healthy competitive black business is one kind of "Black Power" that should be encouraged and not condemned.

TEAMWORK BY BUSINESSMEN SEEN WINNING RACIAL PEACE

A nationally known Negro business leader has called for a cooperative effort between Negro and white businessmen in a plan to dispel tension between the races.

Berkeley G. Burrell, president of the National Business League, said to white businessmen, "If you join hands with us here and now we can reduce the tremendous liability of public welfarism and high police costs by making the elements contributing to these costs productive units within the society.

"We will do this not with hattrick speed but through sustained motivational effort visible examples of material rewards for diligent performance, and positive images of responsible citizenship."

His remarks Monday night at LeMoyne College kicked off the Memphis chapter of the league's "Project Outreach."

The project, said Lawrence S. Wade, executive vice president of the chapter and vice president of Mutual Federal Savings & Loan Association, seeks "to mobilize technical and management resources to provide management training and technical assistance to disadvantaged small business owners and aspirants eligible for the Title IV business loan program of the Economic Opportunity Act."

Mr. Burrell, head of a cleaning firm in the nation's capital, called violence "an emotional response to immediate stimuli underwritten by deep-seated grievances ignored. To suppress violence is to expend resources; to support the indigent is to expend resources to transform the nonproductive to roles of productivity is to create and add to the nation's resources."

He said white businessmen could find in NBL members "the kind of responsible citizens who can—with your help and support—provide the positive leadership that will serve to maintain stability and tranquility in our teeming urban ghettos."

Calling the need for basic business training critical, he said the private business community should till the toil the government now has seeded.

Mr. Burrell said lack of readily available capital is the most serious and psychologically depressing factor facing the Negro businessman. "Here too," he said, "the most efficient method" to solve the problem is a government-business partnership.

Neither black power nor white power is involved in his proposals, he said, but "solid economic power, legitimate power born of initiative, perseverance and ability."

E. A. Leone, owner Leone's Liberty Cash Super Market and chairman of the special membership committee of the chapter, outlined ways businessmen could support the project.

Among others on the program were Jerrold A. Moore, representing the mayor, and Carl Carson, representing the Chamber of Commerce.

NEW SITE SELECTED FOR SHOPPING PLAZA

A 10-acre Freedom Center South Shopping Plaza will be built on the north side of E. H. Crump Boulevard between Danny Thomas Boulevard and Fourth, the Metropolitan Memphis Development Co. announced yesterday.

Plans call for construction to start within a few months and the center is to be finished in about a year. No cost estimates were available.

Lawrence S. Wade, president of the company, said the company ran into problems in starting Freedom Center North, on Thomas between Wells and Vollintine, and the opportunity arose to start the south one so the company decided to go ahead.

The company was formed by the Memphis chapter of the National Business League, which has one of its projects the training of Negro businessmen with the advice of white businessmen.

About 10 of the tenants in the south shopping center will be partnerships between whites and Negroes. One, Marketland Foods, was organized specifically to run a 25,000-square foot grocery store. E. A. Leone, a supermarket owner, is president, Mr. Wade vice president and Leonard J. Small, secretary. Mr. Small is director of Project Outreach for the NBL chapter.

John T. Pitts, president of the John T. Pitts Realty Co., will handle leasing of the center for the development company. He said he had letters of intent from a bargain goods store, drug store and other firms interested in leasing space.

Architect Robert Lee Hall said the center will be of contemporary design with 95,000 square feet of store space. It will have nearly 400 parking places, all within 200 feet of the stores, covered walkways and will be air conditioned.

Mr. Pitts said the center will be financed through a loan from the Small Business Administration and conventional financing.

HELPING THE NEGRO SMALL BUSINESSMAN FIND HIMSELF

Almost everyone agrees that the future of the Negro lies in establishing a solid middle class.

And the middle class of any group of people has a firm core of small businessmen. Along with doctors, lawyers, dentists, and teachers they give such a community stability and a firm economic base.

So, at *WDIA*, we are delighted with the work being done by Project Outreach, which started in Memphis on February 1.

Negro and white businessmen are working together, through the predominantly Negro National Business League, to teach business skills to persons in disadvantaged areas.

Leonard J. Small, director of Project Outreach, said that in his brief span of effort three Negroes *have been readied to open their own businesses*.

Mr. Small said, "We think that by raising his economic level, a person in a ghetto can serve as an image to others and provide them with incentive to become productive members of society."

Project Outreach hopes to open a supermarket in a Negro neighborhood where unskilled persons will be trained. Small said, *"After two years working in the store, a Negro will be able to come out and operate a business of his own."*

The program has limitless possibilities. Leonard Small knows that he must have the co-operation of many business leaders for *Project Outreach* to achieve his potential.

At *WDIA*, we know that he deserves it. *And we think that he'll get it.*

KUDOS FOR AEC ON PUERTO RICO NUCLEAR CENTER MEDICAL UNIT

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. HOSMER. Mr. Speaker, I was pleased to receive from an expert qualified to render expert judgment in matters pertaining to nuclear medicine the following communication:

ST. MARY'S LONG BEACH HOSPITAL,
Long Beach, Calif., August 26, 1958.

Hon. CRAIG HOSMER,
Member of Congress, House Office Building, Washington, D.C.

DEAR MR. HOSMER: Thank you for your letter of June 26th, 1968, prior to my visit to Washington. I am sorry that the shortness of our stay there precluded my visiting you in your office and I hope that I shall have the opportunity to do this on another occasion.

Following my visit to Washington, I spent a month in San Juan, Puerto Rico, visiting at the Puerto Rico Nuclear Center there.

As you probably are aware, this is a medical unit operated by the University of Puerto Rico for the United States Atomic Energy Commission. My interest was primarily in the clinical radiotherapy, nuclear medicine and radiobiology section. The group of very excellent clinicians headed by Dr. Victor Marcial have over the past ten years proven that first class clinical cancer treatment can be very beneficial in a developing country, particularly one with a high cancer risk population. Not only do they do a superb job of diagnosis and treatment of cancer, but they have also been active in training physician-radiotherapist medical students and x-ray therapy technicians in their several programs. Their level of patient care and medical personnel training would be considered excellent by any standards in the continental United States.

The Atomic Energy Commission and the varying Congressional committees interested in atomic-related programs (of which I believe you are a member) should be highly commended for their farsightedness in this vital part of medical care in the Commonwealth of Puerto Rico. I was impressed at the effectiveness of this use of United States aid money spent in an underdeveloped country.

Sincerely yours,

WILLIAM C. JOHNSON, M.D.

THE RESPONSIBILITIES OF THE FEDERAL BAR ASSOCIATION TO THE PUBLIC

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. EILBERG. Mr. Speaker, on August 3, 1968, I had the honor of addressing the Federal Bar Association banquet meeting, which took place in conjunction with the meeting of the American Bar Association in Philadelphia.

The subject dealt with the responsibilities of the Federal Bar Association to the public—and this includes the Congress.

So that I may share my thoughts on this subject with my colleagues, I include the text of that talk in the CONGRESSIONAL RECORD, as follows:

FOR BROADER AWARENESS—SOME PUBLIC RESPONSIBILITIES OF THE FEDERAL BAR ASSOCIATION

The first question too many lawyers ask before they write the check for their Bar Association dues is: "What have they done for me lately?" Under these circumstances, I suppose there is no Bar Association which can avoid completely becoming involved in projects oriented toward the self-interest, the material interests, of its members.

It is not inappropriate therefore for an officer of the Federal Bar Association to testify before the Senate and House Post Office and Civil Service Committees when they are deliberating on pay raises for Government employes.

For the same reason it is not surprising that officers of state and local Bar Associations, or the ABA, would appear before congressional committees when they are considering proposals like the Keogh-Smathers Act, which permits significant tax savings to self-employed lawyers in setting up their own retirement plans.

Similar considerations prompted the Federal Bar Association, after exploring the duties of estate tax examiners in the Treasury Department, to inform the chairman of the Civil Service Commission that the FBA was opposed to any attempt to assign non-lawyers to such positions.

Other members of Bar Associations may be more concerned with their image than they are with financial standing. Most of these lawyers have it made monetarily but are concerned because a public opinion poll might have shown that lawyers command less respect than nuclear physicists or airline pilots.

Lord knows the image of lawyers has needed improving for a long time. Shakespeare and Dickens made things rather unpleasant, "image-wise," for our brethren abroad. But we've had some bad press over here, too.

In a colonial joke-book, which antedates even Joe Miller's by a few years, there is a story about the colonist who saw a tombstone inscribed: "Here lies Thomas Crockett—A lawyer and an honest man." "A lawyer and an honest man" mused the colonist, "I wonder how the two of them get along together in that one grave."

Things may have improved somewhat since those days. But not too much. To call a man a "Philadelphia lawyer" is not precisely a compliment, you know.

The American Bar Association is concerned enough about improving the image of lawyers to have appointed retired Associate Justice Tom Clark as chairman of a Special Committee on Evaluation of Disciplinary Enforcement, which is expected to come up with some concrete suggestions to the bar for cleaning its own house.

This is an admirable effort. I can have very little patience, however, with any effort which smacks of Madison Avenue, with any attempt to improve the image of lawyers without improving lawyers.

More important than any of these responsibilities to its members, however, so important that if it does not fulfill them it should not exist, are a Bar Association's responsibilities to the public. And of all its responsibilities to the public, the single most important function of a Bar Association is to engage in politics. That was intended to be a shocking statement. I would have been disappointed if there had been no reaction to it. Because if there is anything a Bar Association should not engage in, it is partisan politics in the ordinary sense. The sense in which I used the word politics, however, is not the ordinary sense. I use it in the sense Woodrow Wilson used it when he said: "Politics is the struggle for law, for an institutional expression of the changing life of society." To engage in politics in this sense is, I repeat, the single most important function of a Bar Association.

From the beginning of our nation, of course, individual lawyers have been engaged in politics. It seems safe to say that lawyers were the most effective molders of that spirit of independence which made us the great and free nation that we are. John Adams, Robert Treat Paine, Thomas Cushing, James Otis, the New England roll call sounds. In Virginia, Thomas Jefferson, James Madison, Richard Henry Lee and Patrick Henry were among the more familiar names. Three of the committee of five that drafted the Declaration of Independence were lawyers. No less than thirty-two of the fifty-five signers of the Declaration were lawyers. Thirty-five of the fifty-five members of the Constitutional Convention of 1787 were lawyers. And the public acceptance of lawyers in politics did not stop there. Twenty-three of our thirty-five Presidents have been lawyers. And at the present time there are more than three hundred lawyers in the United States Congress. Unquestionably many of these lawyers were engaged in politics in the Wilsonian sense. Yet all of them were also engaged in partisan politics. The Bar Association's engagement in politics, in a struggle for law to meet the changing needs of society, can never be partisan.

It is much easier for a Bar Association than it is for an individual lawyer to engage in this struggle for law. Such a struggle takes time. Time for research. Time for writing. This kind of time is a lawyer's stock in trade, his bread and butter. But the political goals of which I speak have nothing whatever to do with a lawyer's bread and butter and it is a rare individual lawyer who would be able to afford all the time it takes to achieve them. It is an even rarer individual lawyer whose personal efforts would have enough influence to effect this kind of change in law to meet the changing needs of society. The best way to get the job done is for the individual experts who are members of a Bar Association to pool their time and talent, to study the problem and write a report. The end product of their efforts not only embodies their collective expertise, it has the additional prestige that backing by the Bar Association gives it. I should add, here, however, that that prestige would be nonexistent if the Bar Association were customarily engaged in partisan politics rather than politics in the Wilsonian sense. Let me give you some illustrations of the good politics and the bad.

One of the best examples of a Bar Association's participation in politics in the Wilsonian sense was the ABA effort on the Twenty-fifth Amendment to the Constitution, the one that deals with Presidential Inability and Vice-Presidential Succession.

Unquestionably, the assassination of President Kennedy was the most important factor in galvanizing public demand for a solution to the problem. Yet there had been other Presidents assassinated and other attempts by Congress to agree on a solution without success.

If the experts assembled in Washington by the ABA in January, 1964, had not been able to reach a consensus, to agree on a method for determining when the Vice President should act as President during periods in which the President was unable to carry out the duties of his office and for replacing the Vice President whenever that office should become vacant, the likelihood is that Congress would not have been able to agree upon a solution this time, either.

Ratification would have been impossible if the American Bar Association had not summarized the consensus of its experts and their reasons for reaching it. Ratification would have been impossible, if that explanation had not been made available to State legislatures during their deliberations on that matter.

This is the kind of struggle for law a Bar Association should be engaged in. The American people are better off for the ABA's efforts. Yet this effort did not increase the income of a single lawyer. It did not enhance the status or improve the image of a single lawyer. There can be no doubt, though, that the bar as a whole is better off for the ABA's effort.

My illustration of politics in the bad sense is a hypothetical one. Any resemblance to real persons or real events is purely coincidental.

Six months before the expiration of the final term of President J of Party D, the Chief Justice announces his intention to retire, leaving the date to the pleasure of the President. The President writes the Chief Justice that he will be sorry to see him go but that, if it's all right with him, the retirement will be effective on the date his successor qualifies. The President then sends to the Senate for its advice and consent the name of Associate Justice F to be appointed as Chief Justice. It would be engaging in politics of the worst sort for any Bar Association (except perhaps the Bar Association of Party R, if there were such an organization) to submit a report to the Senate Judiciary Committee suggesting that, although the President has the power to fill vacancies in the Court until the day his term expires, it would be wiser and fairer to leave a lifetime appointment like this to his successor, in view of the possibility that his successor may belong to a different party. And in any case, since there is no vacancy until the Senate acts to confirm the successor to the retiring Chief Justice, it would be wiser and fairer for the Senate to withhold its consent and wait until the newly elected President nominates a successor.

Let a Bar Association engage in that kind of politics very often and it will soon develop a credibility gap.

There would be no danger of the FBA developing a credibility gap, if it resists any temptation it might have on the one hand, to be an administration rubber stamp, and, on the other, to take on the role of the loyal opposition. Actually, the most significant part of the FBA's role in the development of law, as I see it, is not so much the positions it takes as the reports it makes. With all of the talent it has at its disposal, the FBA can produce a better analysis, a better criticism, a better recommendation for change, of any Federal law, than any organization in the country. For a very selfish reason, I should like to see the appropriate committees of the FBA writing more reports on pending legislative proposals and making them available to Congress and its committees. I can have much more confidence in the objectivity of a comment on a crime bill prepared by the FBA's Committee on Criminal Law than I can in one prepared by the Department of Justice. If the bill is an administration proposal, the Justice Department comment has to be favorable. If it is not an administration proposal, it can't be a very good

proposal or the administration would have thought of it. There are some who suggest that FBA committee members can't really be, or can't afford to be, objective because they are employed by the administration or do business with it, even if they are not of it. My answer to that is that the bar is in a sorry state if a lawyer can not afford to have, or is not permitted to have, opinions different from those of his clients.

The FBA has some ninety committees ranging from one on administrative law and procedure to one on veterans. There is a committee for almost every conceivable area of Federal law. There are committees on antitrust law, labor law, torts, motor carriers and highways. I suppose there is no objection to these committees having a luncheon once in a while with a prominent speaker featured. But think of the real contribution to the law that could be made if each of those committees wrote and published just one report a year focused on some significant legislative proposal.

The FBA has committees on constitutional law and civil rights. Congress could have used some help from both of them during the last few years. It would have appreciated objective reports on the scope of its powers to prohibit racial discrimination in the use of privately owned public accommodations and in the sale or rental of privately owned housing. It could have used an FBA report on the extent of the power of Congress to eliminate the effect of *Baker* v. *Carr* and *Reynolds* v. *Sims*, in the area of apportionment, by statutory withdrawal of jurisdiction over such matters from Federal Courts.

It could have used an FBA report on the use of a similar statutory technique to reverse the *Mallory*, *Miranda* and *Wade* decisions.

I understand that the Criminal Law Committee under Colonels Solf and Hagopian actually undertook to study the Omnibus Crime and Safe Streets Bill but that the results were ready too late to be useful to Congress.

I also understand that a new Committee on Legislation has been established and that one of its functions is to identify those legislative proposals which are likely to get some serious consideration and alert the substantive committees concerned so that they may begin serious studies of the proposals. This committee could be a real help in getting the FBA to do the kind of job it is eminently capable of doing and for which it has a real responsibility.

It can never fulfill that responsibility, however, simply by passing a resolution advocating adoption or rejection of a particular legislative proposal. It can fulfill that responsibility only if it makes available to Congress a well-considered report on the proposal. I am aware that at its meeting last November the National Council adopted resolutions supporting the Safe Streets Act and the National Theft Prevention Campaign. I am also aware of the more recent adoption by the Executive Committee of a resolution supporting the passage of effective firearms control legislation. I know that such resolutions are not considered unless they have been recommended to the Executive Committee or the National Council by the substantive committee concerned. I do not remember what documentation accompanied these recommendations. If the substantive committee work, however, consisted principally of drafting the resolution, as I suspect it sometimes does, no matter how universally accepted the resolution might be, the action of the organization comes dangerously close to partisan politics. What is necessary to transform the action to Wilsonian politics is the committee study, the documentation which persuaded the committee to make its recommendation in the first place. The documentation which should be available to the National Council and the Executive Committee before it adopts a resolution. The documentation, the report, which should also be made available to Congress. As far as I am concerned, the report is more important than the resolution. Despite the criticism which is inherent in my observations, I am encouraged by developments within the organization this year. I am satisfied that it will not be long before the Federal Bar Association will be discharging this responsibility just as capably as it has so many of its others for so many years. The FBA may ride the coattails of the ABA in adopting resolutions like the one approving direct popular election of the President. But the ABA is taking a leaf out of the FBA book in the matter of continuing legal education and briefing conferences.

Let me mention, here, that my laudatory comments on the ABA's role in the ratification of the Twenty-fifth Amendment were not intended to indicate that the ABA has always lived up completely to its responsibilities in this area. My impression is that it has not always been so quick to pick up the ball as it was on that occasion.

At a talk he gave last month to the Younger Lawyers of the FBA and the legal interns in Washington for the summer, F. Lee Bailey wondered where the lawyers and the Bar Associations were after the Supreme Court, in *Betts* v. *Brady*, decided that it was not a denial of due process for a state court to refuse to appoint counsel to represent an indigent defendant accused of robbery. I must confess I don't know what the ABA reaction was. I would have expected, however, that the ABA and the state Bar Associations affiliated with it would have been camping on the doorsteps of the legislatures of those states which did not guarantee the services of counsel to indigent defendants. *Betts* v. *Brady* went to the heart of the image of the lawyer as well as to the heart of the public interest. Whatever the ABA and its local affiliates did to overcome its operation, it is ironic that 21 years later a non-lawyer, an indigent one at that, was the one who persuaded the Supreme Court to re-examine *Betts* v. *Brady* and overrule it, in *Gideon* v. *Wainwright*. When the public sees a non-lawyer accomplishing what some lawyer should have been able to do, it becomes more difficult to persuade them not to prepare their own wills or draft their own leases. It is more difficult, also, to persuade them that they are not really qualified to be estate tax examiners. All that the public remembers about the case is that Gideon got off because he was smart enough to say the right thing in a handwritten note he sent to the Supreme Court. They forgot, or perhaps they never knew, that Abe Fortas, a pretty fair country lawyer, represented Mr. Gideon before the Court.

Bar Associations can keep the public favorably disposed toward lawyers only if Bar Associations are ever alert to the public interest. By mentioning how helpful this new FBA Committee on Legislation would be, I did not intend to suggest that all the other committees should just sit back and wait for some problem to be referred to them. No indeed. All of the committees must be broadly aware of the great Federal issues arising in their areas of special competence. If they are doing their job well, they will, on occasion, be proposing legislation, not just commenting on others' proposals. In these areas of Federal law, it is the FBA members who are the experts. The public, and I consider the Congress a part of the public, should have the advantage of that expertise. The FBA can, and should, feel obligated to point us toward new directions in Federal law. If ever a society needed some new directions, ours does. I said directions, not directors.

VOTING RECORD OF CONGRESSMAN WAYNE L. HAYS ON MAJOR LEGISLATION

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. HAYS. Mr. Speaker, I include at this point in the RECORD my voting record on major bills which have come before the House of Representatives during the 90th Congress to date. I have done this since I have been in Congress and mailed out copies so that my constituents could have a convenient method of checking my record. As voters in the 18th Congressional District, they have the right to know how their Congressman represented them in Washington and how he voted on the major issues. The record follows:

My vote	Bill	Status
Yes	Extension of Appalachian Regional Development Act for 2 years	Enacted.
Yes	Expand the Clean Air Act and authorize planning grants to air pollution control agencies	Enacted.
Yes	Truth in lending bill	Enacted.
Yes	Automobile insurance study	Enacted.
Yes	Omnibus Crime Control and Safe Streets Act	Enacted.
Yes	Extend Elementary and Secondary Education Act for 2 years	Enacted.
Yes	Higher Education Act extension for 5 years	In House-Senate conference.
Yes	Vocational Education Act extension	In House-Senate conference.
Yes	Uniform Services Pay Act to Increase pay of servicemen	Enacted.
Yes	Provide pay increase for postal and classified Federal employees	Enacted.
Yes	Social Security Act amendments to increase benefits	Enacted.
Yes	Extend Older Americans Act for 5 years	Enacted.
Yes	Arms Control and Disarmament Act extension for 2 years	Enacted.
Yes	Health Manpower Act of 1968 to extend and improve health professions programs	Enacted.
Yes	National School Lunch Act amendments to improve and expand food service programs for children.	Enacted.
Yes	Housing and Urban Development Act of 1968 to extend and revise existing housing programs and provide new programs for low and moderate income families.	Enacted.
Paired	Eliminate reserve requirements for Federal Reserve and U.S. notes	Enacted.
Yes	State Firearms Control Assistance Act to prohibit interstate mail-order sales of rifles and shotguns. Registration not included.	Enacted.
Yes	Civil Rights Act of 1968	Enacted.
Yes	Increase in railroad retirement benefits	Enacted.
No	Foreign travel tax	Passed House.
Yes	Extension of the food stamp program for 4 years	Passed House.
Yes	Age Discrimination in Employment Act of 1967	Enacted.
Yes	Federal Aid Highway Act of 1967	Enacted.
Yes	American Hunger Commission Act	Passed House.
Paired	Revenue and Expenditure Control Act of 1968 providing for $6,000,000,000 expenditure reduction and temporary tax surcharge.	Enacted.
Yes	Interstate Taxation Act providing a system for taxation by States of interstate commerce	Passed House.
Yes	Interest equalization tax extension for 2 years to relieve U.S. balance-of-payments deficit	Enacted.
Yes	Veterans Pensions and Readjustment Assistance Act including cost of living increase in pensions.	Enacted.
Yes	Service-connected compensation increase for veterans	Enacted.

COURAGEOUS CAREER U.S. AMBASSADOR JOHN GORDON MEIN KILLED IN DEDICATED SERVICE TO COUNTRY

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. FASCELL. Mr. Speaker, as my colleagues are sadly aware, an American Ambassador, a dedicated and able Foreign Service officer, was murdered last week in Guatemala. I rise to pay tribute both to him and to his service.

Ambassador John Gordon Mein was well aware of the dangers to his life but chose to ignore them. He was a career diplomat of quiet, effective charm and was respected and admired by Guatemalans.

I will say no more about this tragic event, deplored in Guatemala as it is here and wherever civilized men exist, but I insert in the RECORD a Washington Post editorial of August 30, an Evening Star editorial of August 31, a New York Times editorial of September 1, and an article from the Washington Post of September 2:

[From the Washington (D.C.) Post Aug. 30, 1968]

MURDER IN GUATEMALA

The daylight street murder of the American Ambassador to Guatemala, John Gordon Mein, is a foul, cowardly act which removes from his country's service a particularly able and courageous diplomat. Mr. Mein was a knowing partisan of the reforms listed by the Alliance for Progress, and his counsel in the State Department will be missed. Although he was well aware of the personal risk, he chose to go about Guatemala City with minimal security rather than take more precautions and thereby give his country the appearance of being intimidated. His devotion to duty has now cost him his life.

Government in Guatemala proceeds on the narrow middle path left to it by terrorists on either side; the assassins could have come from left or right. Suspicions fall most strongly, however, on a Castro-supported Communist organization called FAR, whose likely motive was to create enough of an uproad to provoke U.S. military intervention. It is a melancholy fact of life in Guatemala that, by general agreement, another intervention—the last was in 1954—probably would polarize the country, destroy the government and ignite civil war. How simple were those days when American intervention was desired more by its friends in Latin America than its foes.

The Johnson Administration's level-headed reaction in this instance, however, is not to send in the Marines but to support the authority of the Guatemalan government by asking it to investigate. If it is possible to offer that government aid in the investigation, perhaps that can be done. Presumably the government will improve the security it offers diplomats as well. Otherwise, the assassination indicates only what some 2000-odd other political murders in Guatemala have already indicated: the paramount urgency of reform. For it is the terrible social trends and economic inequities that have spawned the tensions making the political arena virtually a graveyard. Admittedly, it takes a very great optimist to believe that reform is a feasible alternative in Guatemala; the pessimists, who believe that keeping the lid on is a more realistic policy, have the upper hand in American policy councils. Perhaps the murder of Ambassador Mein will aid the reformers' case.

It is not out of place to note that the Republicans have a responsibility too. When Guatemala dismissed an earlier American Ambassador, in 1950, Senator Wiley declared: "If a relatively small nation the size of Guatemala can get away with (this) . . . then the United States can just as well take a back seat in international affairs and can classify herself as a fourth-class power." The temptation to repeat this jingoistic approach is with us again. It should be resisted. Maturity consists not of throwing power around, but of wielding it carefully and well.

[From the Washington (D.C.) Evening Star, Aug. 31, 1968]

GUATEMALAN TERROR

On Wednesday afternoon, the United States Ambassador to Guatemala was machine-gunned to death three blocks from his residence, the victim of a Castroite guerrilla attack. John Gordan Mein was an able career diplomat of quiet personal charm. His murder was a wanton and senseless act which has shocked and grieved his many friends here and in Guatemala.

The Guatemala government has declared a state of siege to aid police in the search for Mein's killers. There is every reason to believe that it will be pursued with great determination.

In 1956, in an apparently free-election, Guatemalans elected Mendez Montenegro president in a race featuring two rightist colonels. After twelve years of military regimes, this victory for constitutional democracy was a welcome development for all but the extremists of the right and left. Ever since, they have subjected Guatemala to the terror and counter-terror of bombings, kidnappings, and assassinations.

It appears that the rightist White Hand wants to create conditions of anarchy that would justify a return to military government. Ironically, it is widely believed that the Castroite guerrilla outfits, the FAR and MR-13, also would welcome an army takeover. For one thing, it might catalyze a unification of all political factions from the moderate left to the Communists. Also, so the theory goes, it conceivably could prompt a United States military intervention, and thus bog us down in "another Vietnam" on our Latin American doorstep.

While Castroite insurgency has largely been eliminated in the countryside, it flourishes in Guatemala City itself. The government has failed to crack down on the University of San Carlos, which provides the guerrillas with a barracks from which they launch weekend forays. Also, it apparently has adopted a hands-off approach to the White Hand, many of whose members reportedly are professional soldiers who operate in guerrilla mufti. More vigorous action against both camps is indicated.

But the government, racked from right and left, can do only so much. The rest depends on the Guatemalan people. What is needed now is a spirit of reconciliation and widescale economic and socal reform. Mendez has made a start but much more remains to be done.

[From the New York Times, Sept. 1, 1968]

TERROR AGAIN IN GUATEMALA

The slaying of Ambassador John Gordon Mein is a grim reminder of the hazards United States officials face in Guatemala and of how far this Central American republic still must travel to domestic peace. It was barely seven months ago that high-ranking United States Army and Navy officers were murdered, also on Guatemala City streets in daylight.

In June Guatemala's chronic terrorism by left and right extremists had subsided sufficiently to encourage President Mendez Montenegro to lift a state of siege and restore constitutional rights. Sneak attacks in the capital have been increasing again lately, however, and the gunning down of Ambassador Mein is only the most shocking event of a dismal new round.

The pro-Castro Rebel Armed Forces (F.A.R.) did the killing, but says it had intended only to kidnap Mr. Mein in an attempt to force the Government to release a captured guerrilla leader. Whatever the truth about that, the episode raises again the question of whether these guerrillas, frustrated in their effort to organize a peasant revolt, have turned to a deliberate campaign of killing American officials. The F.A.R. boasted that it murdered the two officers last January, though some observers suspected right-wing vigilantes had done it to give the Guatemalan Army an excuse for savage "retaliation" against all left-wing elements.

Guatemalans may have legitimate complaints about past United States policies, but Mr. Mein had no responsibilities for these. On the contrary, he had earned wide respect. Washington's current policy, in fact, has encouraged President Mendez to curb army and right-wing extremists as well as leftist guerrillas in order to carry out long-overdue social and economic reforms.

Americans are hardly in position to criticize violence and murder in other countries, but friendly relations are bound to suffer if Guatemala cannot provide more effective protection for American diplomatic representatives.

[From the Washington (D.C.) Post, Sept. 2, 1968]

SLAIN U.S. ENVOY TRAVELED DESPITE DANGER OF ATTACK

(By Lewis H. Diuguid)

GUATEMALA CITY, September 1.—The late U.S. Ambassador John Gordon Mein circulated throughout Guatemala with a casual ease that unnerved many of his countrymen and most security officials as well.

His nonchalance was in part calculated, however. He knew he was taking risks. But he believed that one purpose of Guatemala terrorists was to drive North Americans into an armored shell. He was determined to show that this would not happen.

Mr. Mein died in pursuit of his policy, ambushed on a Guatemala City street last Wednesday. His attitudes emerge as part of a composite picture drawn from interviews with Guatemalans and North Americans who knew the Ambassador during his three years here.

U.S. officials who still believe in Mr. Mein's policy of broad and informal contacts are concerned that Washington may now emphasize security to the point that important activities of the Embassy could be undercut.

Mr. Mein frequently met with politicians of the opposition as well as of the government. He sought and easily found friends even among outspokenly anti-American elements, though not on the far left. He drove his own car to church on Sundays and his wife did all of her driving unaccompanied. Just last week they drove some visitors through the north of the country. He was seen routinely alone on the streets running errands.

When Guatemalan military officials tried to ring him with guards, he discouraged the practice. A 24-hour security watch was clamped on following the assassination last January of two U.S. military officers. But it lasted only a month before he had it removed.

A Guatemalan colonel said that he was so concerned about Mr. Mein's habit of riding only with a chauffeur that the officer once personally enacted a mock ambush. The colonel said he pulled alongside in his car and pointed his finger at the Ambassador. Mr. Mein smiled and kept his habits.

Although the Ambassador approved basic security rules for Embassy employes, such as varying the time of their departure and route to work, Mr. Mein himself usually could be seen at the same time on the same street daily.

Americans here do believe that greater caution must be exercised, but the Ambassador's general premise—that Americans ought to be engaged in legitimate activities here and ought to be seen in carrying them out—appears to have survived him at the Embassy among some important officials.

He felt this was the way to offset anti-Americanism. Among those who also hold this view are Dr. and Mrs. Calin Wallis, Presbyterian missionaries here for 25 years. They say that although they hear shouts of "Yankee, go home," from time to time, they believe anti-Americanism is on the decline.

"The Meins were very helpful in this," Mrs. Wallis said. Mr. Mein's approach seems to have been to respond as actively as possible to what he felt were responsible requests from Guatemalans for assistance.

He applied this to the aid program. He tried to encourage only projects that had unequivocal support from the host government. Some observers saw vindication of this policy in the eulogy offered by Foreign Minister Emilio Arenales Catalan: "Guatemala lost a loyal friend . . . respectful of our sovereignty, but always sincerely interested in stability, welfare and progress of the people."

In the tradition of the Foreign Service, Mr. Mein kept his politics covered. But he was most often described as mildly liberal on economic and social issues and conservative in religion. He was a devout and active Baptist.

Even the people interviewed who disapproved of the Ambassador's easygoing exposure in the capital concede that conditions in the countryside are better now for informal mixing with the people than they have been for years.

One American said, "It would be a great loss if the terrorists succeeded in scaring off the Americans just when they are begininng to be associated with positive reforms."

One theory about the terror activity is that instead of trying to scare the Yankees out, the far left is trying to provoke the Marines to come in.

LEGISLATION TO AMEND THE IMMIGRATION AND NATIONALITY ACT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. REID of New York. Mr. Speaker, I am today introducing a bill to amend the Immigration and Nationality Act to provide that parents of lawful resident aliens shall be eligible for second preference immigrant visas.

Under the present law, parents of permanent resident aliens must qualify as domestics or skilled workers in order to enter the United States permanently. Without question, this works a hardship on many people, particularly the elderly, who wish to spend their remaining years with their children.

By adding parents to the spouses, unmarried sons and unmarried daughters who already qualify for second preference, I think that we would be furthering the goal of uniting families and we would be carrying out the true spirit of the immigration law of 1965.

A BILL TO AMEND THE INTERNAL REVENUE CODE TO ALLOW SINGLE PERSONS THE PRIVILEGE TO PRODUCE WINE FOR THEIR OWN USE WITHOUT PAYMENT OF TAX

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. CURTIS. Mr. Speaker, why should the privilege of producing wine for one's own use without payment of tax be limited to heads of multimember families and exclude single people? This question was posed to me in a letter of July 22 from a constituent, Mr. Millard S. Cohen, who is a bachelor and who had just unsuccessfully completed a yearlong dispute with the Internal Revenue Service where, in an almost comic sequence of events, was denied first the privilege of producing wine for his own consumption without taxation, and then after offering to pay the tax was refused permission from the Alcohol Tax Division of the IRS on the grounds that his apartment and equipment were less than adequate for a commercial wine operation.

Most of us would have given up, as Mr. Cohen was confidentially advised to do by an Internal Revenue agent in an attempt to be helpful. However, we should be grateful for citizens like Millard Cohen who refuse to knuckle under such odds. Because of Mr. Cohen's persistence the matter has now reached the U.S. Congress for needed review and hopefully for amendment. I am introducing legislation today for this purpose.

I would estimate that most of the corrective legislation I have introduced in Congress has arisen from similar constituents' complaints although encompassing a much larger area than in this particular case. The individual citizen, the one who feels the effect of a law or regulation, is often a far better judge of that law's fairness than are the legislators and the administrative agencies.

The legislation I am introducing today would amend section 5042(a)(2) of the Internal Revenue Code to extend the privilege to produce tax-exempt wine to single-member households as well as multiple-member households. I think that Mr. Cohen's logic was sound when he reportedly asked of the Internal Revenue Service:

> Is it your contention that a glass of home-produced wine is to be afforded only to married citizens of the United States.

If ever there was a reason for this distinction I think that it has lost its vitality today, and that the Congress ought to review whatever reasons exist for limiting this privilege to "heads of any family" and decide whether or not we want this distinction in our laws to continue.

According to the Treasury Department, in a letter to Mr. Cohen, the statute on "family wine" first appeared in title IV, section 402(b) of the Revenue Act of 1916 (40 Stat. 784) which reads:

> Nor, subject to regulations . . . shall the tax imposed by this section (the excise tax on still wines) apply to the wines produced for the family use of the producer thereof and not sold.

The regulations set down by the Treasury in 1918 excluded single persons unless they were the head of a family. The law was amended in 1954 to read "head of any family."

Thus, the operative words which restrict single people are those imposed by executive regulations. It is clear that under the original statute, and as amended in 1954, the regulations regarding "family use" could as reasonably include single member families as well as multimember families. Despite this fact that the controverted language is executive created, over 50 years of operation under it has solidified it to the strength of statutory law, and it is therefore the responsibility of the Congress, and not of the Internal Revenue Service, to make whatever changes may be necessary.

In their letters to Mr. Cohen, which I shall place in the RECORD following these remarks, Treasury officials point this out. However, their claim that they have no authority to change these longstanding regulations is interesting and ironical. It makes baloney out of their recent unilateral alterations of IRS regulations regarding taxation of advertising income of publications of nonprofit institutions which have stood for about 18 years, and of their unilateral changes of the regulations relating to taxation of industrial development bonds, which have been on the books for about 10 years, and regulations regarding prepaid insurance premiums which have also been longstanding, and many others.

Nevertheless, whatever the motivation of the IRS, I am happy if in this instance they are deferring to the judgment of the Congress, even though it seems clear to me that the Congress' language could have been interpreted broadly. Congress should now clarify its intent. I hope that my bill will be a vehicle for this purpose.

ANALYSIS OF BILL

The bill I am introducing today is quite straightforward. The present language of section 5042(a)(2) reads:

> FAMILY WINE.—Subject to regulations prescribed by the Secretary or his delegate, the duly registered head of any family may, without payment of tax, produce for family use and not for sale an amount of wine not exceeding 200 gallons per annum.

My bill would amend this section by simply adding the words "including a single member family" after the words "head of any family."

The purpose of the bill is to insure that any single person, male or female, has the same tax privileges as a married head of a family. It is written so as not to allow each member of a multimember family living together to claim an allotment, but only the head of that family.

In taking up this matter Congress would be wise to review the nomenclature used by the various Federal agencies with a view to improving its precision and reducing confusion. For example, the Bureau of Labor Statistics considers a single person living alone as the "head of a household" but not as the "head of a family." The Internal Revenue Code uses "head of a family" in this excise tax pro-

vision regarding home production of wine and uses "head of household" under the income tax provisions. The social security and welfare laws define the terms differently still. In each context each term has meaning, but greater understanding may be achieved for developing uniform meanings for these terms.

The above-mentioned letters follow:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., October 20, 1967.

Mr. MILLARD S. COHEN,
University City, Mo.

DEAR MR. COHEN: Your letter of September 20, addressed to Secretary of the Treasury Henry T. Fowler, asked for an explanation as to why a person's marital status is the determining factor that governs whether he may or may not produce wine for family use under the exemption provisions of 26 U.S.C. 5042 (a)(2).

The provisions for production of wine for family use, free of tax, first appeared in Title IV, Section 402(b), of the Revenue Act of 1916 (40 Stat. 784), reading:

". . . nor, subject to regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall the tax imposed by this Section (the excise tax on still wines) apply to wines produced for the family use of the producer thereof and not sold or otherwise removed from the place of manufacture and not exceeding in any case two hundred gallons per year."

Regulations implementing this law were issued in 1918, which in pertinent part stated as follows:

"The exemption does not apply to . . . (b) wine produced by a single person, unless he is the head of a family; (c) wines produced by a married man living apart from his family, and not for the use of that family, as in such case the wines are not made for family use; . . . ." "Each person entitled to and desiring to avail himself of the exemption must file a notice with the collector of internal revenue before commencing to manufacture wine."

Similar provisions have been included in all subsequent revisions of the regulations concerning production of wine for family use.

The law was amended in 1919 to specifically provide for the registration by producers of wine for family use. This change was designed to clarify the authority for tax assessment on illegally produced wine. The law was also amended in 1954 to include the words "the head of any family" in the statute, to further clarify the intent of the law.

As stated above, the exact wording of the law and regulations has been changed over the years; however, the basic requirements governing the production of wine for family use without payment of tax have remained unchanged since 1918, except that during Prohibition all such production was illegal. Therefore, it is not one's marital status, but whether or not he is, in fact, the head of a family that establishes his privilege to produce wine without payment of tax. The exemption has always been tied to the production of wine for family use, as distinct from production for individual use; and in view of the wording of the law we can not administratively extend the exemption to a single person who is not the head of a family.

We hope that this will clarify any previous misunderstanding you may have had relative to the basis for a person's qualifications to produce wine for family use. However, if you have any further questions in this regard, please advise.

Very truly yours,

HAROLD A. SERR,
Director, Alcohol and Tobacco Tax Division.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., November 17, 1967.

Mr. MILLARD S. COHEN,
University City, Mo.

DEAR MR. COHEN: This is in response to your letter of October 24, 1967, in which you ask for comment beyond that given in our letter of October 20, 1967, relative to why a single person, who is not the head of a family, is not permitted to produce wine for his own consumption without payment of tax.

The exemption providing for tax-free production of wine for family use was enacted into law by Congress, after conferring with parties who indicated an interest. Since Congress did choose to limit the exemption to the production of wine for family use, a further extension of the privilege to single persons, who are not heads of families, may be granted only by Congress through amendment of the law.

I regret that we, as a part of the Executive Branch of the Government, are unable to tell you "why" the Congress, i.e., the Legislative Branch, drew the statute in its present form. We have searched but are unable to find any legislative reports which supply the background you desire.

Very truly yours,

HAROLD A. SERR,
Director, Alcohol and Tobacco Tax Division.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., July 16, 1968.

Mr. MILLARD S. COHEN,
University City, Mo.

DEAR MR. COHEN: In the course of our correspondence you raise certain questions which you believe are relevant to why you were not found eligible for the production of wine for family use, exempt from payment of tax.

The law governing the production of wine for family use provides that the Secretary of the Treasury or his delegate prescribe the regulations implementing the statute. The Alcohol and Tobacco Tax Division drafts the regulations covering alcoholic beverages. Such regulations implementing any part of the Internal Revenue Code are issued after approval by the Secretary of the Treasury and, except under special circumstances, after public notice. The regulations are being constantly reviewed and modifications proposed, within the limitations of applicable law, to meet the needs of both the government and the public. Many of the changes result from suggestions made by the public, while others are initiated by us when the need becomes apparent.

In the case of either single persons or married persons, the exemption from payment of tax on wine produced for family use is extended only to heads of families. This is provided for by law, Section 5042, IRC. What constitutes a family has been defined in many court decisions. We believe the present regulations implementing the statute are fair, equitable and proper.

The decision not to extend the privilege of producing wine without payment of tax for use by single persons who are not heads of families was made a half century ago, when regulations were formulated implementing the law which first imposed a tax on the production of wine.

In view of the specific language of the present statute and our long and consistent adherence to this concept, we are of the opinion that this may not properly be changed unless the statute is changed by Congress or unless the regulations implementing the present statute are declared improper by a court of competent jurisdiction. Until such actions occur we do not propose to initiate any changes in the regulations governing the production of wine for family use.

Very truly yours,

HAROLD A. SERR,
Director, Alcohol and Tobacco Tax Division.

WHICH?—REBELLION OR REVOLUTION

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. EDWARDS of California. Mr. Speaker, there is much talk now about the communications gap between young and old—and surely there is much validity to this. In a personal essay, an old friend of mine, Mr. Harold L. Mack, of Carmel, Calif., has touched upon this gap and the rebellion of young people today, a rebellion, as he says, directed at the failure of institutions as well as individuals to keep pace with the modern world the youth of America are faced with and must work with for meaning and quality in their lives. Mr. Mack also delivers a warning, however, and that is to take care and guard against a completely destructive view.

These are wise words, put forth calmly and reasonably; and, under unanimous consent, I place Mr. Mack's comments in the RECORD. The essay follows:

WHICH?—REBELLION OR REVOLUTION

Youth all over the world is in rebellion and in my opinion for good and sufficient reasons. The war in Vietnam is the trigger which touched off this long simmering unrest, a war which demands that youth be called upon to make the supreme sacrifice for a cause he firmly believes to be wrong. But above and beyond the war and basic and most important is that customs, laws, religions, political systems and economic processes are in many ways obsolete and have failed to keep pace with the growth of human knowledge. Youth is called upon to live his life in support of causes resulting from the clash of one illogical ideology against another. He must put up with the world mess he faces and for which mess he is not responsible. He rebels against the status quo his elders have imposed upon him and who insist on preserving for their own pleasure and enjoyment. Youth today is facing a world not of beauty, not of hope, not of love, but a dreary world of useless strife, illogical thinking, run by political self seeking hacks and offering him disillusionment, soul hunger and frustration. It's a hell of a mess he is facing and the older people who safely entrenched in their havens and with the power on their side are not going to give up their privileged position without a fight.

However, it is vital that youth does not turn his rebellion into revolution. There is a vast difference between the two. Revolution has only complete destruction as its aim. It would destroy the good along with the bad. It would scuttle the ship to get rid of the rats. Much in the world today is good and must be preserved. Rebellion by youth should have as their goal the ability to discriminate between the good and the bad. Rebellion must not follow hot headed demagogues who usually show up in rebellious times to take over legitimate rebellion and turn it into destructive revolution. College students must exercise great care that this does not take place. They must be sure that

those who try to take over leadership are not doing so to promote their own ideologies which are generally as bad or worse than the regimes they wish to overthrow.

People all over the world must be allowed to live a life of dignity and not be soul starved by obsolete business practices, not be pestered by obsolete laws and not be in danger of having their life snuffed out by the death dealing devices we are constantly developing.

Use the education you have received at your university to learn what is wrong with the world. See that the curriculum at your university is made to include, among others, the following subjects.

I. A study of the way machines may be used at full capacity to bring to all the people in the world the benefits they are capable of accomplishing. Machines today are being used at only a small part of their capabilities in order to conform to an economic system which depends upon scarcity to insure profits to their owners.

II. A study of the many religious bigotries and superstitions which have been responsible in the past for more killing, hatred and intolerance than any other single cause and are still today a main factor in keeping millions of people all over the world ready to kill each other because of religious differences.

III. A study of human behavior and its relation to economic and political systems in order to understand whether a particular type of political system can meet the human aspirations and desires—or whether the system is self defeating because of its failure to meet basic human aspirations.

These are a few of the subjects which universities should add to their curriculum and which students should study and discuss so that their rebellion may be put into useful channels and not degenerate into childish and immature demonstrations which are bound to play into the hands of demagogues and result in destructive revolution.

So I say to youth—keep up your rebellion but don't let it degenerate into an obscene mess of filth, hatred and destruction. Don't let rebellion turn into revolution. If you do—you will find that revolution will destroy you along with everything else worth saving.

UNITED STATES STEEL CORP. CELEBRATES THE 250-MILLIONTH TON OF STEEL

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. MADDEN. Mr. Speaker, on Monday, August 19, 1968, I was present at the anniversary gathering of steel officials and witnessed the production of the 250-millionth ton of steel produced by the Gary Plant of the United States Steel Corp. This production is a record for any steel plant throughout the world. Production by this plant began in 1909 and the 150-millionth ton mark was reached in 1953 and the 200-millionth was poured July 12, 1961.

Speaking at a luncheon held at the plant on that day George A. Jedenoff, general superintendent, commenting on the record tonnage, said:

I am proud of the many men and women at U.S. Steel who made this record possible. Employes and management have worked hard over the years to develop a competitive team, insuring the continued operation and growth of these facilities. This outstanding production record is proof of their effective cooperation.

This hard-won achievement by the plant employes has not been easily attained in view of rapidly changing technology in the industry with its related problems of investment in, and successful operation of, highly sophisticated facilities. In the months ahead, the proven combination of men and equipment at this plant may be more than offset by a continuation of recent trends in the increasing flow of imported steel into the marketing area of this mill and in the sharp escalation of local property tax costs which must be paid from the sale of products from the mill.

These two factors of foreign steel imports and disproportionate property tax costs are formidable economic obstacles to overcome in our day-to-day objective of making the highest quality product to sell at competitive prices.

Gary, Indiana's big steel plant is one of the largest producers for United States Steel, and provides employment for thousands of residents of Gary and neighboring communities. Facilities include blast furnaces, open hearth furnaces, and a BOP—Basic Oxygen Process—shop, which went into operation in December of 1965.

Gary Steel Works transforms its steel into an estimated 40,000 different shapes and sizes of finished and semi-finished steel which are distributed across the country. Railroad wheels, axles, and rails are included in the finished line.

Mr. Jedenoff also gave some interesting statistics regarding the record-making production of the Gary Works Plant as set out in the following comments:

Just how much steel is 250 million tons? Well, it's a quarter of a billion tons. That's 500 billion pounds—or 99,978 pounds for every man, woman, and child in the state of Indiana. Any way you look at it, it's a lot of fish hooks and beer cans and razor blades. Or any other of the countless products made of steel which serve man and industry and agriculture.

Here are a few slide rule statistics, courtesy of one of U.S. Steel's computers.

If all the steel produced at U.S. Steel's Gary Works since it began to pour steel on a cold day in February, 1909, up to the 250-million-ton record pour at 11 a.m. today, went into just one product, it would have made:

More than 200 million automobiles—or a two-lane bumper-to-bumper traffic jam more than 350,000 miles long, which would circle the earth 15 times.

Or—250 million small tractors—nearly 80 tractors for every farm in America.

Or—one billion 875 million refrigerators, or enough to supply one for every family on the face of the globe today—and all of 'em with lots of room for easy-to-stack beer and soft drinks in cans.

Or—nearly 94 billion toasters, or 250 billion electric irons which, piled on top of each other, would undoubtedly fall down and bury the army of workmen silly enough to try the stunt.

Put it all together into one giant-size package, it would be a little cube nearly 1,000 feet wide and 1,000 feet high and 1,000 feet deep.

That 250 million tons of steel would make 5,952 buildings the size and shape of the 100-story John Hancock center in Chicago. Or to convert it into copies of another leading tourist attraction, it would make about one and a half million statues like the Chicago Picasso, on the Civic Center Plaza.

And finally, for the railroad buffs, that much steel would build conventional railroad tracks to send two trains side by side to the moon, with two others on the return trip at the same time. (And they would be another set of switching tracks for most of the way.) And if they travelled at 100 miles per hour, the round trip would take a little over six months.

As for the number of hairpins that 250 million tons would produce, that'll take another computer.

The Calumet region, the State of Indiana, and the Middle West are indeed proud of the stupendous contribution that the Gary plant of United States Steel Corp. has made toward creating employment, accomplishing mass production, and contributing greatly to the prosperity of our Nation.

AIR SAFETY

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. HALL. Mr. Speaker, a great deal of attention has been focused recently on the subject of air safety. Much of this concern stems from the widely publicized "slowdown" of the air controllers at airports across the Nation. Also concerned in this issue is the relation between commercial and general aviation. Recently I received a letter from Mr. H. W. Arnold, of Carthage, Mo., a private pilot who also is a frequent user of commercial airline services; he has made a prudent and thoughtful analysis of the controversy. I include Mr. Arnold's letter at this point in the RECORD:

JULY 28, 1968.

Hon. DURWARD G. HALL,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. HALL: As a private pilot and also a frequent user of the commercial airline services I would like to make some observations relating to the "crisis" on the airways that has suddenly become front page news.

The complaints of the many who have been concerned about air safety with the overcrowding of air traffic facilities have gone comparatively unheeded for several years. Now that travelers are being inconvenienced and airline revenues are actually suffering, the same problems, long known, are getting all kinds of prominent attention and publicity.

I write you *not* because of the urging of the Aircraft Owners and Pilots Association because I believe that organization, just like the Air Line Pilots Association and the Air Transport Association, in its enthusiasm for support of its own cause may be somewhat prejudiced in its analysis of statistics.

However, I'm afraid that neither general aviation nor the country's airline passengers have the organizations with the resources to overcome an obvious campaign by the airlines to achieve expansion of airway facilities, at the expense of anyone except the airlines, and to then drive general aviation off those same airways. Recent pronouncements by the Department of Transportation, and the recommendations of that department for new legislation, give evidence of the success of that campaign.

The final straw that brings me to write this letter was the reference in Friday's widely published wire service release which inferred that recent lengthy delays at major international airports were created by the overwhelming preponderance of general aviation traffic and then stated that 75% of control tower operations were for the handling of general aviation planes.

I have some figures for the year 1967, taken

from official sources, which show the following:

a. At Chicago-O'Hare, the busiest airline terminal with 588,527 operations, general aviation's share was only 13%. Second busiest was New York-JFK with 451,533 operations of which 15% were general aviation. Third was Los Angeles with 437,533 take-offs plus landings with 20% representing general aviation. These are facilities with 24 hour per day operations.

b. The tower at Opa-Locka, Florida, operating only 16 hours per day, was the busiest in the world with 596,949 operations in 1967 and 98% were general aviation. Have you heard of any complaints of airliner delays at Opa Locka? Or, how about Van Nuys, Cal. which also operates only 16 hours per day and in the same year handled 543,324 flights of which also 98% were general aviation. Similar figures are true for Ft. Lauderdale, Florida and San Jose, Cal.

You can see how by totaling figures and coming up with a 75% average for general aviation operations you can bring the otherwise uninformed public (or legislators) to a conclusion that general aviation is the culprit in the airways mess.

A couple of other points are of interest. As of August 1, 1967:

1. There were only 309 FAA control towers in use, largely confined to airports serviced by scheduled air carriers.

2. There were, on that date, 6,262 *privately* owned airports of record, *not* financed by Uncle Sam, and 3,093 of these were open to public use.

So, please don't get the idea that the big bulk of the taxpayer's aviation dollar is going to the support of the "Sunday Pilot".

On the other hand it should be recognized that a large part of the cost of federal airways operations is for the provision for excellent instrument flight facilities. This includes not just the control tower operations but also the vast Air Traffic Control system which handles the enroute IFR traffic. Air carrier flights are, as a routine matter, covered by IFR flight plans. A very small percentage of total general aviation flights are conducted on IFR flight plans for the simple reason that a minority of private pilots have IFR ratings and so most are prohibited from flying the airways except under VFR conditions. (The formerly available Special VFR privileges have even been recently withdrawn at all major terminals.)

I'm sure there are many pilots, like myself, who do their best to avoid the vicinity of those airports where high density airline traffic exists, particularly at those peak traffic hours when all airlines feel they must schedule departures and arrivals at identical times. Most of us have nightmarish thoughts of a DC-9, on descent or long final approach, running us down from the rear as one did to a general aviation plane near Urbana, Ohio a couple of years ago and another more recently near Lambert Field in St. Louis. Both these incidents occurred under clear VFR conditions.

Next time you have occasion to fly on a DC-9 ask to see the pilot's cabin and the check list he and his co-pilot must comply with during descent and final approach for landing. You'll realize then why these poor devils have little time to be looking for other aircraft. Also note the very restricted visibility from their cabin as compared with that of most general aviation light aircraft.

These conditions also concern me because I have frequent occasions when I travel as a passenger on these planes. I believe the decision to permit these aircraft to operate without a third crew member (pilot-engineer) on the flight deck must have been sold to the FAA by the airlines on the basis of this being a two engine craft. I believe this decision should be reviewed because the difference between two engines and three engines does not necessarily equate to 2 men versus 3 men in the complex manipulations involved in preparing for the landing of a jet aircraft.

I've had the very finest service from the very dedicated FAA controllers and the Flight Service Station personnel that I've come in contact with. I don't mind paying my share for the maintenance, and improvement, of what I consider to be already a very excellent facility.

However, we don't give trucks and buses traffic precedence or tax advantages over private passenger cars on our public highways and I want our public air space shared on the same basis. Why, as proposed by the DOT, should my tax on aviation gasoline be increased by as much as 800% and the tax on my airplane ticket go up 60% if the profit making airlines, who stand to benefit the most, are not to share in paying increased taxes?

One argument for letting all our people contribute to the support of highways is the fact that they are vital to military logistics. By the same token it might be well to note that in fiscal year 1967, beyond the operations at strictly military bases, FAA control towers handled 3,548,386 military aircraft operations. In this period the FAA handled 228,508 instrument approaches for military aircraft, not too far behind the pace of 354,552 such approaches made by general aviation aircraft. (There were 715,635 instrument approaches by scheduled commercial airliners.)

I hope that some of the foregoing may help provide a basis for a conviction that here is a case where your constituents need your strong support in a fight against special favors for special interests.

Out here in southwestern Missouri we don't have very frequent, very fancy, (or even always reliable) scheduled air carrier service. We need to continue to develop and promote our general aviation, with improved facilities, if we are to keep up with the mainstream of this country's progress. Won't you please help.

Sincerely yours,

H. W. ARNOLD.

NATIONAL SEVERE STORMS SERVICE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. ZWACH. Mr. Speaker, on June 13 of this year, a tornado roared into the village of Tracy in our Sixth Congressional District of Minnesota and chewed a good part of that town into oblivion.

Only a timely warning by a farmer who saw the tornado approaching Tracy kept the death toll to 10 lives. Without that farmer's warning, well over a hundred lives could have been lost.

In addition to the lives lost, 25 homes were completely destroyed, 50 suffered major damage, and minor damage was inflicted on 225 homes. Dollar damage to buildings was estimated at just under $2 million.

Four businesses were destroyed, 20 suffered major damage, and 20 minor damage to the extent of another million dollars. Churches and schools were also hard hit. All of this in a town of less than 3,000 population. Many farms were also completely wiped out.

I made an inspection trip to the stricken area the day after the tragedy. The power of a tornado is horrible to behold, but you really have to see the damage to realize the utter devastation it can cause. Houses are demolished, trees uprooted, and crops flattened.

At Tracy, a boxcar was picked off the railroad tracks by the tornado and dropped down again a half-mile away. Mail, from some of the destroyed buildings, dropped out of the sky two weeks later and hundreds of miles away.

We know we have a well-defined tornado alley in this country which starts in Texas, goes through Oklahoma, Kansas, Nebraska, Missouri, Iowa, and Minnesota. My congressional district is at the northern end of the alley and tornadoes are no strangers to my constituents. In fact, while back home during the recent congressional recess, I heard several tornado warnings on the radio.

Perhaps this year-after-year destruction by tornadoes can be stopped. Perhaps a method can be discovered to dissipate them before they attain their destructive fury. Perhaps their paths can be altered to steer them away from populated areas.

We really do not know what we can do about these storms because, although tornadoes, squall lines and other weather turbulances are quite common in many parts of the Nation, scientific knowledge and knowhow is still quite sketchy.

Mr. Speaker, in an effort to fill this knowledge gap, in an effort to lessen the overpowering loss of life and property from these destructive storms, I have introduced legislation to authorize the Secretary of Commerce to conduct research programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting such storms, for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service.

If we can prevent just one tornado from hitting an area such as Tracy, this project will have been proven economically feasible.

I urge my distinguished colleagues to join me in supporting this legislation.

MISS ELLEN FLEISCHER WINS ROBERT A. TAFT MEMORIAL AWARD ESSAY ON ACCELERATED PROGRAM FOR NEGRO ADVANCEMENT

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. TAFT. Mr. Speaker, on Friday, I will have the honor of awarding first prize in the 1968 Robert A. Taft, Sr., memorial competition to Miss Ellen Lee Fleischer, 36 Burton Woods Lane, Cincinnati, Ohio.

Her essay, "Sociological and Economic Advancement for Negroes—An Accelerated Program," is a remarkable paper, as good, if not better than, many I have seen at the highest levels of business and government.

The annual competition, inaugurated in 1963 by the Thomas J. Emery Memorial at the University of Cincinnati, is held to encourage students to write es-

says relating to the principles and practices of government in the United States and the individual liberty of her citizens. This year's topic, "The Economic and Social Status of the American Negro: A Program for Accelerated Advancement," generated a number of excellent papers.

Ellen Fleischer, a 22-year-old June graduate of the University of Cincinnati, majored in the University of Cincinnati's 4-year premanagement program. She is presently employed by the Cincinnati Gas & Electric Co.

Selecting a winner in a competition of this sort is never easy. Mention must be made, therefore, of the other winners, whose papers were all thoughtful examinations of the topic. Second-prize-winner Jerome F. Schmutte, 3918 Grace Avenue, Cincinnati; third-prize-winner Michael L. Walton, 3709 Brotherton Road, Cincinnati, and fourth-prize-winner Robert D. Beam, 262 Greendale Avenue, Cincinnati, can take great pride in their entries.

In her paper, Miss Fleischer calls for a "change in the thinking among all people in America to effectuate solutions to the problems" of the Negro. She declares that "the way out of the ghetto and into jobs which reduce poverty is through education." I believe that her essay is well worth reading.

The essay follows:

SOCIOLOGICAL AND ECONOMIC ADVANCEMENT FOR NEGROES—AN ACCELERATED PROGRAM

(By Ellen Fleischer)

INTRODUCTION

Negroes, sold as slaves, were brought to Virginia in 1619 by Dutch traders. The slaves, for the most part, came from Guinea on the west coast of Africa and Angola, near the Congo. The practice of selling slaves started among the African tribes themselves. For example, the Hausea tribe of North Nigeria, being conquered by another tribe, were then sold by the victors to Dutch traders. Before long, however, a more direct approach was initiated whereby Europeans conquered, captured and sold the Africans, thus eliminating the "middle man". Because large numbers were sold together, the Africans who were brought to South America were able to preserve their own culture. Here hundreds were able to live together and with very little contact with whites their own ethnic background easily survived. While in the United States they were dispersed and thinly scattered with three quarters of the plantations having less than fifty slaves. Because of this they were absorbed into the life of the plantation rather than continuing as a cohesive group.

Life in America for the negro was both strange and terrifying, the obstacles to surmount were endless. All too often the adjustment to life in America depended solely on the character of the plantation owner. This was an unfortunate factor in the metamorphosis of the negro because the personality of the plantation owner was both variable and volatile and this could only contribute to their insecurity. Many slaves died from sheer misery due to the harshness and cruelty of their owners. Hostility developed among the slaves themselves. Newer slaves were resented by older ones because of their being less "Americanized". There was, of course, a new language to learn and an entirely different concept of living to which these people had to adapt themselves. To say the difficulties were horrendous is indeed an understatement of the fact. The most destructive force of all was the breaking up of the clan or family group as the slaves were sold. Without the ties of family the security of these people was shattered and life in this strange country was very difficult. Their fate was determined by the degree to which they became assimilated. In fact, it can be said that many social and economic problems among negroes today had their roots in the tragic effect of separating these people from their families when they were sold as slaves. It would seem that assimilation and isolation were the main determinants of adjustment. And so their culture did not continue, even moral and spiritual beliefs were diluted and dissipated. To try to adapt to the strange world was all that remained. Since the family unit is the prime transmitter of culture it is easy to see how the African culture did not survive. The need to reorganize was necessary in order to fit into the world in which they were forced to live. In South America, however, where the negro heritage survived, there are African religions practiced. The Baptist religion in America has the greatest appeal for the negro as it more closely resembles the rituals and practices with which they are familiar. It has similar forms of self expression.

A feeling of cooperation is a characteristic of most immigrants and their cooperation was influenced by their African tradition. The transition was difficult and the help of relatives and friends, which was of prime importance, was lacking. In the beginning there was a difference between servitude and slavery. The concept of slavery was similar to that of indentured servitude. If one were baptized, one worked for four years as an indentured servant and then got paid. Slavery, however, was work for a lifetime without pay and with lodging and food at subsistence level. In early years negro and white servants were considered equal legally, but factually, that was not at all true. For instance, if a white and negro escaped, the white servant had to work for four more years, the negro had to remain a slave for life. In 1682 a "slave" was defined as anyone of non-Christian nationality, entering the country by land or sea. In an effort to discourage intermarriage, the off-spring of mixed marriages were treated as slaves and both parents were required to serve as slaves for a period of seven years as a penalty. There was a covert if not overt attempt to discourage intermingling of slave and non-slave.

The plantation system was responsible for the concept of slavery in the U.S. In the beginning, the necessary labor force to run the plantations consisted of whites indentured for seven years. The number of workers was inadequate and so a labor force was imported and kept in slavery for life. The plantation was not only an economic institution but a political one as well. The owner was the ruler of the small principality and so was exempt from the laws of the land. As the plantation economy grew in importance, the slave population increased both by slave trade and by natural procreation. There was an increase from 700,000 slaves in 1700 to 4 million slaves in 1860. There was no demand for slaves in the north of the U.S. Inasmuch as slave labor was unskilled, there was no demand for it in the manufacturing economy of the industrial north.

In 1793 the cotton gin was invented and cotton became the all-encompassing industry of the south. The plantation industry developed and expanded all through the Gulf states. Plantations became the foundations of southern culture. It was inevitable that the industrial north and the plantations of the south would have very different opinions, both toward economic and moral issues. The gap between the north and south of the country widened because of the difference in attitude toward "slavery". For the south, slaves were a vital and very necessary part of their economy. For the north, slavery was a moral issue and one which they could not condone. The south's concept of a negro was only as a slave and, due to all the restrictions imposed upon him, slavery was his only recourse. The slave was necessary to the southern system of coercive capitalism but to the north it was morally incomprehensible and so was the background for the breach that finally resulted in war.

Negro slavery was a political and an economic factor. It was also a social phenomenon which established race relations then and is in no small part the background for the pattern of race relations through the history of the negro in America.

There developed factors which set the trend of life for the negro in the United States. The social organization and African background was broken up and, as the negro was brought to the U.S. in small numbers, he was not assimilated but isolated. There was no substitute for a lost culture—only a void. The displaced negro was further displaced by rapidly changing technology. For a time his services or labor was of utmost importance. However, an economic conditions changed, his skills became obsolete and again there was nothing to replace old skills—only a void. The very environment existing then, and to a lesser degree now, harshly limited possibilities for development and progress. As the negro moved North to the big city ghetto, his problems and limitations followed him. As death control outran birth control population increased in most areas. Importantly, the ghetto population increased very rapidly and introduced population pressure to the existing pressures which only accelerated the rate of unhappiness and discontent. The situation started out badly and continued to get worse for the negro. This cycle must be stopped and is being stopped. Suggestions for improvement must be made but they will have to include not only changes in tangible areas but changes in intangible attitudes and prejudices. There needs to be a change in the thinking among all people in America to effectuate solutions to problems of this magnitude.

PROGRAM FOR ADVANCEMENT

Education

"Social evolution is a consequence of technical evolution".[1] The technical evolution is well underway for the vast majority. The problem is to bring this evolution to those who need it most—the poor, the unemployed, the ghetto dwellers. A key to unlock this door which stands in the way of progress is education. Education for the negro is of crucial importance because through education the negro can gain the skills which will enable him to enter the labor market and participate in the technical evolution. Employment and all of its economic and social ramifications will enable the negro to see and understand and take part in a social evolution which is so badly needed. The way out of the ghetto and into jobs which reduce poverty is through education. Therefore, since schools are so important in the endeavor to wipe out unemployment and poverty, there should be legislative and moral pressure for desegregation of schools. Educational opportunities should be equally available to all, not only in ease of access to them, but also in quality. Definite attempts to reduce the number of dropouts through positive incentives to remain in school should be stressed. Let young students know of the opportunities available to them if they stay in school. Let the business community allow this information to disseminate through the schools systems. Let local groups speak to students to try to convince them of the need for an education to get a good job. There must be great emphasis on remaining in school and this emphasis is necessary to compensate for lack of positive incentive to remain in school given at home. When parents, along with officials and business leaders all stress the same goal, it is more likely to be achieved.

Along this line would be continuation of programs like Headstart. If underprivileged

[1] L. A. White, "The Science of Culture". Farrar, Straus and Cudahy, 1949.

children are given a chance to catch up scholastically and culturally, then there is again more incentive to stay in school. They will not feel that they are behind the rest of the class and thus become discouraged and quit when they are legally able to do so.

Attention should be given to the practical part of education—vocational training. The need for this type of education can readily be seen by the student and he may be significantly more interested and motivated to learn skills which he can use in getting a job. Perhaps a co-op system could be initiated in high school similar to the co-op system used in colleges. The student could be trained for a certain length of time then he could go out and gain experience in work. This work-school process would alternate until the student graduated from high school. This program has the advantage of showing the student what work is like, allowing him to earn money, and at the same time, show him the need to increase his knowledge so he can move ahead in his job.

A concerted effort should be made to eliminate illiteracy completely. Adult education should be available and adults should be strongly encouraged to attend these classes. Employers could suggest adult education to the employees and show the positive correlation between job advancement, promotion, higher wages stemming from education. Adult education could be promoted on an incentive plan just as increased productivity is encouraged by incentive plans. With strong emphasis on education, better jobs and reduction of poverty can be achieved.

Through their history in the U.S., negroes have had disproportionate representation in agriculture and low level skills. The technological evolution hit agriculture and displaced many small farmers. There have been massive changes in the labor market and a decline in the need for lower level skills. The demand for labor has been skewed to the more skilled sector. These changes mean that there must be increased training and preparation. Education is necessary to adapt to the changes and profit from them. High school graduation should be the target goal because less education than that results in higher unemployment rates and increasing economic and social disadvantage in a continually changing and technically oriented society.

Employment

Employment can be the cure to poverty. However, if this is to be true, education must precede employment. The skills of today must be learned and access to learning should be free and easy to attain. Employment can also be used as a stop-gap to poverty on a temporary basis. Business can hire the hard core unemployed but the effort and impetus must be stimulated by total commitment to the goal of hiring all who seek employment. Stimulation can also come from the government, possibly in the way of tax credits for business which hire and train unemployed. This, or some other kind of economic incentive, is needed because of the drain on resources and productivity resulting from lowering hiring standards. The drain would be a short term setback but it could result in a long term gain to all of society, similar in idea to Friedman's "neighborhood effect".

Some of the problems concerning employment and "Negro Economics"[2] can be illustrated by statistics: white unemployment rate is 3.5% while negro rate is 6.7%—it is probably even higher due to hidden unemployment, frictional unemployment, and subemployment. About 50% of negro families have incomes under $5000 a year—more than double the proportion of white families. About 40% of those on welfare are negro—a disproportionate amount for a minority group which constitutes 18% of the population in the United States. About 30% of homes of negroes are substandard. Negro education is unequal and generally of lesser duration than that of whites. All of these facts strongly illustrate the need for a change—in institutions, in business, and in attitude of all people, blacks and whites. Remedies for unemployment include not only hiring but also training, elimination of discriminatory barriers; encouragement of business to build in the ghettos and employ the people who live there; government assistance to those businesses which initiate action of this nature. Government incentive to businesses which offer incentive to ghetto dwellers is economically necessary and socially desirable. No one segment of the economy can fight massive poverty or unemployment. Complementary action of the government and private sectors is needed.

Once education and employment are achieved, negroes can be economically independent, they can turn their full attention to social equality. It would seem that once a minority has proven itself there would be a significant lessening of discrimination based on myth because these myths would be destroyed. Educated employed people can respect themselves and gain the respect of others. A view in direct conflict with the Kerner Report is held by Professor Killingsworth of the University of Michigan who feels that class discrimination is more pervasive than race discrimination.[3] If his view were correct, then drastic reduction of discrimination would result from economic independence of negroes. Economic independence could be more easily gained than social independence so if there is a casual relationship between the economic and social, then one would logically follow the other; this has yet to be substantiated.

The issue remains that investment in people in the form of education and training is of vital importance. The minimal effect would be to greatly reduce poverty and unemployment in future generations. This can be done, as can alleviation of poverty now in this generation. It takes planning, organizing, thinking and acting. Eliminate the gross causes of poverty and the lesser causes will disappear too. Since the problem is so important, it takes participation by everyone to accomplish it. If this could be achieved so people could know each other in the aggregate, then perhaps the goals of individuals could also be fulfilled. There must be equality of financing for small businessmen. Discrimination exists in a de facto sense, and also in the geographical location of prospective businesses. This must be eliminated to allow the entrepreneur to exist and prosper in the ghetto and out.

The negro is the last immigrant group to come to the cities. However, they have not gone through the same cycle as other minority groups, they have been held down due to visual differences. Other immigrants were assimilated, the negro is shunted out of the mainstream before he gets a chance. If this is stopped, the negro will have opportunities to help himself.

Housing

Housing improvements can be the quickest to be instigated as a sign of sincere effort on the part of legislators and local communities toward desegregation. Education and employment take time to achieve their ends but passing laws prohibiting de facto segregation in housing (and other facilities) can have a more immediate impact. On the local scale, real estate and financial institutions can revamp policies to ensure that there is equality in dealing with all people. Home financing should have the same down payment, mortgage, and other arrangements for all people. Ability to pay should be the only determinant of loans—not skin color or religion or nationality.

Federal housing projects can help alleviate existing conditions by constructing low cost housing in various areas randomly so that as slum clearance is initiated, families can move out to different areas and thus avoid setting up another ghetto in a different location. Breaking up the ghetto and scattering its inhabitants would make for a more heterogeneous society, a desegregated society where people could live in any part of town they chose.

Where the government cannot set up housing projects, incentive should be given to private business to do so. This incentive could also be in the form of a tax credit or low interest loans or other economic reward for undertaking a socially desirable operation.

The issue of prime importance here is the necessity of ending de facto discrimination on an absolute basis. After discrimination has been done away with, preferably by law at first, then by general acceptance, policies can be enacted to further scatter settlement patterns in cities. Housing information should be readily available to all newcomers and those considering moving. If necessary, government subsidies should be available to private business to encourage housing construction which is integrated and low in cost.

Ghetto conditions must be alleviated. High crime rates, poor housing, poor health, "exploitation" by local merchants, are all symptomatic of the crowded and restricted way of life forced upon a minority group. Ghettos developed from urban migration of formerly rural negroes—a movement based on a dream of better things to come in the big city—but the dream fell apart when the harsh realities of discrimination and prejudice precluded negroes from urban advantages. The very concentration of negroes in one area has to be a result of social and economic forces working against them. It is of paramount importance therefore that in slum clearance and housing developments negroes are encouraged (financially and socially) to move to different areas. The ghetto pattern must be changed. Negroes can move out and, as slums are cleared and rebuilt, whites and blacks can move back into the city if they so desire. The important point is that there must be free access to various parts of the city for all groups. Intermingling and heterogeneity are the keys to getting to know members of minority groups and getting to know and understand people is the way all society can work together to help everyone. Housing reforms are of vital importance for they can be the link to a mutual understanding through contact of all groups with all groups.

Welfare

The welfare system is in dire need of reform. As it stands now, there is positive incentive for families to break up in order to collect needed relief. This is just what should be avoided: family unity is very important to the development of children and parents. As welfare is now, money is channeled away from its most productive and efficient route. The system is bogged down by administrative costs and what is given out is insufficient. It has been said that only one dollar out of five ever gets to those who need it. This rate of return to the poor is deplorable—there is no justification for it, based on costs of administering relief.

Policies like the negative income tax or the guaranteed annual income are a step in the right direction. The negative income tax pays money to those poor who are below a standard money income. This system has merit because it provides incentive for families to stay together and earn more. Due to the scaling of the rates, as income earned increased, the amount paid out by the government decreased, but at a proportion calculated so that one would be better off to earn more and collect less than to sit back and only collect tax payouts. This system maintains the family at a certain level of living and is flexible enough so that when

[2] Sylvia Porter, "Your Money's Worth". Post-Times Star, Cincinnati, 1968.

[3] Professor C. Killingsworth, in a seminar given at the University of Cincinnati, May 6, 1968.

income levels change, the tax paid out changes in relation. The guaranteed annual income has the same effect. The object is to maintain people above the poverty level yet provide incentive so that they will not be content to avoid earning money and live on the dole. It is said that these systems, which are more comprehensive than welfare as it is now, would in the long run be less expensive to the government. This system also has the advantage to the poor of giving them the most usable form of relief—cash, not farm subsidies or other forms of relief which are less liquid.

Poverty, "or income level which falls markedly behind that of which the community . . . regards as a minimum necessary for decency,"[4] is what in some of the above ways must be stopped. This is what welfare is for—its raison d'être. The cure for poverty is basically investing in people. If this could made profitable, then there would be no poverty for there would be ample investment but unfortunately the dividends are paid in human decency which is not lucrative, even though it is right and proper.

Welfare can offer temporary relief to the poor, but the goal is elimination of poverty. This can be accomplished through education, training, job opportunities and an end to discrimination of all kinds.

CONCLUSION

After the Civil War, the Emancipation Proclamation freed all slaves. However, socially the negro was still an uneducated, poor, unskilled person unfit for the changing life of that era. The big migration of negroes to the cities came in about the 1920's as a result of World War I. The negro came to the city but he was held back by restrictive legislation in the form of Jim Crow laws. In the early period of city life, the negro "knew his place" and accepted the system of white dominance. Things have changed today, as well they must. The transition from slavery to freedom was in name only but the real transition came with the decline of predominantly negro subsistence-agriculture. Due to technology, small farmers were all but eliminated and their skills were unfit for city life. Without skills and knowledge negroes were forced to work wherever they could. They remained untrained and uneducated as a result of racial discrimination. Now there needs to be a concerted effort to change the stagnation of this minority group. It must be changed into a dynamic and productive and satisfied part of American society.

Assimilation into the mainstream is needed and can be achieved through these factors: income levels raised to standard, education improved in quantity and quality, occupations open according to skill of the individual, residential freedom, associational membership freedom, consumption freedom, and dispersion freedom. There needs to be a convergence of negroes and whites in economic and social and political realms. Kenneth Stamp stated the situation truely when he said "The negro is a white man with black skin". There must come a realization that all people have goals and feelings and needs and they are all important to each person. Working conscientiously toward freedom and equality, these goals can be achieved.

It is very difficult for one group to understand another, especially when they do not want to or do not care to trouble themselves to do so. Prejudice is the easy way out. But what comes easily is not usually worth getting.

When there are riots, they are often blamed on one incident but generally this is not the real cause. It is human nature to want a chance, the opportunity to prove oneself—and it is everyone's right to have such a chance. Perhaps if these people were given the opportunity to catch up with the rest of society they would cease to protest. Riots are just as wrong as what has caused them and violence is not the answer. Real progress can be made through cooperation and hard work. This is the way to progress for blacks and whites because both groups need to change their thought patterns and actions.

Maybe all men were not created equal but there is no inequality inherent in skin color. Men differ in ability, wisdom, talent and capability but these differences know no race, no religion, nor nationality. It is indeed true that a "Negro is a white man with black skin" just as the reverse of this quotation is true.

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EMPLOYING THE UNEMPLOYABLES

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. CURTIS. Mr. Speaker, an article in the August 12 issue of the Wall Street Journal describes the success of hiring the hard-core unemployed for assembly line production by the automobile industry in Detroit.

The results were surprisingly similar to regular employment programs. The companies have retained 60 percent of the hard-core workers, a rate comparable to that with other hourly employees hired during the same period. The performance of the hard-core worker is at least equal to that of the regular employee.

Auto officials admit that they may have miscalculated the potential of chronically jobless workers. It may be difficult to tell whether or not the job outlooks have changed, but they certainly look more hopeful. Many of the workers interviewed at the automobile plants find that the new job gives them a chance to straighten out their lives.

I have long believed that those designated "unemployable" can be made employable through proper training and education. Experience has shown that the private sector, particularly business, can efficiently and effectively turn the hard-core unemployed into valuable, productive workers. I have sought to stimulate this process through legislation designed to help private enterprise help the unemployed. Among these are the Human Investment Act of 1967 and the Employment Incentive Act of 1967. I think this article is a good indication of the progress that can be made in providing training and jobs to those who need them.

The article from the Wall Street Journal follows:

A NEW LIFE: UNEMPLOYABLES HIRED BY DETROIT CAR FIRMS SURPRISE THEIR BOSSES—PERFORMANCE OF EX-CONVICTS, HEAVY DRINKERS IS EQUAL TO OTHER WORKER GROUPS—"THEM CHECKS COMING IN"

(By Kenneth C. Field)

DETROIT.—Spike, a lean and balding Negro of 42, had been a "hustler" since 1949, when he quit his last regular job. He shot craps, sold narcotics, sponged from various women and friends and slept in automobiles when times were tough. Along the way, there were prison terms for narcotics violations, assault, shoplifting and breaking parole.

But last September General Motors Corp. hired Spike as a press operator at its Pontiac, Mich., plant. As part of its civil rights effort—and to fill a need for new workers—the auto giant had relaxed its hiring standards in a deliberate attempt to employ the "hard-core unemployed."

"Things got tough in the streets, so I took this job," Spike explains. "I figured I'd work a couple of weeks, make a little money, then quit." He pauses. "Then them checks started coming in . . ." Spike is still on the job.

The big auto companies have pioneered in the effort to pluck new workers from the bottom of the employment barrel. Interviews with several dozen of the workers and with company personnel officials show that the gamble has been strikingly more successful than anybody expected.

AT LEAST EQUAL

"Their performance on the job is at least equal to that of the regular employe," says Theodore B. Bloom, personnel director at Spike's plant. Since September the Pontiac division has hired 379 "unemployables." About half have quit or been fired—a turnover about equal to that of other auto plant workers at GM.

Ford Motor Co., which opened two hiring centers in Detroit's ghetto last fall, says it has retained 60% of the first 5,700 hard-core workers it hired, a rate comparable to that with other hourly employes hired during the same period. "We made a conscious decision to take a bath on this," says John Denman, manager of Ford's urban affairs department. "In every category we were most pleasantly surprised."

Many of the workers see the new job as a last chance to straighten out their lives. "I've been up and down all my life," says Reggie M., a 30-year-old Negro hired by GM as an assembler despite his prison term for shooting at a policeman. "My life has been a seesaw."

Reggie quit school when he was 16 because "my family needed money, even though my dad was working." He blames a poor education for his previous job record—a succession of bus boy and table-waiting posts that he quit "because they didn't pay me enough and they had lousy working conditions."

BLUE TO WHITE COLLAR

But now Reggie is ambitious. He already has moved off the assembly line to a job as a machine welder, and he hopes to get a white collar job, "like a counselor or sales representative." Eventually he intends to study astrology and psychology and possibly "open an office as a horoscope consultant."

For Rohne Miller, a 20-year-old Detroiter hired as a GM assembler last May, drinking had been a problem. "I wanted to go into electronics by studying at the Detroit Insti-

tute of Technology," Rohne recalls. "I got drunk and didn't make it. I spent too much time partying." Now Rohne is trying to mend his ways.

Auto officials acknowledge that they may have miscalculated the potential of chronically jobless workers. "Many of these guys merely have been underemployed," says Lawrence J. Washington, a Ford employe relations executive. Another industry man says, "Apparently if you're a Negro and unemployed, you're automatically considered hard-core."

Actually, not all the hard-core workers are black. Chrysler Corp. recently hired a white alcoholic, 45 years old, who once had been with Studebaker. He has had three "lost weekends" at Chrysler, each lasting a week, but the company is keeping him in the pre-employment training program. "I've invested too much time in this guy to lose him," says his counselor, who, ironically, is a Negro.

AN EX-CON GOES STRAIGHT

A fair number of the hard-core workers are ex-convicts. "This is my last shot and I can't afford to blow it," says Harold D. Howard, who had spent 26 of his 44 years in prison before he was hired as an assembler last February. Harold, whose past jobs included "digging holes," shoveling snow and loading boxcars, is grateful to his new supervisor. "I'll make this job kill me before I let this man down," he says.

That kind of gratitude isn't universal. "This foreman of mine only wanted to train me for five minutes, then expected me to be as good as an old-timer," says Lonnie M., a 20-year-old Chrysler assembler. Lonnie says he almost quit because of the foreman's demands.

Bob B., an 18-year-old assembler at another Chrysler plant, suspects discrimination. "When a white boy messes up, the foreman calls him aside and talks real nice to him," Bob says. "When I do something wrong, he yells at me clear across the floor."

The auto companies acknowledge that attitudes among lower management men occasionally need revising. A Ford official, briefing recruiters, was asked by one, "How do you know a guy with an African hairdo isn't going to blow up the plant?" A Negro consultant was asked about this problem. "Do you think that every girl you see in a miniskirt is promiscuous?" he commented.

Though the employment record of the hard-cores equals that of other workers, both Ford and GM are trying to find out why those who quit do so. At GM's Pontiac plant, 91 of the 137 who have left "just walked off the job and never showed up again," a personnel man says.

One lanky 31-year-old who left Ford after collecting two or three checks (each for about $111 take-home) decided he could do better by having his wife collect welfare checks. "Between it (welfare) and what I can hustle, I'll be better off than working," he says.

Some find assembly-line work too hard. "When I first started in May, my hands were so swollen up I couldn't make a fist," says Bill K., a 24-year-old assembler at Chrysler. "I was going to quit until my foreman talked me out of it."

Some leave because the future prospects seem slim. "You can qualify for a job here all right," complains Harry Palmer, a 36-year-old ex-convict who works a metal sampler at Ford's iron foundry in Dearborn. "But if you don't have a diploma you don't make progress fast enough."

Firings, which account for fewer departures than the men who quit, usually stem from absenteeism or insubordination. "Its generally a case of a guy getting paid on Thursday, putting on a blast, then not being able to make it to work until Monday," says a Chrysler personnel man. "With his overtime, he's often paying more money in taxes than he made on his previous job. What can you expect?"

Many a check is used to celebrate the new affluence. Bob B., the 18-year-old Chrysler worker, gave a party with one $136 check. He invited so many people that he rented another house to accommodate the overflow.

But most spend their money on more urgent needs. One man who had been out of work for seven months before Chrysler hired him used most of his first check (for $111) to buy shoes and work clothes. Lonnie M. sends part of his pay to his mother in Mississippi, and he is looking for a house, "so I can bring her up here." Herman Wicker, a 42-year-old father of six, is saving to buy a house.

Whether the new jobs have changed the fundamental outlook of the hard-core workers is hard to tell. But there are hopeful signs. Many of the ex-convicts are agreeably surprised that big companies would hire them.

"I didn't think I'd be given a chance," says James Carter, a 21-year-old parolee. "I'd been in the pen and I didn't have any work experience. I was scared because I didn't finish high school." GM hired him in May.

Others say their attitude toward another summer "rebellion" in Detroit would be different this year. One truck assembly plant worker at Chrysler says he helped himself to free groceries during last summer's rioting because "everyone else was." But now that he has a job, he says, "I'm through with all that."

THE FLORIDA ATTORNEY GENERAL PLANS FURTHER FIGHT AGAINST ORGANIZED CRIME UNDER PROGRAMS OF NEW FEDERAL LAW

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. FASCELL. Mr. Speaker, one of the purposes of the Omnibus Crime Control and Safe Streets Act of 1968 is to assist State and local governments to strengthen law enforcement, with special emphasis on programs and projects dealing with the prevention, detection, and control of organized crime.

I am pleased that the attorney general of the State of Florida has early moved to implement the purposes of that legislation by planning a new program, which is designed to fight organized crime, by establishing special units for that purpose within State prosecutors' offices, and that this is proposed to be done under grants to be made available under the Omnibus Crime Control and Safe Streets Act.

The Palm Beach Post for September 2, 1968, carries an article which briefly describes the Florida attorney general's proposal. Because I believe it will be of great interest to all Members who have supported the legislation, I am submitting that article for the RECORD. It is as follows:

FAIRCLOTH OUTLINES PROGRAM TO FIGHT ORGANIZED CRIME

TALLAHASSEE.—Atty. Gen. Earl Faircloth Sunday proposed a new program to fight organized crime by setting up special units within state prosecutors' offices.

He said his office would provide training to the local officials with federal funds that will be made available under the new Omnibus Crime Act.

He said the program would include establishment of an organized crime training school for prosecutors, creation of a central repository for organized crime intelligence in Florida and development of a coordinated effort among prosecutors, administrative agencies, the Legislature, grand juries and citizens' crime commissions.

"I believe this program will insure careful investigation and successful prosecution of organized crime figures in this state," the attorney general said. "I also believe that its implementation will soon make Florida the state that mobsters will avoid.

"Effective police work and effective prosecution are the keys to an effective campaign against organized crime. I think our office can do much to provide the keys we need."

He said special federal agents would be used to teach at the training school so students can "delve minutely and comprehensively into each of the areas where organized crime has gained a foothold."

The program would lead quickly to a "legislative program, both practical and realistic, that can be both justified and enforced," Faircloth said.

He said the effort would be aimed primarily at large cities, but prosecutors from all over Florida would be allowed to participate in it.

He said he has already discussed the program with Mack S. Futch of Gainesville, president of the Florida Prosecutors Association, and with prosecutors from Jacksonville, Tampa and Miami, and their reaction "has been excellent."

"The prosecutors made it clear they had long sought such a program, but had been hampered by a lack of funds," he said.

He said he plans to discuss the proposal in more detail with prosecutors at a meeting on Sept. 11 and then present the idea to the Florida Bureau of Law Enforcement.

THE WORLD BANK STEPS IN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. DERWINSKI. Mr. Speaker, Mr. McNamara who misdirected defense policy as well as foreign policy during his period of service in the Kennedy-Johnson administration was conveniently moved into the World Bank to continue the erroneous foreign policy actions of the administration at that post.

It is extremely interesting to note that the administration plans to circumvent the actions of Congress in reducing the foreign aid program by increasing World Bank lending and engaging in dubious lending practices directed by Mr. McNamara.

This situation is very clearly outlined in an editorial which appeared in the Chicago Tribune August 13.

The editorial follows:

THE WORLD BANK STEPS IN

Like Young Lochinvar riding to the rescue of the developing countries, President Robert McNamara of the World bank has announced that the bank will increase its lending to make up for the billion-dollar cut inflicted

by Congress in our own foreign aid program. Tentative plans call for the bank to double the 847 million dollars it raised last year thru bond issues, and it has already started off by borrowing 400 million marks [100 million dollars] in Germany.

"It is essential," said Mr. McNamara, "that the World bank expand its lending activities to prevent the development effort from grinding to a halt."

We're not sure that Mr. McNamara is quite the hero that he suggests. After all, our foreign aid has been notoriously ineffective in contributing to any development effort, and it is hard to detect anything that has ground to a halt as a result of previous reductions in it. Mr. McNamara's sense of alarm may stem from the fact that he backed the program as secretary of defense in both the Kennedy and Johnson administrations.

But heroic or not, his decision is nonetheless welcome. If foreign aid is to be given—and there are no doubt occasions when it should be given—it is much wiser to have it given by the World bank than by the erratic bureaucracy in Washington. For one thing, the bank's money does not have to be extracted from taxpayers; it is put up voluntarily, chiefly by private investors. Second, most of the money it raises [over and above the initial subscription by governments] now comes from outside of the United States, thus reducing the pressure on our balance of payments.

Finally, and most important, the World bank has established a reputation for making its loans judiciously and for backing them up with technical advice. This means that its money is normally well spent and that its loans are repaid on schedule. Being an international agency, the World bank is not suspected of imperialist designs. And because of its businesslike approach, the receiving countries themselves are likely to derive more lasting benefit from a World bank loan than they would from a foreign aid loan or handout. At first the bank's loans went only for self-liquidating projects like railroads and power plants. But more recently, it has made loans for education and agriculture, the benefits of which are just as real but less direct.

If there is a danger to the bank in trying to substitute for Santa Claus, it is that it may inherit the Santa Claus psychology, and that it may turn from judicious loans to increasingly careless and risky ones. This could defeat the major purposes of the World bank, which in the words of Mr. McNamara's predecessor, George Woods, is "to improve the quality of the economic performance of the developing countries." It could also wreck the World bank by destroying the confidence which investors now have in it.

WHY CONGRESSMAN PETER RODINO VOTED AGAINST THE TAX INCREASE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. RODINO. Mr. Speaker, the tax surcharge is now taking a further bite from the pay check of the already overtaxed average American, so I believe this is an appropriate occasion to outline the reasons for my vote against the Revenue and Expenditure Control Act of 1968 when the conference report came before the House. Basically, of course, the measure provides for a 10-percent personal income tax surcharge and a mandatory reduction of $6 billion in governmental expenditures for fiscal year 1969.

I fully recognize the danger of inflation which threatens to engulf us—indeed, estimates show that if the present pace continues this will be the most inflationary year since 1950–51, when the consumer price index increased 8 percent. And it has been suggested that an income tax surcharge, coupled with a sizable reduction in expenditures, offers one viable economic means of attacking inflation.

However, I strongly believe that low and moderate income families simply should not be forced to carry the additional burden of a tax surcharge.

I have long made my position clear that a tax increase without some long overdue tax reforms and the elimination of obvious inequities and loopholes would have my strong opposition. Why should the average American family be forced, in effect, to subsidize millionaires and huge corporations that pay no income tax or only a minimal amount that is completely disproportionate to their actual income? It is obviously unfair, unjust and discriminatory to overtax the many in favor of the few.

Statistics show that over 50 million Americans earn under $20,000 a year. Yet they pay the majority of all the taxes collected. By contrast, five of our largest oil companies in 1964 paid from 0.8 percent to 8.6 percent in Federal taxes, while 19 millionaires paid no tax and the remaining 463 millionaires paid in 1964 less than 30 percent of their income in taxes.

As on so many occasions in the past, on August 5 I again urged Chairman MILLS of the House Ways and Means Committee, to take action on tax reform legislation. The committee should exercise its responsibility now—this session—and not wait for the proposals the administration is required to submit by the end of 1968.

Of deep concern to me also was, and continues to be, the mandatory $6 billion expenditure cut imposed by the Revenue and Expenditure Control Act. The President indicated earlier that a cut of $4 billion would not be too damaging to vital domestic programs, and I voted for a motion to instruct our House conferees to insist on limiting the level of reduction to this amount. Unfortunately, this motion was defeated, and when the Congress was not provided with any indication of where the $6 billion cuts would be made, I was forced to conclude that a vote for the combined surtax-expenditure reduction measure would be a vote to cripple essential governmental functions in such fields as education, health, housing, community development, and postal and veterans' services.

And we have already seen the beginnings of the adverse impact I predicted. On July 13, the Postmaster General announced an order for a series of drastic reductions in postal services that would be essential in order for his Department to comply with the employment cutback required by the act. The closing of first- and second-class post offices on Saturdays was the most significant of the actions to be taken.

Congress reacted swiftly, however, and approved legislation to exempt the Post Office Department from the mandatory employment cutback, thereby assuring for the present no curtailment of existing services. And I am sure other exemptions will be adopted, such as that already approved for the Federal Aviation Administration in the discharge of its awesome responsibilities for air traffic safety. I understand also that this irresponsible cut can be expected to cripple the Internal Revenue Service's ability to audit tax returns, thereby resulting in a further loss of revenue.

These examples clearly demonstrate the absence of wisdom and logic in imposing such a sweeping and indiscriminate cut for vital governmental services.

In addition, there is strong evidence to suggest that any required budget cut could most effectively be made in the Department of Defense's $77 billion 1969 budget request. In fact, Congressional Quarterly reported that defense experts both in and outside the Government have told Congressional Quarterly that huge cuts—totaling at least $10.8 billion—can be made in the defense budget while retaining or even improving the current level of the Nation's defense.

How could I sanction the reduction of Federal expenditures by use of a "meat ax" approach which would jeopardize programs essential for solutions of the urgent needs and problems confronting the Nation, while tax reforms needed now are being put off to another day and an oversized defense budget is being allowed to swell beyond the efficient needs of a strong national security?

Mr. Speaker, I could not therefore in conscience or in good judgment vote for an inequitable tax increase whose greatest impact falls on those least able to pay.

FACT SHEET—SALT RIVER PROJECT

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 4, 1968

Mr. RHODES of Arizona. Mr. Speaker, too many times the mass communications media refer to public works and reclamation projects as "pork barrel." This generalized appraisal of these programs is completely unfair. For every "horror case" involving expenditures which could be described as a waste of public money, there are at least 100 which are sound investments in the future of the United States of America and of the region in which the project is located.

The Salt River project was the first major reclamation project to be built under the Reclamation Act of 1902. It paid the last installment on the original Federal loan some years ago. The growth which has resulted from this project is phenomenal. It has resulted in increased wealth and a better standard of living for all Americans.

Under leave to extend my remarks, I enclose a fact sheet containing pertinent data about the Salt River project:

FACT SHEET, SALT RIVER PROJECT

Item	Data		Remarks
Authorizing agreement	Signed June 25, 1904, by Secretary of the Interior, Ethan H. Hitchcock and Salt River Valley Water Users' Association president, John P. Orme.		Salt River project is now in its 65th year since its authorization.
SRP crop production, 1913–67	$1,650,742,207 total crop value over this 55 year period. Lowest annual, $3,661,769 in 1915. Highest annual, $64,739,656 in 1951. Latest annual, $40,878,599 in 1967.		In terms of 1967 constant dollars the total crop value is $2,547,436,914.
Community population in 1968	The SRP area and the 8 cities [1] within it have a present population of 870,000 which is 97 percent of Maricopa County population which has multiplied 26 times since 1910 (from 34,488 to 901,000).		County population has the following composition: Spanish surname, 11.9 percent; Negro, 3.8 percent; Indian, 1.2 percent; other nonwhite, 0.5 percent; total of above, 17.4 percent.
Community employment (Maricopa County, June 1968)	Total civilian labor force	338,400	Unemployment is 3.3 percent of labor force. Agricultural is 5.3 percent of labor force.
	Employment, total	327,400	
	Wage and salary	271,300	
	Agricultural	18,000	
	Other	38,100	
	Unemployment	11,000	
Community education (SRP area and its 8 cities) [1]	Students:		Schools: 1 State university, 4 colleges, 3 junior colleges 34 high schools and 102 elementary schools.
	Elementary	138,299	
	High school	50,120	
	College	42,780	
	Total	231,199	

[1] Phoenix, Scottsdale, Mesa, Tempe, Glendale, Peoria, Chandler, and Gilbert.

CARE FOR KIDNEY PATIENTS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. EILBERG. Mr. Speaker, for several weeks during this summer, neighbors of mine have been conducting block parties for the benefit of two young girls who require kidney dialysis to stay alive.

These two girls are among the lucky ones—the mere 20 kidney patients within Greater Philadelphia from whom hospital kidney dialysis facilities exist.

The hundreds of others so stricken must wait for a vacancy—for a patient to go on home dialysis or to get a successful kidney transplant. Many die while waiting.

It is estimated that of nearly 100,000 deaths annually due directly or indirectly to kidney disease or malfunction, 7,000 are ideal candidates for dialysis or transplant.

Yet 90 percent of these die each year, not because our medical professional does not have the knowledge to save them, but because it lacks sufficient tools and adequate personnel.

Since last January, a bill has been pending in the Senate Committee on Labor and Public Welfare and the indication is that there it will die.

Therefore, I have today introduced H.R. 19420 which seeks a comprehensive attack upon a multitude of problems involving organ transplants but also addresses itself specifically to the enormous needs in the kidney field.

Similar to S. 2882, which was introduced by Senators HENRY JACKSON and WARREN MAGNUSON, H.R. 19420 would amend the Public Health Service Act to provide for a comprehensive review of the new problems created by new life-saving techniques developed by medicine.

These problems are financial, legal, sociological, and technical, in addition to being medical.

While this bill addresses itself generally to all forms of transplants and artificial organs, at the same time it zeros in on some solutions for problems we know already exist in the kidney field.

It provides the expenditure of $20 million the first year and $30 million each additional year for the assistance of non-Federal institutions to establish regional kidney centers, with facilities for in-patient and out-patient treatment, plus training of medical, nursing, and technical personnel so badly needed in this field.

Basically, I believe that strong cooperation is needed between State and Federal authorities. Therefore, I have called upon the Governor of Pennsylvania to exercise his good offices to expedite a pending State bill which would provide $1 million for the establishment of a regional kidney center at Philadelphia General Hospital.

The letter follows:

SEPTEMBER 5, 1968.

Hon. RAYMOND P. SHAFER,
Governor of Pennsylvania,
Harrisburg, Pa.

DEAR GOVERNOR SHAFER: Have you ever had the feeling that you were standing fast while a mammoth truck was hurtling down the highway directly toward a small child immobolized in its path?

Unfortunately, this is very much the case in the attitude of responsible public officials toward a giant killer in our community today—kidney disease.

I, for one, do not intend to stand still any longer as this killer hurtles toward a helpless child. I shall try either to apply the brakes to the killer or snatch its victim from its path.

I urge you, as chief executive of the Commonwealth of Pennsylvania, to work with me on the state level as I work on the Federal level, for a coordinated, intensive kidney program which will not only save the physical lives of the victims, but also protect the economic lives of their families.

Ironically—and miraculously—today we have the medical means of saving the lives of some 7000 kidney disease victims annually, but some 90 percent of these die because we do not have sufficient facilities, sufficient trained personnel to operate existing facilities or the families cannot afford the burdensome, astronomical costs.

Currently within my Congressional District, neighbors, friends and even strangers have "adopted" two young kidney disease victims. Without this help, these two young girls—from hard-working families of moderate means—could not afford the high-cost, life-saving treatments needed for thier survival.

I pay the highest tribute to the philanthrophy of these friends and neighbors who are keeping these two young girls alive; but I ask if the state is not neglecting its responsibilities, not only to these two girls in question, but to the thousands who are dying, either awaiting their turns at the existing pitifully limited facilities or for lack of funds to pay for this treatment.

On the Federal level, I have introduced a bill in the U.S. House of Representatives which, among other things, would provide $20 million the first year and $30 million a year thereafter for the establishment of kidney transplant and dialysis centers throughout the nation in teaching institutions.

In addition, it would establish a national commission to study the medical, legal and sociological aspects of organ transplantation in general, with immediate emphasis on kidneys.

Further, my bill would provide for Social Security assistance for those who require kidney transplants or dialysis to sustain their lives—for without this financial aid many could not afford the facilities even if they existed.

A similar bill was introduced in the Senate earlier this year but has been stalled in committee.

While I shall make every possible effort to get favorable action on my bill during the remaining weeks of the 90th Congress, perhaps not enough time remains.

If this is so, then, if I am re-elected, I shall re-introduce this bill on the first day of the 91st Congress and do all within my power to see it enacted into law.

What can you do, as Chief Executive of Pennsylvania? Governor Shafer, a bi-partisan bill introduced by Reps. Bernard Gross and Charles Mebus in the Pennsylvania House of Representatives has been languishing.

As the titular head of the party which controls both houses of the State Legislature, you could and should use your good offices to get favorable action on this measure before this legislature expires.

The Gross-Mebus Bill provides for $1 million to establish a community kidney center at the Philadelphia General Hospital with 30 beds, equipment to handle this patient load and facilities for training personnel to operate these facilities.

At present, in the Greater Philadelphia area, there are facilities for a mere 20 patients for dialysis at one time. There are perhaps hundreds of persons awaiting their turn—either for those on hospital treatment to go on home dialysis or to get kidney transplants.

Many die while they are waiting.

We, Governor Shafer, should wait no longer. Won't you join with me in this humanitarian project?

Sincerely,

JOSHUA EILBERG.

Apropos of the situation, I think the gravity will be impressed upon my colleagues by the following article, which

appeared in the Sunday Bulletin of August 18, 1968:

TWENTY KIDNEY PATIENTS HERE TAKE TURNS ON DIALYSIS MACHINES

(By David M. Cleary)

Christine Baranoski, whose need for $15,000 to purchase an artificial kidney machine was described in The Bulletin two weeks ago, has 19 comrades in Greater Philadelphia.

All 20 have had their own kidneys removed because they became inoperative, and are staying alive only by taking turns using the artificial kidneys in five area hospitals.

They must live that way, spending several hours hooked up to the machine two or three times a week—and at a cost of $300 to $600 a week—until:

A compatible donor is found so a kidney transplant can be performed;

Or some close family member can be trained to operate a similar machine, and the machine is installed at home.

SOME DIE WHILE WAITING

There would be more than 20, except that the artificial dialysis centers in hospitals are all working at capacity. As soon as one patient moves out to home dialysis, another has diseased kidneys removed and becomes dependent upon the machine. Others die while waiting.

This isn't just a matter of more machines, expensive as they are. It's more a question of skilled operators.

Dr. Jerry L. Rosenbaum, in charge of the kidney program at Albert Einstein Medical Center, Northern Division, complains that not enough nurses are attracted to dialysis, and there's not enough money to pay for training them.

Dialysis at home reduces the cost, because a family member can perform the work done by the nurse. But it's still expensive. Room and board charges during the period of hospital training run $3,000 or more, and supplies for the artificial kidney cost from $1,500 to $7.50 a year.

FIFTEEN THOUSAND DOLLARS ANNUALLY INDEFINITELY

Health insurance pays none of the cost of home dialysis, and kidney disease victims almost always have used up their maximum hospital benefits under insurance before they even start a training period.

There may also be a need for return trips to the hospital after dialysis has begun at home.

"Unless the family can see its way clear to spend $15,000 a year for an indefinite period, we seldom recommend dialysis at home," said Dr. Albert N. Brest at Hahnemann Medical College.

The alternative is a kidney transplant. That's expensive too, but if it works, it doesn't require huge expenditures for the remainder of the patient's life, and he can go back to work fulltime, instead of spending two or three full days each week attached to the machine.

MORE RECIPIENTS THAN DONORS

Drawbacks to kidney transplant are even greater. Unless the donor is an identical twin—and few people have those—the new kidney may be rejected. Close relatives make the best donors, and the sick person doesn't want to ask his loved one to make that sacrifice, even though a person with two healthy kidneys can get along just as well on one. There's always the chance that the donor's remaining kidney might develop disease, leaving him none at all.

Strangers aren't as suitable as donors, and even those are scarce. In California, where a computer is used to match donors to recipients in transplants of various organs, there are always more potential recipients than potential donors.

Accordingly, Dr. Brest recommends transplant only if home dialysis is out of the question financially, and in the few instances where it is preferred to dialysis for medical reasons.

At Chester-Crozer Hospital, transplants aren't done at all. Dr. Richard R. Soricelli points out that there are so many more two-year survivals on home dialysis than after transplant that transplant is regarded as an experimental procedure, not as yet developed to the point that it can be recommended.

"We're a treatment center, not a research center," said Dr. Soricelli, "and if we get a patient who insists on a transplant rather than home dialysis, we send him to a transplant team."

DIALYSIS OR TRANSPLANT

Jefferson Medical College and the Hospital of the University of Pennsylvania both have dialysis units, as do Hahnemann and Einstein. All four also transplant kidneys, with results that are called "encouraging," but do not match the results of home dialysis.

At the University of Pennsylvania, for example, kidney transplants have been performed for 13 people, and nine of them are still alive. One girl who had a transplant at Einstein is still alive and apparently normal almost five years later.

By contrast, not one of the 20 people who have gone into elaborate home dialysis from the five institutions has died, partly because only those with a good outlook for survival go into the elaborate, expensive procedure.

Small wonder that given a choice, a patient whose own kidneys are completely inoperative will prefer lifelong dialysis, if it's medically applicable to him. Some choose transplant only because they refuse to saddle their families with the longterm cost of the home procedure.

Many experts in kidney disease believe the cost of home dialysis, training period and all, should be paid by government, and government has taken some steps in the direction. Among them:

Last year the Federal government sponsored "demonstration" projects in a dozen cities. Philadelphia submitted a request for one of those money grants, and it was "approved but not funded," meaning the available money ran out.

AREA DIALYSIS CENTER

A grant of $69,000 has been made by the Federal government for a "feasibility" study, in which the possibility of establishing a single dialysis center for the entire Greater Philadelphia area—perhaps at Philadelphia General Hospital—will be explored. But that study may take two years.

The Vocational and Rehabilitation Commission of the Pennsylvania Department of Labor and Industry is authorized to purchase dialysis machines for certain disabled workers. But not many people qualify for that kind of vocational rehabilitation, and the entire budget of the Commission isn't large enough to buy an artificial kidney for everyone who needs one.

Efforts are being made to reduce the cost of home dialysis, designing better machines that can do the job with less need for expensive supplies, but progress is slow. Some of the simpler dialyzers, hailed as great advances when introduced, are proving dangerously inefficient.

PRUDENCE RUNNING OUT

Meanwhile, kidney disease victims do the best they can. Kurt Moldauer, 56, of 1600 E. Barringer st., was prudent enough to carry a special insurance policy that would pay his expenses up to $25,000.

He went through $17,000 of that getting ready for home dialysis—the machine, the training period for his wife, and repeated trips to the hospital for surgery and other treatments—and is now watching the remaining $8,000 disappear, at $100 a week. It will be gone before the end of the year.

When the victim is young, as Christine Baranoski is, the community may organize to raise funds.

Residents of the Lawndale-Olney section of the city, for example, have rallied behind the cause of 19-year-old Kathy Walsh, of 542 Carver st., just off Rising Sun av. at 5700 north.

KATHY WALSH FUND

Kathy is a patient of Einstein's Dr. Rosenbaum, who recommends a kidney transplant, rather than home dialysis, as her best chance. The cost of that operation and its attendant hospital care can't be predicted in advance, but is expected to exceed the available research grant money at Einstein's disposal.

Under the chairmanship of Mrs. Claire Naulty, 551 E. Sanger st., a Kathy Walsh Kidney Fund has been established. Dozens of civic and fraternal organizations are holding fund-raising events for the fund, and donations may be sent to P.O. Box 161, William Penn Annex, Philadelphia 19105.

With a goal of $20,000—any money not needed for Kathy's treatment will go into the Einstein kidney fund to help others—the organizers have set up a block party for the 500 block of Carver st., for Thursday, Friday and next Saturday evenings.

And just as the block party won't go unnoticed, there will be a parade Thursday evening. Marching units will include the Cardinal Dougherty High School Band, six string bands, four drug and bugle corps, and floats.

KATHY'S ONLY CHANCE

Starting at Rising Sun av. and Godfrey st. at 7:30 Thursday evening, the parade will move north on Rising Sun to Martin's Mill road, east to Bingham st., and south on Bingham to the block-party site on Carver st.

Kathy Walsh is well aware that her new kidney, which will be transplanted when a donor suitably matched to her dies, may not be accepted by her body. It may have to be removed making her dependent upon the machine again, until another suitable donor dies.

But she knows too that the success rate in kidney transplants is rising as doctors gain experience. And since Dr. Rosenbaum isn't recommending home dialysis for her, the transplant is her only chance for staying alive.

THE "PUEBLO" INCIDENT

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. ANDERSON of Illinois. Mr. Speaker, during the recess of Congress for the political conventions, I was presented a petition bearing the signatures of 10,696 constituents expressing their dismay over the bungled policies of the President and his advisers in regard to the *Pueblo* incident. This is of particular interest to the people of my congressional district and to me personally inasmuch as one of the crewmembers of the U.S.S. *Pueblo*, William T. Massie, is from Roscoe, Ill.

I ask, Mr. Speaker, how much longer must we wait for some definitive action by the Johnson-Humphrey administration in securing the release of the U.S.S. *Pueblo* and its crew? The honor of America is at issue as well as the lives of the *Pueblo* crew. I, for one, refuse to allow this administration to buy off my conscience with platitudes and the passing of time. I cannot forget the present fate of the *Pueblo* crewmen, nor the continuing and daily agony of their families, wives, and children.

I have written to Secretary of State Rusk asking that he substantiate his

claims that the present policies are making progress toward obtaining the release of the *Pueblo* and its crew. As of yet, I have not received Mr. Rusk's reply. But in anticipation of his reply, allow me to say that the American people have become tired of mere words.

The administration has been talking about the release of the *Pueblo* and its crew for over 8 months. But assurances and promises are not enough for a people that has become weary of broken pledges and promises from this administration. The credibility gap which has become a benchmark of the Johnson-Humphrey administration covers the matter of the *Pueblo* as well. Even members of the House Committee on Foreign Affairs and of the Senate Committee on Foreign Relations have expressed dissatisfaction with the way information concerning the *Pueblo* has been parceled out in paltry bits and pieces.

How much longer must we wait for the full facts concerning the *Pueblo*, Mr. Speaker? How much longer must the captured crewmen be kept subject to the mental and physical strains of the North Korean internment? How much longer must parents, wives, and children wait for their families to be reunited? How much longer, Mr. Speaker, must we as Members of the Congress of the United States be placated by mere words from the Johnson-Humphrey administration concerning the *Pueblo?*

The conventions of both political parties have clearly shown that the Johnson-Humphrey administration has lost touch with the American people. I cannot help but feel that the way in which the administration has handled the *Pueblo* affair is one of the reasons for the disillusionment of the masses with this country's present political leadership.

The conscience of America can no longer stand the burden of the 82 forgotten *Pueblo* crewmen and their families. The honor of America insists that something be done to rectify this situation. And the people of America call on the administration to forsake its "speak loudly, but carry a small stick" policy. Nobody calls for rash action, Mr. Speaker; but everybody calls for an end to inaction.

GO NOT IN SEARCH OF MONSTERS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. ASHBROOK. Mr. Speaker, present administration policy appears to be grounded in an absurd desire to antagonize, alienate, and subvert the strength of the southern portion of Africa. At a time when this Nation has as a major concern a serious imbalance of trade we are eliminating our historically profitable trade relation with Rhodesia. We are embarrassing friends in South Africa and turning up our noses at our long-time ally, Portugal, because of her African possessions.

Mr. John Davenport, distinguished former editor of Barron's and present member of the editorial board of Fortune magazine has placed our policy toward southern Africa into perspective. In doing so he has knocked some of the present liberal notions into a cocked hat.

Writing in the August 31 edition of Human Events, Mr. Davenport notes that the "monster which the United States is enjoined to slay is in large measure the figment of perverted Liberal imagination."

I submit this excellent treatment at this point:

GO NOT IN SEARCH OF MONSTERS

(By John Davenport)

Edmund Burke once remarked that you cannot indict a whole people. For a good many years now, U.S. Liberals working through the State Department and the United Nations have been attempting something more dangerous and more difficult—namely, the indictment of the whole southern third of the African continent.

Not so long ago the Carnegie Endowment for International Peace put out a study of how many cruisers, tanks, planes, and guns it would take to reduce South Africa to ruin—a strange use of tax-exempt funds by a society of that name! Turn now to the summer (July) issue of the quarterly, *Foreign Affairs*, which is published by the top-drawer Council on Foreign Relations, and one finds an equally stupefying proposal.

In an article entitled "The Coalescing Problems of Southern Africa," Mr. Ernest A. Gross calls for a U.S. policy of mounting economic warfare and reprisal not only against South Africa but against the present status of South West Africa, Rhodesia and the great Portuguese possessions of Angola and Mozambique. It is, if we may say so, an incredible venture into foreign affairs by a distinguished member of the American bar.

Yet precisely because Mr. Gross is a man of goodwill and accepted credentials, his essay merits scrutiny and analysis. As in the famous South West Africa case, which he unsuccessfully argued before the World Court, his piece is little concerned with facts and indeed opens with what can only be called a caricature of the "two Africas." In the north those multiplying nations "groping towards the fulfillment of freedom" and, by implication, models of progress. In the south vast communities subject to "domination by white minorities," the loci of racial tensions and discrimination and of revolutionary explosions and blood baths to come.

It is almost as if modern liberals closed their eyes to the true history of our times—the rise of dictatorship in Ghana under Nkrumah, the barbarities of the Mau Mau under Kenyatta, the awful disintegration of what was once the Belgian Congo, the tragic fate of Nigeria in whose tribal war hundreds of thousands are even now perishing.

Against this background the record of the southern African states, whatever their blemishes, assumes a certain dignity and coherence. To the discomfiture of those who will sacrifice American foreign policy on the altar of those twin abstractions—one man, one vote and racial integration no matter what the human cost—southern Africa stands forth as the one great area on the continent to date which is achieving a laudable amount of economic and industrial progress, rising standards of education and literacy, and above all the maintenance of order, and in general respect for law, without which individual freedom for black and white perishes.

As usual, available evidence pointing towards these great accomplishments is conveniently bypassed in Mr. Gross' headlong rush to prove that southern Africa is "the last refuge of a twisted concept of the individual and society." Again as usual no mention is made of the differing norms of racial relations which obtain in the various areas considered. In Angola and Mozambique the races intermix and intermarry as they have to some degree in Latin America under Portuguese influence. In Rhodesia, at least until the coming of sanctions, the lines of race were far more flexibly drawn than in the studied policy of apartheid adopted by South Africa. With respect to that institution Mr. Gross states that its defects are "too well known to require elaboration."

One might wish that he had taken the time and trouble to elaborate a little more fully—taking into account South Africa's peculiar historic development, the multiplicity of its racial mix which includes white, coloreds, Bantu, and Indian, and the creative if expensive effort now being made by the South African government to give a large measure of self-determination and self-rule to racially divergent communities.

If in the end an old-fashioned liberal condemns forced separation of the races, it will be for the same reason that he opposes forced integration of the races in this country; i.e., it involves too much exercise of coercive government power. But such old-fashioned liberalism will also have due regard for human betterment, as perhaps as important as abstract principles, and it surely would be on the lookout for constructive alternatives.

Such alternatives do not interest Mr. Gross and much prevailing opinion. The policy advocated is one of smash, pure and simple. South Africa, hub and center of southern Africa's development, is to be further harassed and harried by all members of the United Nations, of which she was a founding and charter member. South West Africa is to be ripped unceremoniously from South Africa's protection without regard to legal rights that are perhaps as good as those of the U.S. to Texas, and without regard to all that this savage and inhospitable territory, bordering the southern Atlantic, has gained through de facto economic union with South Africa, and without regard to political and strategic consequences.

These could be serious. Of the half million blacks who inhabit South West Africa, nearly half live contentedly in northern Ovamboland; and, were South West Africa to be given independence tomorrow on the principle of one man, one vote, the Ovambos would have to rule the whole immense territory and face the predictable revolt of their fratricidal enemies, the Hereros in the south. For such a task they have little stomach—the more so because Ovamboland, under South African guidance, is now on its way to self-rule.

But the policy of smash spreads wider. In the name of "freeing" Angola and Mozambique, which have been stoutly resisting Communist subversion, the U.S. and Britain are to launch a new economic offensive against Portugal, despite interlocking strategic interests in the case of the Azores and an Anglo-Portuguese treaty of friendship which has survived many centuries.

Meanwhile, the U.S. and Britain are to set up combined economic and strategic staffs for supporting the U.N's futile effort to overthrow the present constitutional government of Ian Smith in Rhodesia, on the grounds that it is a threat to the peace. What peace and whose peace? As former Secretary of State Dean Acheson has pointed out on more than one occasion, Rhodesia has threatened nobody, unless it be the peace of mind of her fanatic critics whose "Humpty Dumpty" reasoning he is at pains to expose. In measured words, which lawyer Gross and his colleagues should ponder, Mr. Acheson has stated that present U.S.-U.N. policy towards Rhodesia is "barefaced aggression unprovoked and unjustified by a single legal or moral principle."

Stripped of its verbiage, the Liberal attack on southern Africa adds up to a policy of war.

Mr. Gross in *Foreign Affairs* does not use that word but in his fondness for boycotts, sanctions and embargos, he has traveled pretty far down ammunition road.

The lurch is all the more incomprehensible coming at a time when the U.S. is trying to extricate itself from a real war in Southeast Asia, when there is mounting pressure for a detente with Soviet Russia whose enthusiasm for human rights is less than apparent, and when one might think that the U.S. had enough to do in finding a solution for racial problems at home without venturing club-fisted advice to other nations.

Whatever the explanation for this strange position, it is simply no basis for U.S. policy, which on any rational calculus should lift sanctions against Rhodesia forthwith. As John Quincy Adams remarked many years ago, the U.S. should always look generously on real efforts towards enlarging the scope of freedom, but *"she goes not in search of monsters."* In the case of southern Africa, this advice of Adams is doubly applicable because the monster which the U.S. is enjoined to slay is in large measure the figment of perverted Liberal imagination.

VAST PACIFIC NORTHWEST IS WATER WONDERLAND

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mrs. GREEN of Oregon. Mr. Speaker, several weeks ago there was an article in the Washington Post which my love for the Northwest compels me to make more widely known. It was written by H. P. Koenig and is, in essence, a preplanned tour guide to the Pacific Northwest. Anyone who has never seen this area of the country and of British Columbia may very well find the description so enticing that a trip up the coast from southern Oregon will become his next vacation. And anyone who knows the area will experience a delightful reminder of the charm and variety which Oregon and Washington offer.

Mr. Speaker, I insert Mr. Koenig's article in the RECORD at this point:

[From the Washington (D.C.) Post, Aug. 4, 1968]

VAST PACIFIC NORTHWEST IS WATER WONDERLAND

(By H. P. Koenig)

VICTORIA, BRITISH COLUMBIA.—In summer, in and around the water wonderland of the Pacific Northwest, it's easy to tell the natives from the visitors. Those who live here take to boats; the rest of us depend on automobiles to move us from place to place, which isn't as much of a hardship as one might suppose.

And in the island-studded maritime world of Washington State and British Columbia, even cars become seaborne for long, fascinating stretches.

There is, of course, far more to the Pacific Northwest than its shorelines. There are mountains, plains, prairies, fruit country, miles and miles of cool, green forests, more lakes than one could count, along with volcanos, rivers, streams, Indian reservations . . . you name it and the Pacific Northwest has got it. Almost.

But going on the assumption that one can't experience it all within the span of a single vacation, the coastline becomes the number one obligatory attraction.

The mountains one will see anyway. Pines line the seaside by the millions. Starting from the redwood country of northern California, following the beautiful Oregon coast to the Columbia River and then continuing on up through Washington State to the Olympic peninsula and arriving in British Columbia by way of a whole series of ferry cruises can make for a memorable journey, spring, summer or fall.

Oregon's coastal drive has been called "the outstanding marine border drive in the world," which may be overstating the case a bit. Still, this probably comes close to being the most splendid stretch of seashore in the hemisphere.

What makes the Oregon coast so special is the fact that all but two dozen or so of the 400 miles of seashore remain in the public domain. There has been little change since the first settlers arrived here a century and a half ago. Dramatic headlands. Surf and sand. Dunes and beaches. A rugged coast that must be described by that overworked term "unspoiled."

Even the built-up areas have a weathered, lived-in look. Ports exude character and individuality. The few resorts have not (as yet) been taken over by the packagers.

At Oregon's northern extremity, overlooking the Columbia River and connected by a new giant bridge to Washington, Astoria stands as the oldest American city in the West.

Fort Clatsop National Memorial marks the site where the Lewis and Clark Expedition established winter quarters in 1805. Five years later, members of John Jacob Astor's company arrived by sailing ship from around the Horn, built Fort Astoria and set themselves up in the lucrative fur trade.

Today, a colorful waterfront is jampacked with commercial fishing vessels. The 125-foot Astoria column, situated on top of Coxcomb Hill, affords stunning views of the whole region.

In Washington, Hwy. 101 heads "out to sea" by way of the Olympic Peninsula. Take time off to visit a rain forest. Drive through part of an Indian reservation. Pass along the wild Pacific shore. Then follow the Heart o' the Hills Hwy. to mile-high Hurricane Ridge for the finest views of the Olympics and northward across the Strait of Juan de Fuca to Vancouver Island on the British Columbia side.

Stop at Dungeness for a meal of cracked crab and garlic bread, the big specialty of the region.

Port Townsend, jumping off place for the islands, comes as the first of several surprises. Once upon a time this port had been on a par with San Francisco; alas, no more. But some of its Victorian glory has been preserved. And on Whidbey Island, Coupeville, a sleepy little place drowsing in the sun, has old-fashioned false-fronted stores, a block house and a collection of Indian war canoes.

Cross the mighty bridge at Deception Pass, with tidal rapids boiling below. From Anacortes, take off on a ferry cruise to the romantic San Juans, touted as "America's most beautiful water trip." From Friday Harbor continue by another ferry all the way to Sidney, British Columbia.

Victoria, the provincial capital, turns out to be exactly as "Empire" as everyone promised it would be. Quaint, charming, Old World and Victorian. "More British than Britannia." As though the old queen were alive and well and living along the edge of the sparkling blue sea.

Along Chaucer Lane, full-scale replicas of Shakespeare's birthplace and Anne Hathaway's cottage have been erected. Lampposts are festooned with flowers. Gardens flourish in Canada's mildest climate.

Move into a deluxe front room at the famed old Empress. Enjoy a "foreign" holiday in elegant surroundings. You can settle for a rugged outdoors existence by day and return to the quiet splendor of Victoria by night. Stream fishermen will find the upper reaches of Vancouver Island a haven for fighting steelhead. The Gulf Islands lie amid perhaps the finest salmon fishing area in the whole world.

OREGON LUMBER PRODUCTION

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. ULLMAN. Mr. Speaker, my State of Oregon has one out of every five trees growing in the United States today. It is No. 1 in lumber, plywood, and particleboard production. It is high on the list in pulp and paper, poles and piling, and other forest products.

Our forest industry brings in a billion and a half dollars a year. It is the largest employer of people and payer of wages in my State.

Our vast and productive forests are principally owned by the Federal Government—nearly 60 percent. And because for a century our forest harvest came principally from private lands, the Federal timber holdings in Oregon today include three out of every four trees in the State.

While most of the forest products we manufacture are sold throughout the United States, in the last 10 years there has been a steadily increasing demand by the Japanese forest industry for Pacific Northwest logs.

At the urging of the Oregon congressional delegation our Government negotiated at two sessions, first in December last in Washington, D.C., and the second in February this year in Tokyo, to try to recognize the mutual need for taking the pressure off Pacific Northwest forests through the heavy Japanese export of logs therefrom.

The members of our trade mission, both governmental and industrial, had a chance to see first hand in February the tremendous need of the Japanese economy for wood. They now understand the inability of Japanese forests to provide adequate amounts for Japanese consumption.

But when the demand for logs for exporting outside the Pacific Northwest reaches the level that it is doing this year of more than 2 billion board feet then we must look at our responsibilities for providing employment to the 85,000 people in our State which depend upon our timber harvesting and processing industry.

Mr. Speaker, that is why I support the amendment to the foreign aid bill adopted by the Senate which would limit the foreign export of logs from Federal timber at a level of 350 million board feet annually, which is the amount that our economy can stand without drastically curtailing its wood products operations and laying off thousands of people. I hope that my colleagues will join with me in urging the House conferees on the foreign aid authorization bill to support this amendment and thereby help us solve the No. 1 economic problem facing the Pacific Northwest today.

NAVY HONORS NORMAN REAM

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. BROOKS. Mr. Speaker, today the Secretary of the Navy, the Honorable Paul R. Ignatius, presented Norman J. Ream the Navy's Meritorious Civilian Service Award for outstanding performance as Special Assistant to the Secretary of the Navy from November 1966 until September of this year. Norman Ream's task which he has accomplished so effectively, was to design and begin implementation of a modern information system and data processing management system for the Navy.

In the past 2 years, the Navy has made significant advances in the exploitations and the management of computers. These advances reflect the policies of the Congress and the President that data processing be managed in an economical, business-like manner and be used to the fullest to give this Nation more effective and more responsive government.

The effective work that Norman Ream has done in the Navy is more than a manifestation of his own capabilities and those of his fine staff of Navy and civilian personnel. His success also reflects most favorably on the Secretary, Paul R. Ignatius, as well as the Under Secretary of the Navy, Charles F. Baird. Their wholehearted support and their awareness of the true potential of computer techniques created the proper environment in the Navy for the progress that has been made.

As Norman Ream leaves the Navy, he can carry with him the satisfaction of having performed a real public service. He is most deserving of the tribute the Navy has extended him.

Under unanimous consent I submit the citation of the Secretary for inclusion in the CONGRESSIONAL RECORD, as follows:

The Secretary of the Navy takes pleasure in presenting the Meritorious Civilian Service Award to Norman J. Ream in recognition and appreciation of the services set forth in the following citation for outstanding and meritorious performance while serving as the Special Assistant to the Secretary of the Navy from November 1966 to September 1968. Demonstrating an unusually perceptive understanding of management, decision-making and information systems, Mr. Norman J. Ream introduced and successfully managed a structure for the development of the Department of the Navy information systems. This included the Navy Integrated Command/Management Information System, the Navy Logistics Information System, and the Marine Corps Integrated Information System. He instituted centralized computer systems selection procedures for the Navy, and took steps to overcome the complex problems associated with the acquisition and maintenance of computer programs. Through the use of the service center concept, he has assured maximum availability of computer power to the greatest number of users in a geographic area at the least cost to the Navy. He developed a comprehensive Navy information systems manual and initiated a program for long-range information systems planning which will assure the achievement of goals stated in the Navy Management Information and Control Systems Concept. In recognition of these and many other noteworthy contributions to the Navy and Marine Corps information systems, Mr. Ream is eminently deserving of the Navy's Meritorious Civilian Service Award.

PAUL R. IGNATIUS.

AUGUST 12, 1968.

LEAGUE OF UNITED CITIZENS TO HELP ADDICTS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. BROWN of California. Mr. Speaker, in these critical days of our country when black citizens are pitted against white citizens, when the bloody and seemingly open ended war rages in Asia, when poverty and alienation from public affairs increases, when protracted street violence threatens, and when crime spreads, one breathes more hopefully when he hears of a grassroots community effort to ease tension and discomfort, and to curb crime.

I bring to the attention of my colleagues, Mr. Speaker, the name of just such an organization, the League of United Citizens To Help Addicts. I am proud to report that this very worthwhile endeavor has centered its activities within and surrounding my congressional district in Los Angeles, which I have had the honor and privilege of representing for the past 6 years.

These are the kinds of endeavors by the community which merit our strong, unqualified support.

I must stress, once again, Mr. Speaker, that the time for action and reconstruction in America is at hand. The war against poverty must be energetically pursued and improved. We must work hand-in-hand with the poor and alienated to assist them in their efforts to lift themselves up. Our refusal to give this helping hand will serve to encourage those who preach violence and hatred. We must open up new avenues of progress, new courses for hope, and new implements for carrying on the antipoverty efforts of our Government.

The League of United Citizens To Help Addicts is a hopeful venture in the direction of community improvement. I support them, and urge all present to review carefully the description below of the aims and plans of this organization:

LEAGUE OF UNITED CITIZENS TO HELP ADDICTS

Lucha is a non-profit corporation whose specific and primary purposes are to provide educational, preventative and rehabilitation services to narcotic addicts, drug users and persons afflicted with similar problems; to provide education and counseling services for youth and others likely to become involved with drugs.

Expressing ourselves from a framework of reference derived from varied experiences as prisoners and parolees we are intimately aware of the economic and sociological needs of ex-offenders, ex-addicts and potential addicts.

Educational: Instruction will be given by members of Lucha in: Sensitivity Training, Social Orientation, Motivation.

Preventative: A detoxification program will be implemented whereby Lucha members will take two addicts into their (the member's) own home and will restore them back to physical health. Ten homes will be used. A withdrawal period lasts from two weeks to one month.

Rehabilitation: The word rehabilitation should mean to all of us the following: To restore the rank, privileges and social morale which one has lost.

To restore ones good name or reputation thereof; to reinstate in good reputs.

To put back in good condition; re-establish on a firm and sound basis.

To restore to a state of physical, mental, and moral health through treatment and training.

Vocational Training: Shop training will be provided by qualified instructors in the following trades: Auto Mechanics, Book Binding, Auto Painting, Machine Shop.

The Center will rent facilities and purchase necessary equipment. Every effort will be made to make the shops self sustaining.

Intake: We propose that men from the East Los Angeles Area who are already designated for release dependent upon an offer of immediate employment, be released at once under the guidance and training of our proposed center, there to be trained and given employment opportunities.

We propose that men be released with a complete documented history of their prison experiences, with special notations of all educational and vocational skill that may have been learned or improved upon while in prison.

SUMMARY

The problem of narcotics addition has grown to alarming proportions; it has spread to the youth of our entire nation. It becomes increasingly apparent that the established institutions are not able to cope with problem by themselves.

Lucha proposes to assist in allowing the problem thru this new self help concept.

Respectfully submitted by the Board of Directors,

EDUARDO AGUIRRE.
ROBERT MORALES.
JOEL FLORES.
CARMEN MORAGA.
ALFREDO SALAZAR.
GEORGE URIBE.
ARMIDA A. PEREZ.
WILLIS BEASLEY.

THE FORTAS FOLLIES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. ASHBROOK. Mr. Speaker, the impact of the Fortas liberal, leftwing influence on the Supreme Court has not been felt merely on matters relating to the national security, law and order, and fundamental constitutional issues. It reaches all the way down to Washington's only live burlesque show, the Gayety Theater. I notice in their ad in the September 5 issue of the Washington Post, page C-10, that the Gayety Theater proudly proclaims—in no small part due to Justice Fortas—that "Supreme Court rules 100-percent nature no longer obscene."

Good ole Abe—just exactly the kind of man the stripteasers have been looking for. And now while they are changing the reels on the next feature—oh well.

JOE ASBILL: A MAN OF COURAGE

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. WATSON. Mr. Speaker, just recently Americans were shocked to read of yet another instance in New York City of the failure of bystanders to come to the aid of a fellow human being in trouble.

This latest example of gross callousness occurred in that mecca of indifference and detachment, the New York subway. A blind Negro musician with his seeing eye dog was waiting for a train. The dog ventured too close to the edge of the platform and fell. Despite repeated cries by the owner for assistance in rescuing his dog, no one was willing to step forward. Now, Mr. Speaker, there were a great number of people, or should I say "robots," looking on at this scene of impending tragedy. After several anxious minutes for master and dog, the train arrived all too soon and crushed the poor animal to death.

Mr. Speaker, the story did not end at this point. Oh, no. Man's apathy must be complete and irrevocable. Everyone stepped on the train, and, God forgive them, rode to their destinations. The blind man, minus the only real eyes he would ever have, wandered about desperately until finally he discovered a telephone booth. A policeman was dispatched to rescue him. The pathos was complete.

Mr. Speaker, for all Americans disillusioned by this latest in a series of despicable acts of cowardice and indifference, I would like to relate a little story which recently took place in my congressional district in South Carolina. I will not attempt to draw any parallels here. I am making no inferences. The story speaks for itself—individual acts of courage and bravery always do.

Mr. Speaker, I commend the following newspaper article to my colleagues and the Nation as follows:

[From the Batesburg-Leesville (S.C.) Twin-City News, Aug. 1, 1968]

JOE ASBILL HEROISM REVEALED—WESSINGERS TO REBUILD HOME

(By Paul Brigham)

There is a moment when decision is just a matter of reaction, an instinct almost, like a blink of the eye or a cough. Such moments of decision bring out the real truth of a man, because there is no time to think or to weigh in the balance. What a man's soul is made of; that's what he does!

The morning of June 4, '68, was one of those errand running type of mornings, and Joe D. Asbill, of Batesburg, was running an errand out to the country club. The woman standing in the road waving her arms on Lee Street, Leesville, was more a curiosity than anything. When Joe stopped to satisfy his curiosity, he was shocked into action when Rosemary Stokes told him that the V. E. Wessinger home was on fire!

The Wessinger home was a noisy little hubbub. Mr. Voight was shaving, while Miss Emily was trying to get some breakfast into the grandchildren, who had been staying with them. Some more milk was needed for the cereal, so Miss Emily went into a small room adjoining the kitchen, to raid the refrigerator there for the milk. This was the room where Miss Emily did her painting, a hobby she was quite good at. The room was crowded with the artifacts of a painter; easel, paints, subject matter, completed and incomplete paintings. The love and devotion of many years given to her husband, her family, her friends, and her hobby was a tangible thing in that room.

Returning to the kitchen table, Miss Emily poured out more cereal and milk for the children, and sat talking with them. Her attention was caught by a tinkling sound like glass falling. She got up from the table and walked back toward that small room. It was then that she noticed smoke and tongues of flame coming through the empty panes of the French door, from which heat had broken the glass. Galvanized by fear for the safety of the children, and for her husband, Mrs. Wessinger shouted for the children to get out and for her husband to come out, because the house was on fire. She hurried up the hallway to the telephone to call the fire department. Before she could finish dialing, she was enveloped in a blinding cloud of thick, acrid smoke. She couldn't breathe—her eyes were burning and filled with protective tears against that terrible smoke. She stumbled out onto the front porch searching for the children and calling frantically for her husband, who was trapped in the house.

Mr. Wessinger's stroke a few years earlier had left him unable to get around very well. Movement was slow and difficult, and always with the aid of a cane. This morning, with the chatter of the children in his ears, Mr. Voight was happily shaving, leaning against the sink bowl for support. When he heard Mrs. Wessinger shout that the house was on fire, it was like a blast of freezing air. It froze him for a moment. He dropped his razor and forgetting his cane, began to move through those familiar rooms.

Joe Asbill saw the smoke pouring out the open front door, and Mrs. Wessinger standing on the porch. The car had hardly stopped moving when Joe was out of it and up on that porch beside her.

"Is anyone in there?" "Yes, my husband is in there. And where are the children?" Joe dropped to his knees and crawled into the living room. His eyes filled with water from the smoke—he couldn't breathe. He turned and crawled and fumbled his way out onto the front porch again.

"Is there a back way in?" "Yes, at the kitchen!" Around to the back, not in panic but thinking as he ran. Seeing the children—they were all right. Up on the back porch. There's flame in that room to the left, and smoke so thick you'd have to chain-saw your way through it.

Waving his arms in front of him trying to feel his way around, Joe's fingers touched something—a human being—it had to be Mr. Wessinger. Just standing there feebly flailing the air with his arms. Another two minutes—another minute and Mr. Wessinger would stop trying to breathe that choking smoke. With a big man's strength and a big man's courage, Joe Asbill led Mr. Wessinger out into the fresh air and sent a bystander to call the doctor.

The charred and smelly mess that was home, with all its memories in ashes, will rise again some day soon, and the nightmare of those terrible minutes will fade away, but the heroism of Joe D. Asbill, and the mark his courage made upon the lives of Mr. and Mrs. Voight Wessinger will never fade away.

The act performed by Mr. Asbill could have endangered his own life but these thoughts never entered his mind at the time. Several years prior to this, Joe recalls vividly that several doctors had not given him much chance for survival following several major operations due to hypertension caused by a diseased kidney. A kidney graft had been performed, which didn't hold up. Later, one kidney was removed.

Although Joe has not had the best of health since the removal of the kidney, he has often pondered over the same thoughts, such as, "I must have been left on this earth for some special purpose—and following this incident, I thought seriously that this might be one of the reasons."

Joe and wife, Dot, have one son Al, age 12, and twin girls, age 8, Alice and Ann. At this writing, all indications point to the fact that they may soon be parents of additional twins, or more!

The Asbills are members of the First Baptist Church, Batesburg. Joe is a traveling hardware salesman. His wife was formerly associated with South Carolina National Bank in Leesville.

INVASION OF POLAND

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. MURPHY of New York. Mr. Speaker, 29 years ago today Nazi Germany invaded Poland, a move which eventually led to the outbreak of World War II.

Poland was the first European nation to offer resistance by force to Nazi invasion. They were no match for the German Army, which was equipped with the most modern weapons ever invented, but their courage and determination were an inspiration throughout Europe.

The brave Polish patriots continued their resistance during the entire war, and hundreds of thousands of them organized in neighboring countries to continue their struggle to free their homeland from occupation.

But freedom proved to be an elusive goal for the Polish people, for while Germany was eventually defeated, the war left a power vacuum in Eastern Europe and prepared the way for Russian occupation.

On Sept. 17, 1939, little more than 2 weeks after the Nazi invasion began, Soviet troops crossed the Polish border to seize their share of the spoils of war. When the war was over, however, the Russians remained.

Communist organizers, trained in Russia, infiltrated Poland, and backed by the presence of the Soviet Army, Communist domination was established. For the people of Poland it was an especially sad fate, for they had endured the worst of the war, and the freedom they had fought for for so long and desired so much was denied.

Freedom of religion, cultural and political expression, were all brutally denied. The economy was planned according to Communist theories and private initiative was denied. Freedom of movement was limited. The political process was Communist-controlled and totally unresponsive to the wishes of the people.

Even with this brutal repression by a totalitarian power, however, the desire of the Polish people to be free has never been conquered, and as long as this desire is evident, as long as the light of hope continues to flicker, we must not abandon their cause.

DEFENSE PROFITS: ARE THEY DECLINING OR RISING?

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. GONZALEZ. Mr. Speaker, I believe the question posed by an article in a recent issue of the New Republic magazine entitled "Defense Profits: Are They Declining or Rising?" should be of interest to each of my colleagues.

My position on this question is mentioned in this informative article by Michael Miles. For anyone interested in the specifics of my position, I will be happy to refer them to any of 31 speeches I have inserted into the CONGRESSIONAL RECORD.

The article follows:

DEFENSE PROFITS: ARE THEY DECLINING OR RISING?

(By Michael Miles)

War is a seller's market. In times of "crash procurement," government purchasing officers must forego lengthy contract negotiations, scrupulous consideration of cost estimates, and the threat of an audit in order to get the goods fast. With a negotiating position of this kind, the seller will improve his profit profile. During World War II, when military procurement increased from negligible to some $100 billion, a regulatory commission managed to recover $11 billion in excess profits. The Renegotiation Board reclaimed some half a billion dollars of profits during the Korean war when procurement rose from $5 to $40 billion in two years.

When, in addition to the crash procurement during the Vietnam war ($27 to $45 billion in three years), the military aerospace corporations have the benefit of subsidized research and development, plant and equipment on loan from the Defense Department, legal and accounting staffs superior to their DoD counterparts, and a close relationship with these contract officers which is often transformed into identity through a job offer, it would seem the mean average of moderation to suppose that these corporations are maintaining a high and probably increasing level of profits. "To the contrary," Secretary of Defense Clark Clifford recently informed Sen. Richard Russell, "Department of Defense officials frequently have expressed concern with the steady decline in profit rates between 1956 and 1963." And for the last five years, Clifford said, the "limited data" available to him "show no improvement in realized profits."

The "limited data" consist chiefly of a study by the Logistics Management Institute, a military research organization whose board of directors is peopled by prominent military-industrial figures. In its analysis completed late last year, LMI concluded that military/aerospace corporations were making a low, low 2.4 percent on sales and a modest 6.9 percent on investment compared to 5 percent on sales and 10.8 percent on investment in their commercial business. A representative selection of chiefly commercial corporations made a more lucrative 5.5 percent on sales and 12.4 percent on investment. All this seems slightly alarming to DoD when it considers that military corporations made a respectable 10.2 percent on investment 10 years ago. Thus, profits on military contracts are declining absolutely and in proportion to profits on commercial business.

It is a doubtful result, considering the profit policy promulgated in 1964 in Armed Services Procurement Regulation 3-808: ". . . Effective national defense in a free enterprise economy requires that the best industrial capabilities be attracted to defense contracts. These capabilities will be driven away from the defense market if defense contracts are characterized by low profit opportunities. Consequently, negotiations aimed merely at reducing prices by reducing profits, with no realization of the function of profit, cannot be condoned." Furthermore: ". . . low average profit rates on defense contracts are detrimental to the public interest."

During the McNamara regime, the Defense Department de-emphasized cost plus fixed-fee contracts, which guaranteed corporations a percentage of profit, in favor of fixed-fee and various forms of incentive contracts. The firm fixed-fee contracts commit the corporation to fixed payments on costs from DoD, but for the greater risk, the contracts also offer higher profit margins (assuming the company can maintain its original cost estimates). These contracts now constitute over half of all defense procurement; cost-plus contracts are down to 10 percent. These modifications and other changes in procurement policies follow from the "cost reduction" program, the fundamental principle of which is that the reduction of costs for DoD is not only compatible with but facilitated by higher profits for efficient producers. This is the faith of the corporate technocracy of DoD.

The LMI study, however, has skewed the anticipated results of the cost reduction program, since profits have not risen although costs have presumably declined. Secretary Clifford fears that "unless such [profit] improvements do occur in the future" the department may be under pressure from the industry to revert to the old, cushy cost-plus contracts. Clifford also advised Sen. Russell, chairman of the Armed Services Committee, that "we cannot properly expect industry to accept greater risks, and to apply an ever larger share of their own financial resources to the performance of complex military undertakings, without a valid opportunity to obtain profit results commensurate with the lower cost to the government."

While Secretary Clifford contemplated the fate of a complex in decline, Murray Weidenbaum, professor of economics at Washington University, cast the question in an altogether different mold before the Senate Antitrust and Monopoly subcommittee. Weidenbaum, whose military-industrial papers—as a former Boeing economist and associate of the Stanford Research Institute—are in order, estimated in his June testimony that military industry's profit margin on sales was 2.6 percent, approximating the LMI figure. "However," Weidenbaum noted, "as a result of the large amounts of government-supplied capital, which are not reflected on the books of these companies, the defense contractors report a far higher ratio of capital turnover (dollars of sales per dollar of net worth)." In short, Weidenbaum calculated that industry's return on investment is a healthy 17.5 percent, only one percentage point lower than in the Korean era—the silver age of what is known in Washington as the "so-called" military/industrial complex.

Weidenbaum's estimate is vulnerable since his sample was small—only six corporations compared to 40 companies in the LMI sample. However, as Rep. Henry B. Gonzales (D, Texas) noted in his virtual one-man congressional investigation of war profits, Weidenbaum bases his figures on the companies' annual reports while LMI relies on data voluntarily furnished.

The fundamental distinction between the Weidenbaum and LMI studies is their consideration of government-supplied capital. Since this capital is routinely employed for commercial as well as defense purposes, it is difficult to calculate the figures for costs incurred and capital employed between defense and commercial work. Weidenbaum outflanked the problem by selecting large corporations which did the overwhelming bulk of their business in military contracts. Thus, he may have succeeded in factoring out distortions arising from the allocation of government capital to commercial business.

In 1965 this government-supplied capital amounted to $7.2 billion. In subsequent years it has grown to almost $15 billion. On the request of the Joint Economic Committee, the General Accounting Office undertook an investigation of this material and found "weaknesses in the control of special tooling due to deficient inventory practices, the absence of financial controls, and the absence of a requirement for surveillance by government property administrators. In some instances, equipment was not even identified as government property or in the property records." Contractor companies are nominally required to pay rental fees for capital used in commercial production and to limit themselves to 25 percent utilization for nondefense work. However, the firms themselves keep the only utilization records, and a House Armed Services investigating subcommittee found this year that it was "unable to determine the usage of equipment at many contractor plants because most property accounting systems did not include utilization records."

Still, the problem to DoD is profit decline. In 1962, it established the "weighted guidelines" method of profit determination—a classic example of technical rationality in the service of corporate objectives. The purpose of the system was to ensure reasonable profit levels from DoD contracts and to establish objective standards which were also flexible enough to assign varying levels of profit under varying conditions. The contract officer was authorized to weight within a prescribed range three main profit factors—risk assumed under the type of contract, the performance record of the company, and its contributions in engineering, overhead, etc. In an investigation of the system for the House Appropriations Committee last year, the General Accounting Office found that weighted guidelines allowed contractors to be "rewarded indefinitely for the same achievement and to receive several increases in fee for the same accomplishment." Conceding that higher profit levels were justified for the greater risks assumed under firm fixed-price contracts, the GAO still determined that the system had resulted in an average increase in the profit rate of one percentage point. For the companies investigated in 1966, GAO found an average profit level of 9.7 percent, well above the 6.9 percent LMI figure and a rate *increase* of two percentage points over the average level for the years 1958–63. From its series of interviews with industry, LMI meanwhile has observed that military/aerospace corporations were incensed that many government negotiators persist in believing that "they are performing their jobs by reducing contractor's profits."

What is fundamental here is not only the negotiated profit rate but the reliability of what are formally estimated as costs. In the late 1950s, for example, Boeing attempted to charge the Defense Department for the costs of the design development and the prototype construction of the 707 commercial airliner. To protect the government against inflated cost estimates, Congress passed the Truth-in-Negotiations Act in 1962, which requires contractors to certify that their estimates are "accurate, complete, and current." After spot-checking more than 200 contracts, the Comptroller General informed Congress last year that in only 20 cases was there adequate compliance with the law. It has been customary for contractors to certify the accuracy of their cost data without supplying the government with sufficient information to verify the certification. Contract officers are entitled to waive the law altogether if a contract is awarded on a supposedly competitive basis.

Sen. William Proxmire (D, Wis.) and Rep. William Minshall (R, Ohio) have introduced bills in the Senate and House to strengthen

Truth-in-Negotiations with the legal provision for a post-award audit. These bills duplicate provisions in the Armed Services Procurement Regulation with the intent of applying pressure for their enforcement. It is standard procedure for Defense Department officials to blithely concede malpractice charged by Congress and to reply with New Regulations which somehow never affect the issue. The right to a post-award audit was earlier written into the ASPR, but a letter from the Defense Department assured the contractors that the audits would be for the "single purpose of determining whether or not defective cost or pricing data were submitted," and not for "evaluating profit-cost relationships" much less re-pricing contracts. If the cost contingencies cited (or invented) by the contractors did not materialize, so much the better for their balance sheets.

All that is certain about the profit margins of military/aerospace corporations is that they are unknown—particularly to DOD. Considering its assertion, however, that a decline in profits should result in decline in the attractiveness of military business, it is curious that Defense has not produced evidence of any desertion of defense contracts by corporations.

The military profits issue has meanwhile become audible on Capitol Hill because of the efforts of three men: Congressman Gonzalez, Sen. Proxmire, chairman of the Joint Economic Committee, and Admiral Hyman Rickover, director of the Navy's nuclear-propulsion program. Gonzalez, who is one of nine congressmen who voted against the renewal of Selective Service last year, has been able to save from extinction the Renegotiation Board, an independent agency which regulates excess profits by military/aerospace contractors. The industry, which nearly killed the board two years ago, was checked with the help of several Ohio congressmen on the Ways and Means Committee mobilized by a series of articles by Sanford Watzman in the Cleveland Plain Dealer.

Although the Renegotiation Board has been effective within its means, it is not equipped, with its 200-odd employees, $2.5 million budget and limited authority, to regulate $45 billion in procurement, 40,000 purchasing officials, and huge corporations caparisoned with law and accounting firms. In the hope of improving practices within the Defense Department itself, Gonzalez, Rickover, and Proxmire have favored the establishment of uniform accounting standards in the computation of corporate costs. As distinguished from a uniform bookkeeping and accounting system for every company, which is not practical, uniform standards in the treatment of depreciation, R&D inventory, lease financing, and the like might prevent the inflation of cost estimates which is accomplished by the manipulation of variable "generally accepted accounting principles." Gonzalez and Proxmire succeeded in getting a "feasibility study" of uniform standards from Congress after some furious lobbying by industry associations. The industry frequently complains that it is being transformed into a "semi-nationalized" industry. The refrain is that "there is no more free enterprise." This is correct. "The reality," Admiral Rickover suggested before the House Banking and Currency Committee, "is that a new economic order is emerging, characterized by large industrial organizations that maintain a partnership between themselves and government."

Under these circumstances, there is a positive but also limited appeal to uniform accounting standards, Truth-in-Negotiations acts, and the sophisticated forms of contract competition which have been proposed in hearings before the Senate Antitrust and Monopoly subcommittee. These proposals may affect costs and profit rates, but they hardly suspend the "new economic order" which disposes costs to rise and profits to increase. A high level of profits and the momentum of the Defense establishment are problems that have to be treated together.

Since World War II, there has been a clear correlation between low levels of procurement and low levels of profit. The reduction of procurement automatically increases competition among corporations, which the DoD constantly endeavors to create by ersatz methods amidst a surfeit of military hardware. It was the relatively low procurement of 1961–64 which was probably the inspiration for the Department's concern over declining profits in the first place. Nothing would be so salutary for inflated profit levels and a militarized society than merciless reductions in the military budget. Highly-placed officials within the Pentagon itself are convinced that not only could the $30 billion annually spent for Vietnam be cut out but an additional $10 to $15 billion per year could also be eliminated without unduly tempting their Soviet military/industrial counterparts. But for reasons that have less to do with national defense than with domestic politics, a Pentagon official has estimated that the post-Vietnam budget could range as high as $80 billion—"twice the necessary budget."

OCCUPATION OF CZECHOSLOVAKIA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. DERWINSKI. Mr. Speaker, I have today introduced a concurrent resolution expressing the sense of Congress with respect to the occupation of Czechoslovakia.

I believe that the policies of the Johnson administration which are based on coexistence with and bridge building to the Soviet Union, are a complete failure. It is also obvious that the dependency of the administration on the Soviet Union to extract them from the quicksand in Vietnam is a complete error.

When the Czechoslovakian crisis erupted, I called upon the President to suspend diplomatic relations with the Soviet Union and its satellite governments of Poland, Hungary, and Bulgaria and I also called for the resignation of Secretary of State Dean Rusk as a result of the foreign policy disasters that have occurred under the Johnson-Kennedy administration.

I insert into the RECORD, as a continuation of my remarks, a copy of the resolution:

H. CON. RES. —

Concurrent resolution expressing the sense of the Congress with respect to the occupation of Czechoslovakia

Whereas the occupation of Czechoslovakia by the military forces of the Soviet Union, East Germany, Poland, Hungary, and Bulgaria contravenes the independence of sovereign states and the Wilsonian doctrine of self-determination; and

Whereas such occupation is in violation of the United Nations Charter which states that "all members shall refrain in their international relations from the threat or use of force against the territorial sovereignity or political independence of any state"; and

Whereas such occupation is further evidence of the perpetuation of colonialism as practiced by the Soviet Union; and

Whereas the agreement in Moscow between representatives of Czechoslovakia and the Soviet Union was reached under duress: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should take such steps as may be necessary—

(1) to prohibit the extension of any Government trade credits or guarantees to any of the occupying states;

(2) to prohibit sales, either for dollars or local currency, and grants under any title of the Agricultural Trade Development and Assistance Act of 1954 to any of the occupying states; and

(3) to suspend all commercial air traffic between the United States and any of the occupying states.

SEC. 2. It is further the sense of the Congress that the President, acting through the United Nations and other international organizations, should take such additional steps as may be necessary to end as quickly as possible the military occupation of Czechoslovakia by the Soviet Union and its satellites.

SPACE SPENDING

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. TEAGUE of Texas. Mr. Speaker, Mr. William J. Donnelly, associate editor of Space Age News, discussed the serious fiscal and technological crisis associated with our space program in an editorial in the July 1968 issue of the magazine. It is significant because Mr. Donnelly's words are equally applicable in September as they were in July. Our national space program is at the crossroads and our decisions over the next year will largely determine our technological initiative in the 1970's. Mr. Donnelly's short but significant editorial is commended to your reading:

SPACE SPENDING

Will Rogers could have been speaking for NASA when he said: "Our problem is not what the dollar is worth in London, Rome or Paris, or even what it is worth at home. It's how to get hold of it, whatever it's worth." We may be in the middle of a fiscal crisis but we are also in the middle of a technological crisis. Robbing Peter to pay Paul is no way to solve either crisis.

The President has set the maximum budget for NASA in Fiscal 1969 at $4-billion and he has directed NASA Administrator James E. Webb to support that figure in Congressional hearings. This maximum figure is more than $362 million below the inhibiting $4.37-billion recommended by the President in January.

The general results are obvious, but their specific enumeration is overwhelming. A 40,000 reduction in NASA in-house and contractor personnel took place in Fiscal 1968 with an average loss of 3000 to 4000 men a month. James Webb told a Senate Appropriations sub-committee that under the $4-billion budget for 1969, NASA would lose a total of 55,000 in-house and contractor personnel with an average reduction of 4000 to 5000 a month.

Webb told the Senate subcommittee that "it is not possible to absorb a reduction of this magnitude without considerable damage to the nation's capabilities in aeronautics and in space." He didn't have to be any Cassandra to predict that.

Maybe Will Rogers was right when he said that "America invents everything, but the trouble is we get tired of it the minute the

new is wore off." There certainly is no reasonable explanation for eroding the tremendous national resource represented by the in-house and contractor teams assembled in the national interest by NASA.

Even if the glamour of space exploration has worn off, and even if the "Red Menace" no longer motivates us, NASA still has important contributions to make to the country. The Senate Subcommittee commented, for example, that NASA's program of technology utilization is "a significant innovation . . . to the problem of transferring space technology to the non-aerospace community."

It seems that current panic has made ostriches out of Administration and Congressional budgetters. With their heads in the sand, they think saving a dollar today will serve tomorrow. When they apply this thinking to NASA, they couldn't be more wrong.

BARE SECRET PLANS OF YIPPIES TO TEAR UP CHICAGO

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. PUCINSKI. Mr. Speaker, the Chicago Tribune has performed another notable public service by disclosing that leftist agitators prepared press releases charging Chicago police with brutality more than 3 weeks before demonstrators even began arriving in Chicago for the Democratic National Convention.

The advance preparations of the National Mobilization Committee, a radical leftist coalition of antiwar and antiestablishment groups, were disclosed in the secret minutes of the National Mobilization Committee, which were obtained by the Chicago Tribune.

These disclosures, Mr. Speaker, fortify my determination that U.S. Attorney General Ramsey Clark seek indictments against the leaders of the rioting in Chicago under the Federal act we enacted here in Congress barring the crossing of State lines to incite or participate in a riot.

The Chicago Tribune article, written by Ronald Koziol, follows:

BARE SECRET PLANS OF YIPPIES: PREPARED BRUTALITY CHARGES AGAINST POLICE WEEKS EARLY: HELD MEETING IN HIGHLAND PARK ON AUGUST 4

(By Ronald Koziol)

Leftist agitators prepared press releases charging Chicago police with brutality more than three weeks before demonstrators even began arriving in the city for the Democratic national convention, it was learned yesterday.

The advance preparations of the National Mobilization committee, a radical leftist coalition of anti-war and anti-establishment groups, were disclosed in the secret minutes of the N. M. C., which were obtained by the Chicago Tribune.

MEETING HELD AUGUST 4

The meeting, held Aug. 4 in a Highland Park hotel, was attended by 48 persons, including at least 10 known Communists. The meeting was led by David Dellinger, 52, chairman of N. M. C., who made an unauthorized visit to North Viet Nam in 1966.

In his report to the group, Don Rose, public relations chief for N. M. C., said that "statements were already prepared for victims of police brutality."

Undercover agents also reported that Rose announced that statements had been prepared for delegates to the convention which were favorable to the N. M. C.

BLANK LEFT FOR NAME

Blanks were left in these statements where a delegate's name could be inserted.

Rennie Davis, 28, Chicago leader of the N. M. C., also noted at the Aug. 4 meeting that a request would be made to the justice department to investigate the police.

Unknown to the radical leaders, police and federal undercover agents attended several other meetings where disruptive plans for the convention were outlined.

WOULD CLOSE LOOP

At an Aug. 18 meeting attended by the leaders at 1012 Noble st., the group was told that "if no permit was issued to march on the Amphitheater, we will attempt to close down the Loop." Plans also were made at the meeting to prevent key organizers of the disorders from being arrested.

On Aug. 28, only hours before disorders erupted near the Conrad Hilton hotel, leaders of the N. M. C. and the Students for a Democratic Society, a radical student organization, met and decided on their course of action.

Aware that they would not be permitted to march on the Amphitheater, the group made plans to "sit down in the street, while others used a more militant form of resistance."

Thomas Hayden, 28, a founder of the S. D. S., was reported to have told the gathering, "If the city doesn't meet our demands, it will be war in the streets and it should be."

WARN 15 COMMUNISTS

The participation of known Communists in all phases of the disruptive planning also was noted by investigators. On the afternoon of Aug. 28, when the demonstrators had gathered in Grant park, detectives identified themselves to 15 Communists in the group.

All 15 were told that if trouble began, they would be taken into custody immediately. Within 5 minutes, all had left Grant park. Two picked up their belongings and ran from the park.

Secret reports compiled by under cover agents are being studied by the state's attorney's office with an eye toward grand jury action and conspiracy charges.

CONTINUE PROBE

Another investigation into the activities of the hippies and the disturbances continued under the supervision of a team of city officials appointed by Mayor Daley Tuesday.

The team is investigating all police reports, including a special report issued Tuesday on events that occurred last Friday in a suite of rooms, filled with supporters of Sen. Eugene McCarthy [D., Minn.], on the 15th floor of the Conrad Hilton hotel.

The police were charged with invading the suite and beating some of its occupants. Daley said Tuesday the police went to the room and dispersed its occupants after they were observed throwing objects, including beer cans, ashtrays, and a coffee pot, from the 15th floor windows.

Some of the objects were filled with human excrement, the report said.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. SCHERLE. Mr. Speaker, this is the 227th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

REGISTRATION AND VOTING REQUIREMENTS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, as an added personal service to the good people of my South Hills 27th Congressional District in Allegheny County, western Pennsylvania, I have compiled the rules, regulations, and procedures for registration and voting in our national, State, and local election on Tuesday, November 5, 1968.

It is a pleasure to place in the CONGRESSIONAL RECORD today a copy of the letter—not printed at Government expense—which I am sending to every individual in this large city and suburban congressional district.

To those young people in my district who are just reaching the voting age of 21 years, I have enclosed an additional letter outlining the procedures and the important deadlines for initial registration. The letter likewise urges young people to take an active part in the government of their community and our good country.

I insert both letters in the CONGRESSIONAL RECORD today as official documents of the 90th Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR FRIENDS: I am writing to give you registration and voting requirements for you, your family, and friends, for the coming *election* on *Tuesday, November 5,* 1968—make sure you are able to vote at this important Presidential and Congressional election—also to be elected then are Penna. legislators, Judges and other officials.

Be sure you are registered *by September 16th!* and remember to vote early on election day—Tuesday, Nov. 5. Take the time to vote for *individual* candidates who are best qualified in your opinion. You can ask election officials at the poll for advice as to operation of the voting machine if you need assistance—so don't hesitate—

Cordially, your US Congressman,
JIM FULTON.

REGISTRATION AND VOTING INFORMATION

You are qualified to vote in Pennsylvania:

1. If you are a citizen of the United States.
2. If you will be at least 21 years of age on or before November 6, 1968.
3. If you have been a resident of Pennsylvania since August 8, 1968.
4. If you have lived in your election district since September 6, 1968. (If you move from one election district to another within the State within 60 days prior to election, you may vote in the election district from which you moved your residence.)
5. You must be registered to vote.

You must register:

1. If you have not previously registered in Allegheny County.
2. If you are a new resident of the County.
3. If you have changed your name legally. (Married women who are still registered under their single name can vote. They may register in person in order to have their married name recorded.)
4. 21 year olds must register to vote if they will be 21 on or before November 6, 1968. (They cannot vote on age any more simply by going to the polling place on election day. They must first have registered on or before September 16, 1968.)

If you have voted before in Allegheny County—you must re-instate your voting registration:

1. If you have moved from your last registered address without notifying the Registration Commission of your change of address.

2. If you failed to vote at least once within the last two years (1966 or 1967) and neglected to file a Reinstatement notice.

REINSTATEMENT

Any elector previously registered in Allegheny County whose registration has been *suspended* for failure to vote during two calendar years or any elector whose registration has been suspended for failure to notify the Commission of his removal of residence—is *not required to re-register*. The elector need only file either in person or by mail, a *Permanent Registration Notice* (change of address or reinstatement card) which thereby reactivates his registration. The *Permanent Registration Notice must be signed* by the ELECTOR himself. You may pick up this card at your Post Office, local field registration office, or downtown.

WHERE TO REGISTER

You may register *In Person* at any place of registration in Allegheny County.

Allegheny County Registration Commission, Room 102, County Office Building, Pittsburgh, Pennsylvania 15219.

Downtown Office Schedule—*Hours:* Daily—Monday through Friday, 9 a.m. to 4 p.m. (Saturdays, 9 a.m. until Noon). *Evening Hours:* Monday, September 9 through Friday, September 13, until 8 p.m. *Deadline:* Monday, September 16—office open until 8 p.m.

Watch your newspapers for dates and places of local field registrations or consult your local postmaster.

ABSENTEE BALLOTS

Registered voters who will be unavoidably absent from the County on Election Day due to business, duties, or occupation (including attendance at an out-of-county college) may vote by absentee ballot.

Registered voters who are unable to go to the polls because of illness or physical disability may vote by absentee ballot.

Make application between September 16 and October 29 to the County Board of Elections.

In an emergency, a ballot may be secured up to 5 p.m. of the day before the Election.

Your ballot must be *voted and postmarked* no later than Election Day, November 5, 1968.

MILITARY BALLOTS

1. Those 21 and over by November 6, 1968 in military service need not register to vote.

2. Any friend or relative of a serviceman may file an application to the Allegheny Couty Election Board for a military ballot on his behalf.

3. In an emergency, a military ballot may be secured up to 5 p.m. of Monday, November 4.

4. Prompt application is suggested so that the ballot can be mailed to the serviceman as military ballots must be voted by the serviceman and postmarked no later than Tuesday, November 5, 1968.

VOTING INSTRUCTIONS

To vote for any candidate of your choice, be sure the voting lever *over* his name is turned down.

NOVEMBER GENERAL ELECTION

September 16—last day to register.

September 16 to October 29—Absentee ballots available.

Tuesday, November 5—General Election (Polls will be open between 7 a.m. and 8 p.m.).

On any question on procedure or location of your local polling place—call Allegheny County Election Board AT 1-4900.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR FIRST VOTER: Hearty congratulations on reaching your twenty-first birthday this year! As your US Representative in Congress, I am writing to welcome you to full citizenship in our United States.

As a voter you will be making important decisions in the government of our Community, our State, and our good Country.

It is a pleasure to send you personally a pamphlet I have prepared telling you how to register, and requirements for voting in the important election on Tuesday November 5, 1968.

Final date to register to vote in this election for your choice for President, US Senator, Congressman, state legislators and other officials is Monday September 16, 1968.

The recent news from around the world reminds us all that good government depends upon every citizen taking an active part in government and community affairs.

Be sure to register by September 16th, and remember to vote on Tuesday November 5, 1968. Take the time to vote for *individual candidates* best qualified in your opinion.

With best wishes,

JIM FULTON.

P.S.—You can ask election officials at the polls for advice as to operation of the voting machines if you need assistance—so don't hesitate—Jim.

A COLUMNIST COMMENTS ON HIS COLLEAGUES

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. SPRINGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include herewith a thoughtful article by Joseph Kraft of the Washington Post of September 3, which I feel my colleagues will be much interested in reading:

If nothing else, the violence generated at the Democratic Convention in Chicago made it plain that the police are not merely the neutral custodians of public order. They are also part of an embattled social group, acutely hostile to student demonstrators and by no means friendly to reporters and cameramen.

But how about those of us in the press and other media? Are we merely neutral observers, seekers after truth in the public interest? Or do we, as the supporters of Mayor Richard Daley and his Chicago police have charged, have a prejudice of our own?

The answer, I think, is that Mayor Daley and his supporters have a point. Most of us in what is called the communications field are not rooted in the great mass of ordinary Americans—in Middle America. And the result shows up not merely in occasional episodes such as the Chicago violence but more importantly in the systematic bias toward young people, minority groups, and the kind of presidential candidates who appeal to them.

To get a feel of this bias it is first necessary to understand the antagonism that divides the white middle class of this country. On the one hand there are highly educated upper-income whites sure of themselves and brimming with ideas for doing things differently. On the other hand there is Middle America, the large majority of low-income whites, traditional in their values and on the defensive against innovations.

The most important organs of press and television are, beyond much doubt, dominated by the outlook of the upper-income whites. Increasingly, those of us in communications are well-educated and comfortably off. Many, particularly in television, have the aggressive self-confidence that comes from a rapid rise.

Our professional duty, moreover, gives us a vested interest in the free flow of ideas. We are necessarily concerned with that which yesterday was not—that which is new. And our special interest is less in ordinary men than in celebrities, headline figures, names in the news.

The impact of these ties can be seen most dramatically in almost any issue involving the Negroes. The media, following the general thrust of upper-income white opinion, tend to be sympathetic toward Negro claims for a better life and tolerant of even such means of forcing the claim as boycotts and sit-downs. Low-income whites, by contrast, feel threatened by many of the Negro demands and they resist pressure tactics.

More importantly, but less obviously, the split reveals itself in such major events as presidential campaigns. Enormous press attention goes to activities related to Negroes and young people. Reporters and cameramen galore followed the late Robert Kennedy through the ghettos and trailed Eugene McCarthy to the universities. Nelson Rockefeller, when he wanted to make a maximum splash in the late stages of his campaign, quite rightly addressed himself to young people and Negroes.

But there is no corresponding press interest in ordinary things done by ordinary Americans. And candidates who concentrate their appeal on Middle America attract relatively little attention in the media.

Richard Nixon was almost entirely out of the news in the weeks before he walked off with the Republican nomination. Except for supposed differences with President Johnson on Vietnam, the same would have been true of Hubert Humphrey before his nomination. Judging by press attention, indeed, it is hard to see how either man could possibly have been nominated.

What this means is that the press is not the public. Between the news media and Middle America there is an imperfect relation, a lack of touch, a disharmony. That being so, there's an element of privilege in our work. It is done on the sufferance of the great majority. And in these conditions, it seems to me that those of us in the media would be wise to exercise a certain caution, a prudent restraint in pressing for a plenary indulgence to be in all places at all times as the agents of the sovereign public.

In these circumstances it seems to me that those of us in the media need to make a special effort to understand Middle America. Equally it seems wise to exercise a certain caution, a prudent restraint, in pressing a claim for a plenary indulgence to be in all places at all times as the agent of the sovereign public.

LABOR DAY: ITS CHANGING MEANING

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. QUILLEN. Mr. Speaker, Labor Day has come and gone, and I believe that it is time to reevaluate its real significance. Originally, the day was set aside to honor "the unskilled and semi-skilled laboring man, the blue-collar legions of an industrial society in the mak-

ing," but "progress persists in chipping away at what was once its major significance."

Let us reevaluate the real purpose of Labor Day.

An interesting editorial appeared in the Bristol Virginia-Tennessean on Monday, September 2, 1968, entitled "Labor Day: Its Changing Meaning." This editorial presents some sound logic and food for thought, and I would like to share it with the readers of the RECORD:

LABOR DAY: ITS CHANGING MEANING

Even as Labor Day becomes ever more deeply entrenched among American traditions, progress persists in chipping away at what was once its major significance.

It was the unskilled and semi-skilled laboring man, the blue-collar legions of an industrial society in the making, that the first Monday of each September initially was set aside to honor.

Many a sunny day of picnics, parades, ball games and just plain taking it easy has since been crossed off the calendars. And the nation that was building an industrial society has crossed a few bridges. It is now deep into the age of computers and automation, not the least of the effects being a steadily diminishing role for the nonspecialized worker.

As is so often the case with those affected by change yet not fully understanding it, the immediate reaction is fear—fear of loss of jobs by flesh-and-blood men to steel-and-circuit machines. That there is some basis for fear cannot be denied. It is visible in the steady decrease of jobs not requiring some degree of technological competence and the declining significance to society of those still available.

Blind resistance to change itself is not, of course, the answer. Particularly not where change is not only inevitable but essential. We have succeeded in building a society where much more than muscle is necessary to maintain momentum.

To try to hold fast to obsolete job skills and titles is like requiring every garage to keep a blacksmith on its staff, or forcing each office to maintain a quill sharpener.

Education is, of course, the heart of the answer, retraining a man replaced by a machine in one job to do another the machine is incapable of—or may very well itself have created.

Our experience in technological development shows that for every job lost through innovation, more are created. Automation actually is creating something like three times as many occupational slots as it is eliminating.

And who knows? Perhaps in the bright, new world the more exuberant prophets say awaits us. Labor Day may acquire a meaning exactly the opposite of the original. It may not be a day off the job, but the one each year when we all take a break from our lives of leisure, turn off the machines and, for a change, go to work.

DOROTHY FROOKS' RESOLUTION TO THE AMERICAN BAR ASSOCIATION CONVENTION

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. KUPFERMAN. Mr. Speaker, my friend and constitutent Dorothy Frooks, Esq., attended the American Bar Association Convention in Philadelphia early in August and submitted to the resolution committee the following statement concerning the disintegrating moral situation in the United States.

Because so many people in the United States continue to be similarly disturbed by the world situation, I thought that my colleagues would be interested.

DOROTHY FROOKS RESOLUTION

Whereas there is increasing in this nation the anarchous tendency to settle social, civil and legal problems by force as evidenced by assassinations, riots and skyrocketing increase of crime,

Whereas all the negative manifestation is symptomatic of the moral disintegration predicted by our enemies for destruction of the Free World and the victory of Communism,

Whereas this increased moral disintegration has never been analyzed and thoroughly explained to the people,

Whereas all efforts of individuals, organizations, splinter groups to rouse the people to their national and personal dangers have proven unavailing,

Whereas all this expenditure of effort for many years has failed because of a superficial knowledge in depth of the philosophy of Communism,

Whereas this lack of uniform sophistication in knowledge of Communism could destroy a united effort to sustain Government in an eventual rebellion which could germinate from unleashed blind racism and from the blind impulsive plans emanating from splinter groups,

Whereas many plans including a plan by General David Sarnoff, have been submitted to deaf ears in Washington for an all-out Government-People combined operation to combat insidious and undetected communistic inroads into the national and individual mind through mass media and education with a serious vein,

Whereas there is no Government Agency directed to use mass media to educate the people with emphasis that is positive: Be it

Resolved, That this organization embark on maximum effort with speed and dispatch to have the Government set up a mass medium campaign to educate the people and to prevent the maneuvering of activities of the Communistic politicians who keep the Free World confused and uncertain.

AIR TRAFFIC CONGESTION

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. GALLAGHER. Mr. Speaker, on April 3, 1967, in a letter to Chairman HARLEY O. STAGGERS, of the Interstate and Foreign Commerce Committee, I warned that air traffic congestion "has reached such potentially disastrous proportions that I feel the Congress can no longer stand idly by and watch an approaching catastrophe. The congestion in our air corridors has reached and indeed passed the critical point." I further suggested immediate congressional hearings which would end, I hoped, in affirmative actions and recommendations to clear the air.

Today, national attention is focused on the overcrowded skies. Passengers using many metropolitan airports are forced to wait for 2 hours to take-off and land. Aircraft are stacked up over every major airport during peak hours. Delays at Kennedy International and La Guardia Airports in New York have caused planes coming from as far away as Los Angeles to hold over distant airports, thereby creating a rippling effect of delays and congestion. These operational delays are estimated to have cost the airlines $80 million last year and cost businessmen-travelers almost $60 million in lost time. But most importantly, there are millions of lives put in danger each day by the traffic jam in our airways—both passengers and those who live in the vicinity of major airports. Last year I pictured the situation as critical. Today, we are on the verge of a complete and catastrophic breakdown of our entire air transport system.

The statistics point up the growing danger. In 1960 air route traffic control centers handled 9.4 million aircraft. By 1967 this number had jumped to 15.1 million planes. By 1979 this number is expected to be 44.9 million. In 1960 FAA airport control towers directed 25.8 million flights. In 1967 the FAA towers controlled 47.6 million. This number is expected to rise to 167.4 million by 1979. During the past 4 years air traffic control centers in the "Golden Triangle"—Chicago, New York, Washington—have experienced a 62 percent increase in traffic as compared with a nationwide increase of 30 percent. Most frightening of all, in the period 1960–66 there were 146 mid-air collisions and 3,724 reported near misses. Fortunately, of the mid-air collisions, only two involved air carriers. But the grim results of a mid-air crash between two 490 passenger jumbojets are unthinkable.

The meaning of all this is obvious to anyone who has traveled by air from Washington to New York in recent weeks. In growing numbers of situations, airplanes no longer represent the fastest means of travel along the east coast. At the same time, the probability of a serious air disaster over a large metropolitan area is steadily rising.

There are numerous and divers reasons behind this crisis in air travel, and solution will not come through any single policy decision nor through the action of any single department or agency. If we are to avoid strangulation by immobility and if we are to have our "mobility revolution," national policy planning must embrace all forms of transportation and all of the complex inter-relationships among the various modes. We must begin to think in terms of total trip—door-to-door travel. If we fail to think in terms of total trip, travelers will soon find the glamour of the jet age has become the dispair of our age.

The time is long overdue for the Federal Government, in concert with State and local governments, to begin to make decisions and formulate policies to deal effectively with the threatening breakdown of transportation in America. The air transport situation is only a forewarning of the critical failings of our entire transportation conglomeration. Today I will discuss one aspect of the overall problem—our overcrowded airports—and I will propose specific measures to help alleviate some of the conditions that have lead to this congestion.

There is simply no question but that the current congestion over the hub airports is attributable, in large measure, to a gross failure to utilize our existing resources. While the 9,900 airports that comprise the national airport system will certainly be inadequate to meet future needs, we can, by a proper allocation of available ground facilities, lessen the current overcrowding and long waiting periods for takeoffs and landings.

As an example of the present underutilization, the annual capacity of flights into and out of New York's Kennedy Airport, estimated to result in severe congestion, is 430,000 per year. On the basis of current monthly figures, however, Kennedy is handling about 468,000 flights this year, far above the severe congestion figure. On the other hand, nearby Newark Airport is capable of efficiently taking 315,000 flights annually, yet, again using current monthly figures, Newark will receive only 270,000 flights this year.

At Washington, D.C., National Airport handles two and one-half times the volume of traffic for which it was designed, while neighboring Dulles International Airport operates at a mere one-fourth of its capacity. There are a total of eight metropolitan areas served by more than one major airport.

The bill I am introducing today would require the Civil Aeronautics Board to designate specific airports for use by intercity flights rather than allowing the current practice of individual air carriers to pick and choose fields on a random basis. It has become evident that the airlines, faced with a tremendously competitive situation, are not going to rearrange their schedules to meet the critical problems of airport selection in areas served by two or more airports.

In addition to providing a measure of immediate relief, I believe this bill can assure full utilization of airports constructed in the future. Private investors as well as State and local governments will be encouraged to speed development of sorely needed new airport sites and facilities. It is estimated that $6 billion will be required by 1975 for the construction of essential airports; approximately one-third of this sum will come from the Federal Government. Over $4 billion will have to come from private and local government sources. But today's investors look at Dulles International Airport and look somewhere else to invest their money. I think this legislation can provide the spur to investment of private and public capital for new airports.

Another factor contributing to the airway congestion is the heavy flow of general aviation during peak periods of activity at major airports. Today, takeoff and landing sequence is based on a first-come, first-serve basis, except in emergency situations. This means that a giant airliner carrying 250 passengers may be forced to go into a holding pattern to await the landings of several small private aircraft. Unquestionably, general aviation holds great promise for the future of air travel, but of greater present significance, general aviation traffic at large metropolitan airports during rush hours contributes greatly to the prevailing confusion and congestion. As Joseph S. Murphy, editor and publisher of Air Transport World, said in a recent editorial:

> Congress should focus only upon what is in the public interest and that is a safe and efficient air traffic control system.

The legislation I am introducing today would require the FAA to prohibit general aviation traffic during peak hours at certain overcrowded airports. This provision is not meant to place an unfair burden on private aircraft operation. It is intended to lessen the hazard of collision during vital operating periods at major airports.

I also recommend that the FAA develop policies that will encourage development of V/STOL strips to accommodate smaller general aviation craft. I read recently of the new STOL runway being tested at Kennedy Airport. I think this will be the pattern for the future, and indeed if there is to be a future for air travel, these STOL runways are a must. In addition, I believe policies must be enunciated to encourage construction of safe, adequate satellite airports surrounding metropolitan areas to handle the predicted surge of general aviation activity. The larger airports must soon be restricted to larger craft, but such restrictions cannot be brought into play until there are reliable and efficient airports within reasonable distances to major centers of activity. This concept necessarily includes development of ground transportation systems to provide smooth links between the satellite airports and the metropolitan areas and larger commercial airports.

I do not mean to imply that the major airlines are without fault. The airlines must begin to voluntarily rearrange their schedules to eliminate the bunching that occurs during peak traffic hours. Airlines should, moreover, cease offering scheduled flights that are greatly in excess of demand. For example, I understand that airlines offer 16,000 seats daily for flights from New York to Chicago, whereas there is a market for only 8,000. These extra aircraft, some carrying only a 30-percent load, add to the congestion.

Mr. Speaker, this legislation represents only a beginning, but, I believe, a significant start. Our transportation dilemma can be solved by a major emphasis on planning for the future and commitment of capital. As the former FAA Chairman Najeeb E. Halaby said in a recent speech:

> If there is one word which characterizes the future of air transportation it is MORE. There will be more of everything in the years that lie ahead—more passengers and mail and cargo, more speed, more aircraft, more comfort, more schedules, more routes, more safety, more jobs, more money invested. . .
>
> If we are to have more comfort, schedules, safety, and money invested, then we must begin to make some hard and fast decisions now. If we do not anticipate and plan for the future of air travel, and its relation to other modes of transportation, then all we will have is more congestion, more delays and more death and destruction.

Mr. Speaker, I include at this point several editorials which discuss the problem of air traffic congestion:

[From the Newark Evening News, Aug. 29, 1968]

SPREADING AIR PEAKS

During the height of the continuing air congestion over metropolitan airports, the cry most frequently raised was that some agency—the FAA, CAB or other federal authority—should order rescheduling to spread out the peaks and fill in the valleys.

When the suggestion finally reached the decision stage, the first to back off were the FAA and CAB, the two agencies most directly concerned with regulating commercial flights. The reason for the unusual reversal of bureaucratic form was the sheer complexity of scheduling. For example:

Servicing the New York area alone requires 2,000 daily schedules involving 15 airlines serving 100,000 persons traveling to 200 points, including 70 foreign countries. Excluding shuttle flights, each of these aircraft schedules is part of a network of hundreds of others, often with close-order connections. Each schedule commits a $6-million airplane, seven flight crew members, airport accommodations and the ground crews whose job it is to keep the planes in safe operating condition.

Little wonder, then, the government agencies were pleased to pass the slide rules and computers back to the airlines with orders to work out some improvements. Naturally, the airlines will be inclined to consider the economic return on their investment in equipment along with meeting the demands of their customers in a safe and convenient way.

Needed is a clearinghouse set up by the airlines which can fairly apportion the more popular arrival and departure times. The CAB might also retain its authority to order changes when the danger of overcrowding recurs.

Since general aviation fills as much as 25 per cent of the workable air space around the major metropolitan airports during peak hours, attention also should be directed to diverting the smaller aircraft to fringe airports like Teterboro in New Jersey and Republic on Long Island.

There's no longer much doubt, the convenience of a few must be sacrificed to the safe and serviceable operation of the major airlines which carry anywhere from 120 to 185 passengers per flight.

[A WABC radio editorial]

TAKEOFFS AND TIMETABLES—AIRLINE SCHEDULING SHOULD BE MORE REALISTIC

The Federal Aviation agency made a survey of scheduled takeoffs after the first big tieup at Kennedy Airport five years ago. It found that more than 50 per cent of the flights were scheduled to depart in about three per cent of the time. Since then, according to the Port Authority, the airlines have been adding flights at peak hours. It seems obvious to WABC Radio that if 12 planes are supposed to take off at 6 p.m. 11 of them are bound to be delayed. The airlines say they schedule flights to meet passenger demand. But passengers don't like delays any more than the airlines do. Each 60 seconds' delay in the air costs an airline about $10. We think it's time the airlines started rearranging their flight schedules—instead of forcing the air traffic controllers to do it for them.

[A WABC–TV editorial]

THE AIRPORT SQUEEZE—DON'T BLAME THE FLIGHT CONTROLLERS FOR AIRPORT DELAYS

The tri-state area needs a fourth jetport. Channel 7 has been saying so for years, and Kennedy Airport is proving it every weekend. Two-hour flight delays are routine on Sunday nights. When your plane finally lands, you can't get a cab. And even if you could, you'd be in a traffic jam caused by overflow from the parking lots. Obviously this mess is not

the fault of the air traffic controllers. The fact is there are just too many planes over our three existing jetports. One air trip out of every four in this country begins or ends here. The obvious answer is another jetport to spread the traffic around. The Federal Aviation Administration is already dropping hints about the alternative—higher fares on flights scheduled in peak hours. Nobody wants a jetport for a neighbor, but we've got to have another one somewhere.

[From the Washington Post, Aug. 18, 1968]

IT'S ABOUT TIME

The announcement by the Federal Aviation Administration that it will do something this fall about the traffic congestion in the skies is welcome, but it is long overdue. Everyone involved in the air traffic business has known for years that some day there would be more airplanes wanting to use airports than the airports could handle. The public became aware that this saturation point had been passed early in July and those who use the air—passengers and pilots alike—have been suffering ever since. This suffering is going to go on for some time unless the FAA and the Department of Transportation move much faster in the future than they have in the last six weeks.

The hope, expressed both in the FAA's announcement and by Secretary of Transportation Boyd earlier this week, that the aviation industry can solve this congestion problem within itself seems to be just wishful thinking. The airlines and the general aviation people have not shown the slightest sign of producing constructive proposals either jointly or separately. The hope that they could has been ruptured by the desire of the FAA and the Department of Transportation to keep from being embroiled in a bitter fight and to postpone the day when tough decisions must be made.

The choices facing Secretary Boyd and the FAA are somewhat limited. They can restrict commercial aviation—by forcing scheduling changes or moving flights from congested airports to less congested ones—or they can restrict private aviation by limiting or closing certain airports to noncommercial traffic during peak hours. The ultimate decision, FAA's announcement makes clear, will involve a little of both, perhaps for no reason other than to make everyone angry instead of making one group totally furious.

It would seem, in light of the number of people transported, that the airlines ought to have priority on the use of major airports. But they ought not to be given this by the Government except as part of a package that shifts some international flights out of Kennedy Airport and shifts domestic flights among the alternate airports of the same city to increase the utilization of less crowded fields like Dulles or Newark. In fact, this crisis in the skies opens up an opportunity for setting straight some of the snarls that have gradually grown up in commercial aviation. It almost demands, for example, that the FAA move ahead with the task of making Dulles this city's major airport for medium-range, as well as long-range, flights.

The airlines, of course, want nothing done to their scheduling practices or to their use of the busiest airports. They already have turned down suggestions that they agree among themselves to cut back peak-hour flights and to accept a freeze on certification of new routes into congested airports. These actions, plus some of the silly scheduling practices now observed, undercut substantially any complaints the airlines as a whole may make against whatever solution the FCC adopts. It is ridiculous, for example, in terms of traffic control or of passenger convenience to have 20 to 30 flights scheduled to use O'Hara field in Chicago at precisely the same second or to have three Miami-bound flights leave Kennedy at 9 p.m. when there are no other flights between 6:40 and 9:30.

Undoubtedly the task of the FAA in untangling the air congestion around New York, Washington and Chicago will be extremely difficult. Huge financial interests are at stake and the airlines and the general aviation people are astute at appealing over the head of the FAA. In this instance, the FAA must move vigorously, as well as quickly, and Secretary Boyd must be prepared to give it the kind of backing it has sorely lacked in the past.

[From the Elizabeth (N.J.) Daily Journal, Aug. 22, 1968]

THE SKY BOOM

Last month a plane bound for Kennedy Airport in New York circled for two and a half hours in a stacking pattern, landed in Newark to refuel, and then returned to circle Kennedy for another two and a half hours.

It was but one of the many incongrous happenings in the skies over New York and New Jersey because of the air traffic jam. Part of that burden has been shifted to Newark Airport, which has incurred only slight delays on takeoffs and landings. Newark Airport, however, is only a temporary means of relieving the congestion.

The projections are that the demand for airline service will grow at more than 15 per cent a year. The airlines have committed $13 billion for aircraft and $5 billion for ground facilities by the mid-1970s. Newark will undergo the principal expansion in the metropolitan area, unless and until a new field is developed.

The Republican party platform takes a vague look at the nation's air transport system, and pledges to evaluate the need for new equipment and facilities. The Democrats are expected to adopt the same general attitude to aviation.

But unless a much bolder approach is sought, such as through an air transport trust fund built up through a tax on air freight and passengers, the states and local government authorities will not have the resources to do the job, estimated at about $12 billion.

Furthermore, any federal aid to aviation must consider noise abatement action. As long as ten years ago, a committee of municipal officers, headed by former Elizabeth Mayor Steven J. Bercik, recommended the adoption of a standard of noise levels for airplanes flying over congested areas. That committee's recommendations, incorporated in a bill now before a Congressional committee, should be attached to any appropriations for aircraft development.

TRUST FUNDS FOR EDUCATIONAL SCHOLARSHIPS AND DAY CARE CENTERS

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. MILLER of Ohio. Mr. Speaker, as our technology advances the demands for higher education increases. I believe the bill under consideration, H.R. 14314, will provide a better chance for additional education for great numbers of our citizens without the use of Federal funds.

Higher education in our society is no longer a luxury, but it is unobtainable in many cases because of the costs involved.

Mothers who must work to help meet family financial obligations are currently burdened by a lack of adequate child care centers.

This bill, providing for trust funds for educational scholarships and child care centers, would help greatly to overcome these two hurdles.

This bill proposes to enlist the energy and resources of the private sector of our economy by permitting employer contributions to jointly administered trust funds or child care centers.

Trust funds to provide scholarships to employees and their dependents would ease the financial burden and make higher education financially possible for many young people.

An opportunity to entrust young children to good day care centers would be a major attraction to employment in industries which depend heavily on women employees for their labor force. In addition, well-operated care centers can have a good influence on the children who attend them.

This bill specifically states that no labor organization or employer shall be required to bargain on establishment of these trust funds. The legislation is "permissive" and will not be made a bargaining subject. I support passage of H.R. 14314.

SOCIAL SECURITY SCARE

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. MONAGAN. Mr. Speaker, a contrived scare campaign has been waged in my congressional district—and in other districts—recently and I wish to bring it to the attention of my colleagues for their protection and information. Notices, leaflets, and articles appeared in factories, offices, and were distributed on the streets and in public parking lots, alleging that a bill before the Congress would convert the social security system into a welfare-type program.

I have supported the social security program since coming to Congress 10 years ago, and I supported the amendments of 1967 which increased benefits by 13 percent and expanded coverage to hundreds of thousands of our citizens. I would never stand for any watering-down of the provisions of this valuable program, and resent the misrepresentations which this campaign seeks to make effective.

Confused and irate constituents concerned with the claims made in this campaign wrote to me and to the Senators from Connecticut and the gentleman from Arkansas [Mr. MILLS], chairman of the Committee on Ways and Means, upon my request, has provided a clear refutation of the erroneous claims. His statement is as follows:

As you know, H.R. 5710, which was introduced early in 1967, contained the Administration's proposed amendments to the Social Security Act. Hearings were held on this legislation last March and April. Subsequently, however, the Committee on Ways and Means reported out a clean bill, H.R. 12080, which was approved on January 2,

1968, as Public Law 90-248, the Social Security Amendments of 1967. Consequently, the original Administration bill, H.R. 5710, can now be considered as a dead bill since it was superseded by the bill that was enacted into law.

Let me assure you that the allegations you have received are a complete misrepresentation of the provisions of the bill. There is no provision in H.R. 12080, nor was there any provision in H.R. 5710, which would have the effect described. Taxes will still be collected and benefits will still be based on wages earned in covered employment, and workers will be entitled to these benefits as a "matter of right." In other words, H.R. 12080 (P.L. 90-248), instead of reversing, preserves the concept of a wage-related system.

As a complement to the Social Security Insurance System, as you know, we do have the public assistance programs which the Federal Government helps the states maintain under a matching formula, under which both Federal and state funds are used to make public assistance payments. This system has always been and will continue to be based on a needs test under H.R. 12080.

I think it is obvious that no administration would propose nor would Congress enact any such proposal as the one described by the circular to which you refer.

The local social security administrator in the Waterbury, Conn., area described the anonymous campaign as a "hoax," and also explained the genesis of the Social Security Amendments of 1967. I include at this point in the RECORD a copy of an article which appeared in the Waterbury, Conn., Republican on August 24, 1968:

SOCIAL SECURITY FLYER CALLED HOAX BY SULLIVAN

Describing the contents of an anonymous flyer now circulating in the Waterbury area as a hoax, the local social security administrator said Friday that there is no House Bill 5710 as the flyer alleges.

Although Social Security officials haven't seen a copy of the flyer, reportedly it says the bill provides for the conversion of Social Security to a welfare-type program. Further, it is assumed, it points out the bill provides changes of Social Security from an earned right to a need.

Social security officials labeled the possibility as completely false. No such bill presently exists, they said.

Edward A. Sullivan, Social Security district manager in Waterbury, said that articles urging people to write to their congressmen and senators are being posted in factories and offices.

Sullivan explained that some of the articles have been posted on public bulletin boards, some have been reprinted in plant newspapers and some have been given out in the street or placed under car windshield wipers.

Misled by the articles, people have written to their senators and congressmen and have been informed that the flyers are completely erroneous, Sullivan said.

He noted that House Bill 5710, which the flyer identifies as the bill before Congress, is not before the Congress. There was a House Bill 5710 over a year ago. But it would not have done any of the things described in the flyer, he said.

The House Ways and Means Committee, after hearing an extensive consideration of the measure, amended House Bill 5710 and gave it a new number. As House Bill 12080, it passed the House and Senate and was signed into law by President Johnson Jan. 2.

"This is the legislation," Sullivan said, "that increased social security benefits of the nearly 24 million people on the social security benefit rolls by 13 per cent—that made over 300,000 additional persons newly eligible for payments—that added new Medicare benefits—and that made many other significant improvements in Social Security."

Mr. Speaker, I have not yet been able to discover how this campaign began, or who is behind it, but I think that it should be called to the attention of my colleagues at this time in the event that they are faced with similar misrepresentations. I hope that this hoax is above the realm of partisan politics, but in any case am confident that it will be recognized for the sham it is.

FIVE FROM STATE DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. LONG of Maryland. Mr. Speaker, five Marylanders were recently killed in action in Vietnam. They were: L. Cpl. Donald L. McClanahan, Pvt. Leslie M. Dyson, L. Cpl. Ernest Postorino, 1st Sgt. Clarence Fulton, and Cpl. Jimmie J. Richardson. I wish to commend the courage of these men and to honor their memory by including the following article in the RECORD:

FIVE FROM STATE DIE IN VIETNAM, INCLUDING KHESANH SURVIVOR

Five Marylanders, including a Glen Burnie Army man who survived the siege at Khe Sanh, have been killed in action, the Defense Department announced yesterday.

The five are:

Marine Lance Cpl. Donald L. McClanahan, 19, son of Everett L. McClanahan, 1314 Gatewick road, Glen Burnie.

Army Pvt. Leslie M. Dyson Jr., 19, son of Mr. and Mrs. Leslie M. Dyson, Sr., 6617 Alleghaney avenue, Takoma Park.

Marine Lance Cpl. Ernest Postorino, son of Mr. and Mrs. August Postorino, 4209 Southend road, Rockville.

Army 1st Sgt. Clarence Fulton, husband of Mrs. Inez L. Fulton, 4002 West Franklin street, Baltimore.

Army Cpl. Jimmie J. Richardson, son of Mr. Greer L. Richardson, 1121 East Baltimore street, Baltimore.

Mr. McClanahan said his son contracted malaria and was hospitalized for a brief time at Khesanh. He had been wounded in February in the right leg while on patrol at the outpost in the northern part of South Vietnam, the father said his son told him in letters home.

Corporal McClanahan was killed August 25 while serving with the 1st Marine Division as an assistant machine gunner, the father was notified.

"He never complained about the fighting. The only thing he ever complained about in his letters was carrying machinegun ammunition, mortar shells and his regular gear," Mr. McClanahan said.

His son was sent to Vietnam at the end of January after enlisting about a year before that. He described his son as an ardent hunter and fisher.

Private Dyson's mother received a letter from him the day he died, August 27. He had been sent to Vietnam only about six weeks ago after finishing paratroop training, she said.

"I came pretty close to being shot last week," Private Dyson wrote. He also said he had been sent out on patrol often and had been in at least one ambush.

He died as a result of chest and stomach wounds received in a firefight, Army officers told the mother. A member of the 9th Infantry Division, he had enlisted June 7, 1967, his mother said.

Private Dyson was graduated from Montgomery Hills Junior School and worked as a helper on a truck for a hospital supplies firm, Mrs. Dyson said.

STATEMENT BY GEORGE J. BURGER, JR., ASSISTANT TO THE PRESIDENT, NATIONAL FEDERATION OF INDEPENDENT BUSINESS, BEFORE THE ECONOMIC AFFAIRS SUBCOMMITTEE OF THE REPUBLICAN PLATFORM COMMITTEE

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. McCLOSKEY. Mr. Speaker, in today's world of giant corporate enterprise mergers, it is well to take occasional note of the contribution to our continuing economic prosperity by the small independent businessmen. An excellent summary of this contribution, as well as a proposed legislative program, was recently tendered to the Republican platform committee by the representative of the National Federation of Independent Business, a professional association representing over 257,000 members. Insomuch as the federation maintains its national headquarters in my district, I am pleased to insert this statement in the RECORD for review by our colleagues:

STATEMENT BY GEORGE J. BURGER, JR., ASSISTANT TO THE PRESIDENT, NATIONAL FEDERATION OF INDEPENDENT BUSINESS, BEFORE THE ECONOMIC AFFAIRS SUBCOMMITTEE OF THE REPUBLICAN PLATFORM COMMITTEE

We are convinced that the key to a sound nation and to a meaningful approach to a solution of the problem of the ghettos lies with small, independent business and professional enterprise.

Our conviction is based—not on blue sky—but on hard facts—facts disclosed by more than 25 years of questioning independent business and professional people concerning 1,000 bills and issues that have been before succeeding Congresses—and facts disclosed by over 7 years of increasingly intense economic surveys among our membership. This year we will cover, in our survey, over 250,000 individual independent business and professional enterprises located in all areas of the country, active in all lines of enterprise and at all levels of each line. We will receive responses from more than 100,000 of these enterprises. In other words, our recommendations are based on what actual operating independents tell us. To know a business or professional enterprise you have to ask a man who owns one.

Thus, let us consider the true picture. Despite the weight of laws, regulations, taxes and edicts and whims of bureaucracy on many levels, there still miraculously exist: 5,000,000 smaller, independent business and professional enterprises which account for: 73% of national retail sales; 73% of national wholesale sales; 82% of the construction activity; 80% of the service function; 34% of the manufactured value added to the economy each year.

These are the cold statistics. Now let's look at the human involvement—people.

These smaller, independent business and professional enterprises provide 34 million jobs—or half of our civilian employment. Restated in another way, six out of every ten American families depend on small business

for a livelihood. Thus, small business is everybody's business.

Senator Winston Prouty puts it this way: "Over the years the phenominal growth of the economy in the United States has in large measure been the result of individual incentive. Our system of government has made it possible for small entrepreneurs, men with ability, initiative and a willingness to run risks, to found and expand their own business enterprises. This has meant jobs for an expanding population in our country and the highest standard of living in the world. Some of these once small businesses have grown into great corporations and on the whole this has been good for the country. But if the time ever comes when the little man with initiative and competence is unable to make it on his own, then the whole fabric of our society will be drastically altered."

Here are the recommendations: First, that there be enacted measures which will encourage the development of the economically under-developed regions of America. By a majority of 66% the nation's independent businessmen support the bill by the Chairman of the House Small Business Committee, Joe Evins, to encourage establishment of new employment—providing enterprises in rural areas through tax incentives.

Note: This measure calls for NO new appropriations. It only calls for reasonable provisions for partial tax credits on taxes that at present are non-existent.

There are also other benefits.

1. Not growing ghettos, but better living for all through providing more job opportunities throughout the land, to curb the migration to the big cities, with no cost to the taxpayers, and . . .

2. Better health at less cost, controlling the twin hazards to national health today—created largely by concentrated packed masses of humanity: water pollution and air pollution.

3. Plus help for the American farmer. Rural economic development would mean redistribution of consuming units for shorter hauls to points of easier access, permitting the farmer a greater share of the consumer food dollar now eaten by transportation costs.

Second, the "Plowback Allowance" is urgently needed. This legislation, first sponsored by all members of the Senate Small Business Committee, would permit a business before taxes, to put back into operations 20% of a year's profits, limited to a maximum of $30,000 in one year. Eighty percent of independent businessmen report this would result in the expansion of business and employment.

Here's why.

1. Independent enterprise working capital has been badly clipped. While the "off-again, on-again" 7% investment incentive has been helpful for needed machinery and equipment, governmental policy has helped to create an even greater problem: that of maintaining inventories and accounts receivables. Rising costs have eroded working capital.

High interest rates (averaging nationally 6.7% by mid-1968) discourage borrowing when according to Dun & Bradstreet, the median profit in ratio to sales is 1.09%.

The presumed temporary loss of taxes is low compared to the permanent tax loss that *will* result if small business can no longer keep up in financing its inflation created requirements . . . especially if and when the Vietnam war ends.

Or in human terms . . .

2. Four years of Federation surveys 1964 through 1967 show 5,120,000 new jobs created.

1,900,000 were created in 1964 in the favorable climate created, in important part, by the 1958 optional additional depreciation enactment and the 1962 7% Investment Credit.

1,700,000 were created in 1965 before the high level of escalation in Vietnam.

1,300,000 were created in 1966 when 68% of all respondents answered "yes" to the question, "Could you take unskilled people into your business and be prepared to train them?"

In 1967 new job creation eroded to 220,000.

Why? The answer is in two parts. One part is that the erosion of working capital through higher interest rates and higher costs encased independent business in a straitjacket.

Unless the climate for independent enterprise quickly improves, peace in Vietnam could create chaos.

Second, these business and professional people recommend strongly that the urge to merge be submerged. The appalling rash of mergers, particularly those called conglomerate mergers represents an alarmingly unhealthy concentration of economic power. While many hold, with some truth, the villain in this tragedy is the big greedy corporation, there is an even bigger villain involved.

This is the inheritance, estate or death taxes. These taxes by any name have sounded the death knell for many family-owned, or closely held enterprises. Valuations, placed on today's inflated prices, often result in death duties far exceeding the cash on hand. This results in one of two things:

1. Either on death of a principal, the business must be liquidated to meet the death taxes, or,

2. In anticipation of such an occurrence, the small firm actively seeks the security resulting in an exchange of its value for the stock of a big corporation.

With votes as high as 66%, the nation's independent businessmen request practical amendments to the estate, or death tax laws. After all, the entire amount collected Federally by this tax, up to this year, has not equaled an average year's foreign aid expenditure.

Additionally, in the area of antitrust we urge that (a) there be enacted a law or laws which will provide a means of curbing unfair price discriminations which occur in dual distribution systems—systems in which a supplier sells both through independently-owned outlets and supplier-owned outlets which are competitive with the independently-owned outlets, and (b) the position of Assistant Attorney General in charge of the Justice Department's Antitrust Division be made more permanent than it is at present—the short tenures in this position (within the past 10 years there have been five different Assistant Attorneys General) does not, in our estimation, provide a setting that is conducive to a strong, continuing anti-monopoly enforcement program.

Third, these business and professional people ask that youth be given a chance. Late in 1966 Congress again amended the Wage/Hour law, which is the second reason for the high drop in new job creation in 1967. Federation-collected data from continuous surveys show conclusively this law forced out of gainful employment, 1,212,000 people composed of the aged, the handicapped, the crippled; but over and beyond this sad fact that can be related to statistical study is the sadder fact that untold thousands of job opportunities were closed to youth everywhere. This much we do know—the rate of unemployment among teenagers today is double that of 1953. This is well documented, not by theory, or abstractions, but by our files of hundreds of personally signed reports by employers.

What independent business and professional people desire is to encourage on the part of youth meaningful involvement in society—rather than alienation—through jobs.

Independent business is willing to resume its classical role with youth, which is:

1. Teaching unskilled youth proper work habits.

2. Starting their training in a vocation.

But independent businessmen must be permitted to offer pay commensurate with productivity, and community economic circumstances. Thus, teenagers should be exempt from the minimum wage provisions of the laws. Bear in mind 68% of the nation's independent firms have said they are willing to employ and train the unskilled without one cent of cost to the taxpayer.

Government should not be permitted to interfere with this process. Crocodile tears and impassioned TV pleas to hire the youngsters cannot supplant the old maxim that the laborer must be worthy of his hire.

Fourth, these business and professional people hold that unrestrained union power is capable of creating economic infanticide. While there is a proper place for unionism in our society, the present lack of limitations on union power is perpetuating the economic colonialism existing in huge areas of this nation with the result that workers, in order to work, must of necessity exist in crowded industrial centers.

The independent businessmen have voted by a majority of 80% in favor of the bills introduced by Congressman David Martin to prohibit nationwide labor bargaining whereby a few big corporations and a few labor leaders dictate the basic labor laws of the land. This has killed new enterprise aborning.

A free economy, a growing economy, the attack on the ghettos, requires that employer-employee relations be on a more flexible local basis, allied more closely to local problems and conditions.

Fifth, our members urge that there be an automatic approach to imports. American business must be placed on a competitive basis in the domestic market and protected against inroads of imports produced at low labor costs.

Voting among independent businesses shows 60% oppose a quota system on imports on the basis this places the economy under control of bureaucrats who are the least qualified to deal in this area. But by a majority of 80% they support the Congressional proposals to peg tariffs to differentials in labor costs between the U.S. and nation of origin of imports.

This would not only keep the market free on an even competitive basis, but also, by serving as an encouragement—hopefully—to foreign producers to raise their wage rates, would enhance the ability of foreign labor to purchase American goods.

Sixth, they firmly believe that small business can play an important role in solving the balance of trade problem. Federation surveys show that 4% of independent firms engage in export. It is our belief this activity could be substantially expanded to the benefit of all. While we are conscious of aids offered by the Department of Commerce, they have not been sufficiently published; neither do they surmount the big barrier to export expansion.

One principal barrier to such expansion is inability to finance export shipments of great value in expanding exporting by the independent sector of our economy.

Seventh, our members recommend that full recognition be accorded independent, smaller business and professional enterprise. While the National Federation of Independent Business has long been most appreciative of the fine research and study functions performed by the Select Small Business Committees of both Houses of Congress, it holds most urgent that both of these bodies be equipped with legislative authority, to permit the problems of small business to be referred directly to the elected representatives for vote . . . the same privilege that is given labor, agriculture, and other important segments of the economy. This urgency is recognized and supported by many Congressional leaders.

These same business and professional people recommend with equal urgency that the

Small Business Administration be continued as an independent, effective agency of the Executive Branch of Government, and that it be staffed with people knowledgeable of, and sympathetic with, small, independent business and professional enterprises.

Finally, the Federation is furnishing you a detailed documented report on the areas we have discussed.

This presentation gives the highlights of the salient points toward solution of the most pressing social, economic and financial problems of the times.

This program does not involve government expenditures. Obviously, with the financial straits the nation is now in, expenditures of further billions on untried, panaceas, can well lead to disaster.

Rather these proposals are based on the realistic practical approach to these problems by the men and women actually operating enterprises.

Not only will the steps recommended here cost the taxpayers nothing, but they will also, in the course of time, generate new revenues.

And more importantly, they will set once again into activity the yeast of individual initiative which caused the phenomenal rise of America.

MESSAGE OF THE PRESIDENT OF THE REPUBLIC OF POLAND

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. DERWINSKI. Mr. Speaker, at a time when the Polish satellite government in Warsaw continues to function as a complete puppet of the Soviet Union, it is practical for us to remember that the Polish Government in exile in London continues to function and this group is the legitimate spokesman of the Polish people.

Therefore, I am pleased to insert into the RECORD a message of the President of Poland, August Zaleski, issued in London, September 1, on the 29th anniversary of the German invasion of Poland:

MESSAGE OF THE PRESIDENT OF THE REPUBLIC OF POLAND ON SEPTEMBER 1, 1968, THE 29TH ANNIVERSARY OF THE GERMAN INVASION OF POLAND

His Excellency August Zaleski, legitimate President of the Republic of Poland, has issued in London the following message to Poles all over the world on the twenty-ninth anniversary of the German invasion of Poland in 1939:

"September 1st is the twenty-ninth anniversary of the outbreak of the Second World War when Nazi Germany attacked Poland.

"Germany's invasion of Poland was carried out with an understanding with Soviet Russia following prolonged negotiations between these two countries. The talks began in April 1939 when, on behalf of the Communist Russian government, the Soviet envoy in Berlin proposed an understanding with Germany for yet another partition of Poland—a proposal which the Nazi government enthusiastically accepted.

"It was not the first time in Poland's history that her eastern and western neighbours invaded the territories of the Polish Republic. As in the eighteenth century, so most recently, a free and independent Poland hindered the plans for annexations and conquests harboured by autocratic and totalitarian States of Germany and Russia. Just as with the Tsarina Catherine and Frederick of Prussia, so did Stalin and Hitler reach an understanding when on 23rd August 1939 they concluded in Moscow their pact to partition Poland.

"Already prepared for hostilities, the troops of Nazi Germany invaded the Polish Republic a few days after this agreement was signed. At the height of bitter fighting when Poland's armed forces, attacked from the west, north and south, fought for every foot of their native land and inflicted severe losses upon the invaders, Russian troops treacherously struck from the east and, in the outcome, the two highly imperialistic countries delimited a boundary between themselves which ran through the very heart of the Polish Republic's territories. It was short-lived, for that matter. By 1941, war broke out between the two enemies of Poland.

"The World War which broke out twenty-nine years ago bid fair to be a struggle to assure the freedom of man, the freedom and independence of nations, and respect for law in international life.

"Such were the aims presented to the world in 1941 by the United States and Great Britain in the Atlantic Charter to which the other allied Powers acceded. Unfortunately, although Soviet Russia likewise joined in this declaration when the German attack thrust her against her own will into the allied camp, these aims were lost to sight owing to Stalin's cunning and the short-sighted policies of the Western statesmen. Thus today, nearly a quarter of a century after hostilities ceased, the world still awaits the longed-for peace.

"Division of the world into spheres of influence has thrust under the rule of Russian neo-colonialism—as the modern incarnation of the old imperialism of Moscow—the east-central European nations despite their long history. And this at a time when the colonies of the Western Powers were relinquished, when new, independent States arose upon artificially delimited African territories with no traditions of Statehood. On the other hand, the Iron Curtain descended in the heart of Europe, dividing the Old World into a free and a captive group of countries.

"Freedom is indivisible. It is not possible to enjoy freedom in one country when basic human rights are violated in a neighbouring one. There can be no freedom in the world when one nation rules over another as international cooperation, upon which world peace depends, can be built up solely on the basis of voluntary commitments of nations.

"There can be no peace in the world without a Poland free and independent in company with the other nations of east-central Europe.

"We should propagate this truth and strive that world public opinion comprehend how essential its realization is, and to this end we implore Almighty God to bless our efforts.

"AUGUST ZALESKI.

"LONDON, *September 1, 1968.*"

SEPTEMBER CULTURAL EVENTS SPONSORED BY THE NATIONAL GALLERY OF ART

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of the U.S. Congress and the American people the fine schedule of cultural events sponsored by the National Gallery of Art in the month of September 1968.

The schedule follows:

CALENDAR OF EVENTS, NATIONAL GALLERY OF ART, SEPTEMBER 1968

MONDAY, AUGUST 26, THROUGH SUNDAY, SEPTEMBER 1

*Painting of the week: Corot. *A View near Volterra* (Chester Dale Collection) Gallery 89, Tues. through Sat. 12:00 & 2:00; Sun. 1:00 & 3:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11:00, 1:00 & 3:00, Sun. 12:00 & 2:30.

Sunday film: *Henry V,* Lecture Hall 2:30.

MONDAY, SEPT. 2 THROUGH SUNDAY, SEPT. 8

Labor Day film: *Henry V,* Lecture Hall, Monday 2:30.

* Painting of the week: Philippe de Champagne. *Omer Talon* (Samuel H. Kress Collection) Gallery 52, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Church Art.* Rotunda, Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11:00 & 3:00, Mon. (Labor Day) 1:00; Sun. 5:00.

Sunday lecture: *Why Were They Wrong?—19th-Century Art Criticism Re-examined, Guest Speaker:* Sterling A. Callisen, Professor of Art, Pace College, New York, New York, Lecture Hall 4:00.

MONDAY, SEPT. 9, THROUGH SUNDAY, SEPT. 15

*Painting of the week: Jacques-Louis David. *Napoleon in His Study* (Samuel H. Kress Collection) Gallery 56, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Court Art.* Rotunda, Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *Continuity in the Art of Édourd Manet, Guest Speaker:* S. Lane Faison, Jr., director, Williams College Museum of Art, Williamstown, Mass., Lecture Hall 4:00.

Painting of the week: Manet. *The Plum,* (Lent by Mr. and Mrs. Paul Mellon) Gallery 71, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Illusion in Art.* Rotunda, Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *Michelangelo and Mannerism, Guest Speaker:* Earl E. Rosenthal, Professor of Art, The University of Chicago, Chicago, Lecture Hall 4:00.

MONDAY, SEPT. 23, THROUGH SUNDAY, SEPT. 29

*Painting of the week: John H. Twachtman. *Winter Harmony* (Gift of the Avalon Foundation) Gallery 60A, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *The Exhibition of British Prints, Drawings, and Water Colors.* Central Gallery, Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *A New Style in France and England Around 1830, Guest Speaker:* J. Haydn Huntley, Professor of Art History, Northwestern University, Evanston, Illinois, Lecture Hall 4:00.

Sunday concert: National Gallery Orchestra, Richard Bales, *Conductor,* Zina Schiff, *Violinist,* East Garden Court 8:00.

SPECIAL EXHIBITION

On display this month in the Central Gallery are prints, water colors, and drawings by British artists working in the first half

* 11" x 14" reproductions with texts for sale this week—15c each. (If mailed. 25c each.)

of the twentieth century. Landscapes and architectural views predominate in this selection from the Rosenwald Collection.

LABOR DAY FILM

Sir Laurence Olivier's memorable film version of Shakespeare's *Henry V* will be shown in the auditorium at 2:30 p.m. on Sunday and Monday of Labor Day week end; running time is 2 hours 17 minutes.

SUNDAY EVENING CONCERTS

Weekly concerts resume September 29 at 8 p.m. under the direction of Richard Bales in the East Garden Court.

CHRISTMAS CATALOGUE

The 1968 catalogue of National Gallery Christmas cards is now available and may be requested from the Publications Office by mail or telephone (737-4215, ext. 217).

NEW REPRODUCTIONS

Color Postcards: Amadeo, *Kneeling Angel;* Gentileschi, *Saint Cecilia and an Angel;* El Greco, *The Holy Family;* Hicks, *The Cornell Farm;* Index of American Design, *Carrousel Reindeer;* Mino da Fiesole, *Madonna and Child;* John Toole, *Skating Scene.*

RECORDED TOURS

The Director's Tour. A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director. The portable tape units rent for 25c for one person, 35c for two. Available in English, French, Spanish, and German.

Tour of Selected Galleries. A discussion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. The small radio receiving sets rent for 25c.

GALLERY HOURS

Weekdays and Sunday, September 1, 10 a.m. to 5 p.m. Remaining Sundays, 12 noon to 10 p.m. Admission is free to the Gallery and to all programs scheduled.

CAFETERIA HOURS

Weekdays and Sunday, September 1, Luncheon Service 11 a.m. to 2 p.m.; Snack Service 2 p.m. to 4 p.m; Remaining Sundays, Dinner Service 2 pm. to 7 p.m.

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to 737-4215, ext. 272.

All concerts, with intermission talks by members of the National Gallery Staff, are broadcast by Station WGMS-AM (570) and FM (103.5).

SENATE— *Friday, September 6, 1968*

(Legislative day of Thursday, September 5, 1968)

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

Rev. Edward B. Lewis, D.D., pastor, Capitol Hill United Methodist Church, Washington, D.C., offered the following prayer:

O gracious and loving Lord, we stop for a moment to seek guidance and inspiration for this day.

We need guidance of the highest intelligence because we see how many times we have wandered in the wilderness of ignorance. We have not understood Thee; we have not understood ourselves; we have not understood our neighbors. Thus, we pray for guidance in a world of confusion and distress.

We seek inspiration for living. The thrill and joy of living are needed in our experience as we seek balance and solution to the tragedies of war, hunger, injustice, and hate. Inspired living comes from a heart that is fed with God's love. For this inspiration we pray.

Bless all leaders of government with that guidance and inspiration from the most high. May they feel the strength for their tasks. Strengthen this Nation under God, direct this world which is Thy creation, and love us, Thy children, forever. We pray in the Master's name. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, September 5, 1968, be approved.

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

MESSAGE FROM THE PRESIDENT

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

REPORT OF SURGEON GENERAL—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to transmit the 12th Annual Report of the Surgeon General on the Health Research Facilities Construction Program for FY 1967.

The effectiveness of current medical practice rests largely upon discoveries of medical research—an activity which must continue to grow if we are to bring better health and a fuller life to all Americans. Since 1956, the Federal Government—through the Health Research Facilities Program—has played an important role in providing funds for constructing and equipping health research facilities. During that period, the Health Research Facilities Construction Program has provided over $400 million in matching grants to about 400 universities, hospitals, and research institutions in all 50 States of the Nation.

This program has been a vital part of our efforts to increase man's understanding of disease and human development. It complements the Federal Government's continuing support of health research, which has grown from $1 billion in 1963 to nearly $1.5 billion today, 65 percent of the Nation's total expenditures for biomedical research.

This program has also been an important part of our overall effort to assure that the benefits of modern medicine are available to all of our people. To reach this goal, we have in just the last four years enacted over 30 new health measures and increased the Federal health investment from $6 billion to nearly $14 billion annually.

It is accordingly with pleasure that I submit to the Congress the 12th Annual Report of the Surgeon General on the Health Research Facilities Construction Program.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 6, 1968.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 15045) to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 15045) to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes, was read twice by its title and referred to the Committee on Labor and Public Welfare.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1969

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes.

The Senate proceeded to consider the bill.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

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

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

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