

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 p.m. 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.

## U.S. ARMY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

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

## LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDENT pro tempore. 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. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged to either side.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the majority leader, I yield 1 minute on the bill to the distinguished Senator from Connecticut [Mr. Dodd].

## GUN CONTROL BILL—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1501)

Mr. DODD. Mr. President, on behalf of the Committee on the Judiciary, I ask unanimous consent to file a report to accompany S. 3633, to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms, together with individual views.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. DODD. Mr. President, I ask unanimous consent that this report be held at the desk for 1 hour before being referred to the Committee on Commerce.

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

Mr. PASTORE subsequently said: Mr. President, today the Committee on the Judiciary reported the so-called gun bill,

with the recommendation that it be referred to the Committee on Commerce. In view of the fact we are in an emergency session, when the matter was brought to my attention, I asked the director of the staff of the Committee on Commerce to consult with the Senator from Washington [Mr. MAGNUSEN], who is now campaigning in the State of Washington, as to whether or not it might not be the better part of prudence to waive the right of the committee to have it referred to the Committee on Commerce and have it placed on the calendar, so the Senate can work its will and we can take advantage of all the remaining time during this session.

Therefore, I ask unanimous consent that that be done.

Mr. MUNDT. Mr. President, reserving the right to object, I do not see the minority leader in the Chamber. I do not see the ranking Republican member of the committee in the Chamber. I appear to be the ranking Republican member present. This comes as a complete surprise. I suspect it is perfectly all right, but I believe we should consult with our leadership.

Mr. PASTORE. This matter has been taken up with the Senator from New Hampshire [Mr. COTTON], who is campaigning in New Hampshire, and he agrees.

Also, I have been informed by Mr. Lordan that all the Republican members of our committee have been consulted and they agree with it. That is my authority for making the statement, I am doing it because we were allowed 1 hour to make this judgment, and in 1 minute that 1 hour will expire.

The PRESIDING OFFICER. Without objection, that part of the previous order is vitiated, and the bill will be placed on the calendar.

Mr. MUNDT. Under those circumstances, I will not object. It is a somewhat unusual proceeding, I must say. I take the word of the Senator from Rhode Island that it has been cleared all the way.

## CZECHOSLOVAKIA: AN EYEWITNESS ACCOUNT

Mr. DODD. Mr. President, I invite the attention of my colleagues to an eyewitness account of the Soviet occupation of Czechoslovakia, which I have just received from Dr. Paul Saffo, a longtime friend, who now lives in California, where he is a physician.

Dr. Saffo was born and raised in Bridgeport, Conn., where his family still resides.

After graduating from Yale Medical School, he took a graduate course at Charles University in Prague. He, therefore, knows the country well and speaks the language fluently.

Dr. Saffo and I have been friends since our student days. He is a meticulously careful observer, and this, combined with his knowledge of the Czech language, makes his testimony particularly valuable.

I ask unanimous consent to have printed in the RECORD the complete text of the letter which Dr. Saffo sent me on September 1.

I invite the attention of Senators in particular to the fact that the story was put out that U.S. troops were going to invade Czechoslovakia on August 23, and I would also call their attention to Dr. Saffo's conclusion:

We must make ourselves strong, strong, strong, no matter what the price. Otherwise God help us.

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

SEPTEMBER 1, 1968.

DEAR TOM: I arrived via London to Prague about noon on Tuesday, August 20th. During the night of August 21st—I was awakened by all the noises that tanks made on Belgian blocks. This was the main artery to Prague—and 35 KM. away. Because of this vantage point and because I visited the American Embassy on August 21, 22, and 23—I had a continuous opportunity to observe the tremendous amount of Russian motorized equipment. I also watched with deep concern the behavior of the Czech people. The Czechs revealed perfect unity. If there were any Russian sympathizers, they were afraid to reveal themselves. The Czech courage was absolutely tremendous. They were constantly reminded not to provoke the Russians. On 8-20, I saw Russian soldiers wave to the populace from their tanks. Whistling and clenched, shaking fists was their derisive answer. The tempo of Czech anger rose daily. Highway signs were removed or pointed in the wrong direction or painted over. I never saw the tiniest red flag, not even on the official Czechoslovakian Communist Party Headquarters either in Prague or the suburb town of Melnik. I never saw the slightest demonstration for Russia anywhere. And I was always on the move. In Melnik, twelve foot marble monument surmounted by a Hammer & Sickle was overturned after steel rods in its base were sawed through. Day-in and day-out these soldiers met only vituperation anger and hate. In Prague itself, the people clustered around tanks five and six deep. These things I saw. Also I listened. They told the Russians to go home, they didn't need them. The underground radio stated that the Russian Commander considered his troops brain washed. He wanted complete and new replacements. The people said—the Russian soldiers said that they were going to the Suez Canal—that U.S. troops were going to invade this country on August 23. What I saw Tom, proved to me that Russia was aware that Czechoslovakia had already taken itself out of the Communist orbit.

Once and for all, the American people should understand that as long as the Russian government is as it is at present—it will never change, it can never be trusted. We cannot even hope for peace. We must make ourselves strong, strong, strong, no matter what the price. Otherwise God help us.

Sincerely,

PAUL.

P.S.—I kept a diary. I will have Joan type it.

## GUN CONTROL LEGISLATION

Mr. DODD. Mr. President, a letter to the editor of the Daily Herald-Examiner, Bloomington, Ind., written by Mr. William B. Edgerton, is, in my opinion, an excellent appraisal of the problem of gun abuse in the United States, the need for corrective measures, and the positive deterrent effect of gun control laws.

I believe that the concern for the problem of gun abuse, as expressed by Mr. Edgerton and millions of other responsible Americans, has been a prime factor which has been most helpful in moving

firearms controls through the Senate and into law.

Crime and violence in our streets and in homes and places of business is one of the crucial issues of our times, and I believe that the enactment of enforceable and just firearms controls, such as those recently enacted and those now pending in this body, will do much to curb the scourge of violence that exists in America.

I ask unanimous consent to have Mr. Edgerton's letter printed at this point in the RECORD.

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

GUN STAND SHOT DOWN

To the EDITOR:

This letter is written in the hope that it will be read by all my Hoosier neighbors around the state who are afraid of any effective gun-control law and think it would be the government's first step toward taking guns away from everybody. This fear is absolutely unfounded, as anyone who will examine the facts for himself can see. But unfortunately, a powerful gun lobby, led by the National Rifle Association, has so frightened a great many decent, reasonable people that they really do believe it.

A staff member of the Senate Special Subcommittee that has been investigating the need for gun controls said this not long ago about the people who are so afraid of laws to regulate firearms: "These sportsmen are mostly ordinary, decent fellows. They have no idea that they have been intentionally misled for someone else's personal gain, and that they are indirectly responsible for thousands and thousands of unnecessary deaths and injuries every year. If we could only get the truth across to them, they'd back us all the way."

The fact is that in spite of all the propaganda by the gun lobby the great majority of American citizens do want gun-control legislation. The Gallup Polls have shown for the past thirty years that more than 84 per cent of the American people favor effective gun controls. In January 1967 a Gallup Poll showed that 73 per cent of all Americans would support a law requiring registration of all rifles and shotguns, and 85 per cent favored a law requiring registration of all handguns. Even a majority of the nation's gun owners favor gun-control laws. A Harris Survey has shown that 66 per cent of the 27 million white Americans who own guns are in favor of a law requiring all persons to register all gun purchases, and a Gallup Poll last year showed that 60 per cent of the nation's gun owners would vote in favor of a law requiring a police permit for the purchase of any gun.

The overwhelming majority of law enforcement officials in our country have been on record for years in favor of gun-control laws. For more than thirty years the International Association of Chiefs of Police has favored a law requiring Federal registration of all firearms. FBI Director J. Edgar Hoover has long been in favor of gun controls and has stated: "Those who claim that the availability of firearms is not a factor in murder in this country are not facing reality . . . a review of the motives for murder suggests that a readily accessible gun enables the perpetrators to kill on impulse." The American Bar Association supports strong gun controls. So does at least two thirds of the press, including such a highly respected farm publication as the 127-year-old *Prairie Farmer*, whose editor made a survey covering the states of Indiana and Illinois and concluded: "I doubt very much that the gun lobby speaks for the American people. It certainly doesn't speak

for the urban citizen like myself. And we offer you proof from personal interview polls that it does not speak for midwestern farmers."

What is the truth about the need for gun controls? Here are some facts I hope my Indiana neighbors will examine carefully.

In the United States there were 6,552 murders with firearms in 1966 and 7,700 in 1967; there were 43,500 aggravated assaults with firearms in 1966 and 55,000 in 1967; there were 60,000 robberies with firearms in 1966 and over 71,000 in 1967. This adds up to more than 110,000 gun crimes of all kinds, from armed robbery to murder, in the United States in 1966 and more than 133,000 in 1967. (I won't even talk about the 10,407 suicides and 2,557 accidental deaths by firearms in 1966.)

How does this compare with countries that require gun licensing and registration? In Great Britain, which has one fourth as many people as the United States, instead of 6,552 gun murders in 1966 there were 30—about the same number that are shot to death in the United States every 36 hours. In France, a nation of enthusiastic hunters with a population one fourth our size and 2 million hunting rifles and shotguns registered in 1967, there are about 500 deaths by shooting each year, or 1 per 100,000 population—less than a third of the rate in America. In Paris and its suburbs, with 5 million people (a little more than the population of Indiana), the number of homicides and attempted homicides with firearms has been going down since 1962. That year it was 145; in 1966 it was only 76. In Japan, with 98 million people, almost half as many as the United States, there were only 2,111 murders of all kinds in 1967 and only 37 of these involved firearms. In Holland, which has just about three times the population of Indiana, the total number of gun murders for the entire year of 1967 was 15, and for a period of three years in the early 1960's there was not a single gun murder in all of Holland.

But perhaps somebody may argue that the lower rate of gun murders in all those countries is not really due to their gun-control laws but just to the fact that in those countries conditions are somehow "different." All right, let's look closer home. Canada is so close and similar to the United States that the Canadians sometimes wonder whether they aren't little more than the fifty-first state. They are a nation of outdoorsmen and hunters, and they have even more great open spaces than we have. But they also have registration of all firearms. With a population about equal to that of Indiana, Illinois, Iowa, and Kentucky, Canada had a total of 281 murders of all kinds in the whole year 1967. Of these, only 140 were committed by firearms, or an average of .8 per 100,000.

Your chances of getting deliberately shot to death are nearly 5 times greater in the United States than in Canada, 27 times greater than in Holland, 29 times greater than in West Germany, 60 times greater than in England, and 89 times greater than in Japan. Why? Are the people in all those countries more moral than we are? More peaceful? More law-abiding? I refuse to believe it. I am convinced that the difference between us and all the rest of the civilized world is very simple: we still stubbornly insist on being anarchists when it comes to the control of firearms, and the rest of the civilized world has learned better.

The firearm anarchists like to claim that the gun-control laws already passed by some states and cities do not really make any difference. But the facts do not support them. The first column of figures in the table below shows the percentage of murders that were committed with firearms during the period from 1962 to 1965 in each of the states named. The second column of figures shows the overall murder rate per 100,000 population.

	Firearms murders, 1962-65 (percent)	Murder rate per 100,000 population
1. States with gun controls:		
Rhode Island	24	1.4
Massachusetts	35	2.4
New York	32	4.8
New Jersey	39	3.5
Pennsylvania	43	3.2
2. States with minimal or no gun controls:		
Louisiana	62	9.9
Arizona	66	6.1
Nevada	67	10.6
Texas	69	9.1
Mississippi	71	9.7

Again let me ask you: are the people in Mississippi twice as murderous by nature as the people in New York? Are the people in Nevada three times as murderous as the people in New Jersey? Or is it the gun-control laws that make your chances less of getting murdered in New York and New Jersey than in Mississippi and Nevada?

Firearms are involved in only 25 per cent of the murders committed in New York City, which is under the Sullivan Law, while in Dallas, Texas, and Phoenix, Arizona, which have virtually no laws controlling firearms, the rate is 72 per cent and 65.9 per cent respectively. Moreover, despite what those of us who were born in the country or in small towns may like to think about the wickedness of New York City, it has the fifth lowest assault rate in the nation's ten largest cities, the third lowest murder rate, and the lowest robbery rate of them all. If the rest of the United States were likewise under the Sullivan Law, so that New York residents could not get around their own state's gun-control law by buying firearms out-of-state, the crime rate in New York City would very likely be even lower.

We hear a great deal nowadays about crime in the cities. My wife and I have just returned home after living for four months in Washington within three blocks of the Senate Office Buildings, and we know at first hand how bad conditions are in the capital city of our nation. But we also know that Washington cannot cope with its crime problem by itself. Persons with criminal records are prevented by law from buying handguns in the District of Columbia. But no District of Columbia law can keep a criminal from going out into the suburbs and buying a gun where the D.C. laws do not operate. One major gun dealer just across the Maryland line was recently found to be selling 60 per cent of his firearms to Washington residents, and 40 per cent of these Washington purchasers had criminal records.

Neighbors, if you are among those who have been pressuring our Congressmen to vote against gun controls, then you bear part of the responsibility for perpetuating the crime in our nation's capital. Washington and the other cities cannot control their crime with local laws as long as the small towns and the countryside insist on firearms anarchism. Incidentally, a Senate investigation has shown that in our own state of Indiana one person out of every ten purchasing a gun by mail order had a prior criminal record.

Why is that our country lags behind every other civilized nation in laws to regulate traffic in firearms? The answer is to be found in the hysteria created among a minority of otherwise reasonable, decent Americans by the most powerful lobby in the United States, the gun lobby. Here is the way this hysteria was described in a major Senate speech last May by Senator Thomas J. Dodd, of Connecticut, who in addition to leading the campaigns for adequate gun controls is also one of the strongest anti-Communists in Congress:

"Some of the more reckless critics of the gun bill have charged that it is all a part of

a Communist plot to disarm the American people so that the Communists can take over and impose their dictatorship. Registration, they say, leads to confiscation, and confiscation, in turn, makes a Communist takeover easier. Not only is there not a word about 'confiscation' in the legislation, but to anyone who knows anything about the history of Communist takeovers, this argument is the worst kind of nonsense. Virtually every mountaineer in Albania had an unregistered gun before the Communists took over in their country. But that did not prevent the Communists from taking over. On the other hand, the Swiss are a nation of sportsmen and gun lovers who for decades now have practiced the strictest kind of registration. But registration has not led to confiscation—and Switzerland remains one of the most stanchly anti-Communist countries in Europe . . . If the gun lobby were to carry this argument to its logical conclusion, the first measure they would have to take would be to destroy the entire membership list of the National Rifle Association and the subscription lists of the dozen or more gun magazines. For if a Communist regime were ever to take power in this country, it could, by impounding these various lists, instantly be able to compile a nationwide master list of the names and addresses of gun owners."

Senator Dodd went on to say, "There is a tendency to forget that the gun lobby is only a relatively small group, and that it depends on terror for its success. It moves its membership to write letters to legislators, newspapers, and Congressmen by telling them falsely the law threatens to take away their firearms. Nothing could be further from the truth . . . This small group, motivated and financed by the self-interest of the gun-runners, is the one who has succeeded in opposing laws that most of America wants, to disarm the criminal and those similarly unqualified to go about armed to the teeth."

It is time to stop being terrorized by the gun lobby. Neighbors, if you love our country and are concerned over its welfare, I suggest that you write to Senator Birch Bayh and your Congressman and urge them to defy the gun lobby and vote for effective gun controls.

WILLIAM B. EDGERTON.

#### AGONY OF BIAFRA

Mr. DODD. Mr. President, this Wednesday's paper carried the welcome news that the International Red Cross, with the support of its member nations, plans to mount an emergency airlift of food to starving Biafra.

It was also good to learn that the Nigerian Government, after first threatening to shoot down Red Cross mercy planes, has now retreated from this position and has announced its willingness to permit such flights for an initial period of 10 days.

This action is long overdue, because the mass starvation in Biafra has been a matter of international knowledge for months now, with estimates of the death rate running as high as 5,000 or 6,000 a day.

I think it not inappropriate to recall that almost 2 months ago, on July 20, I wrote to Secretary of State Rusk urging that emergency shipments of food to Biafra be organized under U.N. auspices.

Because every day's delay means many thousands of deaths—

I said—

it is my belief that this emergency action should not be made contingent on the acceptance of any conditions by either side, nor should it be complicated by tying it in with

the larger issues involved in the Nigerian-Biafran war.

On August 2, I again urged that we try to organize an emergency airlift under international auspices. But, regrettably, the position at that time seemed to be that there had to be some kind of agreement between the Biafran and Nigerian authorities before an airlift was mounted. This, of course, gave the Nigerian an effective power of veto.

The logjam has now been broken simply because the International Red Cross had the courage to inform the Nigerian authorities that, while they preferred to operate with their permission, they did not intend to wait any longer for this permission before they started moving in emergency food supplies to alleviate the famine which now threatens the lives of millions of Biafrans.

As one Senator, I want to salute the International Red Cross for its courage and initiative in this matter. I take it for granted that our own Government will do everything in its power to make the emergency airlift of food to starving Biafra as effective as possible over the coming period.

According to this morning's news, the Red Cross has already stepped up its night flights to Biafra. But the daylight shuttle service which it planned to inaugurate yesterday has been delayed because of differences between the Nigerian and Biafran authorities over the airfield to be used as the terminal point for the Red Cross daylight flights. I earnestly hope that the Red Cross will succeed in resolving this difference without further delay.

#### DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WEL- FARE 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.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally against both sides, on the bill.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 941

Mr. MUNDT. Mr. President, I call up my amendment No. 941.

The PRESIDING OFFICER. The Senator's amendment No. 941 is the pending business. The amendment will be stated.

The LEGISLATIVE CLERK. In lieu of the language proposed to be inserted by the amendment offered by the Senator from Virginia [Mr. Spong] insert the follow-

ing: 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, section 665(c) of title 31, United States Code: *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, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, as I understand, 30 minutes are allotted to each side. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MUNDT. Mr. President, it should not take very long to explain what we propose to do by this amendment.

Mr. President, in the star print of the amendment it will be noted that there are a number of cosponsors from both sides of the aisle. This amendment would once again do what the Congress did with an overwhelming vote shortly before the recess, and that is to reappropriate \$90,965,000 which was in the second supplemental bill in order to reimburse the school districts which are operating under Public Law 874, and which have very definite and serious financial problems created by the Government due to impacted area problems in the various school districts.

We did appropriate that money but the President, exercising his authority, has frozen it and it is not now available, so that we have school districts in virtually every State which are in very serious financial circumstances because our Government has failed to keep faith with them under arrangements, promises, and precedents which have virtually the same impact as contractual arrangements would have.

The law which governs the funds for payments to school districts, Public Law 874, was passed on September 19, 1950, 18 years ago. The first appropriation to fund this program was made in 1951 and provided approximately for full entitlement payments to school districts. In each succeeding year the Congress provided sufficient funds to maintain this program at approximately 100-percent entitlement through 1967. Congress appropriated for fiscal year 1968 \$416,200,000 in the regular Labor-HEW appropriation bill for this program which provided for 90 percent of entitlement. Subsequently Congress passed Public Law 90-218 and the executive branch decided to cut funds for the payments to school districts by \$20,810,000. This reduction by the executive branch reduced the \$416,200,000 and 90-percent entitlement to \$395,390,000, which amount provided for 80 percent of entitlement.

Recognizing this was wrong and that it was a failure to keep faith with school districts, Congress appropriated an additional \$90,965,000 in the second supplemental bill for fiscal year 1968 for this program. This additional amount provided a total of \$486,355,000 and 100-percent entitlement for fiscal year 1968.

The executive decided that they would freeze this additional amount, thereby cutting back the program to \$395,390,000 and 80 percent of full entitlement.

Mr. President, what the distinguished Senator from Virginia, the distinguished Senator from Connecticut, the other co-sponsors of the amendment, and I are trying to do here is to appropriate once again the \$90,965,000 which the President chose not to use. If my amendment is adopted I believe there is sufficient muscle in it so that we can get back on the track with this well-established program, and take care of these school districts which are in financial distress through no fault of their own but through the failure of their government to keep a commitment in the same degree which was kept for 17 preceding years.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a table showing the amounts of money appropriated and the payments as a percent of entitlement from fiscal year 1951 to fiscal year 1968, and a table showing the amounts each State will receive if my amendment is adopted.

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

#### PAYMENTS TO SCHOOL DISTRICTS

[Allocation to States, Public Law 874, as amended]

State or territory	1968 presently available	House allowance
Total	\$395,390,000	\$486,355,000
Alabama	8,955,406	10,888,075
Alaska	9,762,046	12,172,490
Arizona	6,285,722	7,837,792
Arkansas	1,953,560	2,435,933
California	60,978,019	76,034,711
Colorado	10,290,723	12,831,708
Connecticut	2,616,498	3,262,564
Delaware	2,350,131	2,671,001
District of Columbia	4,618,402	5,758,437
Florida	12,953,787	16,030,492
Georgia	12,330,086	14,496,199
Hawaii	6,857,193	8,550,371
Idaho	2,418,106	3,015,185
Illinois	9,983,678	12,448,848
Indiana	3,039,259	3,789,713
Iowa	1,787,388	2,228,730
Kansas	6,196,140	7,726,091
Kentucky	6,040,371	6,413,502
Louisiana	3,001,338	3,713,288
Maine	2,661,479	3,318,651
Maryland	18,746,284	23,377,258
Massachusetts	10,412,223	12,812,595
Michigan	4,981,623	6,211,685
Minnesota	1,706,172	2,127,460
Mississippi	2,478,037	3,089,914
Missouri	5,221,005	6,510,176
Montana	3,228,800	4,026,055
Nebraska	3,802,700	4,741,663
Nevada	2,719,033	3,390,417
New Hampshire	1,859,828	2,319,057
New Jersey	7,904,435	9,856,198
New Mexico	7,912,906	9,866,761
New York	21,055,954	26,039,763
North Carolina	9,344,737	10,516,563
North Dakota	2,359,730	2,942,395
Ohio	9,660,120	12,045,397
Oklahoma	8,932,441	11,138,039
Oregon	1,945,923	2,419,913
Pennsylvania	7,313,773	9,018,024
Rhode Island	2,638,017	3,289,396
South Carolina	6,682,898	8,041,698
South Dakota	3,446,992	4,296,706
Tennessee	4,915,534	6,129,278
Texas	20,904,631	26,066,402
Utah	4,505,686	5,618,230
Vermont	122,508	152,758
Virginia	24,455,489	29,794,811
Washington	10,549,718	13,154,654
West Virginia	465,327	580,226
Wisconsin	1,669,789	2,082,093
Wyoming	1,304,017	1,626,005
Guam	1,307,307	1,630,107
Puerto Rico	5,429,002	5,465,710
Virgin Islands	104,419	130,202
Wake Island	223,610	223,610

#### PUBLIC LAW 874, AS AMENDED—HISTORY OF ENTITLEMENTS AND PAYMENTS, 1951-68

Fiscal year	Entitlement	Payments	Payments as a percent of entitlement
1951	\$29,686,018	\$28,501,577	(1)
1952	47,815,681	47,815,681	100
1953	57,697,895	57,697,895	100
1954	71,861,047	71,861,047	100
1955	75,287,517	74,918,604	(2)
1956	85,895,851	85,895,851	100
1957	111,320,777	111,320,777	100
1958	122,379,829	122,379,829	100
1959	156,847,056	156,847,056	100
1960	184,820,640	184,820,640	100
1961	208,244,128	208,244,128	100
1962	251,330,356	251,330,356	100
1963	264,269,382	264,269,382	100
1964	292,690,225	292,690,225	100
1965	319,250,689	319,250,689	100
1966	369,831,165	269,831,165	(3)
1967	419,748,036	416,200,000	(4)
1968	486,355,000	486,355,000	(5)
1968 "A" children	(115,230,000)	(115,230,000)	+100
1968 other	(371,125,000)	(371,125,000)	+100

<sup>1</sup> Secs. 6 and 8(a) were funded in full; secs. 2, 3, and 4 prorated at 98 percent.

<sup>2</sup> Secs. 6 and 8(a) were funded in full; secs. 2, 3, and 4 prorated at 199.5 percent.

<sup>3</sup> Secs. 6 and 302(a) and disaster provisions were funded in full; secs. 2, 3, and 4 prorated at 98.7 percent.

<sup>4</sup> This payment level is based upon the House allowance of \$486,355,000, included in the 2d supplemental appropriation bill, H.R. 17734, for fiscal year 1968.

Mr. MUNDT. Mr. President, at this point I ask unanimous consent to have printed in the RECORD a statement by the distinguished Senator from Alaska [MR. BARTLETT] in support of the amendment, which he has handed to me and ask that I have incorporated, in the RECORD.

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

#### STATEMENT BY SENATOR BARTLETT

##### FULL FUNDING FOR PUBLIC LAW 874 PROGRAM

MR. BARTLETT. Mr. President, I support the amendment offered by the Senator from South Dakota [Mr. MUNDT] to appropriate approximately \$91 million to provide full funding of the Public Law 874 program for fiscal year 1968.

This amendment also exempts that fund from provisions of the antideficiency statute and exempts this expenditure from the provisions of the Revenue and Expenditure Control Act of 1968.

Mr. President, efforts to provide full funding for the Public Law 874 program for fiscal year 1968 have been long and at times tedious.

I do not intend in this statement to review what has come before or review my role in seeking these funds.

At this time, however, I want to say, and say most emphatically, inasmuch as the school districts receiving Public Law 874 funds did not know the extent of any cutbacks in this program until well after their budgets were established, and inasmuch as many of these districts, particularly small ones, have no fat in their budgets to make up any loss of funds, the only fair thing to do, the only responsible thing to do is to provide for the full funding of the program.

And further, inasmuch as these funds we seek to appropriate today are for fiscal year 1968 appropriations, I see no reason why they should be considered as 1969 expenditures for the purposes of the Revenue and Expenditure Control Act of 1968.

Once again, I would like to repeat one of my reasons for voting against the Revenue and Expenditure Control Act of 1968. I have always felt that if the budget is to be cut, it is up to Congress to do the cutting through the appropriations process. When the Revenue and Expenditure Control Act was passed, I predicted that there would be a number of conflicts between the executive

and legislative branches over where cuts should be made. My argument is not with the executive branch, which understandably might have a different set of priorities than the legislative branch. My argument is with those persons, many of whom have complained that Congress is not playing its full role in our system of government, turned over to the executive branch the congressional responsibility of cutting the budget.

This amendment is most important to my state.

Under the present level of funding of the PL 874 program, Alaska has received \$9.7 million. If the additional \$91 million is appropriated and Alaska school districts are paid their full entitlements, the state will receive a total of \$12.1 million, an increase of \$2.4 million.

Again, I urge immediate and favorable action on this amendment.

Mr. MUNDT. Mr. President, I am now prepared to answer any questions.

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

Mr. MUNDT. I yield.

Mr. HILL. As I recall the Senate put this \$90,965,000 in the appropriation bill.

Mr. MUNDT. The Senator is correct.

Mr. HILL. The committee put it in and the Senate passed it.

Mr. MUNDT. The Senator is correct.

Mr. HILL. Then, it went to conference and the conference did not agree to it. But in the second supplemental the House put this amount in and the Senate agreed to it.

Mr. MUNDT. The Senator is correct.

Mr. HILL. What the Senator is doing is appropriating money which the Senate has twice voted for.

Mr. MUNDT. The Senator is correct, and which the House, in the second instance, initiated.

Mr. HILL. Yes; which the House initiated in the second instance.

Mr. MUNDT. This has the complete concurrence of the two Houses of Congress who feel that when the Federal Government has a commitment with the school districts of this country, Uncle Sam should keep it. It is not relevant to discuss here what changes should be made in the basic law. I happen to think that some changes are needed and should be made. But, the law is there. It is the law. We should not seek to repeal it or amend it by the arbitrary withholding of funds. The school districts have the right to believe that they will get the money. This is a good faith amendment which provides them the money, to which the school districts are entitled.

Mr. HILL. Not only is it the law but twice the Senate committee and the Senate itself has voted to appropriate it; is that not correct?

Mr. MUNDT. That is absolutely correct.

Mr. RIBICOFF. Mr. President, will the Senator from South Dakota yield me 3 minutes?

Mr. MUNDT. I am happy to yield 3 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 3 minutes.

Mr. RIBICOFF. Mr. President, I rise in support of the substitute amendment of the distinguished senior Senator from South Dakota, and ask unanimous consent that my name be added as a sponsor.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**MR. RIBICOFF.** Mr. President, as Governor and as Secretary of Health, Education, and Welfare, I have seen the importance of these funds to our local districts.

The Public Law 874 program is absolutely essential if our Nation's schools are going to achieve a standard of excellence.

In Connecticut alone 39 communities are affected. Across the Nation, 4,300 school districts are being cut. All have a high concentration of federally employed parents.

It is essential that the Congress make good on its covenant to these school districts. It is essential that the Congress make sure that they are not undercut in their efforts to educate our Nation's children.

It is not hard to appreciate the difficulties faced by these school districts. They drew up their budgets in advance for the coming school year. They must expect to receive the full entitlements provided them by the Congress under Public Law 874 or else they would fail in their duty to plan efficient education programs for our children.

But this year, only 80 percent of the money was provided. Efficient school programs simply cannot be run that way. Educational programs cannot be dropped in midcourse nor teachers let go in mid-year without great cost to our children's future as well as the taxpayer's dollar.

We cannot let this happen. Saving money here is a false economy. It is the most expensive kind of spending. It guarantees the taxpayer the least return for the dollar he has paid the Federal Treasury.

The education of our young is an investment in the future. It is one of our great priorities. Budget cuts in this area makes no sense at all.

Our educational system cries out for improvement and expansion. To tear it down by cutting back on what we have would be a senseless act of self-destruction.

So we must do more than simply make available to these school districts the money Congress has already voted. We must also make sure this situation does not occur next year.

So I urge my colleagues to join in supporting this amendment which exempts the federally impacted school program from future budget cuts required by the 1968 tax bill.

Congress voted this money once because we felt an obligation to fully fund those schools which had a high concentration of Federal dependents including the children of military personnel.

The schools counted on this money to pay teachers, to buy textbooks, and to purchase other materials. We must not let them down. We cannot go back on our commitment to the 4,300 school districts of the Nation.

**MR. HARRIS.** Mr. President, I am glad to be associated with my senior colleague [Mr. MONRONEY] in support of the amendment of the senior Senator from South Dakota which would free some \$90.1 million of funds appropriated by the Congress for impact area schools

from the provisions of the antideficiency statute.

We are all aware that Congress has consistently supported the impact area concept in dealing with the problem of the way in which Federal activity has affected educational programs throughout the country. Especially in the time of national emergency, the resultant military buildup has brought increased dislocations in school districts near military bases. It is essential that this impact principle be continued in full force. Therefore, the failure of the administration to release the \$90.1 million appropriated and made available at the end of the last fiscal year has caused disastrous consequences for thousands of our public school districts. Immediate action is needed, and the amendment before us is worthy of our support.

When these funds were not released, the effect in Oklahoma was similar to that felt in almost every State; some \$2.2 million were not made available to districts throughout the State but, as my senior colleague and I have found as we have traveled throughout the State and talked with school officials, the effect is felt unevenly. For instance, three school districts, including the district in my hometown of Lawton, will lose \$375,000. Since all of these districts have already utilized maximum local and State financing as permitted by law, there is no way for those losses to be made up except by decreasing school services. This means that the children of the men whom we have called to military service and who have been assigned to military bases such as Fort Sill will be forced to pay the cost of our neglect.

Mr. President, I believe that the best way to make it possible for action to be taken on this emergency matter is to remove from the provisions of the antideficiency statute these funds which have been previously appropriated. In this way the intent of Congress will again be made clear and action can be taken to meet the emergency situations being faced as this school year opens in school districts where the school population has been swelled because of Federal activity, activity which does not bring to these school districts the tax dollars that activity in the private sector of our economy would bring.

Mr. President, Congress has consistently acted on this problem before. I am confident that we will act again, this time in support of the amendment now before us.

**MR. TYDINGS.** Mr. President, as a co-sponsor of modified amendment No. 928 to the Labor-HEW appropriations bill, I rise to support it and amendments Nos. 933 and 938. Thanks to the efforts of Senators Spong, Ribicoff, and Mundt, authors of these three amendments, we have an opportunity now to extend the life of the \$91 million we appropriated earlier this year for school districts entitled to Federal assistance under Public Law 874—districts in areas with high concentrations of Federal employees.

In the second supplemental appropriations bill for fiscal 1968, Congress provided \$91 million for impacted area school aid. This amount would have brought the level of assistance up to ap-

proximately that which was established by formula in Public Law 874. However, the administration declined to allocate these funds, and the appropriation lapse on July 31. As a result, school districts throughout the country have come to the close of the fiscal year with considerably less funds than they had expected and, indeed, expended. The State of Maryland will be short over \$4.6 million. School budgets have, of course, included these funds, and consequently plans and programs are being thrown into considerable disarray as the new school year begins.

I ask unanimous consent that a series of letters and a telegram I have received from school superintendents in Maryland appealing the Budget Bureau decision be reprinted in the Record at the conclusion of my remarks.

**THE PRESIDING OFFICER.** Without objection it is so ordered.

(See exhibit 1.)

**MR. TYDINGS.** Mr. President, last month, in an address before the National Association of State budget officers, the Director of the Bureau of the Budget criticized Congress for insisting upon a \$6 billion spending cut while also insisting that the impacted area program be fully funded. I think that criticism is unwarranted. In the same speech Mr. Zwick reportedly pointed out that Montgomery County, Md., receives more impacted area aid than the 100 poorest counties in the country put together. This may be true, but it does not follow that the program should be jettisoned in Montgomery County or any of the other counties in the country with a dense population of Federal employees. This was subsequently explained to Mr. Zwick in a letter from Homer O. Elseroad, superintendent of Montgomery County's schools. I commend that letter to the attention of my colleagues and ask that it be printed at this point in the Record.

**THE PRESIDING OFFICER.** Without objection it is so ordered.

(See exhibit 1.)

**MR. TYDINGS.** Mr. President, the funding formula for Federal aid to impacted area schools is written into the law and relied upon by those school districts which are thereby entitled to it. The administration's budget request for fiscal 1968 would have reduced the program to a fraction of its authorized extent. Congress passed a supplemental appropriation of \$91 million to prevent the damage that would have resulted from that reduction. By withholding expenditure of those funds the administration appears determined to exact a special sacrifice from school districts in impacted areas. The amendments we are considering today will extend the appropriation through the end of October and exempt it from the provisions of the Revenue and Expenditure Control Act and the antideficiency statute. Thus the administration will be given an opportunity to reconsider this decision and release that \$91 million as Congress intended.

The \$6 billion expenditure cut and tax surcharge were necessary to pay for the war in Vietnam and repair the damage it has done to our economy. I voted for that legislation because I felt it was necessary to stem inflation and protect the

dollar. I have also expressed my disagreement with the administration over the conduct of this war and have done everything I could to encourage negotiations and a reduction of our involvement. It should be very clear to everyone by now that we cannot afford this war. It has already cost over \$100 billion, and we are paying for it now out of our children's education and out of housing and health and human progress. We are mortgaging our future, and this is a debt which our people—and particularly our young people—do not want to assume.

In this particular instance, the administration is picking on schools in impacted areas. They are withholding \$91 million which Congress has already appropriated and on which these schools have based their yearlong plans. Ninety-one million dollars only slightly exceeds the cost of one day of war in Vietnam.

For these reasons, Mr. President, I hope the Senate will vote today to extend the life of the appropriation for aid to schools in federally impacted areas. And as we do this, I appeal to the President to release those funds without additional delay.

## EXHIBIT 1

MONTGOMERY COUNTY  
PUBLIC SCHOOLS,  
Rockville, Md., August 21, 1968.

Mr. CHARLES J. ZWICK,  
Director, Bureau of the Budget,  
Executive Office of the President,  
Washington, D.C.

DEAR MR. ZWICK: The Baltimore Sun newspaper on August 13 carried an article in which it reports that you cited Montgomery County as a reason for not paying impacted aid to school districts according to the law.

I think it is grossly unfair and unjust for you to single out Montgomery County and present a picture of selfish citizens who want the federal government to pay their education costs.

You cite, according to the article, that there are 100 poor counties which were not paid as much as Montgomery County under the impacted aid program. I do not see the relevance. I am confident that the U.S. Office of Education administers this program in accordance with the laws as written by Congress and approved by the President. I cannot imagine either Congress or the U.S. Office of Education deliberately favoring Montgomery County or penalizing the 100 poor counties.

The federal Impacted Aid Law has nothing to do whatever with the economic level of a political subdivision. The Impacted Aid Law was passed by Congress so that the federal government as a large employer would pay its fair share toward the cost of education as is done by other employers throughout our land.

As you must know, almost all of the cost of education is borne locally by real estate tax. In those instances where the employer is a private business or industry, that business or industry pays real estate tax, and thus contributes to the cost of education in the political subdivision. The same principle applies to the federal government under the Impacted Aid Law. Under this law the federal government installations pay a share toward the local cost of education just as if they were a private business. Montgomery County is in the group you cited which receive less than 5 per cent of total revenue from this source.

As a citizen of Montgomery County interested in the future of education for this country, as a person who realizes that in the county we pay tremendous amounts of money into the state and into the federal government for education and then have to bear over

70% of the cost of education from local taxes, I feel that it is grossly unjust to have a high officer in our federal government cast Montgomery County in the role of a greedy, self-centered place, seeking funds to which it is not entitled.

Sincerely yours,

HOMER O. ELSEROAD,  
Superintendent of Schools.

BOARD OF EDUCATION OF  
HARFORD COUNTY,  
Bel Air, Md., July 26, 1968.

Hon. JOSEPH D. TYDINGS,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR TYDINGS: I have been informed that the \$91,000,000 supplemental appropriation for fiscal year 1968 has not been released by the Bureau of the Budget to the Department of Health, Education, and Welfare.

As this means \$4,500,000 for the school systems of Maryland and \$315,000 for Harford County, I would appreciate your contacting the Bureau of the Budget officials immediately and requesting the release of these funds.

Sincerely yours,

CHARLES W. WILLIS,  
Superintendent of Schools.

BOARD OF EDUCATION OF  
PRINCE GEORGES COUNTY,  
Upper Marlboro, Md., August 12, 1968.

Hon. JOSEPH D. TYDINGS,  
U.S. Senate,  
New Senate Office Building,  
Washington, D.C.

DEAR SENATOR TYDINGS: First, may I thank you for the support which you gave to the Supplemental Appropriation Bill, which would have permitted the payment of all entitlements in full of Public Law 874.

As all of us realize, this supplemental legislation did not succeed in accomplishing its purpose, and, as a result, we will lose \$1,689,000 which had been budgeted for the coming school term.

I am now writing to you to ask your support once more in an effort to secure this money. We have been informed that, when the Congress reconvenes in September, Senator Spong of Virginia will make an effort to suspend the rule and add an amendment to the Departments of Labor and Health, Education and Welfare and Related Agencies Appropriations Bill, 1969. This amendment will be presented on September 4 and will include a provision to make the Supplemental Appropriation Bill for school assistance in Federally affected areas available for expenditure until September 30, 1968.

I sincerely hope that we may call on you to support Senator Spong, and, if you feel it appropriate, to contact him offering to join him in sponsoring this amendment.

I know that you will do everything you can to assist us with the fiscal problem that we will face due to the loss of this appropriation.

Sincerely yours,

WILLIAM S. SCHMIDT,  
Superintendent of Schools.

ANNAPOLIS, Md.,  
July 26, 1968.

Hon. JOSEPH D. TYDINGS,  
U.S. Senate,  
Washington, D.C.:

Earlier this month we were bolstered by the news that Congresswoman Patsy Mink of Hawaii had introduced and successfully pursued an amendment to the second supplemental appropriation of Public Law 874. We eagerly anticipated the benefits that would be made available by Anne Arundel County's \$454,000 share of these funds. Now we learn that the Bureau of the Budget has failed to release the appropriated monies to HEW. July 31 is the deadline for the payment of this appropriation. May we respectfully urge that you contact the Bureau of Budget offi-

cials and request the release of these funds. We will appreciate receiving any information regarding progress of this matter. Failure to receive these funds poses serious budget implications for us.

Dr. EDWARD J. ANDERSON,  
Superintendent of Schools of Anne Arundel County, Md.

Mr. MONDALE. Mr. President, the senior Senator from Washington, Senator MAGNUSON, had hoped that he would be able to be present for the discussion of H.R. 18037 but very important prior commitments in his home State prevented his presence here today. He had prepared a statement which he had planned to make on the Senate floor and he has asked me to read that statement into the RECORD, as follows:

Mr. MAGNUSON. Mr. President, I am deeply concerned about two matters relating to the Fiscal 1969 appropriation for the Office of Education.

First, I endorse the amendment offered by the distinguished Senator from Michigan (Mr. HART) providing the full budget request for Title I of the Elementary and Secondary Education Act. For three school years this attempt to improve the education of impoverished children has limped along because of inadequate, and usually late, funding. The result has been that too many eligible youngsters have been deprived of its benefits; or that well-designed programs have been watered down.

The amendment under consideration would provide the money which the Office of Education believes necessary to continue this vital program effectively. To provide less would be to hamper seriously the efforts of large cities to develop and improve their Title I projects. I urge the adoption of this amendment.

My second concern is with the impacted aid program, Public Law 874. This Congress, in the Second Supplemental Appropriation Act, 1968, provided an additional \$90,965,000 to meet the federal commitment to local school districts. The money was not released, and school systems were unable to fulfill plans made on the assumption that funds would be available.

Therefore, Mr. President, I support the amendment offered by the distinguished Senator from Connecticut [Mr. RIBICOFF], making the additional funds available for obligation until October 31, 1968, and exempting such funds from the limitations contained in sections 202 and 203 of the Revenue and Expenditure Control Act of 1968. I of course also support the combined amendment offered by Senators Mundt and Spong.

We are faced with difficult choices in a difficult year, but we cannot in good conscience break faith with our school children. Economies in government we must have, but we cannot sacrifice our children simply to preserve the sanctity of the budget cutting process. These are good amendments to a good appropriation bill. Let us continue to build more comprehensive programs of school support, for education is the ultimate solution of our social problems.

Mr. PASTORE. Mr. President, will the Senator from South Dakota yield me some time?

Mr. MUNDT. Yes. I am happy to yield.

The PRESIDING OFFICER. How much time does the Senator from South Dakota yield to the Senator from Rhode Island?

Mr. MUNDT. Whatever time he desires—preferably 3 minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PASTORE. All I shall have to say will take me only 2 minutes.

Mr. President, so far as I am concerned, and my State of Rhode Island is concerned, this impacted area problem is an old story. We have had it time and time again since my first year in the Senate. It erupted again only a short while ago as I sat by the right side of my distinguished friend from Alabama [Mr. HILL], who is one of the most respected, one of the most compassionate, and one of the most understanding Members of this body. I digress for a moment to speak my regret that he has decided to leave us and not come back after January 1969. There will be a vacuum in the Senate when LISTER HILL leaves, because I do not think there is any other man in this country who has done more to promote the health and education of its young people than LISTER HILL. He is a friend—and a respected friend, a revered and valued friend—and I regret very much, I repeat, that he is going to leave us.

On the day in question Mr. Gardner, then Secretary of Health, Education, and Welfare, appeared before our committee. He made the argument that the administration had no heart in the impacted area program, that it felt a proper substitution had been made because we had passed the aid to elementary and secondary schools.

The fact is that one is not a substitute for the other. The two problems are different.

When the U.S. Government sets up a naval or a military establishment of some kind in a particular area of the country, many times it has to go to an isolated area. This usually means a rural area, where the people are not adequately equipped in dollars to take care of the tremendous influx of pupils induced by families who have come to live or labor on Federal property. That is the genesis of the problem. That is the reason for the impacted area program.

If one argues with me that we should not give this aid to the State of Maryland or to the State of Virginia, because these are affluent parts of the country; I will be happy to debate that at another time, but I am not going to discuss that subject today. Some very good taxes are assessed and paid in the adjoining areas of Virginia and Maryland. Many people who work for the Government in those areas are on a salary scale of \$15,000 a year and more, so that the problem may not be too great.

However, when we come to my own little State of Rhode Island and begin to talk about East Greenwich, or North or South Kingstown, those are rural areas. Their only income is from property taxes. A Federal facility mushrooms in the area and families flock to Rhode Island. That is wonderful. I am one of those who believe that large families are good families. So the children go to school but the town cannot meet the sudden and staggering responsibility. It has been the custom since 1951 that the Federal Government contribute a share.

Now, without adequate notice, merely by appearing before committees, the administration has made it known that they would like to discontinue the program. They may have their reasons for

that, and they may be good reasons; but the fact still remains that these communities have a problem and a peril for which they are not prepared. If you short-change these little Rhode Island communities out of this Federal help, you invite disaster.

If we are going to repeal the law, we should repeal it not by sudden fiat but by bringing the matter before the proper legislative committee, so that all these communities will receive proper notice. Now that commitments have been made by the communities, if the money is shut off, naturally havoc will ensue in some of those communities.

That is the problem with which we are confronted, realizing that Congress has always funded the program. This time I think the program is about \$91 million short. We had the representative of the agency come before the committee. If we are going to fund it at all—and he gave the figure of \$91 million as the proper figure—I can understand that the administration has a real problem.

Congress has cut the budget by \$6 billion. We have told the President of the United States to cut the budget by \$6 billion. A long time ago, the President said the best cut he could recommend would be \$4 billion. Now when we begin to look for this extra \$2 billion cut we have put on his back by legislative fiat, the President begins to feel worried as to where he is going to make the cuts.

All the Senator from South Dakota would do by his amendment would be to exempt the \$91 million from the limitations and requirements of the control act we have passed. That would make it \$6 billion less \$91 million, and not \$6 billion plus \$91 million. That is what the Senator's amendment would do.

I think we should go along with it. If we are going to insist on spending the \$91 million, which I think has to be spent, we must take into consideration the problems of the administration and give it a way out.

We cannot simplify this too much because if we command the administration to spend the \$91 million, as some will insist that we stick to the figure of \$6 billion, it will make the job even harder. Before, the President had to find \$2 billion. That was difficult. Now he has to find \$2 billion plus \$91 million, which will make it even tougher.

Therefore, I suggest that we help the administration on this. If we are to spend the \$91 million, then we should say to the administration, "All right, if you have difficulty in working out the \$6 billion, we will not include the \$91 million on that awesome task you already have."

That is all this amendment does, and I am going to support it, and I hope the Senate will support it.

Mr. MUNDT. Mr. President, I now yield to the distinguished Senator from the affluent State of Virginia [Mr. SPONG].

Mr. SPONG. Mr. President, I thank the Senator. I may say I am not prepared this morning to speak on the affluence of the Commonwealth of Virginia. I am pleased to join the Senator from Connecticut in cosponsoring the amendment offered by the Senator from South Dakota. I spoke on Wednesday concerning compelling reasons why this money

should be reappropriated, and I think the Senator from Rhode Island, as always, has eloquently covered them this morning.

I would, however, reiterate that this is an obligation to the local school districts throughout the United States that have budgeted and depended on this money for fiscal year 1968. That year has ended. It is a commitment this Congress has already recognized.

I urge my colleagues in the Senate today to join the Senator from South Dakota and to support the amendment.

I thank the Senator.

Mr. MUNDT. I thank the Senator very much.

Now, Mr. President, I am happy to yield to a Senator from another affluent State from another area of the country, the distinguished Senator from California [Mr. MURPHY], to speak in support of the amendment.

Mr. MURPHY. Mr. President, I thank my distinguished colleague.

Mr. President, as a cosponsor, I rise in support of this amendment. The impacted-aid program is a badly needed and a most popular education program. This program was enacted by the Federal Government in recognition of its responsibility to assist school districts where Federal activities have placed additional burdens on the local school systems. Federal activity in an area in effect does double damage to a school district. First, it often results in a great influx of children to the school system, and second, the Federal facility also removes from the local tax rolls the property on which the Federal activity is located. Thus, the local school district is burdened with additional children to serve and has less of a tax base to support the schools.

When the second supplemental was enacted on July 9, the Congress and educators felt the matter was settled. Indeed, the executive branch must have shared these feelings because the Department of Health, Education, and Welfare gave to many of the school districts permission to spend these impacted-aid funds. Since the President's refusal to release these funds, the Department will now have to recoup funds which in many cases have been spent by the school districts. The Department has two choices. The funds that local school districts were given can either be recouped or they can be subtracted from the impacted-aid funds for the next fiscal year. Either alternative produces harmful consequences for the impacted school district.

The President's refusal to fund the impacted-aid program is not only contrary to the intent of the second supplemental appropriations act, but also contrary to the intent of the Senate as evidenced by its passage of the Fannin-Murphy amendment of July 31.

This amendment, which attempted to pry loose the impacted-aid funds before the July 31 deadline of the second supplemental, prohibited the administration from carrying over certain fiscal year 1968 foreign aid funds unless the impacted-aid program was funded. This amendment, I might add, is in the Senate version of the foreign aid bill which is now subject to conference.

Passage of the amendment we are now considering will revive the Fannin-Murphy amendment, and I hope that the conferees will consider whether it is appropriate to carry over certain fiscal 1968 foreign aid funds when the administration fails to carry out the will of the Congress and fund the fiscal 1968 impacted-aid program.

Mr. President, since coming to Washington, I have been a strong supporter of the impacted-aid program. I have observed repeated administration efforts to harm this program. Perhaps the administration continually attacks this program because it is a program where there are no Federal strings attached. I am convinced that the failure to release these impacted-aid funds will seriously damage the education programs in some of our school districts. The effect is so drastic that many of the school superintendents in California have come to Washington personally to point out the disastrous consequences of the administration's actions. I also have received letters from almost every impacted-aid district in California pointing out the need to fund the programs.

Many of the school districts eligible for these funds are defense connected. It is indeed unfortunate if the school districts, many of whom are educating children of our military men or defense-connected employees, were forced to reduce the quality of education for their children. For some it is not just a matter of quality, but of actual survival of the school system. A good example is the China Lake School District in California, where all of the children enrolled in the district schools live on the Naval Weapons Center in federally owned homes and all are dependents of the employees working at the center. Thus, the school district has very little taxable property, and the money it receives from the impacted-aid program constitutes a large part of the district's budget. The school district described to me the effect that the loss of the impacted-aid funds would have as follows:

The School District at this Naval Station is a slave of Federal and State legislation because it has no way to make up losses through local taxation. Funds must be made available through P.L. 874 if the China Lake School District is to survive.

Mr. President, I hope the Senate will adopt this amendment and, equally important, after we do, I hope that this administration, which professes to have such a deep interest in education, will fund this program, which Congress has repeatedly indicated it wants funded.

I thank the Senator for yielding.

The PRESIDING OFFICER. Who yields time?

Mr. MUNDT. Mr. President, the proponents of the amendment have only begun to fight. We have not heard from the opponents. If there is no opposition, we can expedite the matter by getting on with the rollcall. If there is opposition, I suggest that the opponents use part of their time. I withhold part of my time to see what occurs.

Mr. WILLIAMS of Delaware. Do I understand correctly that the chairman of the subcommittee is supporting the amendment?

Mr. HILL. Mr. President, the Senate committee and the Senate have twice passed this amendment. The schools have the right to expect the money, we having twice passed it. I do not see how we can very well oppose this amendment.

Mr. WILLIAMS of Delaware. I was not questioning the position of the Senator. I was trying to find out the parliamentary situation, because under the unanimous-consent agreement if the Senator opposes the amendment he controls the time in opposition to the amendment. I was going to ask him to yield me some time. If he does not oppose the amendment then the control of the time in opposition goes to the minority leader.

Mr. HILL. Very well.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 10 minutes.

First, I am not going to take exception to the arguments made by the Senator from Rhode Island, the Senator from Virginia, the Senator from South Dakota, or any other Senator supporting the merits of the impacted areas program. The program was adopted several years ago, and I supported it. But we are not debating the impacted areas program here.

Money has been appropriated for that program. This is another exemption.

This amendment proposes to exempt the expenditures of this Department from the \$6 billion mandatory reduction for 1969 as approved earlier by the Congress.

Congress has already made several exemptions for other agencies concerning the manner in which they would be affected by control over the number of employees. Those earlier exemptions were made from the \$6 billion cut which was embraced as part of the tax increase bill.

I make one point about the impacted areas question. While I think there is merit with respect to some areas, it must be pointed out that many of these impacted areas result from installation of defense projects which the various States scramble to get into their areas because they bring a lot of employees into those States. Once the States get the project they want the Federal Government to underwrite the difference in the tax receipts as a result of taking land off the tax rolls. I suggest that some of the States that do not get these defense contracts would be happy to relieve the other States of some of this defense work, some of which has been concentrated in some places in too great a degree.

Aside from that, the Senator from Rhode Island mentioned that Congress, in passing the 10-percent tax increase, put on the back of the President the responsibility to cut \$6 billion from the fiscal 1969 expenditures. That is not quite correct. Congress did pass a mandate that the 1969 expenditures had to be cut by \$6 billion, but at the time the Congress adopted that mandate—it was an amendment, of which I, along with the Senator from Florida [Mr. SMATHERS] was the author—the Congress had not acted on a single appropriation bill for fiscal 1969. So, as it was very properly argued at that time, Congress would have a full opportunity, as we discussed and debated each

and every fiscal 1969 appropriation bill for each agency, to designate where this \$6 billion expenditure reduction should be made; that is, if Congress wished to exercise its authority. These expenditure reductions did not apply to fiscal 1968 because Congress had already acted on those. So when we speak of putting this burden on the President's back, the Senator from Rhode Island is correct that as of the moment it has been put on his back.

But it has only been put on his back since the tax bill was passed and because we in Congress, as we have acted on these various appropriation bills, have not discharged our responsibility in telling him where the cuts ought to be made.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. That is exactly the point I was making. I do not think there is any disagreement between the Senator from Delaware and myself.

Mr. WILLIAMS of Delaware. I do not think there is either.

Mr. PASTORE. That is what I said. I said from the very beginning that the administration was opposed to this funding to begin with, but Congress felt differently about the matter. What Congress has done to try to force the President to spend money where he believes it should be spent, and at the same time force him to cut out \$6 billion, which he thinks is too much.

All the President says is, "If you are forcing me to spend \$91 million here, do not force me to cut \$6 billion plus \$91 million from other programs."

I think that is a fair position. The President says he is going to withhold this money because he does not believe in the program. If we dispute him, then I think we ought to at least take it out of the \$6 billion reduction, if we really care to achieve it, because the last word is that of the President. Say what you will, do what you will, the President of the United States has a right to hold up this \$91 million, and he is exercising that right. The practical question here is how to release the money. The Senator from South Dakota has the answer.

Mr. WILLIAMS of Delaware. Mr. President, I realize the Senator from Rhode Island understood this background, but I was merely pointing out that Congress has had ample opportunity in each and every case to designate where these cuts should be made. To the extent we have not exercised our responsibility—and I must say we have miserably failed in designating where cuts should be made—we have delegated the authority to the President. Then, if the President later makes a cut in an area where we think he is wrong I do not think the Members of Congress should be too critical of the President, even though they may disagree with him. If Congress refuses to make these cuts it delegates him that authority. Let us specify in these bills where cuts shall be made.

What I am disagreeing with is that here we are specifying exemption of those agencies we do not want to be cut, but Congress has not as yet designated one single area where we say cuts ought

to be made. We pass that unpleasant task to the President.

I think the time has come to face the issue squarely and to ask ourselves, Do we want to cut \$6 billion from expenditures in 1969, or were we just shadow-boxing?

This \$6 billion reduction provision was passed by the Senate and approved in conference; but before it was approved in conference, before we brought that conference report back, the chairman of the Committee on Finance went before the full Senate Appropriations Committee and outlined to it the conference agreement, which called for a \$6 billion mandatory cut, and asked, "Do you, as the committee which has jurisdiction over this \$6 billion cut, agree with us that the cuts should be made and will you back it and support it?"

The Senate Appropriations Committee backed that \$6 billion cut, instructing our conferees to accept it. Many of them supported it on the floor. So this \$6 billion reduction is not something that was forced on the Senate or on the Appropriations Committee. We voted for it.

Yet the same Appropriations Committee which endorsed this \$6 billion cut made no exceptions to it, endorsed the mandatory rollback in numbers of Federal employees, and is now coming in on every appropriation bill saying, "We are with you, we meant it, but don't take this agency but don't cut this program, but don't cut this," and we are about to slide into bankruptcy on the "buts" of the U.S. Senate. I say it is time to get off our "buts" and if we really want to cut the budget, to do it. If we do not want to cut the budget then let us pass the word out to the taxpayers that we are going to expand all these programs—not just this one for this is only one instance. I am talking in general, because this trend is what we have been following in general.

We have other amendments coming up later which would exempt other phases of this bill from having the employee reduction control provisions of the law. If we are going to increase employees we are going to have to pay them.

So what we are doing is whittling away the claimed \$6 billion expenditure reduction; and what I am afraid of is that we are going to end up with just a 10-percent tax increase, pouring the extra money into the spending stream for these expanded programs.

Maybe that is what should be done. That is for every Member to decide for himself. I realize there can be honest differences of opinion on this point. But it gets back to the question, Are we here in Congress going to designate only those programs of which we say to the President, "You cannot cut this project, you cannot cut this agency, and so forth." If so, where do we want the cuts to be made?

The point is, if we are going to spell out in various amendments, saying to the President, "You cannot cut this one, you cannot cut that one," then it is about time somebody in Congress came up and asked, "Where are we going to make these cuts?"

Let us face it—we are gradually repealing the \$6 billion cut entirely in allowing the continuous expansion of the Federal payroll with no controls, and we

will end up with another staggering deficit next year.

I think we should remember that the American dollar came very close to being pushed over the precipice a few months ago. We all recognize that. At the time Congress was very much concerned. We sponsored, accepted, and passed both a tax increase bill and expenditure controls.

Officially they announced a \$25 billion deficit last year, but it was actually a deficit of around \$29 billion if we take into consideration that it was only \$25 billion by virtue of the fact that they subtracted the participation certificates, seigniorage, and accelerated payments of taxes.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a report prepared by the staff of the Joint Committee on Taxation which shows that in the past 5 years we have spent \$69.5 billion more than we have taken in and that the deficit for fiscal 1968, based on the old administrative procedure of accounting for deficits that we have always used heretofore, was \$29.5 billion. This is over \$2 billion per month.

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

CONGRESS OF THE UNITED STATES,  
JOINT COMMITTEE ON INTERNAL  
REVENUE TAXATION,  
Washington, D.C., September 3, 1968.  
Hon. JOHN J. WILLIAMS,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in response to your letter of August 2, 1968, outlining information you need concerning revenues since 1964. The fiscal 1968 figures on the administrative budget basis were not available until the last week in August so we could not send them to you in Delaware as you suggested.

We have prepared a table showing the Federal deficit on the administrative budget basis for the fiscal years 1964 through 1968 with the various adjustment items you wanted. The sales of FNMA participation certificates were applied to reduce expenditures consistently for these deficit figures, so we included them in the table through fiscal 1968. We did not attempt to show fiscal 1969 figures because the revisions of the budget figures are incomplete.

I hope the enclosed table meets your needs.

Sincerely yours,  
LAURENCE N. WOODWORTH.

BUDGET DEFICITS, 1964-68

[In billions of dollars]

Fiscal year	Administrative budget deficit	Sales of FNMA participation certificates	Acceleration of corporate tax payments	Accelerated payment of excises and withheld taxes	Seigniorage	Total deficit plus adjustments
1964	8.2	—	0.3	—	0.1	8.6
1965	3.4	0.3	1.0	—	.1	4.8
1966	2.3	1.8	2.9	0.9	.6	8.5
1967	9.9	2.9	4.3	.3	.8	18.1
1968	25.1	3.2	.8	—	.4	29.5

Note: Detail may not add to totals due to rounding.

Mr. WILLIAMS of Delaware. Next year's deficit would have been at least that much, if not more, except for the fact that Congress did pass a 10-percent tax increase, and we provided the \$6 billion mandatory reduction in expenditures for fiscal 1969. But we are repealing piecemeal, item by item, that mandatory reduction in expenditures. We have already made a series of exemptions for other agencies in the past few weeks. There will be others made here in the next few days; perhaps today. I am aware of the trend.

Everybody seems to take such great pleasure in spending the taxpayers' money.

But, as one who cosponsored this tax increase bill, I wish to say that I cosponsored it not because I wanted that honor but because the President of the United States, who has a majority of his party in both the House of Representatives and the Senate, could not find a single Member of his own party who had the courage to offer and introduce his tax increase bill, and only one-third of the membership of his political party in the Senate had the courage to vote for it. So the record is clear. We have too many spendthrifts who have not the courage to tell the American people the true cost of these programs.

I ask, Are we going to have fiscal responsibility, or are we not? In my opinion we have got to hold down this spending. There may be but one vote against

this proposal, but I am going to vote against it. I am going to vote against it because I am not going to be a party to whittling away the mandatory \$6 billion reduction in expenditures, and the control over Federal employment. I think it was just as important, or even more important, to curtail expenditures than the 10-percent tax increase.

If we are only going to raise the tax 10 percent only to pour more money into the spending stream in expanding these Great Society programs, then we are only fanning the fires of inflation. Sooner or later we will reach the day when Congress will be back at the same point again, frightened because of what is going to happen to the American dollar.

I will have no part of such fiscal irresponsibility, and I certainly hope that the Senate will reject this amendment.

I would like to read the proviso here. It reads:

*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.*

That proviso exempts this \$91 million from the \$6 billion proposed reduction. This is but one of the many proposed exceptions.

I think the time has come when we in the Senate, if we really want the \$6 billion cut, ought to start to implement it. If Members of Congress do not want it, why does not someone have the cour-

age to introduce a bill or an amendment to repeal the entire \$6 billion cut and all control over expenditures? If Congress wants to pass such a measure let Congress do it openly and above board, telling the American taxpayers to get ready to shovel it out because Congress will continue to spend it.

Even if we were to cut the \$6 billion or hold tightly to the \$6 billion cut we would still be appropriating and allowing \$3.25 billion more for the same domestic programs than those programs were allowed in 1968. The 1968 figure is as much as I think we can afford at this time.

Mr. President, I withhold the remainder of my time.

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

Mr. WILLIAMS of Delaware. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I compliment the Senator from Delaware for his consistency. He has maintained his position consistently throughout this matter. Today, he is echoing what the Senator from Rhode Island said a long time ago: that the Congress of the United States was in dereliction of its responsibility in not allocating the cuts where they should have been allocated. I made that statement on the floor.

I said at the time, and I will use the words again: "What we are doing, for political reasons, is putting the cat on the back of the President."

The responsibility to appropriate or not to appropriate is on the Congress of the United States. If we wanted to cut out the money, we should have done it. The mistake we made is that we took the figure of \$6 billion out of the thin air and threw it to the White House because we did not have the courage to stand up and be counted. That is the reason we are in the dilemma we are in now.

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Delaware has 12 minutes remaining.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I partly disagree with the Senator from Rhode Island on that point. Originally Congress did not throw this to the White House. At the time we passed on the \$6-billion cut the Senate Appropriations Committee—of which the Senator from Rhode Island is a member—had not acted on one single appropriation bill for any of the agencies for the fiscal year 1969. So Congress did have plenty of time to designate where the cuts could be made. We went on record that we were going to do the job; but Congress has not done it, and the job is not done in the pending bill. On that point I agree with the Senator.

Mr. PASTORE. Mr. President, why does the Senator disagree with me if he says what I said? I said that we were in dereliction of our responsibility. The Senator says that we have not done our job and that he disagrees with me. We

are engaged in semantics here. We did not do our job as Members of Congress.

Mr. WILLIAMS of Delaware. I certainly agree with that statement. Congress has not done its job. However, I am pointing out that at the time the Senate passed the tax increase bill with the \$6 billion cut we had plenty of opportunity to do the job; however, in the weeks and months that have passed since then we have not done the job. Congress has been derelict in its responsibility.

While I am putting the responsibility on Congress, I also point out that we have had no cooperation from the White House except promises. The President of the United States through the Director of the Budget, Mr. Zwick, told Congress that he would accept, live with, and support the \$6 billion cut, as part of the tax increase package. After the tax increase was passed he then changed and began to disagree with it and disregard it.

I say it is that failure to live up to his promise that is responsible for the credibility gap.

The administration promises there will be cuts. In fact, there has never been a man in the White House who has promised so much in the interest of economy as has the present occupant of the White House.

To paraphrase the language of a great English statesman: "Never has any one man promised so much and delivered so little." It appears that every time he promises a cut we receive an increase in expenditures. While I am critical of Congress I am not exempting the White House from some responsibility. We have had no support from the President. Actually we were told a moment ago that the President is in favor of this amendment to exempt it from the \$6 billion cut.

This control over expenditures is the responsibility of both the President and the Congress. I am not excusing Congress. This is a dual responsibility. The President cannot spend any money that we do not appropriate. However, on the other hand, he could help us to cut back on some of the programs.

What we are passing on here in this amendment is a repeal of part of the \$6 billion cut. I think that the Senate understands what we are doing, and certainly the American taxpayers will.

Mr. LAUSCHE. Mr. President, will the Senator yield 3 minutes to me?

Mr. WILLIAMS of Delaware. Mr. President, I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, when the \$6 billion cut was approved in the Senate, I took the position that I would vote for the 10-percent surtax only if Congress indicated a desire to cut expenses. I was not going to put the 10-percent surtax on the backs of the taxpayers unless we could also effectuate a reduction of public expenditures.

While others did not perhaps make that same statement, the principle which dominated the thinking in the Senate was: "We do not dare to place another 10 percent of the workers' income on the tax bill unless we also reduce spending."

We did not dare to impose the tax

without promising an expenditure cut. That was the message that was sent throughout the country: Thrift in government; new taxes are to be added so as to avoid the collapse of the dollar. The expenses were to be cut. "Glory" was the song throughout the Nation because Congress had adopted a position of courage and finances were to be put in order. The word went through every hamlet and village in the Nation.

It is now 3 months later, and our true color is revealed. Three months ago we made a proclamation that there would be a cut in spending. However, on every appropriation bill we now have an exemption to the spending cut. First we had the exemption in the case of the Federal Aviation Administration. Then we had it in the Post Office Department. Now we have it in the Department of Health, Education, and Welfare.

The next bill will have a similar exemption for some other agency. Are we really trying to cut? The House bill provided \$17,232,000,000. The pending bill, the bill which came to us from the Senate committee, added \$1,255,000,000 to the measure.

The proclamation concerning spending cuts has turned out to be a mockery. What an insult to honesty and intelligence.

If the public knew the motivations of this incomprehensible and indefensible conduct, it would seem to me that it would rise up in rebellion and declare: "Stand your ground. Stand where you did 3 months ago." However, the Senate will not do it. I will do it. The Senator from Delaware said that if he were the only one, he would still vote against the exemption. The Senator from Delaware will do it, and I will be standing humbly at the side of the Senator on this matter.

Mr. PEARSON. Mr. President, will the Senator yield me 1 minute?

Mr. MUNDT. Mr. President, I yield 1 minute to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 1 minute.

Mr. PEARSON. Mr. President, I should like to respond to the first point developed by the Senator from Delaware. I believe he is absolutely correct that every community in every State vies for Federal installations, and they are of great economic benefit. But I believe the record should show that when the Federal installation comes in, the land occupied or owned by the Federal installation is exempt and is removed from the property tax rolls. It is the property tax, in community after community—certainly throughout Kansas—which is the foundation and the source of revenue for the school districts.

So, despite the benefit that comes to each community, they are caught with a reduction in their tax base and an increase in the number of pupils they have to serve.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute.

I do not agree with the remarks of the Senator from Kansas. I said in the beginning that I thought there was an argument for the school impacted area program and that I had supported it originally, although I did point out that

there was another side to that coin, as he frankly admits.

What I am arguing about in this instance is the fact that we are spelling out again an exemption from the \$6 billion mandatory cut. We are whittling it away one by one. Sooner or later we might just as well repeal all of it.

Mr. PEARSON. I thank the Senator.

Mr. MUNDT. Mr. President, I yield myself 3 minutes.

First, I ask unanimous consent to have added as cosponsors of the amendment I have offered the names of the Senator from Virginia [Mr. SONG], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Oklahoma [Mr. HARRIS], the Senator from Kansas [Mr. PEARSON], and the Senator from South Carolina [Mr. HOLLINGS].

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

Mr. MUNDT. Mr. President, I appreciate the sincerity of the distinguished Senator from Delaware. He has fought a valiant fight. I have supported many of his efforts and he has made some progress. Things are not quite as dark, however, or as pessimistic as his remarks would indicate, in his understandable enthusiasm, to try to stop the growing tendency to make exemptions.

I should like to point out, first, as a member of the Appropriations Committee, that things are not quite so bad with our committee as has been indicated, because the \$6 billion which the Williams-Smathers amendment mandates Congress and the White House together to cut has already been reduced by the Appropriations Committee by approximately \$3 billion, and we are not through. We have more appropriations to come, as we endeavor to cut back the other \$3 billion.

I have not kept a tally of what the White House has cut back. It may have cut back a great deal or nothing at all. We know about this particular cutback, of course, and that is why we are working on this one today. I want to say for the Appropriations Committee that, with many appropriation bills still to be considered, we have gone approximately 50 percent in the direction we were mandated to go by the Williams-Smathers amendment. We shall continue our economy efforts.

With regard to this particular cutback of approximately \$91 million, it is in a somewhat different category from the expenditures in which the Williams-Smathers amendment and the Senate and the House expected the cuts to be made. We never anticipated that any of the \$6 billion was going to be saved by reducing the interest rates paid to Americans who buy Government bonds. That would be a default. Nor did we anticipate any effort to reduce pensions or veterans benefits. We do not expect to save any of the \$6 billion by default or by manifestations of bad faith.

The Senator from Delaware talks about the credibility gap, and it is present, and it has hurt us at home and abroad. But something hurts a government even more than a credibility gap, and that is when it starts defaulting on its payments. That is a default which is

of tremendous significance and which can have shattering consequences.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUNDT. I yield myself 2 additional minutes.

While default on political promises is bad and hurts the country and shatters confidence in public officials who break them and discredits us abroad, when you default on the payments due to a nation's citizens, this is very, very serious. And this withholding or freezing of \$91 million is in the nature of a default. We made a commitment; school districts had a rightful expectation; and by withdrawing it, it is a default on the payment, which we cannot permit to continue. It was never intended that cuts of that kind were going to be made, under our \$6 billion economy legislation.

May I also point out to the Senator from Delaware and those who support him that in this case not a single Federal employee will be added with the \$91 million. This is money which goes directly to the school districts, to which they have an entitlement and an expectation, and it does not involve the employment of any additional personnel. It is simply a matter of writing the checks which are authorized to be paid.

I hope the Senate overwhelmingly will vote to keep faith with the school districts of this country.

With respect to missile bases that the Senator would like to invite into Delaware, I suggest that he see some of them first, because they are not altogether an unmitigated blessing. They require access roads and security areas and security fences, and people are pushed back. I doubt that the people of Wilmington, Del., are willing to move out and let the missile crews move in. The missile bases are put in sparsely populated areas, in open spaces. We are glad to have them, but they do create some problems.

As the Senator from Kansas [Mr. PEARSON] has pointed out, when they bring in a great number of people with children to be educated, it is Uncle Sam's responsibility to pay the bill, as it is Uncle Sam's responsibility to build the missile bases and supply them in the first instance.

I reserve the remainder of my time, but I am prepared to yield it back, if the Senator from Delaware is willing to do the same.

Mr. WILLIAMS of Delaware. Mr. President, how much time remains on each side?

The PRESIDING OFFICER. The Senator from South Dakota has 1 minute, and the Senator from Delaware has 5 minutes.

Mr. WILLIAMS of Delaware. I yield myself a couple of minutes.

When the original \$6 billion expenditure reduction proposal was passed, we made two exceptions, and only two exceptions. They were the uncontrollable items. One was the cost of the war in Vietnam, which we could not control or anticipate. The second was the interest on the national debt, which cannot be controlled and which must be paid. These are not controllable items.

When we got to conference the Di-

rector of the Budget and the Secretary of the Treasury, representing the White House, and the House and Senate conferees, and then the Senate Appropriations Committee and the House Appropriations Committee after consultation with the conferees, all agreed that the way to make these cuts was to do so without any exceptions. The plan was to designate these cuts on the floor as the appropriation bills were acted upon. I regret that that has not been done.

Mr. President, I wish to repeat again that I will not go along with these exemptions.

I withhold the remainder of my time. I understand the Senator from South Dakota wishes to make a brief statement.

Mr. MUNDT. Mr. President, there is a matter in the debate in the last few minutes that should be emphasized. We had a number of uncontrollable expenditures in our Economy Act which could not be anticipated. Obligations due bondholders could not be decreased, a man's pension could not be decreased, and this particular amount, which is also an uncontrollable expenditure, could not be decreased without breaking faith with the school districts of this country. Therefore, it comes under the same classification as other uncontrollable expenditures if the Government is going to keep faith with the people.

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. WILLIAMS of Delaware. Mr. President, in this remaining minute I call attention that the language of this particular amendment not only appropriates an extra \$91 million but it also provides 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." In other words, it spells out an exception from the originally planned \$6 billion expenditure reduction. This is a legislative proposal, and I make the point of order that the Spong amendment and the substitute for the Spong amendment offered by the Senator from South Dakota [Mr. MUNDT] represent legislation on an appropriation bill and, therefore, are not in order.

Mr. MUNDT. Mr. President, I ask to be heard on the point of order.

The PRESIDING OFFICER. A point of order is not debatable except at the discretion of the Chair.

Mr. MUNDT. Mr. President, simply for the purpose of providing information to the Senate, anticipating that the point of order would be made, because it properly lies, let me say I gave due advance notice in writing to vote on the measure despite that fact.

The PRESIDING OFFICER. The Chair rules, as the Senator from South Dakota has observed, that this is obviously legislation on an appropriation bill and the point of order is sustained under rule XVI.

Mr. MUNDT. I make the motion, notice having been filed, to suspend the rules in order to offer my amendment.

The PRESIDING OFFICER. The ques-

tion is on the motion to suspend the rule pursuant to the notice filed previously.

Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute. I might say, as far as I am concerned, the debate on this proposal has been made. I do not know how the Senator from South Dakota feels about the matter but I am willing to yield back the time and vote on the proposal. It is the same debate as to the merits.

Mr. MUNDT. I believe that is the appropriate way to handle the matter. We are all aware it is legislation on an appropriation bill. Adequate notice was filed. The vote would be the same.

I am prepared to yield back the remainder of my time.

Mr. WILLIAMS of Delaware. I ask for the yeas and nays on the motion to suspend the rule.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

Mr. MUNDT. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back the question is on agreeing to the motion of the Senator from South Dakota to suspend the rule.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Florida [Mr. HOLLAND], the Senator from Hawaii [Mr. INOUE], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

Also I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Maine [Mr. MUSKIE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. MAGNUSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Florida [Mr. SMATHERS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Nevada [Mr. CANNON] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Utah [Mr. BENNETT], the Senator

from Massachusetts [Mr. BROOKE], the Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. DOMINICK], the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Hawaii [Mr. FONG], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from California [Mr. KUCHEL], the Senator from Vermont [Mr. PROUTY], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The yeas and nays resulted—yeas 59, nays 5, as follows:

[No. 263 Leg.]  
YEAS—59

Baker	Hartke	Mundt
Boogs	Hatfield	Murphy
Burdick	Hayden	Nelson
Byrd, Va.	Hickenlooper	Pastore
Byrd, W. Va.	Hill	Pearson
Carlson	Hollings	Pell
Case	Jackson	Percy
Clark	Javits	Randolph
Cooper	Jordan, Idaho	Ribicoff
Dodd	Mansfield	Scott
Eastland	McClellan	Sparkman
Ellender	McGee	Spong
Ervin	McGovern	Stennis
Fannin	McIntyre	Symington
Gore	Metcalf	Thurmond
Griffin	Miller	Tydings
Gruening	Mondale	Williams, N.J.
Hansen	Montoya	Young, N. Dak.
Harris	Morse	Young, Ohio
Hart	Moss	

NAYS—5

Dirksen	Proxmire	Williams, Del.
Lausche	Russell	

NOT VOTING—35

Aiken	Curtis	Magnuson
Allott	Dominick	McCarthy
Anderson	Fong	Monroney
Bartlett	Fulbright	Morton
Bayh	Holland	Muskie
Bennett	Hruska	Prouty
Bible	Inouye	Smathers
Brewster	Jordan, N.C.	Smith
Brooke	Kennedy	Talmadge
Cannon	Kuchel	Tower
Church	Long, Mo.	Yarborough
Cotton	Long, La.	

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the motion to suspend the rule is agreed to.

Mr. MUNDT. Mr. President, I now call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The bill clerk proceeded to read the amendment, offered by Mr. MUNDT for himself and other Senators.

Mr. MUNDT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

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

Amendment No. 933—star print—is as follows:

On page 15 after line 14, insert the following:

"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, section 665(c) title 31, United States Code: *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, inasmuch as the Senate has just expressed itself on the language of my amendment through the vote which it took, which was necessitated since this was language on an appropriation bill, I see no reason to consume the time to debate it until the time is used up and there is a rollcall. So I ask unanimous consent that all time be yielded back and that the order for a rollcall be rescinded.

Mr. DIRKSEN. Mr. President, I yield back my time.

The PRESIDING OFFICER. The Chair is informed that the yeas and nays have not been ordered on the amendment.

The question is on agreeing to the amendment of the Senator from South Dakota, offered for himself and other Senators.

The amendment was agreed to.

AMENDMENT NO. 937

Mr. MURPHY. Mr. President, I call up my amendment No. 937.

The PRESIDING OFFICER. The clerk will state the amendment.

The bill clerk read the amendment (No. 937) as follows:

On page 13, line 24, strike out "\$10,000,000" and insert in lieu thereof "\$20,000,000".

Mr. MURPHY. Mr. President, this amendment is a simple one. It provides an additional \$10 million for the dropout prevention program. Coupled with the \$10 million recommended by the Appropriations Committee, this would make \$20 million available for the dropout program.

The dropout prevention program was authored by me and was incorporated in section 707 of the Elementary and Secondary Education Act Amendments of last year. The program attempts to deal with the critical problems of the school dropout in a practical way. It has been endorsed at the authorized \$30 million level by the President in both his education and in his budget messages. The Kerner Commission recommended full funding of the program. Outside of Government circles, the program has generated a great deal of enthusiasm. I have heard from educators from all parts of the country, all of whom were very excited about the program's potential.

Naturally, I was very disappointed when I learned that the House, in passing H.R. 18037, the Departments of Labor-HEW appropriations bill, failed to provide a single cent for either the dropout program or another important program which I cosponsored, the bilingual program. Because I feel so strongly about both programs, I testified before the Senate Appropriations Committee urging the reversal of the shortsighted

actions of the other chamber, and the funding of these two promising programs.

I want to take this opportunity to thank the Appropriations Committee members, not only for the friendly reception given my presentation, but also, and more importantly, for its decision to appropriate \$10 million for both the bilingual and the dropout programs. These programs will, I predict, lay the groundwork for important breakthroughs in education.

Mr. President, I am not unmindful of the fiscal problems confronting the country. In my testimony before the committee I stated:

I know the many important items you must consider in making your funding recommendations to the full Senate. These are difficult decisions in any year, but both the fiscal troubles and the many needs of the country combine this year to make your task almost an impossible one.

Although exceedingly grateful for the farsighted action of the Appropriations Committee, and being fully aware of the fiscal problems, I am nevertheless convinced that the magnitude of the dropout problem and the urgency to find answers that will make dramatic and practical changes in poverty area schools compel me to offer this amendment today increasing the appropriations for the dropout program from \$10 million to \$20 million. I would like to emphasize to the Senate that even with the increase provided by the amendment, the dropout program will still be funded at 33 1/3 percent below the President's budget. Also, I believe it is imperative, in view of the House action, that the Senate indicate its strong endorsement of this program.

Mr. President, there is general agreement that breakthroughs are badly needed. In 1961, Dr. James Conant, the noted educator, warned that "social dynamite" was accumulating in the Nation's cities. Since then, this "social dynamite" and its explosiveness has been brought home to all Americans. Much of this "social dynamite" results from those who have dropped out of school and who are out of work.

Yet, Mr. President, 1 million youngsters drop out of school each year. The "social dynamite" of which Dr. Conant warned continues to accumulate. In our Nation's 15 largest cities, the school dropout rate varies from a high of 46.6 percent to a low of 21.4 percent. These statistics, although frightening enough, reflect only the total school picture within the large cities. To really comprehend the seriousness of the situation, one must move from the total picture and focus on particular schools within the educational system of our large cities.

Mr. President, shockingly, 70 percent of the youngsters in these poverty area schools drop out before completing high school. Because I want all members of the Senate to appreciate the seriousness of the problem, I repeat that 70 percent of the youngsters in poverty area schools drop out before completing high school. In my State, the McCone Commission found that in three schools in a predominantly Negro area of Los Angeles, two-thirds of the students drop out before completing high school.

It is these schools and these statistics that prompted me to persuade the Congress last year to add the dropout prevention program to the Elementary and Secondary Education Act Amendments of 1967. It is these schools and these statistics that prompted me to label the dropout problem as the Achilles' heel of our educational system. It is these schools and these statistics that prompt me today to ask the Senate for an additional \$10 million for this dropout program.

The dropout program's target is these schools. Its purpose is to prevent, or reduce the 70 percent dropout rate.

Mr. President, my staff and I have given considerable study and thought to the shaping of this program. We discussed the problem and possible approaches with various experts. I am particularly grateful for the assistance given to me by Dr. James Conant of New York, Dr. Max Rafferty, superintendent of public instruction of the State of California, Superintendent Jack Crowther of Los Angeles city school system, Dr. Ralph Dillard of the San Diago school system, Dr. Wilson Riles of the compensatory education system in California, and Dr. Jenkins of San Francisco.

At first, I considered spelling out in the statutes specific approaches such as reducing classroom size, providing remedial reading teachers for reading classes in the elementary grades, and the use of teaching machines. School districts wanting to try a particular approach would have made application for Federal funding. But, Dr. Conant and others convinced me this was unwise. So, in its final form, the amendment gives maximum flexibility and freedom at the local and State level for experimentation. It is based on the premise that answers have not as yet been found which will make dramatic changes in poverty area schools. Under the program, local and State educational agencies will submit innovative proposals which zero in on a particular school or a particular classroom in an effort to have a major impact on the dropout problem. The amendment requires that eligible schools be located in an urban or rural area, have a high percentage of children from families of low income, and have a high percentage of children who drop out of school.

Before approving projects conceived at a local level, the school district is required to identify the school dropout problem, analyze the reason for and tailor programs to meet it, provide effective procedures, including objective measurements of educational achievement for evaluating the program, and secure the approval and active participation of the State educational agency.

Many Members of Congress have repeatedly expressed their impatience over the lack of objective education evaluation data. As the Office of Education, itself, has stated:

Evaluations of the dropout prevention programs have suffered from a lack of achievement data on particular pupils. Such evaluations have been further hampered by the difficulties of setting up controlled experiments and isolating treatment effects.

By targeting poverty area schools and concentrating resources where the problem is most severe, and by requiring objective evaluation data, the dropout prevention program will provide and speed the collection of evaluation information needed by Congress and the country.

It is clear that the 70-percent dropout rate is intolerable. We know that we are in the midst of an education explosion and a technological revolution. We are told that the supply of knowledge now doubles each decade. The truth of the Chinese proverb that "learning is like rowing up stream; not to advance is to drop back," becomes increasingly apparent. At one time in our history, the failure to complete high school did not result in the serious consequences that it does today. In fact, it was a common occurrence and those who did were not even looked upon as dropouts. Most jobs did not require a formal education. There was a great need for unskilled labor. This certainly is not the case today.

Where little or no formal education was required, today a high school education is needed.

Where a high school diploma was needed, a college degree is now a must.

Even the college bachelor's degree is often insufficient as more and more college graduates go on to graduate degrees.

So, the knowledge explosion makes even the educated citizens struggle to keep from dropping back. The dropout, confronting both the education explosion and the shrinking unskilled job market, is likely to sink. The high dropout rates, combined with the rapidity of change that has taken place in our Nation, makes it imperative that we launch a major attack on the problem now.

H. G. Wells' famous quotation, "that human history becomes more and more a race between education and catastrophe" while conveying a general truth also has special significance for today's dropout and for our society. For both society and the individual, the effect of youngsters leaving school today is "catastrophic." Society's stake, in short, is too high to allow a million youngsters to drop out of school annually, ill prepared to find employment and a useful place in our competitive society.

In my testimony before the Appropriations Committee I cited the growing realization of the relationship of education and income. I cited a study by Dr. Harold Kastner, a consultant for the Florida State Office of Education which divided individuals based on the 1960 census into levels of educational achievement as follows: less than 8 years, 8 years, 1 to 3 years of high school, and 4 years of college. Dr. Kastner then projected the aggregate income gain if the individual had been able to complete the next income level. If those who had not completed the eighth grade had been able to do so, and if those who had completed the eighth grade had been able to complete 1 to 3 years of high school, the national income would have increased annually by 6.5 percent. A 6.5 percent increase would have added \$50 billion to our national wealth. These calculations help convey the monetary costs to society.

In addition to the earning loss to individuals and to the Nation, the dropout

is costly to society in other ways. For the dropout reappears in our spiraling crime statistics and our juvenile delinquency rolls, in our penal and corrective institutions, and on our welfare rolls.

Mr. President, Mr. Nixon, in a moving paragraph in his acceptance speech, described more eloquently than I, the personal tragedy and the need to change the "prospects of the future" for poverty-area schoolchildren. I quote:

None of the old hatreds mean anything when you look down into the faces of our children. In their faces is our hope, our love and our courage. Tonight I see the face of a child, it lives in a great city, he is black or he is white, he is Mexican, Italian, Polish. None of that matters, what matters is he is an American child. That child in that great city is more important than any politicians promise. He is America. He is a poet, he is a scientist, he is a great teacher, he is a proud crest, he is everything we have ever hoped to be and everything we dared to dream. He sleeps the sleep of childhood, he dreams the dreams of a child.

Again when he awakes, he awakes to a living nightmare—poverty, neglect, despair. He fails in the schools, he ends up on welfare. For him the American system is one that feeds its stomach and starves its soul. It breaks his heart, and in the end it may take his life in some distant battle. To millions of children in this great land, this is their prospect of the future, but this is only part of what I see in America.

Mr. President, the dropout program is aimed at changing the "prospects" of these children. The dropout program seeks to change the present odds that 70 percent of the city children of poverty-area schools will drop out. The dropout program throws a challenge to the educational community. Prevent dropouts. I urge the Senate for both the country's sake and for the children's sake to provide the resources to enable the educational community to meet this challenge. I urge the adoption of my amendment.

Mr. President, I ask unanimous consent that an editorial from the Los Angeles Times, entitled "Congress and the Dropout Disgrace," and an editorial from the Oakland Tribune, entitled "False Economy," both of which endorse full funding of the dropout prevention program, be printed at this point in the RECORD. In addition, I ask unanimous consent that my testimony before the Appropriations Committee on this subject be printed in full.

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

[From the Los Angeles Times, July 8, 1968]

#### CONGRESS AND THE DROPOUT DISGRACE

*Issue: Although in a fiscal bind, Congress should give high priority to programs aimed at reducing school dropout rates.*

The 1 million young Americans who drop out of school each year represent an immense social and economic problem for the entire country.

No nation can ignore the consequences to the individual and society when 70% of the students in urban slums fail to finish high school. These are the prime candidates for welfare rolls and penal institutions. Instead of contributing to the economy, they become a costly and tragic liability.

Congress, therefore, must give high priority to dropout prevention efforts even as it seeks ways to cut spending. This was the plea made by Sen. George Murphy (R-Calif.) last

week as he urged restoration of funds for two such programs, which he authored.

The money sought by Murphy is relatively modest in comparison to the magnitude of the problem and the resulting economic loss to the nation. A total of \$30 million would be made available to school districts which have high dropout rates and which have developed innovative programs to keep youngsters in the classroom.

Murphy quoted Dr. James Bryant Conant's warning that in this decade some 7.5 million students will have dropped out of school, creating "social dynamite" in U.S. cities.

The loss to the economy is staggering. One study indicated that if all those who had not finished the eighth grade had done so, national income over a 40-year period would have been increased by nearly \$1 trillion.

The California senator also urged the funding of a special program for bilingual students, primarily aimed at Spanish-speaking children. Half of the Mexican-American youngsters in California drop out of school by the eighth grade, according to estimates.

An appropriation of \$5 million would put into effect the bilingual program already authorized by Congress. Lack of instruction in their native tongue has resulted in an average grade level of 7.1 for Mexican-Americans in the United States as compared to 9.0 for Negroes and 12.1 for Americans.

Congress should at least make a start on remediating the disgraceful dropout situation. A modest investment now could produce great social and economic dividends in the future.

[From the Oakland Tribune]

#### FALSE ECONOMY

If the United States could significantly reduce its high school dropout rate, the benefit to the nation would be enormous.

Every youngster who drops out before at least completing a high school education starts a tragic cycle of circumstances that costs the nation billions. Dropouts are the nation's chronic unemployment problem. They make up the bulk of the welfare load. Because they usually find employment only at the lowest skill level, dropouts are particularly vulnerable to being automated out of a job.

All this is both a tragic waste of human resources and an increasingly heavy burden on the public purse. That is why the nation should be energetically exploring ways to reduce the number of youngsters who quit school.

That is the purpose of two amendments to the Elementary and Secondary Education Act which Sen. George Murphy of California sponsored last year.

One of the amendments would provide funds to finance experimental programs aimed at curbing the school dropout problem, with special emphasis on urban poverty areas. The second would help finance bilingual instructional programs for youngsters who come from homes where the native language is not English.

California has a special interest in both programs because of its high dropout rate, a problem that is particularly acute among the Spanish-speaking.

Congress acknowledged the need for the type of projects covered by the Murphy-sponsored legislation last year. But the House did not include the \$30 million required to fund either the dropout or bilingual instruction program.

We hope the Senate heeds Senator Murphy's plea and provides the funds for these two programs. Both the Johnson administration and the Kerner Commission on Civil Disorders urged an appropriation for this type of program.

Funds invested now in reducing the dropout rate can be multiplied in tax savings

many times by enhancing the educational level and earning potential of youngsters who otherwise will become costly social burdens.

#### REMARKS OF SENATOR GEORGE MURPHY, REPUBLICAN, OF CALIFORNIA, BEFORE THE SENATE APPROPRIATIONS COMMITTEE

Mr. Chairman. I appreciate the opportunity to appear before the committee today. I know the many important items that you must consider in making your funding recommendations to the full Senate. These are difficult decisions in any year, but both the fiscal troubles and the many needs of the country combine this year to make your task almost an impossible one.

I personally testify today because of my strong feelings on two problems and two promising programs that have been enacted to deal with them. Unless this committee reverses the actions of the House Committee last week, two programs, the dropout prevention projects and the bilingual school program will remain mere promises. I am hopeful that my testimony will convince this committee that these programs are urgent, and that the failure to fund them is shortsighted.

First, I wish to discuss the dropout program which was authored by me and is incorporated in Section 707 of the Elementary and Secondary Education Act of 1965. The program attempts to deal with the critical problem of the school dropout in a practical way. The program has been endorsed at the authorized \$30 million level by the President, both in his education and in his budget messages. Further, the Kerner Commission recommended that "this program be fully funded." Outside of government circles the program has generated a great deal of enthusiasm. I have heard from countless educators from all sections of the country, all of whom were very excited about the program's potential.

Now the dropout problem is not new. This nation has been concerned with the problem in the past. In fact, the efforts of our educational systems and others have resulted in more and more youngsters staying longer and longer in school. Some statistics might help to illustrate this.

At the turn of the century, approximately 80 percent of youngsters aged five through seventeen were in school. Last year's estimate for the same group was 97 percent, an improvement of 17 percent.

Further, of the 2.7 million ninth graders in 1956, 1.9 or 65 percent subsequently graduated from high school. Of the 3.8 million youngsters enrolled in the ninth grade in 1967, it was estimated that 2.9 million or 77 percent will ultimately graduate. Thus, in a little over a decade, the dropout rate has been reduced 12 percent.

This is a welcomed improvement. Yet if the projections for last year's ninth graders prove accurate, we will still face a dropout rate of 23 percent in 1970. Truly, as I said last year, the dropout problem is the Achilles' Heel of our educational system.

To translate these statistics to more understandable terms and to better picture the magnitude of the problem, I want to emphasize to the committee that there are approximately one million youngsters dropping out of school each year. In two short years the decade of the sixties will draw to a close. It is estimated, for this decade, that we will produce some seven and one-half million dropouts. I urge the committee to reflect on these statistics and to ponder these projections with all their implications. Dr. Conant in his 1961 book, "Slums and the Suburbs" warned that social dynamite was accumulating in our large cities. Much of this "social dynamite" results from those who have dropped out of school and are out of work. I asked the Library of Congress to provide me with the dropout rates in our Nation's fifteen largest cities. These percentages varied

from a high of 46.6 percent to a low of 21.4 percent.

*Dropout rates—Percent of September 1960 grade 10 class not graduating in June 1963*

City:

New York City	37.05
Chicago	33.95
Los Angeles	22.83
Philadelphia	46.60
Detroit	37.84
Baltimore, Md.	34.98
Houston	21.39
Cleveland	31.37
Washington, D.C.	29.61
St. Louis	24.70
Milwaukee	26.19
San Francisco	33.15
Boston	35.90
Dallas	27.74
New Orleans	27.10

Source: Library of Congress.

We must keep in mind that these statistics reflect the dropout rate for the entire school system and if we were to focus on schools in the disadvantaged areas of the cities, the rate would be staggering. For example, the McCone Commission found that in three schools in a predominantly Negro area of Los Angeles, two-thirds of the students drop out before completing high school. Probably similar projections would hold true in the other cities also. We are told that in the poverty neighborhood schools of our 15 largest cities, 70% drop out before completing high school.

These statistics show the extent to which we are allowing "social dynamite" to accumulate in our large cities, and demonstrate the need for the funding of my dropout amendment.

In addition to the personal tragedy that results in the failure of an individual to develop to his full potential, the dropout is also costly to society. For the dropout reappears in our spiraling crime statistics and our juvenile delinquency rolls, in our penal and corrective institutions, and on our welfare rolls.

Even then, one might ask, "Why all the alarm?" The dropout rate is serious, but we are making progress. "What is the urgency that justifies the commitment of funds in this difficult fiscal year?" To adequately answer these questions it is necessary to understand and to emphasize it is not the dropout rate so much as it is the rapid changes that are taking place in our society. We truly are in the midst of an "education explosion" and a "technological revolution." Too, the speed of these changes are revealed in figures indicating the accumulation of knowledge by mankind. We are told that mankind's knowledge doubled for the first time between the dawn of history and the year 1700. This knowledge doubled again by 1900. The third doubling occurred fifty years later, around 1950 and the fourth in ten short years, in 1960. So, we are living in a time when the world's supply of knowledge will double each decade and at the same time the jobs available for the unskilled, the dropout, shrink.

H. G. Wells' famous quotation, "that human history becomes more and more a race between education and catastrophe" while conveying a general truth also has special significance for today's dropout and for our society. For both, society and the individual, the effect of youngsters leaving school today is "catastrophic." Society's stake, in short, is too high to allow a million youngsters to drop out of school annually, ill prepared to find employment and a useful place in our competitive society.

We have been aware for some time of the relationship between education and income. Dr. Harold Kastner, Jr., a consultant for the Florida State Department of Education, in the American School Board Journal a few

years ago calculated the economic consequences to the individual and the country when a youngster drops out of school.

He determined that a young man's completion of eight grades of school would result in a mean lifetime income of \$52,343 above the income of persons who did not complete the eighth grade. The completion of one to three years of high school would result in an additional \$30,871 for those who had completed only the eighth grade. A male high school graduate would receive an additional \$45,887 above that of one with one to three years of school. Thus, an individual with a high school education over his lifetime would earn over \$120,000 more than an individual who left school without an eighth grade education.

As might be expected, cumulative economic loss to society is truly staggering. Dr. Kastner also calculated such losses. He divided individuals, based on the 1960 census, by levels of educational achievement as follows: Less than eight years, eight years, one to three years of high school and four years of college. He then projected the aggregate income gain over a 40-year period to the nation if the individual had been able to complete the next educational level.

If all who had not completed the eighth grade, for example, had been able to do so, over a 40-year period national income would have increased by \$954 billion.

If those who had completed the eighth grade had attained the next educational level, namely, the one to three years of high school, the national income over a 40-year period would have expanded by \$380 billion.

The total loss over the 40-year period for these two groups would have totaled over one trillion dollars, a figure which Dr. Kastner says represents two and one-half times the national income of the United States in 1962.

For a single year if the two groups just mentioned had completed the next educational level, national income would have increased by six and one-half percent. A six and one-half percent increase in our gross national product for 1967 would have added \$50 billion to our nation's wealth. Further, Dr. Kastner contends that if "the dropouts at the various levels had continued their education to the level commensurate with their abilities, the national income of the United States would be at least twice as large as its current level . . . the aforementioned increased incomes would increase the tax base. This could lead to an increase in government services and a redistribution of the current tax burden in such a manner as to reduce the current amount paid per taxpayer."

Because of the urgency of the dropout problem and the cost to the individual and to the nation, I persuaded the Senate Education Subcommittee, the full Senate Labor and Public Welfare Committee, and the Senate to accept my dropout prevention amendment designed to make a major concentrated attack on the dropout problem.

In shaping the amendment my staff and I discussed the problem and possible approaches with various experts. I am particularly grateful for the assistance Dr. James Conant of New York, Dr. Max Rafferty, Superintendent of Public Instruction of the State of California, Superintendent Jack Crowther of Los Angeles City School System, Dr. Ralph Dallard of the San Diego School System, Dr. Wilson Riles of the Compensatory Education System in California, and Dr. Jenkins of San Francisco have given.

At first, I considered spelling out in the statutes specific approaches such as reducing classroom size, providing remedial reading teachers for reading classes in the elementary grades and the use of teaching machines. School districts wanting to try a particular approach would have made application for federal funding. But Dr. Conant and others convinced me this was unwise.

So, in its final form, the amendment gives maximum flexibility and freedom at the local and state level for experimentation. It is based on the premise that answers have not as yet been found which will make dramatic changes in poverty area schools. Under the program, local and state educational agencies will submit innovative proposals which zero in on a particular school or a particular classroom in an effort to have a major impact on the dropout problem. The amendment requires that eligible schools be located in an urban or rural area, have a high percentage of children from families of low income, and have a high percentage of children who drop out of school.

Before approving projects conceived at a local level, the school district is required to identify the school dropout problem, analyze the reason for and tailor programs to meet it, provide effective procedures, including objective measurements of educational achievement for evaluating the program, and secure the approval and active participation of the state educational agency.

Members of the committee, as you well know, our society spends dollar after dollar on program after program to rescue the dropout. These rescues or educational repair jobs are extremely costly and equally difficult, often not successful—witness the Job Corps.

My amendment seeks to find and reach the root causes of the dropout problem. It provides additional resources. It throws a challenge to the educational community. Prevent dropouts. If our educational system can reduce and prevent the dropout problem, it will not only be a saving to society of the cost of the cure, but it also, if Dr. Kastner's calculations are correct, add billions of dollars to our economic growth. I hope that my testimony today demonstrates the unsoundness of permitting the dropout problem, the Achilles' Heel of the educational community, to continue. In terms of society, it is costly, dangerous and a tremendous waste of manpower. In terms of the individual, it is tragic.

In closing, I would once again like to quote Dr. Kastner who said: "the failure of society to allocate a few million dollars to solve adequately the dropout problem represents a cost of billions in economic growth."

Mr. Chairman, I do hope that despite the economic difficulties facing the nation that the Dropout Prevention Amendment which I offered last year, which has been endorsed by the President in both his budget and educational messages, and by the Kerner Commission Report and applauded by educators throughout the land will be fully funded. The amendment is in the best interest of the nation, and individuals, and makes sound economic sense.

#### BILINGUAL PROGRAM

The second program I wish to discuss and urge full funding is the Bilingual Education Act of 1967 which was also incorporated in the 1967 amendments to the Elementary and Secondary Education Act. I was pleased to co-author the bill. As the members of the committee probably know, this program was conceived and initiated in the Congress and was enacted over the opposition of the Administration. The program has now been embraced by the Administration, but the level at which funds have been requested indicates that the Administration's endorsement lacks the enthusiasm which the program needs. For like the dropout prevention program, the program is of little value unless it is given life by adequate appropriations. The House Appropriations Committee also refused to appropriate any funds for this much-needed program.

The magnitude of the problem is evident by the following appalling statistics:

(1) Of 1.6 million Mexican-American children entering the first grade in the five Southwestern States, one million will drop

out before they reach the eighth grade. In my own State of California, I understand that 50 per cent of the Mexican-American children drop out by the eighth grade.

(2) Mexican-Americans in the United States have an average grade level of 7.1, compared to a grade level of 9.0 for Negroes and 12.1 for Anglo-Americans. Mr. Chairman, evidence and experience suggest that this need not be. Other countries have confronted the problems of educating bilingual children and some nations such as the United States and certain parts of Africa have insisted that instruction be in the national language only. Many countries have successfully solved the problem by instructing first in the youngsters' mother tongue and as soon as possible, instructing the youngsters in the national language. Last year, Governor Reagan of California signed into law legislation that would permit instruction in Spanish in California's public schools.

It would appear that even Russia has a more enlightened policy than the United States in its approach to the problem. I understand that approximately 50 per cent of the Russian population have a mother tongue other than Russian. In 1938, the Russian Government reversed its insistence that instruction be in Russian and permitted instruction in the mother tongue. As a result I am told there has been a great increase in literacy as well as the use of the Russian language. Similar experiences have occurred in Mexico, the Philippines and in Puerto Rico. In the latter case, the United States at one time insisted that the educational system in Puerto Rico instruct in English, notwithstanding the fact that the mother tongue of the children was Spanish. Mr. Bruce A. Gaarder of the Office of Education in testifying before the Senate Special Subcommittee on Bilingual Education, outlined the experience which was documented in a study by Columbia University that occurred in Puerto Rico as follows:

"The Columbia University researchers, explaining the astonishing fact that those elementary school children in Puerto Rico—poverty-stricken, backward, 'benighted', beautiful Puerto Rico—achieved more through Spanish than continental United States children did through English, came to the following conclusions, one with extraordinary implications for us here.

"The conclusion is, in sum, that if the Spanish-speaking children of our Southwest were given all of their schooling through both Spanish and English, there is a strong likelihood that not only would their so-called handicap of bilingualism disappear, but they would have a decided advantage over their English-speaking schoolmates, at least in elementary school, because of the excellence of the Spanish writing system. There are no reading problems, as we know them, among school children in Spanish-speaking countries."

A Florida effort points not only to substantiation of the Puerto Rico experience, but also to its expansion. In 1963, public schools in Dade County, Florida, embarked on a model bilingual education program. Although final statistical data is not available, preliminary reports are most encouraging. Perhaps even more significant are the results regarding the English-speaking children in the bilingual program. Amazingly, these English-speaking children are doing better in English than their counterparts who were instructed in English. Not only does the bilingual program have the potential and promise of successfully attacking education problems of youngsters whose mother tongue is other than English, but, apparently, if the Florida Study is correct, the "implications for education are extraordinary."

Mr. Chairman, I recognize the fiscal limitation under which we are laboring, but I urge you to see that these two important programs which will lay the groundwork for exciting breakthroughs in education be permitted to move ahead. Society can afford to do no less.

Mr. MURPHY. Mr. President, reserving the remainder of my time, I yield the floor; but first I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HILL. Mr. President, the House did not allow one single penny for the dropout program. The fact of the matter is that on the floor of the House, an amendment to appropriate funds for this program was voted down. So the House did not allow any money for this program. The Senate committee provided \$10 million for this program.

As the manager of the bill for the Senate committee, I think I should say that we should stick by the action of the Senate committee and allow the \$10 million, just as the committee, after hearings, after consideration, after discussion of the matter, approved the \$10 million. Therefore, we should reject the amendment of the Senator from California.

Mr. MURPHY. Mr. President, I yield myself 3 minutes.

I wish to point out to my distinguished colleague that I was most thankful for the consideration of the Appropriations Committee in allowing the sum of \$10 million. I was most appreciative of the fact that the Appropriations Committee, along with the subcommittee, understood the necessity and realized that this was not money wasted. In my humble opinion, this will be one of the finest investments we could possibly make—to find out how to eliminate this problem. If we can eliminate only 10 percent of it, I assure my colleagues it will be worth a hundredfold the dollars we are talking about in this particular amendment.

I understand that my colleagues on the House side voted down the amendment. I do not think it was a rollcall vote. Sometimes, perhaps in the confusion of the busy and complex times in which we live, there is not a complete understanding.

Perhaps the amendment had not had the full consideration to which it should be entitled. I believe it is that important, and that is why I have asked my fellow Senators to support this amendment, which would add another \$10 million.

It is for that reason that I bring this amendment back, and that I ask for the yeas and nays, and I hope that my fellow Senators will vote in favor of the amendment in such strong proportion that the Senate enthusiasm for the program and the need will be carried clear across the Capitol to the other Chamber.

I thank my distinguished colleague, and reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. HILL. I just wish to reiterate what I said previously: The House of Representatives did not appropriate one single dollar for this program. In fact, on the floor of the House of Representatives, they rejected an amendment to put some funds into the program.

The Senate committee, after hearings, consideration, and debate on this matter, put in \$10 million for this program. Now my friend from California wants to double the amount, and make it \$20 million. Speaking for the committee that put in the \$10 million, I think we ought to stay by the action of the committee

in appropriating the \$10 million, and reject the amendment of the Senator from California.

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

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. HILL. I yield the Senator from Ohio 1 minute. Does the Senator want to ask a question, or does he want time?

Mr. LAUSCHE. I wish to ask a question.

Mr. HILL. All right.

Mr. LAUSCHE. There has been considerable discussion about the PRIDE program in Washington. I read in the CONGRESSIONAL RECORD a statement made by Representative BROYHILL that a number of individuals involved in the Pentagon disturbance were put on the payroll of PRIDE, and that one of the leaders was hired as an adviser at \$50 a day. To repeat, a demonstrator, one who tried to kick out the doors of a police car at the Pentagon, has been hired by PRIDE at a compensation of \$50 a day for the purpose of giving advice.

Do they seek his advice as to how to knock over ambulances and police cars? I should like to know what the situation is with respect to the information that the committee has on this private agency which has received taxpayers' money to help what are supposed to be indigent, and I suppose incorrigible, young people. Is the Senator able to give any information about the claim that PRIDE, Inc., in Washington hired this particular individual as an adviser at a compensation of \$50 a day?

Mr. HILL. I cannot tell the Senator about that individual, because I had not heard about it. We had no testimony before our committee as to that individual, I say to the distinguished Senator.

Mr. LAUSCHE. I do find in the report, on page 86, that the committee has pointed out that there are some reports or evidences that PRIDE, Inc., a private agency financed by the Government, has not kept its books in the manner which good business practices would dictate.

Mr. HILL. That is correct.

Mr. MURPHY. Mr. President, will the Senator yield at that point?

Mr. LAUSCHE. The Senator from Alabama has the floor.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. MURPHY. Will the Senator from Alabama yield 30 seconds for a remark with regard to the observation of the Senator from Ohio?

Mr. HILL. I yield 30 seconds to the Senator from California.

Mr. MURPHY. I merely wish to point out that this matter of PRIDE, Inc., is of interest to me alone, but that it has no bearing on the particular amendment I am proposing.

Mr. LAUSCHE. Oh, yes; I understand that.

Mr. MURPHY. I thank my colleague. I just wanted to make it clear to the Senate.

Mr. LAUSCHE. But I thought I would use this time that is available to make an exploration of this subject.

May I ask the Senator from Alabama whether the program in Chicago that was investigated by the McClellan commit-

tee, showing that thugs, hippies, drug addicts, and murderers were used by an agency financed by the Government to act as teachers of youth—in other words, the murderers, thugs, hippies, and drug addicts were the teachers of the youth in Chicago—is the same program as this, under which PRIDE gets its money?

Mr. HILL. That is an OEO program. Mr. LAUSCHE. This is OEO also.

Mr. HILL. I believe that is an OEO program. That information has not been presented to the Committee on Appropriations. It has been presented to the McClellan committee.

Mr. PASTORE. Mr. President, will the Senator yield to me on this point?

Mr. HILL. Yes; surely.

Mr. PASTORE. I believe I can illuminate this situation a little bit. In the committee, at the behest of the Senator from West Virginia [Mr. BYRD], we had quite a bit of discussion with reference to the PRIDE program. It was the Senator from Rhode Island who made the remark at the time that we cannot tolerate insufficient records, inadequate records, records that are kept away from legitimate and authorized governmental agencies. No one condoned that practice. We are all condemning it.

But as I said in the committee, I would hope that we would put these abuses in their proper perspective. We have got to make it clear to these agencies that they simply cannot indulge in these abuses, and that one rotten apple spoils the whole barrel. But then, by the same token, I do not think, because of an isolated case of abuse, we ought to destroy a noble and meritorious program. I realize the impact and the dramatic effect of the incident that is being brought out by the Senator from Ohio; but I wish to assure him we were deeply concerned about this matter in the committee, and that no one is going to tolerate this kicking through of doors of automobiles and this besieging of the Pentagon, or all these wild demonstrations. They are just as obnoxious to the members of the committee as to the Senator from Ohio. We do not propose to tolerate that. The point is that we wrote a strong statement in the report to the effect that if they care to receive this Government money—and I was the one who suggested the precise language—that we are dealing with taxpayers' money, and taxpayers' money is sacred, and must be protected, 100 pennies of every dollar.

Mr. LAUSCHE. I am glad to hear the explanation given by the Senator from Rhode Island. I do not, however, agree with him that this is an isolated case. It has been happening all over the country in the programs administered by the Office of Economic Opportunity.

I now find in the report the statement to which I have referred. Mark what it says:

On May 20, 1968, the committee requested the Department of Labor to furnish the committee payroll data on persons employed by Youth PRIDE, Inc., a recipient of financial assistance administered by the Department under title I of the Economic Opportunity Act of 1964, as amended. Because the information was not furnished as requested, the committee on June 5, 1968, requested the Comptroller General of the United States to

secure the information. Despite the diligent efforts of the Comptroller, his Office to date has been unable to obtain from PRIDE any information whatsoever.

What is this sacred cow?

Mr. PASTORE. Mr. President, why does not the Senator read the remainder of it?

Mr. LAUSCHE. I certainly understand that the committee is pressing it.

Mr. PASTORE. Certainly we are.

Mr. LAUSCHE. The committee has set down the date of September 15 as the limit of time within which the report has to be made.

Mr. PASTORE. And that is within 1 week.

Mr. LAUSCHE. The Senator is correct. I am not condemning the committee. I point out what is happening with the taxpayers' money. However, is it not odd that PRIDE, Inc., the recipient of the taxpayers' money, refuses to disclose in its books what it is doing with the money?

That is what I complain about, and I have a right to complain about it.

Mr. PASTORE. Absolutely.

Mr. LAUSCHE. On the basis of the communications I receive, taxpayers are pleading for some help to relieve them of the great burden they have to carry in the payment of money which is used exclusively and extravagantly and indefensibly by governmental agencies.

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

Mr. HILL. I yield.

Mr. PASTORE. Mr. President, I can realize the indignation on the part of my good friend, the Senator from Ohio. It is sincere. It deserves every possible consideration. However, after all, he is not the only Senator who is alarmed by the facts. We are all alarmed. He says that he is criticizing it and that he has a right to criticize it. The Senator from Rhode Island not only criticized it, but he also roundly condemned it. I was outspoken in the course of that committee proceeding. I admonished some of my friends and allies who believe in these programs that we cannot tolerate their abuse and allow one bad apple to spoil the whole barrel.

I wish that at some time we would put the spotlight of publicity on the good that has been accomplished. We have developed the habit of saying that we should shoot a man if he is plagued by a toothache. I say that we should yank out the bad tooth and save the man's body.

If we have abuse in any of these programs, let us yank out the abuse, but let us not kill the entire program that is serving so many worthy people in a very honorable way.

I will later on give the statistics as to what the antipoverty program has achieved for the good of the Nation.

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

Mr. HILL. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, let us take a look at the situation. PRIDE, Inc., receives money and hires a man who deliberately demonstrates in front of the Pentagon. He was a leader. He was arrested. But they hired him and paid him \$50 a day as an adviser. Where is the

toothache there? It is not in that man alone. It involves the people in charge of administering the whole program.

We are not far apart in the matter, but I do not want to remain silent on the floor when I know that a man of the type I have described has been hired as an adviser and as a teacher. How low and how base can people become in the spending of Government money?

Mr. PASTORE. Mr. President, if I may answer the statement of the Senator, I would point out that if at the time that man was hired they knew he had kicked in this door and that he was wasting the public money, I would have fired him on the spot, and maybe would have done worse. If they did not know at the time he was hired that he was going to indulge in these extreme acts and they did not find out, I would fire the man who hired him.

I want the Senator from Ohio to know that those of us who believe in the anti-poverty program and believe that something needs to be done for the 30 million Americans living on the edge of poverty should not be put in the position here of becoming the devil's advocate. We are not the devil's advocate.

We do not tolerate or want these abuses.

All I am saying is that just because we have some abuse, we should not destroy or unfund these programs and say to a lot of hungry children: "You can starve yourselves to death because some guy that was not worthy tried to kick in the door of the Pentagon."

Mr. LAUSCHE. That is not the position taken by the Senator from Ohio, and the Senator from Rhode Island knows it.

Mr. PASTORE. Let us look at the record.

Mr. LAUSCHE. The record shows that there has been unpardonable abuse in the funding of taxpayers' money. The McClellan committee announces today that it is going to reveal forgeries and misspending of funds in the Ranger program in Chicago.

Mr. PASTORE. The Senator is correct.

Mr. LAUSCHE. That situation is being duplicated all over the country. I want to help the millions of Americans. I will not go along with the Senator from Rhode Island that there are 30 million, because there are others that we should also consider. I refer to those whose money we have been taking in order to spend extravagantly when it is not justified in many instances.

Mr. PASTORE. That statement may be true, but I want the Senator from Ohio to know that the senior Senator from Rhode Island is as much an American as he is and as such is as much interested in the programs as anyone.

Mr. LAUSCHE. I hope the Senator from Rhode Island will understand that the Senator from Ohio is as deeply American as is the Senator from Rhode Island.

Mr. MURPHY. Mr. President, I ask unanimous consent that the most interesting and delightful colloquy of my colleagues, the Senator from Rhode Island and the Senator from Ohio, appear at

the end of the discussion on my amendment which is the pending business.

I agree that there are bad spots and that the whole program should not be destroyed. It is up to us to find out the bad spots. However, in my experience it is not easy to find the bad spots because the bureau in charge is very reticent about giving information. For that reason, the General Accounting Office is now doing a survey so that the Senator from Pennsylvania and I, who serve on the committee, will be able to find out the bad spots and cure those bad spots and make the antipoverty program finally work.

Mr. PASTORE. Mr. President, reserving the right to object, I do not see what harm the colloquy would do to the amendment of the Senator from California. As a matter of fact, I think the statement made by the Senator from Rhode Island plays into the hands of the Senator from California very favorably. Does not the Senator want my vote?

Mr. MURPHY. I need it.

Mr. PASTORE. Then the Senator had better not ask for unanimous consent to isolate the discussion because I feel it is most germane.

Mr. MURPHY. Mr. President, I merely intended to ask that the colloquy be placed elsewhere so that my amendment would not interfere with the very able presentation of the Senator from Rhode Island.

Mr. PASTORE. That is why I think it should stay in there, because it was "able" as the Senator says—and applicable and appropriate.

Mr. MURPHY. Mr. President, if the Senator would like to have the colloquy surrounded by the Murphy amendment, I accede to the wishes of the Senator.

Mr. President, I yield 10 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 10 minutes.

Mr. CLARK. Mr. President, I strongly support the amendment of the Senator from California. As the chairman of the subcommittee dealing with the antipoverty program, I commend the Senator from California for moving to increase the authorization for expenditures on the school dropout problem.

I had the privilege this morning of being on the "Today" show, on the subject of juvenile delinquency. The Senator from California was a valued member of the subcommittee which helped push through Congress the extension of the Juvenile Delinquency Act earlier this year. As he knows, a great deal of the problems of juvenile delinquency come from school dropouts. If we can use an ounce of prevention, we will save a pound of cure. We will be in a position in which we can really do a more effective job than at present to cut the enormous expense for juvenile delinquency which the country is suffering at the moment.

Again, I thank the Senator from California for taking on this job of getting us \$10 million more for this program; and I thank him for acting in a situation in which perhaps I should have taken the lead instead of he. I pledge him my strong support for his amendment.

Mr. MURPHY. I thank the Senator, the chairman of the subcommittee, who has had far more experience in these matters than I. I am pleased that he has seen fit to join in urging the adoption of this amendment.

As the Senator has said, and as I pointed out before he entered the Chamber, prevention is most necessary. We have gone through a series of experiences recently in many areas of our country in which we have tried to figure out what to do after the problem has exploded. We are at the stage now at which prevention is needed. Let us not have these explosions.

The Senator from Pennsylvania, who has great knowledge and experience in this matter, is absolutely correct in saying that a very high percentage of juvenile delinquency stems directly from the fact that some young fellow did not learn to read and fell behind in his homework. He was embarrassed to go to class. So, instead of going to class and being known as the dummy, he did not go to school at all and hung around the corner. I know it; I have done it. This young fellow would hang around the corner—idle hands and idle time—and, unfortunately, in many cases would start on the road to becoming a problem for the remainder of his life.

I believe that this would be money well spent. The main thrust of the amendment is to make a carefully planned examination of the conditions with respect to the funding that must be made. The application must spell out completely the conditions existing in the area and in the neighborhood, and must spell out with great care the proposal and the approach. Evaluation is required.

I believe, as truly as I believe anything, that this is the most practical and most needed approach to this ever-increasing problem and that this is the only way in which the answers finally can be found. This is a clinical approach. It is focused sharply on areas where the rate is the highest. We will not find the answer to the entire problem. It varies. But it is clear that we cannot continue to tolerate dropout rates that exist in some of our slum schools.

Hopefully, with the care that I believe can be applied to the expenditure of these funds, we can find answers.

Mr. President, I yield back the remainder of my time. I do not wish to belabor this matter. I believe the story is understood, is clear, and is known; and I believe the reasons for the request for an additional \$10 million are clear to all Members of the Senate. I strongly urge that the Senate indicate its endorsement by a strong vote.

The PRESIDING OFFICER (Mr. Moss in the chair). Does the manager of the bill yield back his time?

Mr. HILL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from California. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Florida [Mr. HOLLAND], the Senator from Hawaii [Mr. INOUYE], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Maine [Mr. MUSKIE], and the Senator from Florida [Mr. SMATHERS], are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Washington [Mr. MAGNUSON], and the Senator from Oklahoma [Mr. MONRONEY] would each vote "yea."

On this vote, the Senator from Texas [Mr. YARBOROUGH] is paired with the Senator from Florida, [Mr. HOLLAND].

If present and voting, the Senator from Texas would vote "yea," and the Senator from Florida would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from California [Mr. KUCHEL], and the Senator from Vermont [Mr. PROUTY] would each vote "yea."

If present and voting, the Senator from Maine [Mrs. SMITH] would vote "nay."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Massachusetts [Mr. BROOKE]. If present and voting, the Senator from Utah would vote "nay," and the Senator from Massachusetts would vote "yea."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 42, nays 21, as follows:

[No. 264 Leg.]

YEAS—42

Baker	Hatfield	Mundt
Boggs	Hickenlooper	Murphy
Burdick	Jackson	Nelson
Carlson	Javits	Pastore
Case	Jordan, Idaho	Pearson
Clark	Mansfield	Pell
Cooper	McGee	Percy
Fannin	McGovern	Proxmire
Griffin	McIntyre	Ribicoff
Gruening	Metcalf	Scott
Hansen	Mondale	Tydings
Harris	Montoya	Williams, N.J.
Hart	Morse	Young, N. Dak.
Hartke	Moss	Young, Ohio

NAYS—21

Byrd, Va.	Gore	Russell
Byrd, W. Va.	Hill	Sparkman
Dirksen	Hollings	Spong
Dodd	Lausche	Stennis
Eastland	McClellan	Symington
Ellender	Miller	Thurmond
Ervin	Randolph	Williams, Del.

NOT VOTING—36

Aiken	Curtis	Long, La.
Allott	Dominick	Magnuson
Anderson	Fong	McCarthy
Bartlett	Fulbright	Monroney
Bayh	Hayden	Morton
Bennett	Holland	Muskie
Bible	Hruska	Prouty
Brewster	Inouye	Smathers
Brooke	Jordan, N.C.	Smith
Cannon	Kennedy	Talmadge
Church	Kuchel	Tower
Cotton	Long, Mo.	Yarborough

So Mr. MURPHY's amendment (No. 937) was agreed to.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD of West Virginia. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 939

Mr. PASTORE. Mr. President, I call up my amendment No. 939 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 59, lines 20 and 21, strike out "\$1,873,000,000" and insert in lieu thereof "\$2,068,000,000".

Mr. PASTORE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. PASTORE. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 5 minutes.

Mr. PASTORE. Mr. President, yesterday I sent the content of this amendment to the desk and asked that it be printed. At that time I made a statement explaining the amendment and my reasons for offering it.

I shall not take too much time today because I think I can safely say this is an old chestnut. The President has been accused from time to time for talking big and doing little, especially on poverty, by the very critics who have voted time and time again to cut down the amount he requested.

Since we have begun our war on poverty in this program, I do not be-

lieve we have ever funded the program to the extent that it was authorized. As a matter of fact, in fiscal year 1968 we were about \$100 million below the budget estimate. Here again today in fiscal year 1969 the House cut the President's budget request by \$307 million. In the committee I made a motion that we restore \$300 million of the \$307 million that had been cut by the House. The roll-call vote on the Appropriations Committee was 13 to 11, at that time I gave notice that I would pursue the matter on the floor of the Senate.

Immediately after that meeting of the Appropriations Committee, I got in touch with OEO and asked them to sharpen their pencils and get me the precise figure that would be necessary in order reasonably to carry on this program for the benefit of the poor of this country.

They came back with a recommendation of \$215 million, which is \$85 million less than what I asked for before the committee.

Following is what the \$215 million is for, which I can explain very easily:

Fifty-nine million dollars of the \$215 million is the amount required to keep the on-going programs in 1969 on the same level as 1968. In other words, if we do not increase the amount granted by the Appropriations Committee, we will fall short, we will retract, we will subtract, we will circumscribe the on-going programs to the tune of \$59 million, which will mean that we will do less in 1969 than we did in 1968.

Twenty-six million dollars of the \$215 million is for the Headstart follow-through program. Let me explain to the Senate how that got in there. I was presiding when the item came up before the committee on the question of the Headstart program, and as the senior Senator from Rhode Island I asked Sargent Shriver at the time, "What followthrough procedure do we have to determine whether this program has done any good?" In other words, we have a Headstart program that has to do with a lot of preschool children but no one has bothered to find out how they made out later on.

Here we are, spending a tremendous amount of money to do what we feel needs to be done in order to bring the children up to the standard required when they get into the first grade, and then nothing is done to follow through.

Sargent Shriver agreed with me that there should be a followup, but he said, "I do not have the money for it."

So this time we are going to do something about it. In order to do that something, we need \$26 million, and that is the item in my amendment of \$215 million.

Nine million dollars is for rural areas. We hear a lot of talk about urban areas and do everything for them, but we seem to do very little for the rural areas. So now we are going to do something a little more for the rural areas. I urge this even though I come from an urban State. We are adding the \$9 million on that.

One hundred twenty-one million dollars is for jobs. That is a program being worked out with the private sector of the economy. Many speeches have been made on the floor of the Senate to the end

that we should induce private enterprise to come into these programs, to do more, to become involved. We have heard that all over the country from all the potential presidential candidates; but we have never actually done very much about it in the Congress. This is a program wherein industry will cooperate and wherein the Government will cooperate, and we need some money with which to bring all this about.

We cannot fight poverty with words, we must fight it with deeds. And when we promise deeds it takes a little bit of cash to make good on that promise. Let us face it, that is a fact. Either we want it or we do not want it, and money talks. That explains the \$215 million in my amendment.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. PASTORE. I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 2 additional minutes.

Mr. PASTORE. We keep hearing from the critics about this and that abuse. I do not condone wrongdoing. I do not think I should be placed in the position, I repeat, of being the devil's advocate. I am against abuses as much as anyone else. We must stop abuses. But we do not close all the banks in this country because some cashier runs away with a couple of hundred thousand dollars from his bank. We just put him in jail.

If anyone steals the taxpayers' money then I say, put him in jail; and if anyone in authority in a Government agency permits the taxpayers' money to be stolen, I say put him in jail, too.

But I say, "Don't throw out the baby with the bath water. Don't burn the barn to get at two or three mice." Let us do what needs to be done. If these programs need purification then, I say, let us purify them. If there is any pollution involved, I say, let us eliminate the pollution. I think we are big enough, strong enough, and intelligent enough to do that. If we need a little determination, I think we should use a little more muscle—and I refer to the muscle of the will and the wisdom, not the muscle of the arm.

Since 1964, when we indulged in and engaged ourselves in the antipoverty program, 7 million people have been taken off the poverty rolls. That is the record. That is something. That is nothing to laugh at or laugh off. That means that 7 million human beings today are working at worthwhile employment, rather than being on the relief rolls.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. PASTORE. I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 1 additional minute.

Mr. PASTORE. Mr. President, that improvement is 21 1/2 times the annual rate of the preceding 5-year period. That, too, is the record.

Now, Mr. President, I do not think I have to labor this issue further. We have known the facts right along. The amount

I am suggesting still falls \$100 million below the budget estimate.

As I said before the committee where I fought hard for these programs and I repeat it here today, I have stood shoulder to shoulder with this gallant warrior from Alabama [Mr. HILL] in doing something about funding properly the NIH programs.

We spend over \$1 1/4 billion a year to prevent the kind of diseases which might be a scourge to children yet unborn.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. PASTORE. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 3 additional minutes.

Mr. PASTORE. But while we go over the budget for those programs, we are always below the budget in putting food in the mouths of children now living.

How do we separate, how do we define, how do we divide compassion? How can we be so compassionate in seeking to prevent disease in children yet unborn, but deny adequate food to the children now living?

Mr. President, those are the things that stick in the conscience of the Senator from Rhode Island. I have stood on this floor and fought for appropriations over the budget requests for cancer, heart disease, tuberculosis, arthritis, rheumatism, retarded children, and so forth. I have stood on this floor and stated that if we make a mistake, let us make a mistake in favor of the sick.

Today, I declare that if we make a mistake, let us make a mistake in favor of the hungry children of America.

Is it not a sad commentary upon our times that in the most affluent society in the world, our Nation of 200 million Americans, there are 30 million of our fellow Americans living on the edge of poverty?

The words of John F. Kennedy linger in my mind day in and day out, and I close with what he said in his inaugural address:

If a free society cannot help the many who are poor, it cannot save the few who are rich.

Mr. President, I went to the National Democratic Convention in Chicago last week. I stayed at the Drake Hotel, a very beautiful hotel, located right on Lake Michigan. They call that area the Gold Coast.

How much do Senators suppose an apartment with two bedrooms costs in that area? About \$500 a month.

Yet, within the shadow of that beautiful hotel and locality, lie the ghettos of the poor. Poverty is the neighbor of plenty—and poverty is the problem of plenty.

Something has to be done about it, Mr. President. The time is now.

I hope that the Senate will vote for this amendment.

Mr. JAVITS. Mr. President, will someone yield me time?

Mr. PASTORE. I am happy to yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, the Senator from Rhode Island has made an extremely eloquent argument. We all respect him so much that I would not consider taking the time of the Senate to repeat anything he has said; but I did have one or two points of my own which I should like to place before the Senate.

First, I invite Senators to examine an analysis, which has now been placed upon their desks, of the impact of the committee reduction upon many of the most promising and desirable programs in the antipoverty field. They include specifically those referred to by the Senator from Rhode Island [Mr. PASTORE], relating to job training and job creation, as well as Headstart and Follow Through. They also include comprehensive health centers, and health is one of the major problems in the slums in the United States. They include also emergency food and medical assistance, and, whatever may have been the evidence on starvation, the fact that malnutrition has a very deleterious effect on health is practically universally admitted. So there is going to be a very serious impact upon that program if we do not vote the additional amount which the Senator from Rhode Island has mentioned.

As I am the ranking minority member of the legislative committee which deals with poverty, and as the Senator from Alabama [Mr. HILL], our very beloved and distinguished colleague, is the chairman of that committee, as well as the chairman of the subcommittee which deals with this appropriation, I would like to address myself to something which it seems we have now learned in the course of the antipoverty program.

Mr. President, we have learned two things. We have learned, one, that a community which is able to carry on a good and effective antipoverty program which acts as a safety valve is a community in which there is unlikely to be riots. We found a rather important connection between the failure to really get going in respect of these programs and the areas which were riot susceptible.

Second, and to my mind of the most incisive importance, is the fact that we cannot expect the American business system to get into this situation, as we want it to and as indeed it must if it is really going to respond to the war on poverty, unless the Government assumes its share of the responsibility. The business community will enter into it if it is likely to succeed. It does not want to enter into it if there is a likelihood of failure. It is loath to enter into it if the logistics and bases have not been laid for it. That means looking after the children. It means legal services. It means that kind of program which is to be paid for in the JOBS program.

That is the main point I would like to leave with the Senate—if Senators want the business system to really cooperate in the program, the Government must give the business community the proper basis for its entering the program.

We have heard from the Kerner Commission that this is a \$15 billion a year job. We are putting up \$1.8 billion in the poverty program. The Senator from Rhode Island [Mr. PASTORE] wants us to put up \$2 billion. The leverage, as we

say in finance, is \$2 to \$15 billion. We do not want to have to put up the \$13 billion. We cannot. And yet the time is running against us. The time, in terms of how much the poor are going to stand for, is running against us. How do we make the two meet? We do it by our giving a little more, by giving the proper basis for what needs to be done by the business community, and then really bring the business community into the program in a big way.

I have no doubt that, just as we are paying the difference between an economic wage and a paid wage to induce business to train people and give them jobs, we will be giving business tax incentives next year. That is very desirable and very important, and business wants that. But it will not be effective unless we have taken care of those elements which Government really should take care of. That is all the Senator from Rhode Island is seeking to accomplish, on a minimum basis.

Mr. President, domestic tranquillity is a great issue in our country. The words "law and order" have, unfortunately, become synonymous in the minds of the black community and many minorities, with repression and the police presence. We are not going to change the words "law and order." There is a tradition for them, as there was in the open frontier, but we can give the poor the feeling that we will try to do justice at the same time we apply the principles of law and order.

That is what the Senator from Rhode Island [Mr. PASTORE] is trying to do. I joined him with deep conviction in the committee, and I join him with deep conviction now. I cannot think of any more false economy than this kind of reduction in this appropriation. I think by now, by offering it himself as a member of the Appropriations Committee in high standing, he has given us precisely the figure which is needed to do the minimal job.

I hope very much, in the interest of the tranquillity of our cities and the tranquillity of the country the Senate will adopt the amendment.

Mr. HILL. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. HILL. Mr. President, I regret to find myself in opposition to my distinguished friend, the Senator from Rhode Island, who spoke in such beautiful and generous terms earlier in the day. I regret to be in opposition to my friend from New York. But I am here representing the Senate Committee on Appropriations, and that committee considered this matter. It had hearings on it. It considered it.

I may say this is the first time the OEO appropriation has been placed in this particular bill. In the past it has been considered in a supplemental bill. But after considering this matter, the Senate Committee on Appropriations voted down the amendment of the Senator from Rhode Island to increase these funds. The Senate Committee on Appropriations voted to accept the funds as provided by the House, in the amount

of \$1,873 million. That \$1,873 million is an increase of \$95 million over the funds made available for the OEO during the past fiscal year, 1968.

So here we are, Mr. President. The committee voted the \$1,873 million; the house voted the \$1,873 million, after careful consideration, an increase over what had been provided for the past fiscal year, 1968; and the Senate also voted for the \$6 billion reduction in expenditures.

I did not vote for that \$6 billion reduction in expenditures, but I find that many who did vote for the \$6 billion reduction in expenditures now vote for increases in these appropriations. We cannot have that \$6 billion reduction and still increase these appropriations.

We have heard much and seen much in the press about some of the funds that OEO wrongly expended. We know the committee headed by the Senator from Arkansas [Mr. McCLELLAN] brought out facts which showed that some of these funds had gone into the hands of gangsters in Chicago and other misuses of these funds.

Speaking for the Committee on Appropriations as the manager of the bill for that committee, I say we should vote down this amendment of the Senator from Rhode Island. There would still remain \$1,873 million, and there is bound to be another supplemental appropriation bill before the Senate before we adjourn. At that time, the Senator from Rhode Island will be the chairman of that supplemental appropriations committee, and he can consider further, if he sees fit, this matter of whether there should be additional funds for the Office of Economic Opportunity. But surely, in view of the action of the House of Representatives, and in view of the action of the Senate committee, the Senate should support the action of its committee and keep these funds which, as I have said, represent an increase of \$95 million over the funds provided for the past fiscal year, 1968, and make no further appropriation, certainly until the supplemental appropriations committee, headed by the Senator from Rhode Island, has had an opportunity to investigate the matter, and the Senator from Arkansas has been able to conclude his investigation, wherein he has already shown many rather outrageous matters.

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

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

Mr. McCLELLAN. Go ahead.

Mr. PASTORE. I am very grateful to be able to make this statement before my dear friend from Arkansas speaks.

Mr. HILL. I yield the Senator from Rhode Island 3 minutes.

Mr. PASTORE. Mr. President, I want the RECORD to show clearly that I pay the highest tribute and the highest degree of commendation to the Senator from Arkansas for the wonderful job that he is doing in his investigation of the situation in Chicago. Let no one on this floor take the position that I condone that in any way. As a matter of fact, the sooner Senator McCLELLAN is instrumental in putting these wrongdoers in jail, the happier I shall be.

That is not my argument here today, and I have made that abundantly clear. I am not the devil's advocate. What I am saying is that we need this money to take care of the legitimate poor. If the money is getting into the hands of anyone who is either a gangster or a thief, or one undeserving, let him be put in jail, and let the man who hires him or distributes the money to him be put in jail, as far as I am concerned. If he is doing anything wrong, he should be prosecuted to the full extent of the law.

But I hope we do not confuse the guilt of the few with the plight of the many, because I do not think the two are related. If it is true that, because of some abuses, we ought to cut here and prosecute there, it does not follow that to eliminate those abuses we should abandon the deserving.

Here we are talking about principle, we are talking about policy, we are talking about programs, and we are talking about the poor. If we are using the argument we ought to cut it \$300 million because there have been some abuses in Chicago or somewhere else. I say if this is a program abused in its entirety, we ought to knock it all out. That would make sense to me.

But if we are going to have a poverty program, we cannot just throw out a 10-foot rope to a man who is drowning 20 feet from the shore. That will not work. If we are going to do this job, we have to do it. There have been too many accusations against the President of the United States that he is talking big and doing little. The fact of the matter is that every time he has asked for money, he has never received it, Congress just has not given it to him. I hope we will rectify that today. And I want the record to show that even if my amendment is agreed to, we will still be below the budget request, but I am not going to make a fetish of that point today.

Mr. HILL. Mr. President, I yield the Senator from Arkansas such time as he may require.

The PRESIDING OFFICER. The Senator from Arkansas may proceed.

Mr. McCLELLAN. Mr. President, I feel, because of the situation with respect to the committee of which I am chairman, the Permanent Subcommittee on Investigations, and some work which it has done, that I should make some statement about this amendment.

As the distinguished Senator from Rhode Island says, he does not condone or in any way approve, but condemns as much as anyone in this body, the conditions which this committee has exposed, and would should be corrected. For the same reason, Mr. President, I do not condemn everything in this program, by any means. That is not my attitude about it, nor is such an attitude justified by the revelations that the committee has made so far.

But I do point this out, Mr. President, and I do it in all sincerity: In my judgment, if the character of projects that are useless and not beneficial, and some of them very detrimental, were eliminated, such as this Chicago project and the way it was administered, I think the program can possibly get along on

the amount of money provided in the bill, and it it very well.

The Chicago incident is not the only one. We have two or three other very flagrant cases, on the face of them, at least, of scandal in this organization in connection with the way it is administering these funds, the character of projects it is approving, and the quality of people it is having administer them and run them. This thing needs to be cleaned up; and the only way to clean it up is to hold these appropriations down at this time, and then, on the supplemental bill, have a real hearing on the matter, have the administrators of the program, those responsible for it, up here, check out these programs and projects, and make certain that we are going to eliminate those which should never have been approved in the first place. Some of them, at least, never should have been approved, in my judgment, and certainly should have been discontinued long ago.

Let me give an illustration of the way the administration has been carried on in some cases. This Chicago project, I think—and I say it on my own responsibility and my own judgment—was a subterfuge and a fraud from beginning to end. The Government has been defrauded of hundreds of thousands of dollars. It could have been detected. This agency has a contract with the University of Chicago, at a cost of \$70,000, to make an evaluation of the project. I do not know how much they have paid them already, but they did not send in any report until this committee got to investigating. Then they sent in a preliminary report, and no final report is in even now. It could easily have been ascertained. They did ascertain it, because they are on the job, to see what is going on. One of them reported he could not make any evaluation of it because of conditions. We are paying out money to evaluate a \$900-and-some-odd-thousand project; it has not been evaluated, though it has been over since May, and we still do not have a report.

That is simply the lack of proper and adequate administration, and nothing else. There is no reason why they could not have evaluated it long before now and made a report. But this simply illustrates the looseness of administration.

If this program is administered right, there is a lot of good in it; but if it is to continue to be administered in the fashion of just approving projects and then letting them take their course, certainly when they are in the hands of and under the control and supervision of some elements that have been in the control of them, then, Mr. President, this program is destined to do a lot of harm, perhaps as much harm as good.

I would suggest, in all candor, that this bill be approved as reported by the committee, and when the supplemental comes in, that this agency be brought before the investigating committee, and make available to the committee the information we have developed as to what the record may reflect up to that time, and then the Appropriations Committee can make a judicious evaluation of some of these projects, and make appropria-

tions with instructions to the agency as to how to revise its program and revise its policies in order to bring the matter under control.

Several Senators addressed the Chair.

Mr. PASTORE. Mr. President, I yield 3 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, the Senator from Arkansas is, of course, entitled to his opinion, and I honor it, although I strongly disagree with it.

I am chairman of the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare. The Senator from New York [Mr. JAVITS] and the Senator from Vermont [Mr. PROUTY] are the ranking Republican members of that committee. Beginning late last year, our subcommittee got a large authorization from the Committee on Rules and Administration with which to make an investigation in depth and in detail as to the administration of the poverty program. We heard 401 witnesses in 33 days of testimony. We went to nine States. We hired consultants who made reports on communities in all seven of the regions into which OEO is divided for administrative purposes.

I can say without any doubt that not one single major scandal was uncovered. I can say that this program is well administered. I would not contend, nor would anyone else, that a program started in 1964 can achieve perfection in 3 short years.

I would not contend that mistakes have not been made in this program. Mistakes have been made just as they have been made in every other program that Congress has authorized this year or any other year.

If we do not agree to the pending amendment, we will be taking the money out of the hides of the innocent kids of America who are involved in the Headstart program, the Neighborhood Youth Corps program, and in the Job Corps. We will be taking it out of adult education and a host of programs which have taken out of the poverty category 7 million Americans since 1964.

I beg that we not throw the baby out with the bath water because there has been some criticism about a controversial program in Chicago.

The Senator from Rhode Island deserves to be commended by every Senator for standing up against a majority of the members of the Committee on Appropriations in order to make this badly needed amount of money available for the children and the poverty-stricken citizens of America.

They deserve our support and not our condemnation.

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

Mr. PASTORE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 10 minutes remaining.

Mr. PASTORE. Mr. President, I yield 2 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, I sit on the committee of the Senator from Arkansas. I have not been there as often, naturally, as I would like to be because I have my own time problems now. However, I have done my utmost to get something of the flavor of the Woodlawn episode to which the Senator refers. It involved, in round figures, \$1 million. It was an extremely bold experiment to try to see what could be done about a hard-core gang in Chicago. Let us assume that it failed and that very serious and bad things were uncovered.

My people say that the Office of Economic Opportunity's own auditors uncovered frauds and sent their reports to the Department of Justice. However, by that time the Senator from Arkansas [Mr. McCLELLAN] had already gotten into the matter. That is good. That is the kind of race we like to see.

We often lament that Government agencies are dead on their feet and do not take any chances. In this instance a Government agency took a chance. The Office of Economic Opportunity was not dishonest. It took a chance in an effort to try to do something that would have been great if it had succeeded. They tried to take over and work with a most difficult group of young men—some of whom even have criminal records—in an effort to make good citizens of them. The effort was not entirely successful.

I do not think we want to inhibit an agency as new as this by penalizing it because it took an honest chance on something which, if it had succeeded, would have been great for America. They are not guarantors or underwriters of the success of the program. They would take no chances if they were.

With full cognizance of everything that the Senator from Arkansas has had to say, I still think it is not an argument against the amendment, but an argument for the amendment.

The fact that this agency was bold enough to take a chance and try to do what needs to be done shows that they are trying hard to be successful. I honor them for that. It is perhaps true that we must do something to tighten up procedures. However, the fact that a Government agency has taken a chance in an effort to accomplish some good should not necessarily be a disastrous blow to that agency.

Mr. HILL. Mr. President, I yield 3 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 3 minutes.

Mr. BYRD of Virginia. Mr. President, I oppose the amendment of the Senator from Rhode Island which would add \$215 million to the OEO appropriation.

It seems to me that the Senator from Arkansas made a very effective point when he said that if the OEO were to be cleaned up and better administered and the waste were to be eliminated, the amount of money recommended by the Committee on Appropriations would be fully adequate.

Mr. President, there are good programs in the OEO. One that I feel is particularly good is the Headstart program.

I am convinced, however, that the

OEO generally speaking is a very wasteful agency, poorly administered, and with inadequate auditing procedures. When Congress appropriates funds to help the poor, I want that money used to help those for whom it is intended.

Four years ago next month, we are told, we began the war on poverty.

What is meant by that, of course, is that 4 years ago we added another bureau to the Federal Government and opened another window at the U.S. Treasury.

The Office of Economic Opportunity was not the beginning of America's war on poverty.

That struggle has been going on for 200 years. That is what America is all about—a system where freemen are given the opportunity to better themselves, to make full use of their talents and abilities and to enjoy the fruits of their labor, and to help those less fortunate.

It was that promise which drew millions of immigrants to our shores. And it was that system which has given to our citizens the highest standard of living in history.

Today, U.S. citizens are better fed, better housed, better clothed, and better educated than any other people in the world. Our per capita income is double that of the next leading countries.

Yet, despite this unparalleled abundance, there are Americans who have not shared in the good fortune of the vast majority. We have not eliminated all poverty in 200 years of trying, and I seriously question whether we will ever abolish poverty altogether even with another 200 years of trying.

There are reasons for this.

For one thing, poverty is a relative matter. Many people today are regarded as poor and underprivileged, not because they lack the necessities of life, but because they have less of them than some other Americans.

When the figure \$3,000 was fixed as the poverty level, a Census Bureau official reported that of the families making less than that income, 79 percent owned television sets, 51 percent had both a television and a telephone, 73 percent owned a washing machine, 65 percent lived in a residence that was considered sound, and 14 percent had bought a car that year.

In too many cases, the word "poverty" is used not in reference to deprivation but rather to describe a difference in income and standard of living.

When that is the case, how can we ever do away with poverty?

The American system of free enterprise is based on economic incentives, and these inevitably lead to economic disparities.

If equality of income is the goal of the war on poverty, then we are not talking about the American system but socialism; we are not talking about bringing the minority up but rather taking the majority down.

There is another reason why all poverty is not likely to be eliminated, at least not in our lifetimes. And that is because there are individuals who simply do not want to work.

To say this, is not to argue there is not real poverty in America, poverty which can be alleviated. There is.

There are people who can and should be helped through public and private efforts. I believe these people should be given the opportunity and the assistance they need to help themselves find a better life, particularly the best education we can make available. And they need opportunities to put that education to work in useful employment.

Given these things, I am confident that most Americans will take care of the rest themselves. That is what they have been doing for generations and each generation has reached higher than the one before, and achieved more. Each has helped to build a greater America.

No, the Office of Economic Opportunity did not begin the war on poverty in this country.

What it did do was to attempt to centralize Federal control over the process and, I submit, with disastrous consequences.

The failures of OEO stem from two basic faults in its philosophy and its approach toward the problem of poverty.

The first is its utopian faith that poverty can be wiped away given enough Federal money and programs. This has led to an outpouring of funds on an unprecedented scale without any real knowledge of where the money is going, what it is likely to achieve or how well it is spent. The result has been enormous waste and inefficiencies and, I submit, very little progress toward the goal of bettering the lives of the poor.

Even more disturbing than this, however, is the fact that OEO money has been used to finance extremists and militant elements whose approach is to riot and to demonstrate and to agitate for more Federal funds.

They are not interested in opportunities to help themselves through study and work, but rather to help themselves to more and more Federal grants.

There are endless studies and reports which document the failures of OEO. Most of us in the Senate are all too familiar with them to require much detail today. But I would like to note a few such facts.

In its review of the Community Action program in the Los Angeles area, the General Accounting Office found that many persons who were far from poor nevertheless were receiving assistance from various OEO programs. It recommended to OEO that priority in these programs be given only to people in genuine need of assistance.

The report went on to state, however:

OEO advised us that it did not concur in our suggestions and stated several reasons why income has not been used as a governing or predominant eligibility criterion in all programs.

Yes; the level of income is not considered a dominant factor by our anti-poverty agency.

This same study uncovered actual and potential overcharges in just one program in excess of \$600,000. Yet, OEO resisted recommendations that detailed instructions be issued to field organizations on the proper spending and auditing of poverty grants.

In this regard, I am disturbed by the report of the Committee on Appropriations that the Department of Labor, in

effect, defied its efforts to obtain payroll information on a youth program which was being administered by the Department under the Economic Opportunity Act. I would like to quote from page 86 of that report:

On May 20, 1968, the Committee requested the Department of Labor to furnish the Committee payroll data on persons employed by Youth Pride, Inc., a recipient of financial assistance administered by the Department under Title I of the Economic Opportunity Act of 1964, as amended. Because the information was not furnished as requested, the Committee on June 5, 1968, requested the Comptroller General of the United States to secure the information. Despite the diligent efforts of the Comptroller, his Office to date has been unable to obtain from Pride complete data; and information as to when it will be furnished remains indefinite.

To me, this is an intolerable situation and I wholeheartedly support the committee in its ultimatum to the Secretary of Labor that this information be provided or that the program be discontinued.

I believe that we should take the same firm attitude toward all instances of waste and misdirection in the anti-poverty program.

In a study of a \$2 1/2 million OEO program, the General Accounting Office questioned \$435,000 of expenditures, because of "inadequate accounting for funds, questionable billings, and unauthorized deviations from the approved budgets."

Reviewing the programs of the United Planning Organization in the District of Columbia, GAO auditors reported:

Our review of the financial records maintained by the Southeast Neighborhood House showed that the Washington Welfare Association requested reimbursement from the United Planning Organization for certain costs that had not been incurred, for insurance premiums that had been overpaid and for merchandise that had not been received. We also found that certain expenses had been paid twice, the costs had been charged to the wrong program components, that certain employees had been occupying more than one position, and that inventory records had not been maintained currently.

In the child-day-care program of this organization, the GAO found more than 40 percent of the children enrolled were from families not considered poor even by OEO standards.

Again, listen to this summary of a community action program in Shreveport, La., by the GAO:

Our examination of selected financial transactions showed instances where purchase orders were issued without being authorized by the responsible officials; where supply invoices were paid without evidence of receipt of items purchased; and where payroll costs were not supported by any evidence of work performance, such as time and attendance reports.

The list of examples of waste and extravagance in this program seems endless. Let me note a few others.

The community action director of Indianapolis, Ind., received a salary from OEO while he was on the payroll of another Government agency, a violation of Federal regulation.

In New York City, more than one-half of the \$13,393,430 in antipoverty money

received by the Haryou-Act were for salaries; an additional \$281,000 were marked off against "consultant fees." An audit later showed that many of these so-called experts were really "routine clerical employees."

Other incidents of waste and lavish spending in our so-called poverty programs are easily found—too easily. The cost per enrollee in the Job Corps program, for instance, is more than \$7,000 a year—or almost enough to finance a college education.

Millions of dollars are spent in make-work projects while 1 million jobs in our private economy go begging and 50,000 vacancies are unfilled in other manpower programs.

Clearly, the OEO has been one of the most wasteful and expensive programs ever undertaken by the Federal Government. The few incidents of waste that I have noted—most of them taken from reports by the General Accounting Office—could be multiplied many times.

The typical response of OEO officials to charges of this kind is that they are involved in a "crash" program to alleviate the conditions of poverty and that there is neither time nor a disposition at this point to worry much about administrative regularities.

Let me say here and now that I, for one, am concerned about how the taxpayers' money is spent and for what purpose. I am concerned about OEO programs which encourage division and unrest in our Nation.

An example is the OEO-financed Nashville Liberation School. According to testimony by Nashville police before a Senate investigating committee, the school was used to teach Negro children "pure, unadulterated hatred."

The New York Times reported that a teacher at this school was arrested during the 1967 Nashville riots for teaching rioters how to make gasoline bombs. Other rioters were identified by Nashville police as having graduated from a similar Nashville school.

At least two of the leaders of the Black Panther group, which staged an armed intrusion into the California State Legislature last year, worked for OEO neighborhood antipoverty groups.

Another OEO group in Houston, Tex., tried to use OEO funds to purchase telescopic rifle sights. That requisition was approved by OEO in Washington, but was stopped when a conscientious civilian employee of the Air Force refused to honor the order because he did not believe it was the sort of thing a poverty organization ought to be buying.

General Accounting Office reports verify that antipoverty workers have engaged in labor disputes and have served as union organizers while on the payroll of OEO-financed organizations. For instance, in Fresno, Calif., in 1966, 16 trainees from an OEO center in Watts joined in picketing on behalf of farm labor groups.

This activity was defended by a spokesman for the California poverty program as part of teaching the poor how to use nonviolent methods to make economic gains.

It is not well known, but H. Rap Brown drew his salary as a Federal poverty

worker with the United Planning Organization in Washington until quitting his job to take over from Stokely Carmichael as head of the Student Non-violent Coordinating Committee.

During the Newark riots last year, an accountant for the OEO-financed United Community Corporation was arrested for firing a rifle from a car window.

Another leader of that antipoverty agency was quoted as having told a crowd to buy guns and to keep them until the rioting began again.

The Senate has heard testimony from the mayor of Newark and police officials of Newark that so-called antipoverty workers played a significant role in inciting rioters. Similar allegations have been made by officials of other riot-torn cities.

In one of the most reckless uses of tax funds, OEO awarded a grant of nearly \$1 million to subsidize two Chicago teenage gangs—the Blackstone Rangers and the Devil's Disciples. A key element in the program was that the instructors be youthful gang leaders.

Who were these instructors?

Testimony before the Senate Committee on Government Operations revealed that one of them—the president of the Rangers who was being paid \$6,500 a year—has recently been convicted of conspiracy to solicit murder.

Another, a vice president of the Rangers was said to have been taught to read and write while he was serving a prison term—all of this after he had been selected as a leader of the project.

Testimony indicated that five other Rangers, all of whom participated in the program, have been awaiting trial on charges ranging from rape to murder.

How could it be seriously proposed that these people teach other youngsters? How could it be imagined that respect for law could be furthered through the efforts of these individuals who themselves are the worst examples of lawlessness?

Yet, the Federal organizers of this project believed that by supporting these gangs, they could enlist them as a constructive force in keeping order in southside Chicago. What the Federal Government sought to do, with tax money, was to bribe these gangs, these hoodlums, to be good.

According to Chicago police, however, the crime rate in that district of Chicago was on the decrease until this project began and gang members started recruiting students to join in the program. Then it began to rise.

It was charged in these hearings that gang members were involved in obtaining kickbacks from participants in the program, protection money from smaller youths who were threatened with beatings, and contributions from fearful neighborhood businessmen.

I have expressed my sense of shock at this reckless disregard for the use of tax funds to the acting director of OEO, Mr. Bertrand M. Harding. I told Mr. Harding that I could not submit an affirmative recommendation to the Senate committee considering his nomination to become the director of OEO until I had written assurance that no projects similar to that in Chicago will be permitted.

In a letter to me dated August 21, 1968, Mr. Harding wrote, and I quote:

I am happy to reaffirm my personal statement to you that I have no intention of approving the type of project in Chicago, or elsewhere, next summer, or at any other time, which would produce the objectionable results of this particular grant.

This would seem to eliminate one highly objectionable activity of OEO, but it is only one of many that could be cited.

Mr. President, I could go on for the rest of this day and probably into next week reciting instances of waste and misdirection of Federal funds in the OEO program.

But somewhere along the line the question should be asked, How much is enough?

How many millions of dollars must be squandered, how many cases of misappropriation must be uncovered, how many incidents of violence and agitation must we experience before we in this Congress demand an end to such misuse of tax funds?

Most tragic of all is that the people we seek to help through this program—the poor and underprivileged of this Nation—have received precious few benefits from billions of dollars poured into this program.

I see a real danger in the way the OEO program is being directed.

Too many of those participating in the program are being encouraged and helped to seek their ends through radical political action. These people have come to regard Federal grants as a right and as a payment owed to them for past injustices, real or imagined.

The concept of self-help which was written into the program has been corrupted in many minds to mean self-service, usually through militant and sometimes violent political action.

Mr. President, I submit this is a dangerous trend. The Federal Government should not be in the business of underwriting revolution. We have not created OEO to preside over the dismantling of the American way of life.

Until such time as this program can be put on a different foundation—one that assures that the taxpayers' money is being used for the purpose of helping the poor of this country—I cannot support additional appropriations for the Office of Economic Opportunity.

When the Congress appropriates tax funds to help the poor, I want it used to help those for whom it is intended.

Mr. PASTORE. Mr. President, I yield 3 minutes to the junior Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

Mr. PERCY. Mr. President, I support the amendment of the distinguished Senators from Rhode Island and New York for practical and realistic reasons.

I think that an investment in this area will be of great benefit to the people and the Government of the United States. Let me take three programs and comment for a moment on each of them.

The pending amendment would provide an additional \$121 million for the JOBS program. This is to support the effort of the National Alliance of Busi-

nessmen to create jobs for the hard-core unemployed.

I defy any Government agency to propose a better management than is behind this program. The management consists of the cream of American industrialists. These are hardheaded, practical businessmen who are investing their time, energy, and money to put people to work who are now on the relief rolls and the delinquency rolls. It is an effort to try to give them constructive jobs.

This is not theory. This is practice. These men, under the leadership of Henry Ford, have reported that they have already created jobs for 165,000 individuals.

At \$5,000 a person, that means that a payroll of \$825 million has been created. At a tax level of 20 percent, the U.S. Government in the first year would get back \$165 million in taxes. That is not a theoretical program. That is an investment that will pay back dividends.

Mr. President, I speak next of the Headstart followthrough program. We do not hesitate to put billions of dollars in higher education. We have proven now for some 20 years that, as a Federal program, that is a good investment in this country. We have proved it through the improved quality of higher education.

The next 20 years will prove the importance of an investment in the early education of our young people that is the time at which to reach these young people. We have to start with the culturally deprived and give them the advantage of the Headstart program and follow through. The Headstart program is one of the most successful of our programs.

I would next like to comment on the Office of Economic Opportunity's comprehensive health centers.

In recent months I have had the opportunity to visit some of these centers. I visited the comprehensive health center in the Mile Square area of Chicago.

It is run by St. Luke's Presbyterian Hospital, which has one of the most eminent medical staffs in the United States. Every one of these doctors thinks that this is one of the best investments the Federal Government has made. We are bringing people back to health who can become employable. We are giving children a chance in life that they would not otherwise have.

We must take health centers and health services right to the poor, right to the ghetto, rather than expect them to travel, as we do in Cook County, sometimes 50 miles, to stand in line for 7 hours at a county hospital, where four out of five are rejected because they are not bed patients.

I visited the health center in Watts a month ago, and the one in Elviro, which Senator Robert Kennedy had promised to dedicate.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The time of the Senator has expired.

Mr. JAVITS. I yield the Senator 1 minute on the bill.

Mr. PERCY. I visited that center to fulfill the commitment made by Senator Kennedy who said he would dedicate that center. It was built by the people of that community—Mexican Ameri-

cans. They bought that building; they moved it there. They are helping to staff it. And for the first time those people are getting decent health care that will make them more employable.

I urge every Senator who can do so to visit the center on Mission Street in San Francisco, to see the crowded facilities, and to see the dedication of the Medical Society of San Francisco to a bold experiment that is bringing health care for the first time to thousands of poor citizens.

For that reason, because it is a good investment, I support this amendment, and I commend my two colleagues for their foresight.

Mr. HILL. Mr. President, I yield to the Senator from Arkansas such time as he requires.

Mr. McCLELLAN. Mr. President, I was very interested in the remarks of the distinguished Senator from Pennsylvania—I do not see him in the Chamber at this time—to the effect that if we do not vote for this appropriation we will be taking money away from the children of this Nation. I did not hear him criticize the gangsters in Chicago, the gangs, and the administration of this program and taking away over \$1 million from the children of the country.

All I am asking is that the program be cleaned up. Let the money go where it will do some good. I do not believe anything will be accomplished, bold or not bold, by subsidizing criminal gangs, if you please—gangs that go into the schools and take the children out, under threat and intimidation, and then take them into this school and make them kick back the money, forge their names on the payroll, on the receipt for the checks, and on the checks.

This program costs more than a million—\$70,000 is being paid to Chicago University to evaluate it, and \$30,000-odd is being paid to someone else to furnish the literature. That amount is not included in the \$900,000-some odd.

Mr. President, we do not need bold programs, when we have them crying, as the Senator from Pennsylvania has illustrated, for the need that is apparent, and we can see where it is. Clean up this program, and support will be forthcoming from every Member of the Senate for the legitimate expenditures that contribute to something worthwhile.

Mr. HILL. Mr. President, as I have said, the House appropriated \$1,873 million for this program. The Senate committee voted down an amendment to increase this amount, but recommended this amount. It is the amount in the bill now—\$1,873 million.

Surely, in the light of what the Senator from Arkansas has said and what we know about this program, there is no reason why we should not agree to the recommendations of the House and the Senate Committee on Appropriations for the \$1,873 million. In the past, these appropriations have been handled by the supplemental appropriation committee. When the supplemental appropriation bill comes up, that committee can look into this matter. By then, the Senator from Arkansas no doubt will have concluded his investigation. The Senator from Rhode Island can investigate the

matter thoroughly, and if additional funds are needed, they can be provided in the supplemental appropriations bill.

On behalf of the Committee on Appropriations, I insist we vote against the amendment of the Senator from Rhode Island, and accept the figure of \$1.873 billion, as approved by the House of Representatives and as recommended by the Senate Committee on Appropriations.

Mr. PASTORE. Mr. President, I do not question anything the Senator from Arkansas has said. I believe in law and order, and I believe anyone who has been stealing the Government's money should be in jail. I have said that. I do not think I have to keep repeating it.

I know we can become emotional about this matter. But I believe we have lost sight of what my amendment would do. For the edification of the Members of the Senate, let me say once again what it would do.

Of the \$215 million I am attempting to add, \$69 million is to put the ongoing programs on the same level in 1969 as they were in 1968. That is only \$59 million.

And \$26 million is for the Headstart followthrough program. If my amendment is not adopted, there will be no followthrough program to determine what good has been achieved by the Headstart program, which has been praised by everyone here. So that followup would be cut out. That is a new program.

The next program is \$9 million for the rural areas. The gangster business has nothing to do with the rural areas of America. I am talking about \$9 million.

Finally, the biggest part of the \$215 million is the \$121 million for the JOBS program, which deals with the cooperative effort between the Government and private industry. If you do not vote for my amendment, you will have to do without that money. If you want private industry to train the hard-core unemployed and unemployable so they can secure profitable and lucrative jobs, vote against my amendment. But if you want the participation of private industry in cooperation with the Federal Government in doing something about the jobless in America, vote for the amendment—\$121 million is for that purpose.

The argument has been made that the matter should be taken up at the time of the supplemental bill. That is only trying to transfer the cat from the back of the Senator from Alabama to the back of the Senator from Rhode Island. As a matter of fact, I cannot do any better 3 weeks from now than I am doing this afternoon. If I am successful today, I am going to be successful period. If I fail today, I am going to fail 3 weeks from now, because minds in the Senate do not change that easily.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. I yield myself 1 additional minute.

I realize the emotions involved. I realize the situation in Chicago. That has nothing to do with my amendment. I am talking about the new programs that have been advocated by the committee. I was the one who said to Sargent

Shriver, "You had better do something about a followthrough program." Now they are doing it, and the cost is \$26 million. Everyone in the country has said, "Bring in private industry," and you need the \$121 million to do that.

I am not doing anything for the gangsters in Chicago. I say: Put them all in jail. But that has nothing to do with the poor. If you believe in the poor, you will vote for my amendment.

Mr. HARRIS. Mr. President, as a member of the National Advisory Commission on Civil Disorders who has examined the frustration that is felt by many of the poor, I cannot stress too strongly the importance of continuing and strengthening the war on poverty. I wish many of the programs operated by the Office of Economic Opportunity could be greatly expanded, but other current commitments make this impossible. At the very least, however, we should provide the appropriation requested by the President.

Continuing this program will allow many poor people to become taxpayers, easing the burden on the part of the population that is already taxed. When this happens, they will more than repay our investment.

But this will not happen if our commitment does not remain strong and our appropriations adequate.

Look for a moment at the JOBS program that encourages businessmen to hire people who have been among the hard-core unemployed. The National Alliance of Businessmen which runs the program has already placed 40,000 people in full-time jobs.

Yet many more remain unemployed. Businessmen have shown that they are willing to create innovative programs for such people if they receive some outside support. If America's largest capitalists have made this social commitment, can we afford to discourage them? If we fail to restore the President's requested allocation for OEO, the JOBS program will have to cut its anticipated program by 7,400 people. Both the President and the businessmen have made a commitment to find jobs for these people. But this will be impossible if we reduce our support. If we do reduce our support of JOBS, thousands of families will see the American dream deferred once again. Actions like this breed further frustration, Mr. President.

As is true of every State, Oklahoma has its thousands, both in our cities and rural areas, who have been left behind as our economy has moved forward. OEO programs have already meaningfully reached many of these.

There are programs operating in 75 of our 77 counties. More than 37,000 will have a better chance at getting a good education because they participated in Headstart. Fourteen counties in northeastern Oklahoma have been selected for the one OEO pilot project for meeting poverty in rural America to be supported during the coming year.

Yet with all this activity, less than a third of the poor people in Oklahoma have been touched by the antipoverty programs. These people have not been able to take the first step out of poverty.

As long as so many people are waiting and hoping, we cannot give OEO any-

thing less than the President has requested. We must continue our commitment. I support the amendment.

Mr. CASE. Mr. President, may I have a couple of minutes?

Mr. PASTORE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 1 minute remaining.

Mr. PASTORE. I yield 1 minute to the distinguished Senator from New Jersey.

Mr. MANSFIELD. I yield 1 minute to the Senator from New Jersey, on the bill.

Mr. CASE. I thank the Senators.

Mr. President, I rise to support this amendment, which would restore \$215 million of the \$307 million which has been cut from the administration's request for appropriations for the Office of Economic Opportunity.

This amendment is selective. It restores funds only in the most crucial areas. It proposes restoration of \$59 million to the amount provided for continuation of programs which were being carried on last year. In addition, it proposes \$26 million for the Headstart follow-through program, \$9 million for rural areas programs under CAP, and an additional \$121 million for the Job Corps.

No one is satisfied with the progress we have made to date in the war on poverty. The Senator from Rhode Island has made that clear. No one will be completely satisfied until the war is won. But it is important to recognize that we are making progress and that the war can be won.

The earlier days of OEO were the most difficult as we explored new terrain. But the Office of Economic Opportunity reported to President Johnson recently that the number of people escaping from poverty has increased greatly since the agency initiated its programs. The program is too important to allow it to flag now.

Recent figures indicate that just under 9 percent of the population of my State of New Jersey is at the poverty level. We are proud of the fact that this is below the national average. But we are by no means satisfied with the situation.

New Jersey is the most highly urbanized State in the Union. The people of our cities have been introduced to the poverty program and it has given them hope and opportunity.

It has given them faith in the American dream that people who are poor can work their way out of poverty and improve their environment.

It is essential that these people be allowed to solve their own problems. But we have to provide them with the opportunity to prepare themselves for the battle.

In New Jersey, we have three Job Corps installations where youths from poor families can receive the education and training they need to establish themselves as members of the taxpaying community. We are proud of what has been accomplished.

We are proud of the 74 New Jersey residents who are working as VISTA volunteers throughout the Nation and we are grateful for the 47 VISTA volunteers working in our State.

The people of New Jersey have helped themselves by planning programs with OEO. They want these programs continued. And they want to search for new solutions to the problems of poverty.

We cannot afford to destroy their hopes and their aspirations at this point. We must provide the funds to continue present programs and to search new answers. I urge the Senate to accept this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. HILL. I yield 1 minute to the Senator from Washington.

#### SUBSTITUTION OF CONFEREES ON S. 827, NATIONWIDE TRAILS BILL

Mr. JACKSON. Mr. President, I ask unanimous consent that the Senator from California [Mr. KUCHEL], and the Senator from Colorado [Mr. ALLOTT] be excused as conferees on S. 827, the nationwide trails measure, and that the Senator from Idaho [Mr. JORDAN] and the Senator from Wyoming [Mr. HANSEN] be appointed in their places.

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.

The PRESIDING OFFICER. Does the Senator from Alabama yield back the remainder of his time?

Mr. HILL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Rhode Island. On this question the yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Florida [Mr. HOLLAND], the Senator from Hawaii [Mr. INOUYE], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Oklahoma [Mr. MONROEY], the Senator from Maine [Mr. MUSKIE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

On this vote the Senator from Indiana [Mr. BAYH] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Florida would vote "nay."

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Washington [Mr. MAGNUSON], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON] the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] would each vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from California would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from Massachusetts [Mr. BROOKE] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Colorado would vote "nay."

The result was announced—yeas 37, nays 26, as follows:

[No. 265 Leg.]

YEAS—37

Byrd, W. Va.	Jackson	Pearson
Case	Javits	Pell
Clark	Mansfield	Percy
Cooper	McGee	Proxmire
Dodd	McGovern	Randolph
Gore	McIntyre	Ribicoff
Griffin	Metcalf	Scott
Gruening	Mondale	Symington
Harris	Montoya	Tydings
Hart	Morse	Williams, N.J.
Hartke	Moss	Young, Ohio
Hatfield	Nelson	
Hayden	Pastore	

NAYS—26

Baker	Hansen	Murphy
Boggs	Hickenlooper	Russell
Byrd, Va.	Hill	Sparkman
Carlson	Hollings	Spong
Dirksen	Jordan, Idaho	Stennis
Eastland	Lausche	Thurmond
Ellender	McClellan	Williams, Del.
Ervin	Miller	Young, N. Dak.
Fannin	Mundt	

NOT VOTING—36

Aiken	Cotton	Long, La.
Allott	Curtis	Magnuson
Anderson	Dominick	McCarthy
Bartlett	Fong	Monroney
Bayh	Fulbright	Morton
Bennett	Holland	Muskie
Bible	HRuska	Prouty
Brewster	Inouye	Smathers
Brooke	Jordan, N.C.	Smith
Burdick	Kennedy	Talmadge
Cannon	Kuchel	Tower
Church	Long, Mo.	Yarborough

So Mr. PASTORE's amendment was agreed to.

Mr. PASTORE. Mr. President, I move that the vote by which the amendment was adopted be reconsidered.

Mr. JAVITS and Mr. BYRD of West Virginia moved to lay the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 934

Mr. NELSON. Mr. President, I call up my Amendment No. 934 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 16, line 21, in lieu of "\$17,300,000" insert "\$31,200,000".

Mr. NELSON. Mr. President, I ask unanimous consent to yield briefly to the Senator from Tennessee [Mr. GORE], and that the time be taken from the bill.

Mr. BYRD of West Virginia. Mr. President, how much time does the Senator desire?

Mr. GORE. Five minutes.

Mr. BYRD of West Virginia. Mr. President, I yield 5 minutes to the Senator from Tennessee on the bill.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

NONPROLIFERATION OF NUCLEAR WEAPONS TREATY WITH THE SOVIET UNION

Mr. GORE. Mr. President, I am concerned about a possible delay in consideration and ratification of the Treaty on Nonproliferation of Nuclear Weapons.

Those who have suggested a delay seem to regard the ratification of this treaty as, in some way, a favor to the Soviet Union.

As the Senate's delegate-adviser to the conference in Geneva, I am keenly aware of how earnestly the United States has sought the conclusion of this treaty for more than 4 years.

After diligent and earnest negotiation, the United States finally succeeded in concluding this treaty with the Soviet Union and Great Britain. The U.S. Government has assiduously sought adherence to the treaty by other nations. We have had magnificent success. Almost 80 nations have now adhered to the treaty. True, there are some who have not yet adhered; namely, India, Israel, West Germany, and others, but there are indications that these countries, and others, will adhere, unless the United States hesitates, unless the United States, out of timidity in an election year, slows down the momentum, thus creating doubt.

Mr. President, it is eminently in the interest of the United States to discourage the proliferation of nuclear weapons because, in case of a nuclear conflagration, it would be the United States and other great nuclear powers that would be in grave danger.

I wish to acknowledge that, in my view, the ratification of this treaty by many nations would also be in the interest of the Soviet Union. It is in our mutual interest. This is the only basis upon which a treaty can be concluded between two

great powers. But, it is also in the interest of all mankind.

Yet, it is suggested that we hesitate, that we create doubts in the minds of those who have already adhered to it, at our urging, and those who have not yet adhered to it, but whose adherence we beseech.

Yes, as I have said, there is a mutual interest in the ratification of this treaty. Indeed, there is no graver mutuality between nations great or small than mutual survival.

I would not wish to ratify the treaty as an approval of what Russia has done in Czechoslovakia. I have denounced that, and I denounce it here on the floor of the Senate. But, let us not bite off our nose to spite our face.

This is a time for the Senate to show some courage and proceed, despite irritations and obstacles, discouragements and disillusionments, to act in the national interest, in the interest of world peace, in the interest of lessening the presently growing threat of a nuclear holocaust.

Fortunately, the Senate Foreign Relations Committee has a meeting scheduled for next Tuesday to consider unfinished business. I shall be there, and I shall move that the treaty be approved and sent to the floor of the Senate. I call upon my colleagues to ratify the treaty in the year 1968. Let the world know that we are firm of faith, firm in dedication to save the world, if possible, from nuclear warfare.

The PRESIDING OFFICER. The 5 minutes of the Senator from Tennessee have expired.

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.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. NELSON. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 10 minutes.

Mr. NELSON. Mr. President, the pending amendment proposes to raise the appropriation for the Teacher Corps to \$31,200,000, which is the administration's budget request.

I joined with Senator EDWARD KENNEDY, of Massachusetts, 3 years ago to offer this amendment. Any survey of editorials or of statements of education leaders all over America, and anyone else who is familiar with the program, shows that they are enthusiastically for it. I have heard to this day not one single criticism of the program. Many insertions will be placed in the RECORD showing widespread endorsement for expanding the National Teachers Corps—a significant device for assisting deprived children in the deprived schools of America.

Mr. President, I make this motion on

behalf of myself, the distinguished Senator from Pennsylvania [Mr. SCOTT], and 24 additional Senators. In addition, I ask unanimous consent that the name of the Senator from Alaska [Mr. GRUENING] be added as a cosponsor of this amendment.

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

Mr. NELSON. Mr. President, this week, as classrooms open across the Nation we again face the tragic shortage of teachers that we deplore each year.

Education is universally recognized as the crucial path to genuine opportunity in this complex technological world. Yet despite some advance in recent years we have failed to provide it financial resources adequate to do the job.

The shortage of teachers is serious for all schools. For poverty schools, urban and rural, it is a disaster for the communities and a personal tragedy for millions of poverty-stricken children.

For many years we averted our eyes from the problems of staffing the poverty classroom. Many of us thought that only teachers of saintly dedication—or those who could find no better position—would take jobs in our poorest schools.

But since 1963 there has been an awakening to the seriousness of poverty in this Nation—and a violent, brutal awakening it has been.

With this awakening there has come a new spirit of social commitment among our young people. It first found institutional expression in the Peace Corps and in thousands of local projects, including projects in poverty education.

On the model of several of these successful education projects—notably at Cardozo High School here in Washington and in Prince Edward County, Va., Senator EDWARD KENNEDY and I proposed in 1965 the concept of the Teacher Corps.

It was based on the belief that our ablest young men and women would be willing to serve in poverty schools if provided opportunity for special preparation for their jobs and a program that held out the reasonable possibility of success.

It was also based on the concept that local universities that had not been preparing teachers specifically for poverty teaching assignments would be willing to do so if funds and able students were available.

And finally that local schools, which had suffered a good deal of bitter criticism for their inability to cope with the education problems of disadvantaged children—even though they had never been given resources adequate for anything more than a stab at the problem—that these schools would be eager to run such Teacher Corps programs.

With the wise council and support of Senator MORSE, chairman of the Education Subcommittee, and the assistance of the distinguished chairman of the Labor and Education Committee, Senator LISTER HILL, and with the timely help of President Lyndon B. Johnson, the Teacher Corps became law as part of the Higher Education Act of 1965.

Has it been a success? This year, with a maximum of 1,500 places available in the program, the Corps has received over

20,000 inquiries and 10,000 applications for positions in the Corps.

These are young people who are eager to take on the toughest job in American education, the job that most needs doing but in the past has lacked for able candidates.

And those who graduated from the Teacher Corps after 2 years of service fully 85 percent say they plan to continue in teaching, and 72 percent plan to continue in the poverty classroom.

The Corps has been praised on all sides.

The President's Advisory Commission on Civil Disorders recommends that it be expanded into a major national program.

The National Education Association, which has long supported the program, endorses this recommendation.

Newsweek has called it the only innovative program to shake up the educational establishment in a decade.

And Life magazine calls it the best bargain among the Federal programs.

I ask unanimous consent that these comments, and additional editorial comments on the Teacher Corps be printed in the RECORD at this point in my remarks.

It is not surprising, then, that local schools and universities are crying for Teacher Corps programs. On the one hand they are under great pressure to act swiftly and effectively to meet the poverty education need. On the other the Teacher Corps offers them a proven, workable format, very attractive young teachers to work with the Federal funding for an entirely locally controlled program.

There was at the beginning some anxiety on the part of some Members that the Teacher Corps represented Federal control of education.

But safeguards were written into the original legislation to assure that local schoolmen would have complete control over the final selection, the assignment, and the content to be taught by the particular Corps members serving their schools. In fact, since he has the right to dismiss a Teacher Corps member at will and for any cause, a principal actually has more control over the Teacher Corps members than he usually does over his regular staff.

Under the able leadership of Richard A. Graham, the Teacher Corps Director, there has been not a single complaint from a local school about Federal control over the operation of a local program.

There is a good deal of concern today about the role of young people in this society and the pressure they are putting on us to change our institutions.

In poverty education, however, we are all agreed that change, vast change and the quicker the better, is needed in the quality of education provided to our children from disadvantaged communities. The problem has been very largely one of a lack of resources. Resources in terms of money, yes, but even more critically, in terms of dedicated, specially trained teachers.

In volunteering for service in the Teacher Corps—and at wages that approximate the level paid to VISTA volun-

teers in the larger cities—the young people who seek to join the Teacher Corps indicate that they want to effect institutional change not through demonstrations but through long hours of study and dedicated work where talented people are most needed. Can the Nation afford to turn these young people away?

If we will only appropriate the money, 1,500 of these young men and women can begin service this fall in programs that have already been planned and approved.

But if we do not raise the House figure substantially not more than about 1,000 can be used. This means a difference of perhaps eight programs in communities that are anxious to have the benefits that the Teacher Corps can bring.

The bulk of the money we seek, however, in this amendment is for forward funding.

#### FORWARD FUNDING

Forward funding used to be a rather complicated concept to most of us, involving as it does the overlap of the calendar year, the Federal fiscal year, the academic year—on which school budgeting is based—and most complex and unpredictable as well, the congressional appropriations process.

But 3 years of experience have acquainted those of us who have followed the fortunes of the Teacher Corps with the necessity for forward funding in this program.

The very best time to begin a Teacher Corps program is in mid-June, when a university's summer school is likely to be getting underway, or by mid-July. You can then recruit college graduates during the early spring before they have made final decisions. And you can give them their preservice training during the summer months so that they are able to start working with the schoolchildren at the beginning of the regular school year in September.

But to begin a program in June or July that requires complex planning by local school officials, boards of education, State departments of education, universities, community groups, requires many months. Advance planning should begin in the fall and must be completed by late April or May.

But Congress has failed over the last 3 years to appropriate the money to be spent in a given fiscal year until August or September. Last year it was November.

How do you run a program under these circumstances? Schools and communities gamble their planning and staff time and even recruiting efforts on the hope for congressional action and then they cross their fingers and place anxious phone calls to friends and officials and Congressmen and Senators, none of whom really knows or can predict what is going to happen.

Each year Teacher Corps funds have been less than expected. Each year a number of excellent schools with the courage to gamble on this fine program have ended up with nothing to show for it.

The way out of this dilemma—pending some distant reform in the budgeting process itself—is the device of forward funding. Under this principle, money appropriated in one fiscal year can be spent in the next.

Specifically in the case of the appropriation proposal now before the Senate, part of the \$31.2 million we are now asking would be spent for planning and contracting this fall and winter for programs that would begin next June or July.

All of the \$17.3 million in the current appropriation would be needed simply to fund programs that have already begun or are about to begin this summer and fall. Without additional money, the Teacher Corps program will continue in the same fiscally unworkable basis it has been struggling with for 3 years.

The idea is not novel. All other Office of Education programs that contract with universities for regular training programs are now on a full year's forward funding basis.

And the outcry from local school people about the havoc wreaked on the local schools in connection with the title I program because of the unpredictable funding levels and the delays in congressional decisionmaking led to an amendment this year in the title I authorization to provide for forward funding.

In summary, this amendment is simply critical to the whole program. Local school officials, State governments and affiliated universities cannot properly develop their programs and plans for the ensuing year without it.

Back in 1966 some educators questioned the wisdom of introducing novice teachers to tough, poverty classrooms.

Today, these same educators are leading the fight to expand the Teacher Corps beyond its current level. Principals and schoolteachers who were initially suspect of the Corps now consider it essential to the educational well-being of their schools. The major education associations view the Teacher Corps as one of the most effective instruments for accomplishing needed educational change.

Let us look at the Teacher Corps. It represents, in microcosm, the whole of what we are trying to do in education.

The Teacher Corps brings fresh, new minds into the ranks of qualified, certified teachers: The National Education Association reports that in order to achieve optimum education conditions, America needs an additional 400,000 teachers. Nearly half a million teachers. A phenomenal figure particularly when one considers the decreasing number of college students training for teaching. Of those who are preparing to enter the teaching profession, 50,000 or 25 percent drop out before they ever teach. And 30 percent of those who do begin teaching drop out by the end of the first 3 years on the job. This means that only 45 percent of the people currently being trained in the teachers colleges of America will go on to make the classroom their career. By comparison, a survey of the first graduating class of Teacher Corpsmen shows that 72 percent plan to remain in teaching. Fifty percent of these people are young men, the most scarce commodity in poverty schools. Couple this with the realization that the Teacher Corps has managed to do what the teaching profession could not. It has attracted thousands of young, energetic people into the profession who had not previously intended to teach. In the last 6 months alone, with

minimal public exposure and a shaky future, the Teacher Corps has received 20,000 inquiries for service. During these same 6 months, public school systems have been scurrying about trying to enlist even untrained personnel to man the classrooms. Of the 20,000 interested in joining the Teacher Corps, most were college graduates who had not prepared for teaching but who were challenged by the concept and format of the Corps. The appropriation provided does not do justice to the need nor to the dedication and enthusiasm evidenced by these applicants. These young people are offering their energy and brains to help educate the children of America. What better cause can you think of—what better motivation could you ask for? Why in heavens name do we not give them the chance to serve their country?

The Teacher Corps provides comprehensive, professional training: Those of us on the Education Committee have heard much testimony questioning current teacher training practices. Yesterday's techniques no longer find success in today's schools, specially in poverty area classrooms. The Teacher Corps is serving as a training model. It is demonstrating that teachers can be better trained on the job than in the lecture hall. Colleges such as Temple University in Philadelphia; the University of Southern California in Los Angeles; and, Xavier University in New Orleans have found the Corps formula of teams led by experienced team leaders far more effective.

They have been so encouraged by their Teacher Corps results that each of these institutions has modified its undergraduate and graduate schools of education along Teacher Corps' lines. The story is the same at other schools. In the academic world, as elsewhere, the Teacher Corps has proved itself an effective agent for constructive change in educational techniques.

The Teacher Corps generates new teaching ideas and methods: Many Teacher Corpsmen have been successful in developing the kinds of techniques needed to capture and hold youthful minds. They have used television assisted instruction, drama, music, teaching machines, and countless devices to stir their students. And these children have learned to love learning because somebody in that classroom has cared enough to find out what makes a child want to learn. This is the creativity that is the Teacher Corps. It is a program that plays to its audience. Its first and last consideration is the pupils it is supposed to be reaching. And it reaches them, because each Corps program encompasses local needs. A Corps member working with Spanish-speaking youngsters must know their native tongue. A corpsman working with Appalachian children must know their cultural heritage. A corpsman working in the ghettos of Watts, or Harlem or Hough must know what the inner city is all about. That's why the Teacher Corps succeeds where others have failed. Because it understands the personality of the school and community it serves.

A fourth and most important element of the Teacher Corps is its ability to bring together school and community.

The Teacher Corps has extended education beyond the schoolyard. We all know that education cannot end in the classroom. Unfortunately, this is what has been happening in many impoverished areas across the country. In those communities where poverty prevails, the learning process stopped at the school door. The Teacher Corps has attempted to build an invisible bridge into the community. It has inspired the old just as it has excited the young. In almost every town where it operates, Teacher Corps has set up tutorial storefronts, lending libraries, adult basic education classes, teen centers, weekend recreation programs. Common efforts, such as these, toward the education of children are excellent ways to knit together the social fabric of riot threatened communities.

This, my colleagues, is the Teacher Corps.

To the idealistic young, the Teacher Corps offers an opportunity for creative service to the country. It stirs their social conscience and makes use of their inventive minds. To the more mature, the Teacher Corps is a bright chance at a second career. Many of the current corpsmen are former housewives, retired military, one-time shoe salesmen—men and women who are rejuvenated by the social call of the sixties. To the public school systems, the Teacher Corps is a chance to try, to experiment, to measure the old against the new. The Teacher Corps gives these systems the resources they need to conduct laboratory and demonstration classes. It permits them long-overdue small group instruction and individual tutorial programs. To the colleges and universities, the Teacher Corps represents a new academic thrust that pulls together various departments of our great universities. To the parents and children the program is touching, the Teacher Corps is people. People who care; people who are concerned; people who have respect for the poor of America.

The Teacher Corps has made good on its promise of excellence to the Congress and to the country. And we in the Congress must make good on our promise of equal educational opportunity for all. We must provide this program with more funds so that it may swell its ranks, extend its services and secure its position in the schoolrooms of America.

Mr. President, I have a large collection of endorsements from various distinguished leaders in education and in magazine articles. They include that of Mr. Braulio Alonso, president of the National Education Association, and the President's Advisory Commission on Civil Disorders. I also have a letter from the very distinguished and creative mayor of the city of New York, Mr. Lindsay, who states:

I would like to express my personal admiration and the strong support of my entire Administration for the work of the National Teacher Corps in New York City.

I ask unanimous consent that the entire letter and a series of editorials and comments by thoughtful people in behalf of the National Teacher Corps be printed in the RECORD at the conclusion of my remarks.

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

THE CITY OF NEW YORK,  
New York, N.Y., January 23, 1967.  
Hon. JOHN W. GARDNER,  
Secretary, Department of Health, Education,  
and Welfare, Washington, D.C.

DEAR MR. SECRETARY: In looking ahead to a year which promises to bring a review of many federal programs which intimately affect the cities, I would like to express my personal admiration and the strong support of my entire Administration for the work of the National Teacher Corps in New York City. Since the idea of the Teacher Corps was first introduced while I was in Congress, I have watched with interest its growth and development in its first year in New York.

Far too often, imaginative innovation is at a premium in government. Yet few qualities are more seriously needed at all levels of government. The National Teacher Corps represents the kind of innovation which is imperative to urban public education if it is to respond to the immense challenges facing our schools today.

The 93 teacher corpsmen who are now working in 16 of our public schools in the Bronx, Brooklyn, Queens, and Manhattan have brought a great spirit of open-minded change to a system which sometimes seems to have built-in rigidities. I have become familiar with the constructive role played by the city's teacher corpsmen through reading reports of their activities. Members of my own staff and the Human Resources Administration have also been greatly impressed with the corpsmen with whom they have had the opportunity to discuss the work of the National Teacher Corps. At New York University, Hofstra, Hunter, and Queens College, working in neighborhood storefronts, voter registration drives, clean-up campaigns, after-school music classes, and extra language training. The inters have refused to accept the bounds of a textbook definition of teaching. They have helped their students by helping the community, and they have brought new hope to children who too often give up in school because they believe the school has given up on them.

The Teacher Corps has brought a much-needed infusion of genuine commitment and imaginative talent to the schools of New York City. I would count it a serious setback to the cause of quality education for every American if the Teacher Corps were not to be allowed to continue and expand its work in New York and across the country. We need more such young men and women who believe in the right of every child in every American school to broaden their world beyond the invisible prisons of poverty.

With best regards,

JOHN V. LINDSAY,  
Mayor.

#### COMMENTS ON THE TEACHER CORPS

The Committee believes that the Teacher Corps deserves the continuing support of the President, the Congress, and the educational community. The Corps offers a unique opportunity to meet the educational needs of disadvantaged children through the participation of well-qualified young people in an effective training program with direct opportunities to work with these children. (Resolution by Executive Committee endorsed by the Annual Business Meeting American Association of Colleges for Teacher Education.)

The Teacher Corps with its turbulent legislative history has demonstrated that able young Americans will step forward to serve in the nation's poverty schools if they are offered imaginative training and support. The Corps has already made a significant contribution to ghetto school education which has enabled school systems and local universities to provide a practical demon-

stration of new methods in instruction and teacher training. We in the AFL-CIO hail these efforts. In this connection we urge the expansion of teacher training programs to effectively upgrade the skills of those teachers serving in ghetto school areas. (From the Resolution on Education Adopted by the 7th Constitutional Convention AFL-CIO.)

The American Federation of Teachers reaffirms its long standing support of the Teacher Corps. Now that two years of successful practice in the Teacher Corps has shown that its theory works, we urge that all teachers be given the experience and training that the men and women of the Teacher Corps are now getting. We endorse an extended work-study program in the public schools and the schools of education for all teachers, suburban, rural, or inner-city.

CHARLES COGEN,

President,  
American Federation of Teachers.

**REPORT ON THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS: IMPROVING THE QUALITY OF TEACHING IN GHETTO SCHOOLS**

The teaching of disadvantaged children requires special skills and capabilities. Teachers possessing these qualifications are in short supply. We need a major national effort to attract to the teaching profession well-qualified and highly motivated young people and to equip them to work effectively with disadvantaged students.

The Teacher Corps program is a sound instrument for such an effort. Established by the Higher Education Act of 1965, it provides training in local colleges or universities for teacher interns—college graduates interested in teaching in poverty areas. Corpsmen are assigned to poverty area schools at the request of a local school system and with approval of the state education agency. They are employed by the school system and work in teams headed by an experienced teacher.

The Teacher Corps has been enthusiastically evaluated by the National Advisory Council on the Evaluation of Disadvantaged Children and the National Education Association in terms of its ability to attract dedicated young people to the teaching profession, train them to work effectively in poverty areas and make a substantial impact on students in these schools.

The impact of this highly promising program has been severely restricted by limited and late funding. As a result, there are now only 1,506 interns and 337 team leaders for the entire nation. The Teacher Corps should be expanded into a major national program. Funding should be provided at a level realistically scaled to the supply of interns and the need for Corpsmen and on a timely basis, so that prospective applicants can plan to enroll.

**NATIONAL ENDORSEMENTS**

(Placed in CONGRESSIONAL RECORD by Senator NELSON this spring)

In the brief period of its existence, the Teacher Corps has already made an impact on American education. The young people involved as interns, with few exceptions, have brought new vitality to the school systems in which they serve. Perhaps more importantly, because of the potentially far-reaching effect on teacher education institutions, the Teacher Corps program has led teacher educators to make their curricula more meaningful, more applicable to the situation that a great number of beginning teachers face in the disadvantaged urban and rural communities.

We hope the Teacher Corps will be expanded and extended, for the successes thus far prove it to be essential in meeting the challenges of modern America.

BRAULIO ALONSO,

President,  
National Education Association.

Experience . . . indicates that the quality of classroom teachers is probably the most important factor in the schooling of economically deprived children.

The Elementary and Secondary Education Act and the Teacher Corps should make an impact on the structure of the school system.

"The People Left Behind," a report by the President's National Advisory Commission on Rural Poverty.)

We did and will continue to cooperate with programs which show the ability to adapt themselves to a real federal-state-local partnership in education. The Teacher Corps did and we did.

EDGAR FULLER,

Executive Secretary,  
Council of Chief School Officers.

I insist that we have to know those other factors which make learning difficult and we must innovate. We must change our methods and offer techniques so that the children do learn. This to me is the exciting thing about the Teacher Corps. The interns very often are living in the communities and are given, hopefully, some familiarity with the problems which make learning difficult for the children. And thus they are made aware that the same methods, the same materials which have proved effective with white middle class youngsters will not be adequate for teaching youngsters whose frame of reference and his whole background is different. Teacher Corps interns will indeed know that maybe the kid in the class who keeps falling asleep is not being insolent. They'll know that he didn't sleep last night because the entire family is crowding into a one room flat in a Harlem. Or maybe the rats were running around that night. Or maybe he cannot concentrate because he did not have breakfast. Perhaps mama did not get home in time to fix his breakfast or, worse, perhaps there was nothing in the refrigerator, if there was a refrigerator.

JAMES FARMER,

Professor of Social Welfare, Lincoln University; Former Director, CORE.

There is one aspect of the (Teacher Corps) program which is of special interest to us. The program offers an avenue of socially useful activity to veterans who during their term of service in the Armed Forces have had experience as teachers in vocational as well as perhaps in more academic courses and who have absorbed modern teaching and training techniques. In view of the professed interest of the Armed Forces in helping discharged members of the Armed Forces to find civilian jobs, there is in the Teacher Corps an opportunity which should not be neglected.

RUDOLPH SOBERNHEIM,

Chairman, National Affairs Commission, American Veterans Committee.

Some people have said that the Teacher Corps really ought to be a new change agent. It is clear what they are saying. I do know that you were given license out of the need, that you have an image that is positive, that you have support, and that you can translate these, if you have the strategy, into a force for fundamental reform. Or you could succumb and become part and parcel of the outdated system and be swallowed by it. I think this is your challenge.

MARIO FANTINI,

Program Officer, Public Education Division, The Ford Foundation.

Programs such as the Teacher Corps seem useful for bringing new ideas and teaching methods into disadvantaged schools . . . We recommend that the Teacher Corps be increased to an enrollment of 5,000 to 10,000

annually, and that the emphasis be broadened to include ancillary educational personnel as members of Teacher Corps teams. (Report of the Task Force on Juvenile Delinquency President's Commission on Law Enforcement.)

[From Newsweek, Nov. 20, 1967]

**ABC'S OF RACE—TO SAVE GHETTO CHILDREN: PARENT POWER, NEW SCHOOL SYSTEMS—AND A BIG DOSE OF U.S. AID**

The young Negro student sat listening intently as his teacher at Proviso East High School in suburban Chicago told the class some facts about democracy, U.S.A. To begin with, the teacher said, the Declaration of Independence spells out the fundamental belief that all men are created equal. The boy shot back: "That's a lie. The black man isn't equal."

In the field of public education, where equality is vitally essential, the boy was tragically and absolutely correct. The schools have already failed most Negro adults. And now they are threatening to fail the hope of the future: Negro children of the next generation.

If America is productively to reclaim its black people—and honor the Declaration's charge—it most obviously needs a revolution in education. For a brief, exhilarating time dating from Sputnik, just such a revolution seemed to be in the making. New funds, new programs, new concepts and new commitments were marshaled to boost U.S. education across the board. Not only that, but efforts were launched to eradicate the gross disparities between schools in the suburbs and those in the cities—and, even more important, between schools in the cities and those in the ghettos. The most dramatic of the educational innovations were:

Title I, the diversified and wide-ranging section of the 1965 Elementary and Secondary Education Act that authorized more than \$1 billion in educational services specifically for disadvantaged, low-income schoolchildren.

The Teacher Corps, the one imaginative program to shake the education establishment in decades by sending enthusiastic teams of specially trained teachers into slum schools.

Head Start, the preschool program for ghetto children.

But then the counter-revolution set in. In the face of local opposition (by, among others, neighborhood-school advocates such as Boston's Louise Day Hicks), plus general public apathy and truly monumental problems, these ventures were either mortally wounded or seriously impaired. The result, says John W. Gardner, U.S. Secretary of Health, Education, and Welfare, is that today "the pieces of the education revolution are lying around unassembled."

The lost revolution is attested by more than its scattered pieces. It is borne out by the familiar statistical litany of Negro educational inferiority: a 60 per cent greater dropout rate than whites, an average reading level three years behind whites by grade twelve, a minuscule handful of college applicants. But the demolition of the guiding concept of equal educational opportunity is most forcibly underscored in preferential treatment that educators themselves have regularly given white middle-class schools. In Washington, D.C., for example, the school board actually spent \$100 more per pupil in white schools than in Negro schools—until it was restrained by a court order last summer.

All this has not been lost on the black world. Educational failures have bred Negro frustration. That frustration is particularly high in the South, where the Federal government has relied on "free choice" desegregation plans—meaning that Negro pupils must bear the burden of transferring to formerly all-white schools, leaving themselves and their families open to reprisals and intimida-

tion. At the same time, Negroes have begun to realize that for now integration is effectively out. To begin with, Negro migrations are transforming the color of central cities—and making integration increasingly difficult. Already, more than half the public-school enrollment is Negro and Puerto Rican in New York, Chicago, Cleveland, Detroit, St. Louis, Baltimore, Washington and Philadelphia. "Negroes have given up on integration," adds Winifred Green, a school specialist with the American Friends Service Committee. "They are frustrated, and they're turning back to the idea of improving their own schools."

**HERE, TEACHERS ARE INTERESTED IN YOU—THEY PUSH YOU BUT THEY DON'T PUSH YOU OUT**

That is indeed just what has begun to happen. As in so many other areas, Negroes have confronted the reality of their isolation—and started to struggle with their own school problem. The inward turn and the surging growth of black consciousness have been reflected in more than the proliferation of African dress and hair styles in school corridors; it has led to classroom projects such as the formation of Negro history clubs. The exciting ventures, however, have come outside the classrooms. In a mood of self-help and self-reliance, Negroes have begun to attempt to shape and control the institutions serving blacks. These are some of the signs of the times:

In East Harlem, at I.S. (Intermediate School) 201, a community Planning Board is working toward the goal of self-determination—with the help of a \$51,000 grant from the Ford Foundation—by trying to screen teachers and set the school curriculum. Thus this fall the all-black board placed newspaper ads for 21 new teachers. About 500 applied, and so far the board has hired fifteen.

In Washington, D.C., the Thomas P. Morgan elementary school has been turned over to the Antioch-Putney Graduate School of Education—and the new leadership quickly sponsored an election of fifteen local school-board members. The local board, in turn, hired its own principal and started ungraded classes. Beyond the goal of self-realization, such local control experiments offer the chance to break old patterns of education. "The Negro children haven't been learning the old way," says Mrs. Verna Davis, a Morgan teacher. "We just have to give it a chance the new way."

In Chicago, eight churches in the East Garfield Park ghetto formed the Christian Action Missionary Academy (CAM) last February, emphasizing black consciousness to get Negro dropouts back into the classroom. CAM teachers wear black-power buttons and greet student militants with "black power!" instead of "Hello." So far, CAM has 70 pupils who might otherwise be on the streets. And that, at least, is a start in Chicago, where 1,000 pupils drop out of school each month.

In Harlem, other black groups, discouraged by the failure of existing educational systems, have set up their own institution: Harlem Preparatory School. It opened this fall in the 369th Regiment Armory a block from the Harlem River and will eventually have school blazers, a glee club and athletic teams. The goal of Harlem Prep is to move dropouts and other young adults from the Urban League's Street Academies in Harlem to college. "Here, teachers are interested in you as a human being," says 17-year-old Michael Kay, a former dropout. "They push you but they don't push you out."

**CONTROL FROM THE GHETTO CUTS THROUGH THE FACELESS—AND OFTEN HEARTLESS—BUREAUCRACY**

Such educational experiments are still young and fragile. But one encouraging point about control from the ghetto is already clear: it is a means of cutting through the faceless—and often heartless—bureaucracy of a white-oriented school system to make local schools directly accountable for their failures. Yet the concept of local control patently confronts the mighty obstacles of

the inconstancy of ghetto parents and the excesses of ghetto sentiments. One of I.S. 201's community advisers, for example, is Herman Ferguson, president of the Jamaica Rifle and Pistol Club, who was suspended as assistant principal of another school after he was accused of involvement in a plot to assassinate Whitney Young and Roy Wilkins.

More fundamentally, there must be deep skepticism that the undernourished black slums can ever make more than a psychic start at solving their school problems. Massive external aid from the white majority is required. Thus, the parents from Boston's Roxbury ghetto who organized Operation Exodus to bus 967 Negro pupils to open seats in white schools are the first to admit their scheme is stopgap at best.

Aside from the expense, the inconvenience and the uncertainties of suburban cooperation, busing as a concept has its serious drawbacks. It often takes the best and most highly motivated pupils out of the ghetto schools. And busing does nothing to improve the education of Boston's 22,500 students left in the slums. Even the number who can escape is limited by the number of suburban seats available. In a frank moment, Samuel Graves, principal of suburban Wellesley High, says that busing "will always remain token."

To move beyond tokenism, the white school establishment must first begin to reassert constructive leadership—although this probably means total revamping of city school systems. There are a few encouraging instances where cities are already doing exactly that. Pittsburgh, for one, is planning what superintendent Sidney P. Marland Jr., calls a "major overhaul" by building "Five Great High Schools," each on a 40-acre site, to draw pupils from all sections of the city. Each school will cost \$24 million and hold about 5,000 pupils; the first is scheduled to open in 1971. Such large schools offer powerful academic advantages by providing the best facilities and teachers to all pupils. Says Marland: "These schools will be good enough to confront white flight from the city."

Pittsburgh's Great High Schools are really versions of so-called educational parks, large schools holding up to 30,000 pupils, which have been proposed in many cities to provide genuine equal education. The creation of such parks, however, requires a truly massive investment in money and planning. At present, the U.S. Office of Education is spending about \$2 million to plan such parks in seventeen school districts, from Berkeley to Brooklyn, but more money is needed desperately. Most large cities would have trouble building a large elementary school for \$2 million.

**BUSINESS, LABOR AND CHURCHES MIGHT BREAK THE PUBLIC-SCHOOL MONOPOLY**

For all the local initiative, true educational breakthroughs probably will have to be imposed from outside present school systems; most large-city systems today are simply too tired and too rigid to change from within. In one far-reaching proposal, a New York City school-decentralization panel under McGeorge Bundy, president of the Ford Foundation, last week advocated reorganizing the entire city into 30 or 60 locally governed community school districts. Each would be ruled by a local board, with a majority of members elected from the community. Each board would hire its own superintendent, principals and teachers and set school policies within the framework of the state school code. Such a system, the panel said, "should encourage constructive competition . . . in effective educational ideas and practices, not in social or economic status." The panel's proposals will have a turbulent future. Hopefully, however, the germs of Bundy's revolution will carry to other cities, where the entrenched bureaucracies may be less resistant.

There are still other innovative alternatives under discussion by concerned educational experts. Academics including James S. Cole-

man, sociologist at Johns Hopkins, have proposed that the Federal government set up voluntary boarding schools to overcome the environment of the slums. And Kenneth Clark, the noted New York psychologist, thinks that business, labor, churches and other private groups should create competing school systems to break the public-school monopoly. Business is unlikely to educate all the children of Harlem, but it could establish invaluable success models.

All the while, however, the school year is running. Many steps can be taken within the existing system to keep the revolution from faltering further. The Federal research budget for education, now less than 1 per cent of a total \$17 billion U.S. research-and-development budget, should be greatly enlarged. Above all, new programs, once started, should be supported fully and not, as with Head Start, allowed to wither after the first flush of enthusiasm. All levels of government should place additional emphasis on reading skills in terms both of more teacher training and of a special Reading Summer catch-up program for grade-school children. They should also support the hiring of more sub-professional teacher aides from the school area, thereby involving the community, reducing the effect of large class size, and providing career opportunities for those who want to become teachers.

In short, the innovative outlines of the education revolution in America of a few years ago must not be allowed to fade away. Now is the moment to go forward and fulfill the promise of an equal education before yet another generation of ghetto children is lost.

[From the Washington (D.C.) Sunday Star, May 12, 1968]

**THE TEACHER CORPS—A RARE OPPORTUNITY LOST**

(By Carl T. Rowan)

A long-standing mark of this country's greatness has been the ability to make the most of available resources.

Whether it was a mass of scrap iron, a bundle of used newspapers, or 40 acres of scrubby land, there was someone who could turn it into something useful—at a profit to himself and to society.

It is only human resources that we have been inclined to waste—and we seem to become more expert at that every month.

Consider our young people. They are fired up with idealism, "turned on" by the notion that they can make a better world than their elders have fashioned.

But look at the way thousands of them are venting their frustrations, manifesting their idealism; they spread chaos across scores of college campuses, trample on the basic rights of others—all in the name of free speech. They close down institutions like Columbia University, and besmirch the reputations of other fine educators and institutions.

What a pity that we cannot somehow channel these youthful energies and ideals into something truly constructive!

Why are these young men and women who demonstrate so loudly and violently in the name of justice and decency not drawn into programs to help the 30 million Americans who live in poverty or the 12 to 15 million who are malnourished, or flirting with starvation?

Why are these college idealists not motivated to help those millions of youngsters in the big-city ghettos who need so desperately the liberation of learning?

It is because these young firebrands don't know how to fashion the pragmatic machinery of social change, and their elders don't seem to care enough to do so.

The Teacher Corps is a perfect example of our country's wasting resources—and an opportunity to move our society away from the miseries, conflicts, hatreds, and hopelessness that now afflict it.

President Johnson's original concept was

that 10,000 young men and women would now be teaching in poverty schools—would be providing that special knowledge, understanding, sympathy that disadvantaged children need so badly.

But there are now only 1,900 young people in the Teacher Corps, which has labored in the shadows of death since its very inception. Even as it has escaped death, money has come too little and too late to permit building the kind of program the country needs.

The Teacher Corps was handicapped at first because the National Education Association, organization of a million professional teachers, was dubious if not downright hostile. Some professional educators didn't want any wet-behind-the-ears "do-gooders" stirring up things in their school district.

But NEA recently said the Teacher Corps has proven itself "essential in meeting the challenges of modern America." It said the young men and women in the corps had "brought new vitality to the school systems in which they serve."

The President's Commission on Civil Disorders emphasized that an essential step toward saving America's cities is to improve the quality of teaching in ghetto schools. The commission said that the Teacher Corps "should be expanded into a major national program."

Congress has authorized a piddling \$46 million for the fiscal year beginning in July. But, thanks to a bureaucratic hassle in the Department of Health, Education and Welfare, the administration is asking Congress for only \$31 million. If that is approved, there will still be only 2,500 teachers in the corps—a long way from what NEA and the Kerner Commission have urged.

And, most assuredly, this is a long way from what is needed to avoid squandering human potential in the ghettos or wasting human ability and idealism within the ranks of the nation's youth.

[From the Washington (D.C.) Post, June 6, 1968]

#### PENNYWISE CONGRESS

The slashing of funds for the Teachers Corps, decreed by Congress a year ago in the name of economy, may well take title as the decade's most profligately wasteful "saving." Teachers are, and always will be, an indispensable element in any system of education; but it takes time to train them. Thanks to congressional parsimony, the several thousand teachers who might have been trained by the Teachers Corps turned out to be no more than several hundred in the program's first graduating class this month.

The Teachers Corps was designed to give training to young college graduates with a fervor for public service, a gift for dealing with children and a willingness to take on the demanding, difficult task of teaching in ghetto schools. It would be hard to imagine a greater lift or enrichment for children desperately in need of special help from devoted teachers. But Congress preferred saving money to saving kids and cut the appropriation for the program so severely as to short-circuit its potentialities. The bill for this "economy" will be presented subsequently—in terms of delinquency and civic disorder.

[From the Washington (D.C.) Post, June 28, 1968]

#### ROBIN HOOD IN REVERSE

The House of Representatives had better from now on forbid publication of the *Congressional Record*. That journal, in publishing an account of the debate of June 26, when the House resolved itself into the Committee of the whole House on the State of the Union to consider the appropriations bill for the Department of Labor, and Health, Education and Welfare and related agencies,

exposed the members of Congress to scorn and obloquy. No agitator or alien propagandist could have done the House of Representatives greater injury. A legislative body bent upon vandalism ought to have the common decency to commit it in total darkness.

The problem before the House was how to cut the funds available for vital needs in the United States in order to pay the ransom demanded for release of the recently enacted tax surcharge law. The House elected unhesitatingly to cut it from appropriations sought to help the portion of the population most in need and least able to make itself felt politically—children, Negroes and poor people generally.

Funds were reduced for almost every facet of the country's educational program. Federal aid to primary and secondary schools was drastically cut. The minor sums recommended for bilingual education, for training and rehabilitation of the handicapped, for enlarging the Teachers Corps, for the prevention of school dropouts—in short, for the whole roster of assistance to schools in slum areas—were callously rejected. As Rep. John Moss put it, simply and accurately, the House "welshed on a moral commitment." It crippled the country's school system in the places most vital to the national welfare.

At the same time, as though determined to add insult to injury, the House demonstrated the spuriousness of its "economy" pretense by adding \$138 million to the "impacted area" program—a program which long ago outlived the justification for its establishment and which gives handouts, politically rewarding from the point of view of Congressmen, to school districts, needy or not, which can claim student enrollment as a result of Federal activities. The sum cropped from educational programs totaled about \$135 million. Plainly, the House robbed the poor to pay the rich.

[From the Washington (D.C.) Evening Star, July 5, 1968]

#### TEACHER CORPS

The economy ax in the House of Representatives cut deeply last week into a broad spectrum of worthy educational programs. One activity, however, the Teachers Corps, sustained a blow which stands as a momentous example of congressional shortsightedness.

The Teachers Corps evolved three years ago from a premise that perhaps the very best thing that could happen to schools in urban ghettos and backward rural areas might be a new breed of teachers—a corps of young, tough, intelligent, idealistic college graduates motivated toward teaching careers in this country by much the same drives which have filled the ranks of the Peace Corps overseas.

There is no reason to question the validity of that concept in terms of the attitudes and the performances of the first group of several hundred teaching interns to emerge from their two-year training periods this month. Yet, rather than expanding, the size of the corps would be reduced by the action of the House last week below the levels at which the program began. Less than a thousand new recruits could be enrolled this fall. And the ultimate irony is that 10,000 dedicated young college graduates are ready and eager to serve.

The \$31.2 million sought by the administration for the next fiscal year was not excessive. It got from the House, however, \$15 million—\$2.3 million below the last 12 months' appropriations. That action was a miscarriage of judgment which the Senate surely will not allow to stand.

[From the New York Times, July 10, 1968]

#### YOUNG INMATES AT RIKERS ISLAND TO BE TRAINED FOR SPECIFIC JOBS

(By Charles G. Bennett)

A special rehabilitation program for young prisoners on Rikers Island to prepare them

for specific jobs waiting for them on their release from jail was announced yesterday at City Hall.

Mayor Lindsay and Senator Jacob K. Javits announced the project at a joint City Hall news conference. The program will use Volunteers in Service to America (Vista) volunteers and Teacher Corps interns.

The work will be financed by the Federal Government under legislation introduced by the late Senator Robert F. Kennedy. It was cosponsored by Senator Javits and 16 other Senators.

The program, to be supervised by the city's Department of Correction, is designed to reduce the rate of recidivism among youthful offenders. It is also expected to serve as a model for similar projects in other cities.

On the basis of experience, it is estimated that of the two million offenders who enter penal institutions in the United States each year, more than one million will get into trouble and return. It is estimated also that the typical young offender is 3.4 years behind his contemporaries in basic skills.

#### TAILORED TO INDIVIDUAL

Fifteen Teacher Corps interns now preparing for their duties at New York University will instruct individual prisoners at the New York City Correctional Institution for Men on Rikers Island in mid-September.

The teachers will tailor the instruction to each prisoner's education level and the requirements of the job he will undertake after completing his sentence.

Twenty-five Vista workers will find specific jobs for individual prisoners and will work with the former prisoners for six months after their release to help them adjust to society.

The 40 young men and women who will participate in the work were present in the Board of Estimate chamber at City Hall yesterday as Mr. Lindsay and Mr. Javits announced the plans.

Senator Javits, specifically addressing his remarks to the group of 40, told them "the only memorial Senator Kennedy would want would be a living, working memorial like this one."

"If you admired Robert F. Kennedy and want to create a memorial to him," Mr. Javits told the group, "put an extra 10 percent into your job."

The Teacher Corps members will work with the young prisoners, ranging in age from 16 to 25 years, six months before they are scheduled to be released.

The Correction Department will provide facilities on Rikers Island for the young teachers, and will supervise the Vista volunteers who will live and work in the neighborhoods to which the young prisoners will return.

[From the New York Times, July 12, 1968]

#### TEACHERS, NOT NIGHTSTICKS

"The Teacher Corps should be expanded into a major national program." So said the National Advisory Commission on Civil Disorders in its far-reaching report. But unless Congress moves quickly, the Teacher Corps will be neither national nor major nor a program worthy of the name.

In the last two years the Teacher Corps under the Department of Health, Education and Welfare has gone where the action is—into the troubled schools and communities of the nation. Able college graduates have participated in a program of professional training and service in poverty-area school systems.

But a parsimonious House has voted only \$15 million for fiscal 1969—actually \$2 million less than this year. If this pittance for slum teaching stands, it would mean only about 800 new interns would be able to sign up. The Teacher Corps could train 1,500 dedicated graduates if its requested \$31 million were granted. This sum would enable interns to be placed in more than fifty cities.

Applications are on hand from over 10,000 young Americans, black and white, who have volunteered to go to work in slum schools and contribute to community programs. Most are this year's graduates, and they are willing to work for subsistence wages. To deny thousands of potential teachers this opportunity is to shortchange the communities that can profit most by education.

In their stress on "law and order," let Congressmen think of sending teachers in preference to nightsticks into the areas of underprivileged America.

[From the Washington (D.C.) Sunday Star, July 14, 1968]

#### TEACHER CORPS CITES RECORD

Currently engaged in its annual battle for funds, the Teacher Corps announced yesterday the results of a partial survey showing that 72 percent of its first class of teacher interns say they will teach in poverty area schools next fall.

The survey results announced by Richard A. Graham, corps director, also estimate that 86 percent of the first corps interns say they will continue working in education next school year.

And 51 percent indicate they will remain in the school district where they got their training.

The figures are derived from an analysis of replies from more than half of the 657 interns.

Teacher Corps interns spend two years in training in inner city and poverty area schools. They are paid \$75 a week while teaching and working toward their master's degrees.

Interns under the supervision of experienced teachers begin teaching small groups, especially in their first year, instead of being placed in full classes.

Health, Education and Welfare Secretary Wilbur J. Cohen said the survey shows the "Teacher Corps is doing what it was created to do. It is reaching the disadvantaged child and its first graduates are planning to continue this dedicated work."

The administration had requested \$3.1 million for an expansion of the corps during the budget year that began July 1. The House recently cut back the request to \$15 million. Corps officials say, \$25 million is needed to continue the corps in its present size.

[From the New Republic, June 29, 1968]

#### LEARNING TO TEACH THE DISADVANTAGED

On the 14th of last month, the day the Philadelphia contingent of the Poor People's Campaign left for Washington, 15 first-graders from Pratt Arnold Elementary School, under the leadership of Teacher Corps intern Kenneth Vernon, staged their own march. They paraded around the corridors with signs constructed from the words in their *Bank Street Reader* for inner-city schools. By rearranging the simple words in the text, students made up signs reading, "People Need Good Houses," and "People Want Good Jobs." This mock march was the finale in a sequence of three "role-playing" games designed by intern Vernon. The first was designed to teach fairness; the second, to point out the advantages of going to school; the third, the march, to make students aware of the effect of housing and jobs on people's lives.

While Kenneth Vernon was devising these games, another Teacher Corps intern, Cecile Betit, two grades up, was creating one of her own to explore interracial tensions. In her game, a Negro child moves into an all-white neighborhood. The dominant reaction of the black children was fear. When the roles were reversed, a white child moving into an all-Negro neighborhood, black children, playing themselves, expressed feelings of warmth. Afterwards, students discussed the reasons for their response, to the amaze-

ment of old-line teachers who thought you couldn't discuss race with kids.

Remarkable as these games are in themselves, it is more remarkable that they arose from a teaching technique interns learned in a course called "Inter-Group [i.e., interracial] Education" at Temple University in Philadelphia. Until the Teacher Corps came to Temple three years ago, the university did not have one single course on teaching the disadvantaged. Now it has quite a few. They are offered as a unit to Teacher Corps interns in accordance with regulations stating that corpsmen be trained as a group, apart from other education students; but some of the courses have also been introduced into the regular education curriculum and others are likely to be in the future.

The Temple Teacher Corps program includes "sensitivity training" to root out vestiges of racial and poverty prejudice; micro-teaching (mock teaching, videotaped, to show the teacher how effectively he is, or is not, communicating); and what is referred to in education circles as inter-disciplinary studies; courses in ghetto psychology, urban sociology, anthropology, linguistics (with an emphasis on the evolution of ghetto dialects), and Negro history (which interns later incorporate into their classroom lessons).

Also included are a number of teaching techniques, such as the role-playing, designed to bring the ghetto child from what one intern describes as "the subdued feelings of inferiority verging on fear, or the unrestrained boisterousness fringing on anarchy, to genuine feelings of self-confidence and creativity."

When Congress set up the Teacher Corps in 1965, it was regarded primarily as a means of producing teachers specifically trained to teach disadvantaged children in the ghettos, on Indian reservations, and in backward rural areas, particularly in elementary schools. The Corps takes liberal arts and science graduates with no teacher training and puts them through a two-year apprenticeship, during which they serve as teachers' aides in the mornings and community workers in the afternoons. In the evenings and summers, they take education courses. At the end, the interns have a master's degree in teaching or education, teacher certification (needed to teach in public schools), and two years' experience. The program is financed basically by the federal government, but the participating local school systems paying 10 percent of the interns' \$75-a-week stipend. The federal grants go directly to the universities which have submitted proposals to the national Teacher Corps offices (HEW).

With the first two-year cycle just ended, it appears that 90 percent of the graduating interns plan to remain in teaching, mostly in disadvantaged areas. This figure is heartening, but the number it represents is small—765 (there are roughly 2000 interns in all cycles). Because of the limited impact such small numbers can make, Teacher Corps director Richard Graham now feels that the Corps' greatest effect will be in forcing schools of education to modify their curriculums, giving more attention to teaching the disadvantaged. Heretofore, teacher training, in the words of one educator, has been "an endeavor of the middle class, by the middle class, for the middle class." It has been increasingly recognized, however, that disadvantaged children need teachers armed with different methods and material.

Until the Corps was founded, the only school offering a complete program geared to teaching in ghetto schools was Hunter College in New York City. Other colleges had a smattering of inter-disciplinary courses. Others sent would-be teachers into the ghetto for community work or practice teaching. But without the specific training needed to support them, many cried out, as one did to her former professor, "Please to God, if you're going to send teachers into

urban schools, prepare them more than I was prepared." Even the best intentions could not prevent these ill-equipped teachers from fleeing, like others before them, to more comfortable middle-class schools, black or white. (The corps is 22 percent black, but interns feel the line separating them from their pupils is more one of class than of race. It is significant to note that not one intern interviewed at Temple, black or white, feels inadequately trained.)

Now, nearly 40 universities have developed courses in teaching the disadvantaged. To receive money for this purpose the universities must show:

Evidence that various departments are participating in the planning and staffing of the Teacher Corps program. From this requirement stem the far-ranging sociology, psychology, and history courses the interns get. This broadening of training is not an innovation of the Corps but the acceleration of a trend.

Evidence that teacher corpsmen will be offered on-site instruction, a point consistent with the idea that teacher training should involve more practice and less philosophy; that it should be taken out of the seminars and into the schools. Conversely, there is a movement afoot to bring the community into the college. At Temple, a course in community relations is taught by community leaders and not by the Ph.D.'s who see the community only on the way to work.

Evidence that corpsmen will be enrolled in related courses focused on the disadvantaged. Obviously if the interns are to be enrolled in such a program, the universities must develop one.

Evidence that changes in the approaches to education arising out of the Teacher Corps experience will be incorporated into the regular education curriculum, a requirement all programs applying for a continuation of grants are expected to meet. If a university is unwilling to modify its course of study, the Corps will not grant or renew its program, as has happened in a handful of cases so far, sometimes with beneficial results. Failure to get a renewal has led several universities to reexamine their curriculums.

Now, what looks good on paper may be less good in fact. Assistant superintendent of Philadelphia schools, Dr. Bernard Watson, who did his Ph.D. dissertation last year on the Teacher Corps, found that universities occasionally resort to sleight-of-hand tricks to make their proposals seem up-to-date. He cites the case of one university that slapped the title "Urban Sociology" on the same old general sociology course that had been taught for the past 15 years by a professor who was trained in rural sociology. In this, the universities are not entirely to blame. An associate dean of one university reports, "We don't know how to deal with the disadvantaged ourselves, so it's hard to prepare others for it." Part of the problem in refashioning teacher education is the lag in expertise. But there is also the traditional sluggishness of departments of education. The "antiquated," cumbersome university structure of committees and channels led Dr. Evan Sorber, head of the Temple Teacher Corps program, to resort to what he calls the "asterisk technique" to get a successful Teacher Corps adopted. He listed the suspect course in the catalogue with an asterisk and an italic *For Teacher Corps members only*. So many regular students requested the course that it was opened to all. "Once a course exists and a demand is shown," says Sorber, "it's much easier to get something done."

Three years after the corps was conceived and two years after it was put into practice, four-fifths of the participating universities report they have developed special courses for teaching the disadvantaged. Over half say these courses have influenced other teacher-training programs. A further third

indicate that Corps-developed courses are now given in toto, to other students.

HARRIET DOUTY.

[From the Washington (D.C.) Evening Star, July 24, 1968]

**NICE GUYS MAY WIN GAME**  
(By Toni House)

"Nice guys do win ball games if they hold up in the extra innings; field the fast one or steal a base now and then." —Anon.

The above is one of many quotations which line the walls of the office of Richard Graham, director of the National Teacher Corps. The history of the three-year-old domestic version of the teaching Peace Corps, is reflected in that homily—the "nice" much-lauded Great Society legislation versus the budget-snipping representatives in the congressional ball game.

**LOOKING UP**

Things are looking up, Graham said yesterday at a press conference for women reporters, since the fear of "federal interference in education" has been alleviated from the minds of such legislators as Rep. Edith Green, D-Ore.

The quest now, he stated, is for funds, and a quicker way to obtain them.

There is, he said, no advance funding for the teacher-training program, so projects scheduled to begin in June or July are not guaranteed funds until the following September or October.

The Teacher Corps, he explained, relies on local invitation and participation, with up to 90 percent federal money.

Local school boards are "enraged" by the uncertainty, said the former Peace Corps administrator, since they cannot launch a total community effort or assure recruits of placements until the last minute.

Despite the fact its appropriation has been cut more than \$2 million from last year's amount by the House and the current proposed budget of \$15 million has not yet passed the Senate, the corps tentatively has accepted 1,100 trainees for this fall, Graham said.

**IN 50 CITIES**

The corps is, he added, hoping for a foundation grant in the next few days and is drumming up money from participating school boards.

As of now, he said, the Teacher Corps operates in 50 cities in cooperation with 49 colleges and universities.

Program participants are provisionally certified by local education boards and are candidates for master's degrees in teaching.

The minimally paid trainees teach part-time under a master teacher and attend classes at participating universities.

A special part of the project is community contact and the teacher-students frequently live in the underprivileged areas in which they work.

Sen. Gaylord Nelson, D-Wis., co-author with Sen. Edward Kennedy, D-Mass., of the original 1968 bill, has introduced an amendment to the 1968 Higher Education Amendments Act to expand the Teacher Corps to admit college graduates as volunteer teachers' aides for one or two years. It awaits action by the House.

The Nelson amendment would, said Graham, provide young Americans with an opportunity to serve their country in addition to strengthening school-community ties.

"There is not enough asked of our young people. They're gutsier than our generation," said the 46-year-old Graham, "and would gladly help if they could really be of service."

[From the Columbia (S.C.) State, Apr. 10, 1967]

**A CALL TO SERVICE**

"Please to God," wrote a distressed first-year teacher to her college dean, "if you are going to send new teachers into urban

schools, prepare them a bit more than I was prepared."

This dramatic appeal from a new teacher in a slum area vividly points up a major difficulty that has cropped up in the nation's effort to upgrade the educational opportunities of disadvantaged children.

The problem: Special techniques, special training, and special understanding are needed by the teacher to reach these children who are often so sadly deficient in so many ways.

*Southern Education Report*, a magazine published in Nashville, surveyed colleges and universities throughout the South to see what they were doing to train teachers to meet this new need. The answer came back: Almost nothing.

"The education of teachers," said SER, "has been—and still is—primarily an endeavor of the middle class, by the middle class, and for the middle class. As a result, school teachers are generally ill-prepared to deal effectively with disadvantaged children."

The federal government, for its part, has shown a great affection for disadvantaged children. Program to aid and upgrade them abound. There have been no fewer than 59 institutes funded in the Southern and Border states to re-train experienced teachers to cope with the special problems inherent in these programs.

But the federal government's single effort to train new teachers for this work is the Teacher Corps. Unfortunately, this program has been less than a smash success to date. Colleges which have participated have not expressed much enthusiasm, although a majority believes it has promise.

So does *The State*, which has not exactly been a champion of anti-poverty programs in general. Regardless of how the Teacher Corps has worked to date the concept of sending eager, dedicated young people into the slums and rural areas to help America's poverty-stricken children makes as much sense—or more—as sending them around the world under the flag of the Peace Corps.

If and when our schools of education get around to establishing specialized courses of study for teachers of the disadvantaged, problems will still exist. The average young would-be teacher is not going to be eager for a career among the lower levels of society. That takes a dedication above the ordinary garden variety.

Furthermore, there is a pressing need for good teachers in the middle class schools. Things can be hectic enough in these schools without seeking out additional problems, including even physical abuse, that teachers in slum areas encounter.

Presently at least three Teacher Corps bills are resting in a committee of Congress. One would expand the Corps to 5,500 volunteers by September, 1968; another would enlarge the role of states in training and assigning Teacher Corps personnel; and the third would provide a supplemental appropriation of \$12.5 million for the Corps in fiscal 1967.

Congress certainly should take a close look at the program and attempt to iron out any bugs that have crept in. But it should also take care not to allow a program that offers such promise to languish.

[From the Des Moines (Iowa) Tribune, May 20, 1968]

**TEACHER CORPS HERE**

A Teacher Corps program for disadvantaged school children in the Des Moines metropolitan area seems assured for next school year. Drake University has received a \$3,600 federal planning grant for the program and Alfred Schwartz, dean of the school of education, is confident the full program will be approved by July.

The National Teacher Corps, established by Congress in 1965, is similar to VISTA and the Peace Corps. Recent college graduates

volunteer for work as teacher interns with youngsters in isolated rural schools or city schools in poverty-stricken neighborhoods.

Graduates are chosen from a wide range of college disciplines—fine arts, engineering, science—preferably with no prior studies in education. After a concentrated summer training program, they are assigned to schools in teams of five or six, led by an experienced teacher.

The volunteers work four days a week at the school and attend graduate classes one day, taking special studies leading to a master's degree in education. They live in the neighborhood where they work and are expected to be active in community affairs.

Corpsmen are paid \$75 to \$125 a week, depending upon living costs where they stay, and generally receive free college tuition.

The interns are expected to be unconventional in their approach to teaching, applying new methods and ideas to draw the children out. A corpsman in one city plays rock and roll music in class, hoping that uncommunicative pupils will learn to express themselves by explaining the lyrics.

Nationwide, the Teacher Corps has had a spotty record in its short life, for two main reasons—local control and reluctant congressional support. The Corps goes only into schools where it is invited, and the schools have complete control of the program. Much depends on vigorous, imaginative local direction, and this is not always provided.

Congress has often delayed action on funding the Corps, so that planning is tenuous, but the program must be started hurriedly when the appropriation is made. In addition, a slim budget has kept the program small—with enough for only 1,200 volunteers for the 1966-67 school year instead of the minimum 6,000 requested by President Johnson. Congress has yet to approve funds for next year, and is unlikely to increase them much.

Despite these faults, the program has had considerable impact. Nearly every school with Corpsmen wants more. One North Carolina principal said his school's education program would be set back 10 or 15 years without the interns. The Teacher Corps has also influenced numerous university education departments in re-evaluating curricula for teacher training.

Forty-two interns will train at Drake this summer for assignment to schools in Des Moines, West Des Moines, Southeast Polk and Saydel. If they follow the national pattern, 80 percent of them will want to continue teaching in disadvantaged areas after completing their two-year internship.

In the face of congressional limits on the program, Des Moines is fortunate to be getting a Corps contingent. The program has the potential of stimulating fresh ideas and vigor in teaching poor youngsters here. For Drake University, Dean Schwartz said it will be a good opportunity to become involved in experiments with team teaching and community service.

[A Florence (S.C.) station WBTW-TV editorial, July 21, 1967]

**THE TEACHER CORPS**

Among the social programs being promoted by the Administration in Washington we rather like what we know about the Teacher Corps. About two weeks ago the Teacher Corps received an eleventh hour new lease on life when the Congress voted a three year authorization which will keep the Corps in business through 1970. This action released \$3.8 million dollars of 1967 supplemental funds which had been frozen by the Congress. These funds will pay for the training of those college graduates who have volunteered to help improve the education of the children of the poor.

It's a brutal fact of life that where families are the poorest the schools are the poorest too. This applies in Carolina Appalachia communities where most families earn under

\$2,000.00 per year as well as in rich cities like Los Angeles and Chicago whose ghetto schools cannot attract or hold good teachers. To the schools in poor rural communities and poor urban areas the Teacher Corps Teams bring new hope and new life. Their professional qualifications as excellent teachers, their dedication to the job and their belief that something can be done make them a priceless asset to the schools where they work. Naturally the Federal Government must pay the bulk of their salaries because the schools which the poor and underprivileged children attend could not afford to pay them.

Actually a Teacher Corps Team consists of a leader, a veteran teacher who is paid by the local school system at the going rate, plus Teacher-Interns. Teacher-Interns are Corpsmen and Corpswomen in training and receive \$75.00 a week plus \$15.00 for each dependent. The Federal Government then reimburses the local school system for up to 90% of the Teacher Corps salaries and pays the administrative costs. This means local control and that the local people must contribute 10% of the Corps salaries. And it's important that they provide this 10% because they're then helping to help their own children.

South Carolinians, who now spend a higher proportion of their tax dollars on education than most other states, are well aware of the importance of education in providing a better life. That's why there should be increasing awareness of the Teacher Corps and what it can do for schools where there is a high concentration of pupils from low-income families.

Proposals for Teacher Corps programs are filed jointly by a local school system in cooperation with a neighboring university and with the approval of the State Board of Education. Like the Peace Corps the Teacher Corps gives young people with a desire to serve, the opportunity to make an important contribution in the field of human welfare. But when Teacher Corpsmen encourage a youngster to learn, to stay in school and get an education and become a productive citizen, they also make a solid contribution to the state and to the nation. You can't beat the Peace Corps for glamor but, in our opinion, you can't beat the Teacher Corps for patriotic, meaningful service at home.

[From the Salina (Kans.) Journal,  
June 3, 1968]

**WHY NO TEACHER CORPS TRAINING IN OUR STATE?**

Here's a project for a Kansas university or college.

The Teacher Corps program was established by the Higher Education Act of 1965. It came about as a result of dissatisfaction with education being provided in the ghettos and rural poverty areas. This grew into a dissatisfaction with the kind of training teachers were receiving.

At first, there were problems with appropriations, but subsequent legislation has ironed out the kinks and placed more authority in the hands of the supporting university.

It appears to be working well in the projects which have begun operation in the last three years. But no such project operates in Kansas. None of the state education agencies can initiate such a program. The initiative must come from a university.

The Corps involves college graduates who have not prepared to teach. There is a summer orientation and a two-year internship in poverty schools.

In some of the programs, the summer orientation session is used to provide the interns with some basic teaching skills and provide them with a realistic feeling about the ghetto or rural poor. Teachers from ghetto schools have served as visiting professors.

What has come about is a learning experience for the teacher and the taught. Those involved have enjoyed a search for relevant materials which replace traditional education course content. They have discovered the traditional has little bearing on the situations encountered in the ghetto school.

Probably the most significant outcome of the program has been the realization that educators have much to learn about teaching disadvantaged children. It also demonstrates that such things can be learned.

What should be surprising to us is that education schools have not been working on this principle before.

Too many of our universities only offer education courses aimed at the typical middle-class school and in many cases the courses do not provide a realistic approach even to this.

Interns who have worked in the Teacher Corps projects have cited several examples of important lessons learned. These include the realization that students blossom when given attention, that teachers can help failing students to achieve, that values and attitudes are learned from colleagues and that skills in teaching and human relations are developed by teaching and having human relations.

It seems incredible that every education school in this country is not able to provide such incentive. These lessons are basic. It would seem persons interested in teaching could glean such knowledge on their own. But, since it appears they can't, the education schools should provide it.

A Teacher Corps program is a step in the right direction. All of our education schools may have much to learn from the methods used here.—J.H.

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

Mr. NELSON. I had agreed to yield to the Senator from Pennsylvania. Did the Senator from Oregon have a brief comment?

Mr. MORSE. I would like to take just a few minutes, but I shall wait.

Mr. NELSON. I yield to the Senator from Pennsylvania.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. SCOTT. Mr. President, I ask for 10 minutes.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield 10 minutes to the Senator from Pennsylvania?

Mr. NELSON. Yes.

Mr. SCOTT. Mr. President, as one of its 27 sponsors, I rise in support of the pending amendment to the Labor-HEW appropriation bill, which would increase the appropriation for the Teacher Corps from \$17.3 million to \$31.2 million.

The Teacher Corps has proven over the last 3 years that it can accomplish one of the most difficult jobs facing us: it can put the aroused social concern of our young people to work in dealing effectively with the crisis in poverty education.

And though it is a Federal program, it manages this accomplishment in a locally initiated, locally controlled manner.

This is a very proud boast for any program. And Republicans take great pride in the role they have played in assuring that the Teacher Corps would indeed represent genuine federalism and not merely another Washington-run program.

A year ago last June, when concern about Federal control of teachers through the Teacher Corps threatened

the very existence of the program, it was the Republican members of the House Education and Labor Committee who contributed most significantly to rewriting the legislation to provide iron-clad guarantees that the administration of the program would be at the local level.

In supplementary views to the House committee report, these Republicans stated:

The Teacher Corps as authorized in this bill is a program which most Republican members can conscientiously and even enthusiastically support.

I ask unanimous consent that the full text of the supplementary views of the Republican members of the House committee be printed in the RECORD at this point in my remarks.

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

**SUPPLEMENTAL VIEWS ON H.R. 10943—THE TEACHER CORPS**

We, the undersigned, support and urge enactment of this legislation which we believe will strengthen and consolidate existing Federal programs of assistance for teacher training while preserving State, local, and private initiative and control in their administration.

**BILL REFLECTS REPUBLICAN VIEWS**

This legislation has been drastically altered in committee—consistent with the views of Republican members—and no longer concentrates wide discretionary powers in the U.S. Office of Education as proposed by the Johnson administration. The following major changes were made in the administration proposal:

(1) The Teacher Corps will no longer involve national recruitment, selection, or enrollment, or assignment of members without State approval, or Federal dictation of the terms of their training.

\* \* \* \* \*  
**THE NEW, LOCALLY CONTROLLED TEACHER CORPS**

The Teacher Corps as authorized in this bill is a program which most Republican members can conscientiously, and even enthusiastically, support. Most of us had vigorously opposed a National Teacher Corps which was recruited, selected, enrolled, and training criteria established, entirely at the discretion of the U.S. Commissioner of Education, with 100 percent Federal financing, and operated in local schools without State approval. We opposed an elite guard of Federal teachers under any circumstances.

The program will no longer have any of these characteristics. Even the word "National" is struck from its title. Recruitment, selection, and even enrollment will now be the exclusive province of institutions of higher education and local educational agencies. Arrangements for training will be made by the same agencies or by the State educational agencies. Teacher Corps "teams" will be made available to local schools only with the approval of the appropriate State educational agencies, and local school districts will be required to pay at least 10 percent of the cost of services rendered, and all such costs if they can afford to do so.

The authority of the Commissioner of Education will be limited to rendering technical services upon request and making information about the Corps available to the public.

This is a complete change from the National Teacher Corps in operation this last year, and we are confident that had these suggestions been followed in the first place there would never have been a controversy over the Teacher Corps. We are deeply concerned over the plight of inner city and isolated rural schools, and this bill provides

a practical, proven means of helping to upgrade these schools without turning them into Federal installations.

We believe that these Republican-sponsored amendments to the Teacher Corps exemplify truly creative federalism which the administration would be well advised to adopt as a pattern for other legislation. Creativity stems from a genuine partnership in solving problems—not from "carrot and stick" domination by the Federal Government.

WILLIAM H. AYRES,  
ALBERT H. QUIE,  
CHAS. GOODELL,  
ALPHONZO BELL,  
JOHN N. ERLENBORN,  
JOHN DELLENBACK,  
MARVIN L. ESCH,  
EDWIN D. ESHLEMAN,  
WILLIAM A. STEIGER.

Mr. SCOTT. I am proud to note as well that the fight to increase the Teacher Corps appropriation on the House floor this year was led by a very able young Republican Congressman WILLIAM STEIGER of Wisconsin.

These Republicans recognize that despite this year's budgetary pressures Congress must exercise discretion in cutting back, and must set priorities that protect and advance these programs which are working most effectively in areas of the most critical national need.

The Teacher Corps is a case in point. Last year it had only a total of \$17.3 million—enough to enroll some 1,150 new Corps members and to run programs in 150 school systems and 45 universities in some 30 States.

Though small, the program was where it was most needed, in 19 of our 25 largest cities, including Philadelphia and Pittsburgh in my Commonwealth, in Appalachia, in rural Mississippi and on Indian reservations.

We are only beginning to put up money for poverty education—to make a record to match our rhetoric—about equal educational opportunity for all.

The fruit of this neglect of education for those who need it most is to be read in the faces of the young boys who have been rioting in American cities over the last two summers. For a 14- or 15-year-old boy failure and hopelessness in life have been largely a matter of failure at school.

The task of reaching young people from homes without books and with uneducated parents is very difficult indeed. But it cannot be shirked.

The universities that train teachers have prepared them in the past largely for the middle-class schoolroom. These universities had little contact with the poverty area schools.

And the schools themselves, under great pressure to do better, have been faced with shortages of resources of all kinds, most critically a shortage of specially trained, dedicated teachers.

In fact many educators, in despair over the situation, have spoken in terms of a 20-year wait before really good education can be provided in the ghetto. Indeed we cannot wait that long.

The Teacher Corps provides answers to this dilemma. First, it provides a setting in which local universities and schools and neighborhood community groups can together plan and administer a program of teacher preparation and

utilization—a plan that includes new, more relevant university work, on-the-job internship training in the poverty school and community and small group instruction to introduce the interns to successful teaching.

The Corps supplies to both the university and the school a number of bright able college graduates who are eager for the challenge of working with disadvantaged children, and the money needed to train them.

The Teacher Corps interns serve in teams of five under the close supervision of an experienced teacher from the school system. They work about 30 hours a week in the school and divide the rest of their time between study at the university and work in the community. Their \$75 a week is about equivalent to what a VISTA volunteer is paid in our larger cities.

The program works.

More than 10,000 young Americans have applied for the little more than 1,000 places available in the program this summer and fall. And of those graduating from the program's first cycle last June, fully 85 percent plan to continue in education, 72 percent in poverty area classrooms.

As the *New York Times* stated recently in an editorial:

Applications are on hand from over 10,000 young Americans, black and white, who have volunteered to go to work in the slum schools and contribute to community programs. Most are this year's graduates, and they are willing to work for subsistence wages. To deny thousands of potential teachers this opportunity is to shortchange the communities that can profit most by education.

Under the auspices of Temple University and the University of Pittsburgh, the Teacher Corps is operating on a modest but successful basis in the two largest cities of Pennsylvania—Philadelphia and Pittsburgh. Philadelphia School District Superintendent Mark R. Shedd feels that he has been "personally revitalized by the spirit of commitment to urban children which Teacher Corps members bring with them. Teacher Corps members have explored and discovered new ways to reach children. They have accomplished, in many schools a oneness of purpose between teachers, parents, and children. Their achievements are real and solid." Pittsburgh Public Schools Superintendent Sidney P. Marland, Jr., concurs in this assessment, pointing out that the program has done "an excellent job in training people as teachers to understand the problems of children and their parents in a deprived community. Our program has an excellent background of university work in the cycle of human growth, development, and learning. Sociology and economic understanding are vital to our training of the Corps interns."

I ask unanimous consent to have printed in the RECORD statements from educators around the Nation lauding the Teacher Corps program.

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

#### ARIZONA

George E. Burns, Superintendent of Public Schools, Fort Defiance, Arizona: "We look forward to the work of the Teacher

Corps. It will be a real asset to the school, the community and the trainees."

#### ARKANSAS

Frank W. Smith, Superintendent of Schools Menifee, Arkansas: "Teacher Corps members are getting a new type of training which fits perfectly in the scheme of things, as designs of the Office of Economic Opportunity are portraying and as the modern educational practices determined the academic and professional procedures necessary to meet today's intellectual and economic needs."

State of Arkansas, Governor's Council on Childhood Development: "The Arkansas Teacher Corps program which is funded by the U.S. Office of Education approved by the Arkansas State Department of Education, directed by the State College of Arkansas and functions in 10 local school districts represents an impressive means of providing specialized services to disadvantaged children in elementary schools. Further, the Teacher Corps program is providing a systematic means whereby teacher training programs can be evaluated and important changes can be instituted. The Governor's Council on Childhood Development wishes, therefore, to endorse and support the Arkansas program because it has (a) demonstrated that cooperative relationships between colleges and local schools can be established; (b) initiated change in teacher training procedures, and (c) emphasized that individual assistance will enable disadvantaged children to realize significant benefits from their formal educational experiences."

Dr. John L. Vandiver, Superintendent of Schools, Russellville, Arkansas: "The Russellville Public School area is composed of a community of open minded people who are readily willing and able to accept any progressive attempt to improve education. Our Corps at Russellville has been accepted without reservation."

C. Franklin Sanders Sr., Superintendent, Clinton School District No. 1, Clinton, Arkansas: "The Teacher Corps has been an excellent program. The Corpsmen have helped us reach students in ways we had not previously considered."

#### CALIFORNIA

Donald Hodes, Assistant Superintendent, Enterprise City School District, Compton, California: "The Teacher Corps impact in this district has opened doors for children that have remained closed for too long."

Lawrence A. Elrod, Superintendent of Schools, Cutler-Orosi School District, Orosi, California: "I see in the Teacher corps another dimension added to the district which will provide well trained teachers at the end of two years. With this additional manpower supplied by federal funds, the faculty will have more time to devote to imaginative and creative teaching experience to enhance the education of all kids."

#### DISTRICT OF COLUMBIA

John M. Lumley, Assistant Executive Secretary, National Education Association, Washington, D.C.: "The Teacher Corps has been a great stimulant in assisting schools to meet the needs of central city schools through the enthusiasm and spirit of the Corps members."

#### FLORIDA

John Beery, Dean of School of Education, University of Miami, Coral Gables, Florida: "I feel that Teacher Corps is the best program I presently know of to secure effective and committed teachers for our schools in disadvantaged areas."

H. Franklin Williams, Dean, University College, University of Miami, Coral Gables, Florida, and Chairman, Economic Opportunity Program, Miami, Florida: "I have been aware of the needs for special teacher skills in schools in disadvantaged areas. My conversation with members of the Teacher Corps and with the faculty and master teachers

who work with them, convinces me that the Teacher Corps offers one way to get the necessary skills to those schools. The special knowledge of the community and the dedication which these candidates acquire must certainly enrich the educational resources of this country."

Reverend T. Wright, President, and Father Theodore Gibson, Secretary, Coconut Grove Ministerial Alliance, Miami, Florida: "We believe the Teacher Corps is one of the finest programs for better education that has been on the horizon for a pretty long time."

James McKenna, Principal, Tucker Elementary School, Miami, Florida: "The Teacher Corps has enabled the schools to experiment and discover new and more appropriate ways to instruct children who are having little success in their academic experiences. These teachers are being properly equipped with the skills that are essential for coping with the learning disabilities of our children. Not only are they being afforded an opportunity to become more effective in their instructional programs, but they are also gaining an awareness and understanding of the environmental factors that contribute to the child's learning. They have informed themselves on the problems they think are community and the agencies attempting to solve them. This program has given a ray of hope that our schools will have more teachers with the dedication to persevere, the skills to achieve success, and the knowledge and desire to bring about change."

Mrs. Charles Williams, Assistant Principal, Booker T. Washington School, Miami, Florida: "The Teacher Corps is a relatively new program in the United States but without a doubt, will have effectiveness for a long-range educational program and long-needed uplift. There is no question about its value."

Terence O'Connor, Teacher Corps Coordinator, Dade County Public Schools, Miami, Florida: "The carrying out of many effective programs in our schools in Dade County would have been impossible without the extra assistance from teams from the Teacher Corps."

Manola Reyes, Spanish News Editor, Miami, Florida: "The Teacher Corps has been recently formed but in its short life has proven to be a bridge of understanding between cultures."

#### GEORGIA

Dr. Jarvis Barnes, Assistant Superintendent for Research and Development, Atlanta Public Schools, Atlanta, Georgia: "The Teacher Corps has, through the expressed opinions of principals in the schools, provided a most worth while function to the educational community. The teachers with whom the interns worked expressed enthusiasm for the program and gratitude for assistance in providing a wholesome classroom environment."

John W. Letson, Superintendent, Atlanta Public Schools, Atlanta, Georgia: "Atlanta just ran a statistical analysis last spring on the performance and attitudes of Teacher Corpsmen, Title I teachers and regular classroom teachers. Teacher Corpsmen made the highest rating—well above any other group. I think this shows that Teacher Corps training has significant bearing on the performance and attitudes of its members."

#### HAWAII

The Honolulu Star Bulletin, October 25, 1967, Honolulu, Hawaii: "The idea for the Teacher Corps is buttressed by records—the records of youngsters who drop out of school, the records of police and courts, the records of generation after generation who retain a place on welfare or seldom move far from that niche."

#### ILLINOIS

James F. Redmond, Superintendent, Chicago Public Schools, Chicago, Illinois: "Recruiting, Preparation and Early Development of Teachers . . . Cooperative efforts between

the Chicago Public Schools and teacher preparation institutions should emphasize instruction regarding the city and initial work contact in the inner-city through student teaching, cooperative work-study, Teacher Corps, and service as teacher aides. *Increasing Desegregation of Faculties, Students and Vocational Education Programs.*"

Jerome Sachs, President, Northeastern Illinois State, Chicago, Illinois and Chairman, Chicago Teacher Corps Consortium: "Chicago's Teacher Corps—a six-college complex collaborating with Chicago Public Schools—pools the resources of the seven institutions to develop a common curriculum for inner-city school teachers. School personnel, as well as faculty from the six universities, cooperate in planning courses which are taught by the best faculty available from the six colleges and other Chicago universities. We believe this experimental program will uncover new ways to harness Chicago's tremendous educational and community resources to the solution of ghetto school problems."

Miss Maude Carson, Principal, Jensen Elementary School, Chicago, Illinois: "The Teacher Corps is a tremendous way to train prospective teachers. It takes them away from pure textbook training and puts them in live situations while they're getting their theory so that they can apply and/or modify the theory in practice. It is not only a timesaver, but a more practical way to develop teaching skills. I feel that it also gives the school a chance to use these special people to experiment with different kinds of groupings such as special reading and special math groupings. It provides the children in my community with an opportunity for organized, supervised, creative recreational and educational hours in the community. This has tended to link the school, the parents and the community more closely. I wish all prospective teachers could have been through such a program."

Burton Friedman, Principal, Oakenwald North Elementary School, Chicago, Illinois: "Teacher Corps has been an asset in my school. These are my reasons: The Teacher Corps people bring into the school another point of view. They also bring a fresh young vitality and exuberance into inner city schools which was needed to stimulate some teachers who had been teaching for a long period of time and had gotten into a sort of doldrum. Helping to train the interns of the Teacher Corps, is also helping the administration to review and where necessary revamp programs in my school. Teacher Corps also gives an opportunity to do extra things such as better training for the day-to-day substitutes and supervisory work that would not be otherwise possible."

In my school, in my experience, the Teacher Corps team has formed another link to the community. For example, there has been no Headstart program but the Teacher Corps moved into a school program which had already been instituted by people in the community but which had no trained personnel. This project is located in one of the low cost housing developments in the South Side of Chicago adjacent to the school. They give time and talent to this school project working with parents, and have had so much success that the program is now being expanded."

Mrs. Hermese Roberts, Principal, Mayo Elementary School, Chicago, Illinois: "I believe the Teacher Corps is a very wonderful idea and in my school the interns have performed well. I feel that Teacher Corps could set a new model for teacher training that would be beneficial to all teacher training programs."

Citizens Schools Committee, Chicago, Illinois: "The Citizens Schools Committee of Chicago applauds the concept of the Teacher Corps and the efforts of the young men and women who are enrolled in it. By working both in a school and in that section of the inner-city where it is located, a Corpsman is

able to effect that mutual understanding and intercommunication which is essential to the task of arousing and sustaining a pupil's desire and ability to learn. A college graduate who voluntarily assumes this difficult, time-consuming, poorly paid task is performing a very valuable service."

#### INDIANA

Dr. George F. Ostheimer, Superintendent of Schools, Indianapolis, Indiana: "The resources and instructional activities of the Teacher Corps interns have strengthened the educational program for children of low-income families. With imaginative professional leaders, the Corpsmen were innovative and resourceful in meeting the needs of the disadvantaged pupils."

Carl S. Riddle, Assistant Superintendent of Instructions, Vigo County School System, Terre Haute, Indiana: "The presence of the National Teacher Corps at Woodrow Wilson Junior High School has served as a model for other teachers in creating an awareness of the need for special motivation in dealing with economically deprived children. The result has been an improved attitude on the part of other teachers as they attack these problems."

Donald Dake, Assistant Superintendent of Schools, South Bend, Indiana: "I think the quality of the interns is outstanding. They are extremely interested in the students, the instruction and the community life. They have been able to do things in the community that teachers have not had the time to do. We have teachers who have taught in these schools for years and they are now saying, 'We thought we knew how to teach but we don't know how to teach inner-city children.' I think the Teacher Corps concept is a way to make an impact on this problem."

Daniel McDevitt, Indiana State Department of Education: "The Teacher Corps hasn't really identified anything new in the way of problems. However it has identified some successful methods and approaches that probably should be studied and attempts should be made to incorporate these into regular teacher training programs. As an example, all secondary teachers, regardless of the specialty, should have a background in basic reading techniques, many of which the Corps has found successful."

#### KENTUCKY

James Cawood, Superintendent of Schools, Harlan County, Kentucky: "I think the Teacher Corpsmen have been most helpful and have served in the deprived areas very well. They are a dedicated group and have been willing to help and work in any area in which they can be helpful. In the lunchroom, classroom, and in the community they are quite an enrichment to the community. I have had no report of any conflict and we have had three groups up here. This is better than many government programs. It is a well accepted program by the teachers, the students, the community, the Board of Education and myself. It is a very fine program. It points the way for education to better itself by allowing trainees to earn while they learn. The state should try to initiate a program similar to Teacher Corps. It is a very fine program."

Jack M. Meisburg, Administrative Assistant for Instruction, Louisville Public Schools, Louisville, Kentucky: "The Teacher Corps is a splendid idea! It has helped to bring on a new era of cooperation between the college campus and the public school system which is mutually advantageous. In fact it is difficult to decide who benefits most: the Corpsmen, the cooperating teachers, the supervisory staff of the school system, the college departments of education, or the children. I suspect it is all of these, equally. We are enthusiastic about continuing the program."

Mrs. Carrie Smith, Principal, Perry Elementary School, Louisville, Kentucky: "I am very happy to have the Teacher Corps team in the building. They are a help to the children

particularly in the disadvantaged area. The teams are energetic and cooperative and helpful to the teacher and children. Everything I know of these people is to their credit. I do hope that this program will be continued. The Corpsmen are a help and inspire the people in the community. They present a good image . . . what we need. They have leadership and we hope some of them will stay here in Louisville. They are really a credit and I do hope the program will last for a long, long time."

J. M. Meisburg, Administrative Assistant for Instruction, Louisville, Kentucky: "The community is very much aware of this fine program. One community organization recently presented the Board of Education with a list of 'suggestions,' and one of these was a suggestion that the Louisville Public Schools use the Teacher Corps as a model to work out a similar plan with local personnel."

Gene C. Farley, Superintendent of Schools, Hopkinsville Independent School System, Hopkinsville, Kentucky: "The Teacher Corps was a great help."

Owen B. Smith, Principal, Johnson School, Lexington, Kentucky: "It is a big help in the school system. It gives the kids individual help. It provides more personnel in the schools so each teacher has more time to devote to such small groups as reading groups. The Teacher Corpsmen can teach one reading group while the teacher works with another. The program has been a help and should be continued."

#### LOUISIANA

Carl J. Dolce, Superintendent, New Orleans Public Schools, New Orleans, Louisiana: "The Teacher Corps effort in New Orleans Public Schools has been a very successful one. Activities engendered by the Teacher Corps are providing the seeds for long overdue and, hopefully, more successful educational interventions. We look forward to continuation of this project."

Joe I. Giarrusso, Superintendent of Police, New Orleans, Louisiana: "Credit for the success of the community relations program at Gerttown should be given to you and the many other (Teacher Corps) people who have worked so diligently on the project. We all have a unity of purpose in mind and that is to improve conditions in these underprivileged areas."

#### MASSACHUSETTS

Harding J. Stewart, Coordinator Teacher Corps, Springfield Public School System, Springfield, Massachusetts: "Our community has responded to the Teacher Corps with hesitancy, with surprise, with warmth, and with an increasing desire to use whatever talents Corpsmen offer."

#### MICHIGAN

Norman Drachler, Superintendent of Schools, Detroit, Michigan: "Despite the usual problems of organization and program occurring in any school-university cooperative venture, there is reason to believe that the Teacher Corps is proving effective both as a way of preparing teachers and recruiting teachers for the inner-city."

"The on-the-job training has included a variety of experience which appear to have been productive for school and children as well as a part of the training process. Those experiences have ranged from the establishment of after school activities such as cooking, art, drama, dancing, negro history, basketball and travel clubs, to working with the community to set up a pre-school hour during the day where mothers can participate in a parent education program with their children, to other kinds of community action such as successfully petitioning Parks and Recreation to open a local facility on Saturday and Sunday. In addition, Corpsmen have tutored individuals in small groups. The principal at Northern credits a career conference with increasing the number of

college-bound students at that school. Corpsmen have conducted classes and in at least one school they have established a materials center where, under the direction of the team leader and the school consultant, they are actually developing and preparing materials to be used by teachers in that school. From all indications, including the evaluations of principals and our own consultant, these activities are of great value in the preparation of the Corpsmen, even as they bear fruit to the school system. Twenty Corpsmen began in September 1966 with four team leaders assigned from the teaching staff of the school system. A second cycle of nineteen Corpsmen and four team leaders began in September 1967. Twelve of the first twenty remain and all have agreed to teach in Detroit next fall. Of the nineteen in the second cycle, sixteen are still with us, most of whom have indicated a desire to remain in the inner-city."

J. Wilmer Menge, Dean, College of Education, Wayne State University, Detroit, Michigan: "The College of Education at Wayne State University is exceptionally pleased to conduct a Teacher Corps program in this community. We are in our second year of operation, and have 62 interns in the field. The Teacher Corps is one of the most realistic and relevant approaches to preparing urban teachers and in serving disadvantaged children at the same time. The impact on the college is positive and is infusing changes in our regular teacher preparation program. We are especially supportive of the close working relationship between the college and cooperating school systems in the program."

Edward Fort, Superintendent of Schools, Inkster, Michigan: "The team of Teacher Corps specialists which is operating in the Inkster, Michigan, school system at Carver Elementary School, has rendered a singularly significant service. Not only has its involvement made a discernible difference in the lives of youngsters with whom the team is working, but its liaison with parents has resulted in increased open lines of communication between the home and school. Teacher Corps must not only be retained, but expanded."

R. Clayton Jones, Assistant Executive Director, Pontiac Housing Commission, Pontiac, Michigan: "I believe the Teacher Corps can and will play an important role in developing communications channels between the parents and the teachers, especially in the area of minority group problems. During recent discussions held relative to this area, it became quite clear that many teachers were actually isolated and insulated as far as understanding the problems of minority group students. The Teacher Corps can serve as an in-service training program to sensitize teachers to these problem areas."

B. C. VanKoughnatt, Teacher Corps Coordinator, Pontiac, Michigan: "The five teams of Teacher Corps interns in Pontiac, Michigan have contributed to the educational program of our schools. We are interested in the continuation and expansion of a Teacher Corps program. The immediate benefits are equally divided between help given students and the liaison between school and community."

#### MINNESOTA

John B. Davis, Jr., Superintendent, Minneapolis Public Schools, Minneapolis, Minnesota: "As the superintendent of schools in Worcester, Massachusetts and more recently the superintendent in Minneapolis, I can report an early recognition of the value of the Teacher 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 . . . It is our earnest hope that more adequate appropriations by the present Congress will make pos-

sible a realization of the potential role Teacher Corps can play in effecting an improvement in educational opportunities for all American children."

Larry E. Harris, Director, Urban Coalition of Minneapolis, Minneapolis, Minnesota: "You can be assured that we will do everything possible to help the people of our community become more aware of this excellent (Teacher Corps) program and to provide whatever support we can."

#### MISSISSIPPI

Carl Loftin, Superintendent, Marion County Schools, Columbia, Mississippi: "The Teacher Corps is a very good program and I personally would like to see it set up permanently for training future teachers."

Sam Spinks, Superintendent, Hattiesburg Public Schools, Hattiesburg, Mississippi: "The use of the 'team approach' has been an excellent way of beginning integration of faculty. Acceptance by a small group and a limited number of schools has spread over the entire system."

#### NEBRASKA

James Cisar, Principal, Howard Kennedy School, Omaha, Nebraska: "I would like to see the Teacher Corps become a permanent service supported by the local Board of Education. This type of service training as an asset to our school and community as well as to the individual intern, who because of this experience, will have a more thorough background and understanding of the problems existing in poverty areas."

Paul J. Turnquist, Assistant Superintendent of Schools, Omaha, Nebraska: "Teacher Corps, in my opinion, is one of the most realistic approaches to preparing teachers for disadvantaged children. It is a break in the traditional program which in many cases has been inadequate. Much of Teacher Corps can be copied in teacher training programs."

#### NEW MEXICO

M. E. Linton, Superintendent of Schools, Hatch, New Mexico: "The community has accepted the Teacher Corps as an important aspect of the total educational program. Teacher Corps personnel through performing a supporting role, contribute much to the social, cultural, and educational advancement of the students with whom they come in contact."

#### NEW YORK

Joseph Manch, Superintendent, Buffalo Public Schools, Buffalo, New York: "The Buffalo Public Schools has had an excellent experience with the Teacher Corps over the past two years. The program has provided our schools with a highly innovative service of great value to both inner-city pupils and teachers."

"Aside from the value of having Teacher Corps teams operating in the schools, the program offers an opportunity for a close working relationship with the State University of New York College at Buffalo. This has been of great value to the Buffalo Public Schools and the college. The innovative practices which were initiated and carried out by the Corps in cooperation with the schools has provided new education procedures which are being added to our existing program."

"In conclusion, we are extremely pleased with all aspects of our experience with the Teacher Corps. Because of our satisfaction we are eager to participate in another cycle of the program and are prepared to offer fullest cooperation in assuring its success."

Bernard E. Donovan, Superintendent of Schools, New York City, New York: "Our experience this year already indicates that the interns constitute a valuable resource for the enrichment of education, and that the training received by Teacher Corps interns is extremely valuable in enabling them to better cope with the problems of teaching disadvantaged children. Also our school sys-

tem is being provided with a reservoir of additional teachers."

#### NORTH CAROLINA

Samuel S. Smith, Secondary Supervisor, Haywood County Board of Education, Waynesville, North Carolina: "Of all the Federal programs in operation, the Teacher Corps program is, in my estimation, the most promising from the standpoint of dollar-return, personnel development, conservation of human resources, and alleviation of the problems presently facing our society in general and the impoverished in particular. In addition, it is the shot-in-the-arm needed so long in public school education being, as it is, a vehicle for constructive change, teacher training—and up-grading certification."

T. L. Woodard, Superintendent, Almond Elementary Schools, Bryson City, North Carolina: "The Almond Elementary School community and faculty were somewhat reluctant to cooperate with the Teacher Corps in the beginning but before very long they were enthusiastic and excited because of the work they were doing with under-privileged children."

"It has been a very worthwhile experience for the Teacher Corps Interns, the school faculty and the community. It has been beneficial to all concerned."

Berry Floyd, Teacher Corps Coordinator, Macon County Schools, Franklin, North Carolina: "Parents feel that the Teacher Corps provides a direct contact between the home and the school. This works for better relations with deprived homes feeling that they belong as never before. Our Teacher Corpsmen work well with deprived students."

Paul Buchanan, Superintendent, Jackson County Schools, Sylva, North Carolina: "It's as though Teacher Corps were designed especially for Canada Township."

J. H. Melton, Superintendent, Haywood County School System, Waynesville, North Carolina: "The Teacher Corps is an excellent example of local, state, and federal cooperation in a critical area of our society. This program is having a profound influence on the profession in the form of changes in teacher certification, techniques and methods; the role and responsibility of a teacher; and the relationship of the teacher to the community and its problems. Too long have we uttered pious words about the child-centered school and the community-minded teacher while both drifted farther away from reality. Corpsmen are bringing us back to the needs of children and the real problems of our communities."

Mrs. Gertie Moss, Principal, Canada Township, Canada, North Carolina: "For the first time, the children and their parents feel like they are really people. We have all begun to hold our heads a little higher because CAP, VISTA, and the Teacher Corps, have come into our community to help us."

#### OHIO

Paul W. Briggs, Superintendent, Cleveland Public Schools, Cleveland, Ohio:

"The Teacher Corps has provided a useful service in Cleveland's central city schools and their neighborhoods. Bright, able, and committed, Cleveland's Corpsmen have not only done their jobs well in the schools but they have also involved themselves with the community agencies of Greater Cleveland. Their activities include tutoring and counselling at the Bell Center in Hough, working with Neighborhood Youth Corps drop-outs to help them stay on the job, developing special reading classes for Central and Glenville youth, teaching at Cleveland's Adult Education Center."

"I believe that Corpsmen will be better inner-city school teachers because of their extended work-study internship which combines university study with actual work in city schools and communities. The Corps is particularly useful to us because we are training people to work with the disadvantaged."

#### OREGON

Willard Fletcher, Teacher Corps Coordinator, School District #1, Portland, Oregon: "Local recruitment has shown that we have fine local resources. The calibre of this year's Teacher Corps recruits leaves nothing to be desired."

#### PENNSYLVANIA

Mark R. Shedd, Superintendent, School District of Philadelphia, Pennsylvania:

"Simple statistics indicate that our response to the needs of urban, and particularly inner-city, children and youth have a long way to go. Quick 'gimicky' responses and programs have not effected significant results in our attempts to grapple with the functioning of the schools which should serve these children. If anything, they have only reaffirmed the central significance of the teacher and his approach. At a time when teacher unions speak more and more of the impossibility of the task, the Teacher Corps has responded with powerful and hopeful alternatives within Philadelphia schools."

"I have been impressed, indeed, personally revitalized, by the spirit of commitment to urban children which Teacher Corps members bring with them—a spirit concretized in a storefront community center serving the young people of one of our most troubled high schools, in a mobile bookstore serving the North Philadelphia community which lacks a single bookstore; in the study centers conducted in four homes within an elementary school neighborhood; in a drop-out program organized in collaboration with the Temple University Mental Health Center."

"Teacher Corps members have explored and discovered new ways to reach children. They have accomplished, in many schools, a new oneness of purpose between teachers, parents, and children. Their achievements are real and solid. But it is their process which counts. It is a process which is contributing to a growing conviction that the emergence of a new school system within our city is not a lost dream, but a possibility."

Sidney P. Marland, Jr., Superintendent, Pittsburgh Public Schools, Pittsburgh, Pennsylvania:

"The Teacher Corps is doing an excellent job in training your people as teachers to understand the problems of children and their parents in a deprived community. The neighborhood school laboratory is providing experiences designed to foster community involvement. In addition strategy of teaching are based upon the problems presented."

"Our program has an excellent background of university work in the cycle of human growth, development and learning. Sociology and economic understanding are vital to our training of the Corps interns."

"The first cycle interns are really beginning to find the 'feel' for full-time teaching."

Marcus Foster, Principal, Simon Gratz School, Philadelphia, Pennsylvania: "At Simon Gratz High School, which is in the heart of the pocket of poverty, a disadvantaged community has great need of teachers who have an understanding of subject matter and of the community. The Teacher Corps has demonstrated proficiency in both. In a recent mobilization of community support for the expansion of the high school, the Teacher Corps played a prominent part in bringing to the attention of the public the disadvantaged that plague our city. The situation of overcrowding has, for a number of years, denied our students maximum intelligent fulfillment. The Teacher Corps has also helped to cure this situation."

Leon Osview, Assistant Dean, College of Education, Temple University, Philadelphia, Pennsylvania: "Temple University's College of Education is now operating some 22 cooperative programs with the Philadelphia School District. In our judgment, Teacher Corps is quite probably the most significant of these, for several basic reasons. One is that Teacher Corps' planning and work experi-

ences are contributing new, exciting and effective ideas to our entire teacher education program. The second is we are really preparing—for the first time—teachers who are specialists in teaching children from the urban ghettos. The third is that our cooperative relationship with school district and community people have been greatly strengthened. A fourth is that Corpsmen success has changed the attitudes of Philadelphia from hostile to supportive, not only for Teacher Corps but for many other programs as well. We hope that Teacher Corps in some form or another becomes a permanent institution."

#### PUERTO RICO

Juan Antonio Otero Colon, Superintendent of Schools, Torrecillas Parcels, Morovis, Puerto Rico: "There is a favorable attitude of Corpsmen toward their work and toward school. They have felt the necessity of working out projects leading up to improve the teaching-learning situation and the relationships between teachers, directors, students, and community."

#### RHODE ISLAND

Charles O'Connor, Superintendent, Providence Public Schools, Providence, Rhode Island: "I feel that the Teacher Corps has been of inestimable value to the Providence School Department in achieving its goal of city-wide integration. Through the cooperation of the Teacher Corps personnel, we have been able to reduce class size in the ghetto schools of the city and to achieve a degree of mediation never before tried in this system."

#### TENNESSEE

Tipton Estep, Superintendent, Carter County Schools, Elizabethton, Tennessee: "We were skeptical of Teacher Corps at first, but now that we have learned what a tremendous contribution they are making to our school system we wouldn't know what to do without them. Some of the contributions which come to mind are: First, they're providing tutorial assistance for some of our most disadvantaged pupils. Secondly, they're helping to reduce the teacher-pupil ratio in some of our most overcrowded schools. Thirdly, they're operating community centers in our county. And last they're finally getting parents involved in an adult basic education program which we feel will be of value to the total school system."

Robert Grindstaff, Principal, Pine Grove School, Hampton, Tennessee: "I didn't want anything to do with the Teacher Corps when it first came here. As you know, I have the most unusual school in this county, 23 students, grades one through eight and no modern facilities. Well, after a while I gave your intern a chance to do something. Now he has actually taken four of the grades and is teaching them some modern stuff. His influence in the community has helped the parents a lot. They finally started to be interested in our program and to make demands on the school system. I think he is a great asset to our total program."

Everett Gilley, Principal, Bernard School, Johnson City, Tennessee: "I would like to say 'Amen' to the praises of the Teacher Corps. I don't know what I did before they came to my school and this community. But I guess now I would have to close the doors if they left. We can see many innovations taking place as a result of Teacher Corpsmen here. I'm just happy to be associated with them."

Earl C. Sams, Supervisor of Instruction, Carter County Schools, Elizabethton, Tennessee: "The Teacher Corps has raised the standard of living in the poverty homes of our country in both Black and white, and has helped give the students a new outlook on life."

Isaiah Goodrich, Principal, Ford Road School, Memphis, Tennessee: "The Teacher Corps is the best thing that ever happened to our school. Every day it is a delight to be

with them. What's going on here inspires me to want to do more."

## TEXAS

Frank Dzierzanowski, Director of Programs, Fort Bend Independent School District, Stafford, Texas: "Our principals and teachers have been happy to have Teacher Corps personnel work with them. The requests for Teacher Corps personnel have been greater by far than the number available."

Jack N. Gray, Superintendent, Waelder Independent School District, Waelder, Texas: "The school administrators in the Waelder Independent Schools felt that Teacher Corps personnel contributed very much to the success of the total school program."

G. M. Blackman, Superintendent of Schools, Smithville Independent School District, Smithville, Texas: "Teacher Corps personnel has enabled us to provide services and experiences to our disadvantaged students that we would not have been able to provide otherwise."

Keith H. Ferrell, Teacher Corps Coordinator, El Paso Independent School District, El Paso, Texas: "Our Teacher Corps members sort of made life worth while in a school where all of us work extra hard to make that extra measure of progress with children who have so far to go to make it to equal footing with other young people in our society. We think it takes a little more of everything in our school to do the job . . . and most of all a little more of pupil personnel services as well as the extended instruction."

Rodolfo A. de la Garza, Superintendent, Rio Grande City Consolidated I.S.D., Rio Grande City, Texas: "From the purely educational point of view, the Teacher Corps, in my opinion, is the best that Washington has come up with."

A migrant parent, Ben-Bolt Palito-Blanco School District, Ben-Bolt, Texas: "These people have done more for our kids than we have done. When they're gone, it will all stop unless we start helping now so we can do it all when they leave."

## VIRGINIA

S. B. McMullen, Member of Executive Committee PTA, Gloucester, Virginia: "We wish that a Teacher Corps team could remain with us forever."

## WEST VIRGINIA

Daniel B. Taylor, Superintendent of Schools, Wood County, West Virginia, Parkersburg, West Virginia: "This is the single best educational program funded by Congress in the past four years. It should be adequately funded. 75% of our Teacher Corps members have chosen to stay on with us after their two year commitments."

## WISCONSIN

George W. Denemark, Dean, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin: "In spite of the complications which we encountered here at the University of Wisconsin-Milwaukee in the initiation of our program and its funding, we have been delighted to be associated with this important project. Of particular significance, in my judgment, has been the opportunity which our Teacher Corps program has provided for close University-Public School System cooperation. Our present program includes interns working in both the Milwaukee Public Schools and the Racine Public Schools. The program has provided a means by which a number of our faculty members could work closely with representatives of the public schools in a common effort to improve the education of boys and girls. In the case of the Milwaukee Public Schools such cooperation has developed to a point where the director of our program is on a joint appointment with the Public Schools. Further, a key member of the Public School staff, recently retired, has joined our staff and has greatly facilitated the relationships between School System and University."

"Another important contribution of the Teacher Corps program can be found in its emphasis on the designing of teacher education programs to meet local school needs. Rather than detaching preparation programs from the reality of school and community as is too often the case at many institutions, this program has emphasized efforts to build in prospective teachers a sensitivity to community problems and school needs and to design their training programs to effectively meet those problems and needs."

"Much more could be said in support of the Teacher Corps program but let me simply conclude with reaffirmation of our enthusiasm for the program and our sincere hope that it will be continued and expanded in the years ahead. If there are ways in which this office can be of assistance to you in support of the National Teacher Corps please feel free to call upon us."

Mr. SCOTT. The challenge is squarely up to the Senate. This year the House allowed only \$15 million for the program, a reduction from the \$17.3 million spent during the last year. The Senate Appropriations Committee restored only enough to bring the figure up to last year's level.

This is a program that deserves the highest priority. It ought to and must be expanded.

Speaking in all candor, Senators are familiar with the bargaining process that goes on in an appropriations conference between the Senate and the other body. If we are serious in our recognition and support of the Teacher Corps program, if we are serious about providing the maximum possible opportunity for our young people to put their sense of concern to work where it is most desperately needed, then we must support a truly adequate level of funding for the Teacher Corps today.

Let me close by saying just a word about the problem of forward funding.

For the past 3 years funding for the Teacher Corps has been in doubt up until the last minute. In order to have any programs at all it has been necessary for schools and school boards and universities to plan for these programs, even to commit staff for running them, without solid assurance that funding would ever materialize. It is a great tribute to the quality and excitement of the program, and to the willingness of schools and universities to seek ways to change and improve, that so many have been willing to take these chances.

All have gone through prolonged periods of anxious uncertainty. Many have been disappointed in the end when the funds were not available. This is no way to run a business, let alone a program that requires a complex planning process at the local level involving a school system, school board, university, community groups and the State department of education.

Virtually every other Office of Education program that contracts with universities for education programs is now on a full year's forward funding so that a university knows in the fall of one year how much Federal program money will be available to it for the following academic year.

The amendment to the appropriations bill now before the Senate asks for \$3.2 million to provide partial forward funding for the Teacher Corps—enough

money to provide for 1,500 interns this summer and partial forward funding for another 1,500 interns next summer.

It is crucial to the continued success of the program, and especially necessary if the full value of local planning and local control of the program is to be realized.

I therefore urge the adoption of the amendment, and yield back the remainder of the time.

Mr. NELSON. Mr. President, I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, during this debate on the Labor-HEW appropriation bill I would like to call your attention to an important aspect of that bill. The Appropriations Committee has recommended that the Teacher Corps be funded for \$17.3 million in this fiscal year. This is the same amount that the Corps spent last year. This means that this excellent young program will not be able to expand. In fact, in some cases, it will have to cut back on its programs.

More than 10,000 young men and women, representing the best of our youth, have applied for the Teacher Corps. This \$17.3 million that has been recommended will only allow the Teacher Corps to maintain 1,500 interns in the field. Ten thousand college graduates want to go into the ghettos and poor rural areas of this Nation—they want to work for a pittance—they want to do their bit to help solve our most serious educational problems. Yet, under this funding arrangement, we are allowing only a little over one out of 10 to help. I believe in economy but this is the pennywise and pound-foolish type of economy. The Teacher Corps wants to make future taxpayers out of these children—not taxeaters—but we will not let the Teacher Corps do its job.

The Teacher Corps is the only Office of Education program contracting with universities, that does not have forward funding. The Corps needs the full \$31.2 million appropriation not only for programs that can begin later this fall, but even more importantly so that adequate planning and commitment can be done for programs beginning next June and July.

Schools and universities work 6 months to a year ahead in planning their programs. If forward funding for a Federal program is not available schools and universities have to gamble on favorable congressional action for the Teacher Corps. This amendment introduced by Senator NELSON and by Senator Scott would eliminate this uncertainty.

Because the Teacher Corps programs are local in control and inspiration it is absolutely vital for them to get an early start.

The Teacher Corps is involved in many dynamic new programs. Let us not tie their hands. Let them go forward. I recommend that the Teacher Corps be funded for its requested \$31.2 million.

As chairman of the Subcommittee on Education, I have followed this program in great detail ever since the Senator from Wisconsin [Mr. NELSON] and the Senator from Massachusetts [Mr. KENNEDY] introduced it in the first place. It has already produced great benefits for

the amount of money we have spent on it. I plead for the full amount requested by the Nelson-Scott amendment.

Mr. NELSON. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. NELSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Wisconsin has 13 minutes. The opposition has 30 minutes.

Mr. NELSON. How much time does the Senator from California wish?

Mr. MURPHY. I would like 4 minutes.

Mr. NELSON. I yield 4 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. MURPHY. Mr. President, as one of the signers of the letters to the Appropriations Committee urging full funding of the Teacher Corps program, I rise in support of the amendment.

I might point out that last year I voted against increasing funds for this program. I am now satisfied that the program is doing a good job, and doing it very well. There are some areas where there can be improvement, but I heartily and enthusiastically support it.

Mr. MORSE. Mr. President, will the Senator yield for 30 seconds?

Mr. MURPHY. I am happy to yield.

Mr. MORSE. I simply wanted to say that this is typical of the work of the Senator from California on my committee. Furnish him with the facts, and I can submit many instances in which he has changed his position. I am always glad to see people able to change their positions when the facts justify a change.

Mr. MURPHY. It is fair to say that many in the Congress as well as many educators across the country were somewhat skeptical when the Teacher Corps program was begun. California educators also had mixed feelings regarding the program. Many adopted a wait-and-see attitude.

Some of the concern and fears were that the Teacher Corps program might "steal" teachers from the regular school system. However, as the program has developed, the facts are, as reported to me by Dr. Max Rafferty, State superintendent of schools in California—and, may I say, presently a Republican candidate for the U.S. Senate—that the Teacher Corps has attracted college graduates who, but for the Teacher Corps program, would not have entered the teaching profession. Even more important, Dr. Rafferty advises me that the vast majority of the college graduates attracted to teaching continue to stay in the teaching profession after their Teacher Corps experience. I am told that this figure, nationwide, is running as high as 85 percent. In California, I understand the figure is 90 percent.

Second, there was concern over Federal control. As my colleagues know full well, I am one of those Senators who not only is opposed to Federal control, but also I am in favor of returning much more control to the States.

As initially proposed, there were some grounds for these fears, but Republican-sponsored amendments designed to assure local control of the Teacher Corps

in my judgment not only strengthened the program itself but was also responsible for removing this fear of Federal control.

Mr. President, the country hears much of the small minority on the college campuses who would disrupt and tear down our society. The Teacher Corps program, in my judgment, is tapping the tremendous resources of the idealism of our youth that wants proper direction and proper goals. It is providing a needed lift, a dedication, and some needed teachers for our disadvantaged children whether they be in our slum or rural schools. Also, they are serving the migrant children whose needs are very great. For the migrant children, in addition to sharing the handicaps of many slum and rural children, frequently have language problems and this, combined with the mobility of their families, compound the educational problems of the children.

It is a shame that the press gives so much attention to the few in our society who would disrupt and so little attention to the many young people such as those serving in the Teacher Corps. They are doing exactly the opposite. They are building. They are providing progress rather than destruction.

Mr. President, we know the difficulty in attracting and retaining quality teachers in our slum and our disadvantaged rural schools. Yet, we know that 70 percent of the youngsters in the slum schools within our large cities drop out of school. Whatever obstacles exist, whatever the odds, an imaginative and determined teacher can make a difference and can change these odds. Young members of the Teacher Corps are trying and, from what I hear, are making a difference. I believe we should allow their efforts to continue and allow them by their acts to demonstrate what youth idealism combined with responsible and needed action can do to bring about change in the Nation.

I hope that the Senate will express its confidence in these young people and in this program on the actual record of accomplishment.

I support the amendment most enthusiastically.

Mr. NELSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Wisconsin has 8 minutes remaining.

Mr. NELSON. Mr. President, I yield first, 4 minutes to the Senator from Oklahoma, and I will then yield 3 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 4 minutes.

Mr. HARRIS. Mr. President, I very strongly point out that there is no program with which I have been associated since I have been a Member of the Senate that I have been prouder of than that of the Teacher Corps.

Mr. President, I rise in support of the amendment offered by the distinguished Senator from Wisconsin [Mr. NELSON] which would appropriate for the Teacher Corps \$31.2 million, the amount requested by the administration.

Some 13 months ago when a similar

amendment was being debated, mention was made that the President's Commission on Civil Disorders was beginning its deliberations. At that time I was able to report to the Senate that early testimony before the Commission pointed to the need for emphasizing innovative approaches to education in the ghettos and in other poverty areas if long-range solutions to the problems of civil strife were to be found.

Mr. President, as members of the Commission visited city after city where civil disorders had occurred, we heard universal praise for what the Teacher Corps was doing. Mayors and local school officials were crying for many more corpsmen.

It is therefore not surprising that one of the recommendations in the Commission report concerned the Teacher Corps. A portion of it speaks directly to the issue we face today:

The teaching of disadvantaged children requires special skills and capabilities. Teachers possessing these qualifications are in short supply. We need a major national effort to attract to the teaching profession well-qualified and highly motivated young people and to equip them to work effectively with disadvantaged students.

The Teacher Corps program is a sound instrument for such an effort. Established by the Higher Education Act of 1965, it provides training in local colleges or universities for teacher interns—college graduates interested in teaching in poverty areas. Corpsmen are assigned to poverty area schools at the request of a local school system and with approval of the state education agency. They are employed by the school system and work in teams headed by an experienced teacher.

The impact of this highly promising program has been severely restricted by limited and late funding. As a result, there are now only 1,506 interns and 337 team leaders for the entire nation. The Teacher Corps should be expanded into a major national program. Funding should be provided at a level realistically scaled to the supply of interns and the need for Corpsmen and on a timely basis, so that prospective applicants can plan to enroll.

Mr. President, unless this amendment is passed, the number of interns for this school year will be reduced, not expanded. The House-passed figure of \$15 million would force a 50-percent cut in corpsmen to only 1,000, and the Senate Appropriations Committee figure of \$17.3 million would cause a reduction of 25 percent to some 1,250. Equally damaging, neither of these amounts permit any forward funding so local school boards, universities where training takes place, Teacher Corps applicants and Teacher Corps officials would continue to be hamstrung, unable to make the necessary plans to implement a dynamic program.

Mr. President, this amendment offers the Senate an opportunity to support the Teacher Corps to an extent which it has earned. As Edgar Fuller, executive secretary of the Council of Chief State School Officers, has said:

We did and will continue to cooperate with programs which show the ability to adapt themselves to a real federal-state-local partnership in education. The Teacher Corps did and we did.

It is time for the Federal legislative branch to appropriate adequate funding

so that this partnership can move forward.

There is general agreement that today's young people are the best educated, the most dedicated, and the most committed of any generation. This past year more than 10,000 of them applied to serve the Nation's disadvantaged children through the Teacher Corps. It is past time for us to unshackle this agency so that they may more effectively be the channel for this desperately needed service. I strongly support the amendment.

Mr. NELSON. Mr. President, I thank the Senator from Oklahoma. I point out that there are 24 sponsors of the amendment, of which the distinguished Senator from Oklahoma is one, and that 40 Senators signed letters approving it.

Mr. President, I yield 3 minutes to the distinguished Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 3 minutes.

Mr. FANNIN. Mr. President, I support the amendment. I do so because of some special educational programs badly needed in some regions of the country—nowhere more so than on Indian reservations in Arizona and throughout the Southwest. It is a proven fact that Indian children are among the Nation's most educationally disadvantaged groups and I have urged on numerous occasions, primarily as a result of findings of my work on the Special Subcommittee on Indian Education, that Government underwrite the cost of making more teachers and more educational services available to schools, Federal and State, with sizable Indian enrollment.

The Teacher Corps has, in fact, started doing this though certainly not on a scale required to make more than a dent in the problem. The Teacher Corps program at Northern Arizona University, which trains new and experienced teachers for work on the giant Navajo Reservation, has been remarkably successful. Many of the corpsmen are themselves Indians and all have had intensive training in the language and culture of the Navajo people.

There are, however, great expenditures of millions of dollars wasted in this and other OEO programs poorly conceived and poorly administered. There have been instances of abuses of taxpayer funds, blatant and widespread. I hope that it is curtailed and, in fact, eliminated.

Wisdom dictates that we get our financial and administrative houses in order, but the need for Indian educational improvement is so great that I will support the request for additional funds at this time.

I hope in the future there will be greater cooperation and coordination of effort by the OEO personnel with the tribal councils, the chairman, and other leaders on the Indian reservation.

One very disturbing statement I heard emphatically expressed by Indian leaders was that in the Federal programs on the reservations "the right hand did not know what the left hand was doing." I hope this situation will be corrected along with the elimination of waste that is so abundantly evident.

The tribal council and reservation

leaders have a right to enter into the decisions and planning on all Federal programs on the reservations.

The Indian leaders on reservations should have the same freedom from Federal controls that are prevalent in other areas.

Mr. President, I ask unanimous consent that an article and editorial supporting this program be placed in the RECORD following my remarks.

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

REPORT ON THE TEACHER CORPS PROGRAM  
IN ARIZONA

The first Teacher Corps program in the country serving only Indian schools is now underway in the State of Arizona. The participating institutions are Northern Arizona University, a recognized leader in improving educational opportunities for Indian children of the Southwest, has joined with seven public and BIA boarding schools located on the Navajo reservation. They have developed a program that will provide special assistance to Indian children whose education has been handicapped by poverty and lack English.

A great deal of planning went into the design of the program, in order to meet the need for Corps members to live at the schools and yet pursue their education at the University. The program has been approved by the State Department of Education and the State Director of Teacher Education and Certification, John A. Freestone, who stated:

"As I study the basic purposes of Teacher Corps, it seems there couldn't be a more relevant application of those principles than those afforded in this project . . . The great purpose that will be the preparation of teachers, preferably Indians, for teaching on the Reservation. Along with training on the Reservation, we want them to continue teaching there and this pattern of training will give them a thorough understanding of the Navajo culture. I consider one of the strong features of this program is the training of Corps members in the Navajo language. There is a trauma for children in the present situation because language is a barrier as they come from a Navajo-speaking home to an English-speaking school. This language component of this project is one of the exciting parts of the program."

Under the direction of Dr. Christian L. Pederson and the local school administrators, 34 interns and 5 team leaders are now undergoing intensive preservice training at the University, including study of the Navajo language and culture. Both undergraduates and graduates are enrolled as interns, and 11 of the undergraduates are Navajo Indians.

The interns will serve in 5 teams under the 5 experienced teachers chosen from regular staff at the schools. Participating schools are the Tuba City, Chinle, Window Rock, and Ganada Public Schools, and the Chinle, Dilcon, and Leupp Boarding Schools. Once a week, during the two years of inservice training, they will drive to Keems Canyon, in the center of the reservation, for their university coursework. Professors from NAU will fly to Keems Canyon for "on-site" university. Undergraduates in the program will work toward a Bachelor's degree in education, while graduate students will receive a Master's degree at the end of two years. All interns will be certified to teach in Arizona at the successful completion of their service in the schools.

The first Teacher Corps program in the State of Arizona was developed by the University of Arizona at Tucson and the Tucson Public Schools. A new proposal was not submitted this year to continue the program.

Teacher Corps programs have won the enthusiastic endorsement of educational lead-

ers across the country for their flexibility in adapting to local situations. The new Northern Arizona program is one of the best examples of a locally-developed project specifically designed to meet the needs of a particular area. Experience has shown that two years of on-the-job training and service creates a desire among graduate interns to remain in the community and accept regular teaching positions.

[From the Arizona Daily Sun, Aug. 12, 1968]  
AIMS AT INDIAN EDUCATION: NAVAJO "INTERN" PLAN SET

A two-year Teacher Corps program is underway at Northern Arizona University and its prime aim is to promote education for Indian youngsters on the Navajo reservation.

Currently 34 interns and five team leaders are going through a six-week orientation period. Immediately after the pre-service program concludes on Aug. 30, the interns will report to one of seven reservation schools for assignments as tutors to individuals or small groups, or assisting the classroom teacher.

Generally the interns (teacher aids) will learn teaching techniques as they apply to Indian students. After the 1968-69 school year closes, the interns will return to NAU to continue their schooling. In the case of the 14 undergraduates they will pursue coursework that will lead to their bachelors degree and those with B.A. degrees will work on advanced degrees.

Schools, beside NAU, participating in the program are: Leupp, Dilcon, and Chinle, all boarding schools while public schools are Chinle, Tuba City, Window Rock, and Ganado.

The U.S. Office of Education and NAU are working cooperatively on the \$580,000 project according to Christian L. Petersen, a member of NAU's College of Education faculty who is directing the program.

At the culmination of the two-year program on May 30, 1970, the participants will have either a bachelor of science degree in elementary education or a master of arts in elementary education.

A preliminary study by NAU indicated the educational situation on the Navajo Reservation includes the following problems: (1) Children come from families with incomes of less than \$1,300 a year—less than \$30 a week; (2) Less than half of the Navajo people speak or write English; (3) Cultural differences between the teacher and student is often too great for the youngsters to overcome; (4) Because of the cultural differences, the teacher (non-Indian) is unable to plan effectively; and (5) Lack of communication frequently causes the teacher to reject the Indian student.

The "Indian Teachers for Indian Students" movement hopes to stimulate Indian students, once they obtain their college degrees, to enter the teaching profession—something very few are currently doing.

Of the 34 interns, 11 are Indians.

Other objectives of the program include: (1) Encouraging potentially qualified degree holders into teaching; and (2) Attract good teachers into the teaching communities on the Navajo Reservation.

The Interns will study rudiments of the Navajo Language, learn to teach English as a second language, become familiar with the economic structure on the reservation, study anthropological and sociological foundations as they apply to the reservation communities, and establish a better link of communication between the school people in these reservation schools, as well as obtaining a realistic view of what to find in these teaching communities.

The intern program has attracted six husband-wife combinations, they are: Pete and Pat Belletto of Hollister, Calif.; John and Sharon Boomer of Chico, Calif.; James and Clara Canaris of Lemon Grove, Calif.; Mike

and Judy Hughes of Phoenix; Don and Donna Williams of New Boston, Tex.; and Albert and Bessie Yazzie of Wide Ruins, Ariz.

Northern Arizonans participating include Christina Arnsen, Charles Carter, and Bill Gillenwater, all of Flagstaff; Guy Archambault, Cynthia Lomadafkie, Dennis Nebe, Idella Poocha, and Geraldine Tauchin, all of Tuba City; Valerie Begay, Emma Jean Cooper, Carmen Dykema, Della Klassen all of Ganado; Richard Mike, Chinle; and Priscilla Mowrer are from Fort Defiance.

Team Leaders are: Robert Beatty, Leupp; D'Wayne Farr, Window Rock; James Hamilton, Chinle; Luis Sanchez, Tuba City; and John Trodden.

Mr. NELSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Wisconsin has 1½ minutes remaining.

Mr. NELSON. Mr. President, I reserve the remainder of my time.

Mr. HILL. Mr. President, I yield myself such time as I may require.

The House allowed \$15 million, and the Senate allowed \$17.3 million. We increased it by \$2.3 million. The representatives of the Teacher Corps, from the Department of Health, Education, and Welfare appeared before the committee, and they asked that we restore \$9,667,000, which would make a total of \$24,667,000.

I wonder whether that would be agreeable to the Senator, since the Department asked for that amount.

An amendment was offered on the floor of the House to add \$2.3 million for the Teacher Corps, and the amendment was rejected by the House. The Senate committee did add the \$2.3 million although the House had rejected it.

When the representatives of the Teacher Corps came before the committee, they asked for an additional \$9,667,000, making a total of \$24,667,000.

Would that be agreeable to the Senator from Wisconsin?

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. HILL. I yield to the Senator from Wisconsin.

Mr. NELSON. Mr. President, I ask unanimous consent that the orders for the yeas and nays on the amendment be rescinded.

Mr. MORSE. Mr. President, reserving the right to object, I would like to know why.

Mr. NELSON. A number of Senators are not in the Chamber at present, and we think we could handle the matter with a voice vote.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. I will yield to my leader, the chairman of the committee.

The PRESIDING OFFICER. Without objection, the order for the yeas and nays is rescinded.

Mr. NELSON. Mr. President, does the Senator from Alabama yield back the remainder of his time?

Mr. LAUSCHE. Mr. President, if there is to be a voice vote, I should like to express my view.

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Ohio?

Mr. HILL. I yield to the Senator from

Ohio. How much time does the Senator desire?

Mr. LAUSCHE. Three minutes.

Mr. HILL. I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I can well understand why the manager of the bill has yielded to the suggestion that there be a voice vote on the amendment. Thus far we have had six amendments offered to increase the expenditures in this Department of Government. Each of the amendments has been adopted by a vote of approximately 2 to 1. So the fearless and brave Senator from Alabama has concluded that it would be futile to try to break the barrier of what is happening, and thus has surrendered what I believe to be his honest judgment about the inadvisability of expanding the spending in this program.

The total amount of increases is \$385,164, but the last voice still has not been heard. I do not know how many more amendments will be offered to expand the spending. The committee itself, in the recommendation it made, increased the spending for the program over the amount recommended and passed by the House by \$1,255 million.

I suppose that on the basis of the signs that have been prevalent today, we can expect that the spending program in this Department will be increased by \$2 billion above the amount recommended by the House. Well and good. I cannot go along with it. I cannot go along with it on the basis of the fact that we are going to have a \$25 billion deficit. I cannot go along with it on the basis that the Senate loudly spoke out to the people of the Nation not more than a quarter of a year ago and said, "We will make you pay a 10-percent surtax, but we will also cut spending." Well, the 10-percent surtax will have to be paid. Instead of being cut, the spending will be increased. I cannot subscribe to that type of conduct.

Mr. CASE. Mr. President, as a cosponsor of this amendment, but more importantly as a Senator who long has been concerned about the education of the children of this Nation, I urge the Senate to grant full administration request for funding of the Teacher Corps.

This program, along with other education programs, deserves the highest priority. It should be expanded and strengthened.

The Teacher Corps was established by the Higher Education Act of 1965 to focus increased attention on the educational needs of disadvantaged children in poverty areas of this country.

The program is based on the concept that this country does not lack well-qualified and highly motivated young people, a concept that has been proven successful by the Peace Corps.

Since initiation of the Teacher Corps, the young people of this Nation have once again demonstrated that they are eager to get involved in solving the problems of this country. They have shown that they are ready to accept a challenge to help those less fortunate than themselves.

Some 10,000 of them have applied to help solve an annual shortage of 172,000 teachers. Those who have already com-

pleted the program are staying with the challenge. Seventy-two percent of this year's first graduating class say they will stay in poverty classroom work. Eighty-five percent say they will stay in teaching.

The potential of the program has been widely recognized. Calls for expansion have come from the National Education Association, the American Federation of Teachers, the Kerner Commission, and many other groups.

But the impact of the program to date has been severely restricted by limited and late funding.

My own State of New Jersey, the most urbanized State in the Nation, provides a vivid example of both aspects of this restriction.

Last year there were only 10 Teacher Corps interns in the whole State of New Jersey. There was no shortage of volunteers, but limited funding prevented a more expansive program.

Because of confusion caused by late funding, it is possible that there will be no Teacher Corps interns in New Jersey this year.

The 10 interns in New Jersey last year were sent to Trenton, the State capital, from Temple University. Temple dropped its Trenton program this year because Trenton State College and the Board of Education of New Jersey planned to begin a program to recruit 35 interns and experienced teachers. That plan has been approved by the State department of education and the Teacher Corps. But the Teacher Corps approval is conditioned on the size of the appropriation we provide for the program.

Trenton State is gambling that Congress will act responsibly and that funds will be available for the program. If their gamble fails, there will be no Teacher Corps as far as the disadvantaged children of the poverty areas of my State are concerned.

The gamble was necessary because the Teacher Corps is the only one of nine Office of Education programs which does not have forward funding. Under the program as it is currently operated, local officials have to initiate and plan their program with no assurance that funds will be available to implement it.

The request made by the administration this year for the Teacher Corps provides for forward funding so that local officials will know in advance whether funds will be available for their program. The request also includes funding for a program of recruiting 1,500 interns. That figure will provide the funds for going ahead with the Trenton State program.

The Teacher Corps is an excellent example of genuine federalism. It is a Federal program which relies on local initiative and local control. Republicans take great pride in the role they have played in promoting this principle. It is a principle which anyone can be proud of so long as everyone involved lives up to their responsibilities.

But local officials could not be blamed for losing faith in the principle if all of their initiative and planning goes for nought because funds are not available to implement their program.

If we are serious about genuine federalism, if we are serious about providing

equal opportunity to our disadvantaged children, then I believe we must support appropriations which will let these programs go ahead and will let local officials plan their programs in advance.

The PRESIDING OFFICER. Does the Senator from Alabama yield back the remainder of his time?

Mr. HILL. I point out to the distinguished Senator from Ohio that the budget estimate submitted to the Senate included far more money than that submitted to the House—\$1,560,688,000 was submitted to the Senate for the first time, for the Office of Economic Opportunity, for inclusion in this bill. As I said earlier in the debate, that item had always been carried in the supplemental bill. There are also items of very large amounts that were not submitted to the House but were submitted to the Senate.

Mr. LAUSCHE. Does the Senator know how many more amendments to increase the spending will be offered? Does the Senator have any idea?

Mr. HILL. I cannot give an accurate figure.

Mr. LAUSCHE. The tide is running on high, and the spenders are going to put themselves on the crest and move as the flood goes on, I suppose.

Mr. GRUENING. Mr. President, I support the amendment offered by the Senator from Wisconsin [Mr. NELSON] and the Senator from Pennsylvania [Mr. SCOTT] increasing funds for the Teacher Corps from \$17.3 to \$31.2 million.

Because of the low level of funding, due to our military involvement in Southeast Asia, the Teacher Corps has been unable to respond to requests for Teacher Corps programs in Alaska, I am reliably informed.

The Teacher Corps relies on local invitation and participation, with up to 90 percent Federal money.

We know that nationally we have an annual shortage of more than 170,000 teachers. We know that classrooms are overcrowded and often outmoded. The Teacher Corps is building a positive record. Those who participate in the program generally remain. The majority will teach in areas deeply in need of their assistance.

I urge the Senate to increase this modest increase in funding which will only meet the administration's original request and keep the Corps at a modest strength of 1,500.

The Teacher Corps was established by the Higher Education Act of 1965. It provides training in local colleges or universities for teacher interns—college graduates interested in teaching in poverty areas. Corpsmen are assigned to poverty area schools at the request of a local school system and with approval of the State education agency. They are employed by the school system and work in teams headed by an experienced teacher.

Finally, it should be clear that education and democracy are one and inseparable, and that education is the first responsibility of a free society. To sacrifice the coming generation's opportunities in education is a betrayal of everything that America has stood for and should stand for.

Mr. NELSON. Mr. President, the senior Senator from Alaska [Mr. BARTLETT], who is necessarily absent, is greatly concerned that proposed reductions in the funding of the Teacher Corps program will have serious adverse effects on the program. He discusses some of the reasons for his concern in a statement which he has asked that I bring to your attention. The Senator urges that this body provide the full funding of \$31.2 million for the Teacher Corps program requested in the President's budget.

I ask unanimous consent that the statement of the Senator from Alaska be printed in the RECORD at the appropriate place.

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

REDUCTION IN FUNDING COULD KILL  
TEACHER CORP

Mr. BARTLETT. Mr. President, it is beginning to seem that each year we can look forward to the eruption of the Nation's ghettos. The desperate, frustrated voices of people so long neglected cry out for attention. And attention they do get. Unfortunately it has come more in the nature of repressive measures than constructive efforts to redress the legitimate grievances of the poor and oppressed.

Perhaps we in the Congress can take some pride in the fact that we have heard the cry of our ghettos' denizens and have answered that call with new laws and new programs. The 90th Congress probably will be distinguished for the social legislation it has enacted, and each new enactment has brought renewed hope that at least something is going to be done to redress the grievances of our poor and oppressed citizens. Just at the point that we begin to transfer programs from paper to action, however, they have crashed to the ground in resounding failure. The problem has been a familiar one: no funding or inadequate funding.

We are about to witness a repetition of this distressingly familiar story in the HEW appropriations bill now under consideration. In the name of economy we have embarked upon the systematic reduction of the money to be provided for critical programs well below the President's budget estimates. In the case of appropriations for one of those programs, the Teacher Corps, the funding recommended both in the House and Senate are so far below those estimates as to signal serious trouble for the program throughout the nation.

The figures are appalling, Mr. President. When we passed this legislation in 1965, it was our considered judgment that \$46 million would be needed to fund the Teacher Corps program adequately in fiscal 1969. Keeping in mind its commitment to economize in all areas of federal spending, the Administration requested only \$31.2 million. The bill which passed the House reduced this amount to \$15 million. Here in the Senate we are being asked to appropriate only \$17.3 million for the Teacher Corps program, an increase of only \$2.3 million over the amount passed by the House and only slightly more than half of the amount requested by the Administration.

If nothing else, it is perfectly obvious, Mr. President, that you cannot do with half as much money what could be done if the full amount were available. One of two things is likely to happen. Either available funds will be stretched to provide training for as many teachers as possible, risking impairment of the quality of training and the effectiveness of those trained, or quality is retained and the number of teachers trained reduced proportionately. Either course, in my opinion, would be a disaster.

Few new federal programs have occasioned

so much praise from all quarters of the nation as the Teacher Corps. It is widely hailed as a potent weapon in fighting one of the gravest problems existing in our ghettos, critical educational deficiencies. And, unlike other programs, it has demonstrated its effectiveness. Two years of experience with the program have shown that it is not just a grand idea on paper but that it does work. It has already brought into the ghettos, young people interested in the problems which make learning difficult there, trained in the techniques for tackling those problems, and anxious to do all they can to help remedy the situation. It is, of course, much too early to measure its effects in terms of impact on ghetto children, but there is no doubt that the program is being well received.

Mr. President, I think it is past time that we address ourselves to those things which cause the periodic explosions of the ghettos. Repressive measures can certainly be mustered in sufficient force to put down riots when they occur. It is unlikely that they will be any more effective in preventing riots than the death penalty has been in deterring capital crimes. Continuing to smoulder in the aftermath of any civil insurrection are embers which will ignite again and again. It is to causes that we must address ourselves. The Teacher Corps program does just that.

Mr. President, I am convinced that it is not only important but urgent that we vote to provide appropriations for the Teacher Corps at least equal to the \$31.2 million requested in the President's budget. To do otherwise would be to vote for an illusory and harmful economy.

Mr. HILL. Mr. President, I yield back the remainder of my time.

Mr. NELSON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. NELSON. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. MORSE and Mr. SCOTT moved to lay the motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 936

Mr. HART. Mr. President, I call up my amendment (No. 936) and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 14, lines 17 and 18, in lieu of \$1,123,127,000" insert "\$1,200,000,000".

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. HART. Mr. President, I yield myself such time as is necessary. I believe I can explain the amendment very briefly.

Mr. President, the amendment I have offered is cosponsored by Senators BROOKE, CASE, CLARK, METCALF, MONDALE, RIBICOFF, and YOUNG of Ohio.

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

Mr. HART. I yield.

Mr. MORSE. I ask that the Senator include my name on the amendment.

Mr. HART. I am delighted that the Senator who understands the subject more thoroughly than any of us, the distinguished senior Senator from Oregon, would join us. It makes a very great difference to all of us.

Mr. President, this is an attempt to get the Senate out of the vise of two conflicting commitments. There had been proposed by the Senate committee an appropriation for title I of \$1,123,000,000. This amount is about \$77 million below the 1969 budget request.

Yesterday the manager of the bill, the able senior Senator from Alabama [Mr. HILL], offered an amendment, which was agreed to, which pledged that no State will get less than 100 percent of 1968 funding. The figure of \$1,123,000,000 simply is not sufficient to fulfill that pledge.

The amendment that is now pending would add the \$77 million needed to fund the Hill amendment. Without the pending amendment, allotments for each of the States could only be about 90 percent of the 1968 funding.

This amendment was proposed long before the action on the floor of the Senate yesterday. It was conceived first as a counter measure to the cut the House made of \$127 million in title I funding.

Those of us who have offered the amendment are convinced that this title I program is too vital and too essential to bear any cutback or any whittling from the existing level. It is our view that the action the Senate took yesterday pledging that no State would get less next year than this year adds new force to the arguments for full funding.

None of us would argue that any single aspect in the educational effort can reverse the deterioration and the problems that have developed over generations of failures to meet the needs; but any one of us who has reviewed, even superficially, the magnificent annual report of title I prepared by the Department of Health, Education, and Welfare and issued by the Office of the Commissioner, entitled "Title I—Year Two" is persuaded that unless the effort contained in title I funding, which we are now debating, is maintained, we will have one terrible time in persuading those areas in this country, which we have acknowledged to be in need of extra help, that we have gotten the message, that we are sincere, and that we intend to stay with our commitment to upgrade all elements of our society, and acknowledge there are some persons entitled to more help than others. This is not an oversimplification of the case. This is the "meat and potatoes" of the argument.

I do hope we will by explicit provision for the additional money make it possible to deliver on the proposition that this year we do not reduce the level of the effort from the present year, either the percentage across the board or by dumping 900,000 or 1,000,000 children from the program.

I do hope the Senate will support the amendment.

Perhaps the Senator from Alabama would comment with respect to the measure.

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

Mr. HART. I am pleased to yield to the Senator from Alabama.

Mr. HILL. I understand the amendment would give the schools practically the same amount of money for this fiscal year as in the past fiscal year.

Mr. HART. The Senator is correct.

Mr. HILL. Under the circumstances I do not object to the amendment.

Mr. HART. I thank the Senator.

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

Mr. HART. I yield.

Mr. JAVITS. Mr. President, I wish to say to the Senator that I am very gratified that he did what he did. I tried in committee and finally had to settle in committee for an increase of \$50 million. The Senator is now adding the amount to that which is required by the budget.

I never could have gotten the \$50 million without the help of the distinguished Senator from Alabama, as he is now helping the Senator from Michigan. This is typical of his devotion to the great Federal compromise which has resulted in bringing aid to many children, without regard to where they study and without regard to race, color, or creed.

I greatly appreciate the privilege of joining the Senator from Michigan in sponsoring the amendment.

Mr. HART. All of us who offered the amendment are delighted that the Senator from New York joins us in cosponsoring it. The Senator from New York and the Senator from Alabama in committee did persuade the addition of \$50 million to forestall in some measure the harm that would have flowed from the House cut.

Mr. MORSE. Mr. President, will the Senator yield to me for 3 minutes?

Mr. HART. I yield to the Senator from Oregon for 3 minutes.

Mr. MORSE. Mr. President, I wish to commend my distinguished colleague from Michigan [Mr. HART] for his wisdom and foresight in offering the amendment to provide restoration of funds to title I of the Elementary and Secondary Education Act.

As the Senator has pointed out, his amendment is essential merely to restore the budget level recommended by the President, which in turn is the minimum amount needed to assure all States that their allocations will not be reduced in the current year below the amount received in fiscal year 1968. School populations are up and costs are up. Yet we are asking only what we spent in 1968 for the benefit of the children in this country. That is the least that we as a Congress can do if we are to keep our promises to the schoolchildren of the Nation. It would be unfortunate, indeed, if we selected the children of the poor as the ones to be the victims of a broken promise. They are the ones who will suffer if we do not guarantee as much as we spent in 1968. For these children, education is salvation, and on the other hand we know that their failure in school will result in wasted lives with all the social ills which accompany poverty if we do not provide adequate resources for education.

I wish to cite also the record of the Senate Committee on Labor and Public Welfare and its legislative recommenda-

tions which have been enacted into law for formula authorizations which would permit this great program to achieve its purpose. The formula which we as a Congress have enacted into law would authorize this year \$2.7 billion for title I. The committee which I have the honor to chair has repeatedly recommended that the President and the Congress fully fund the authorizations in the law. We all recognize that this has not been possible for the past 3 years because of the growing costs of the Vietnam war. Personally, I am greatly saddened that we have sacrificed the educational needs of poor children to this costly enterprise in Vietnam, but that is not the issue in our consideration of the Senator's amendment. We are concerned here only of the amounts proposed by the President in his budget, which represents only one-half of the amount that the Congress has authorized. We must leave for another day and another year the question of full funding of the formula.

I support the Senator's amendment wholeheartedly. I further caution the Senate against any further tinkering with the appropriation language which has as its purpose the cushioning of a reduction for all the States and all the schools to something like 90 percent of the allotments of last year.

The President's budget barely provides the schools with the same amounts they have received in fiscal year 1968 and, therefore, does not recognize the continuing cost increases, such as teacher salary raises, which add at least 5 percent to the expenses of the schools. There is no basis for cutting the amounts below last year by any percentage—other than the false and reckless economy which the House has initiated.

Let us not shortchange the children of poverty again by a sleight-of-hand procedure in the appropriation process which appears to be applying "harmless cuts" to all States and to all schools. The schools need more, not less, than they received last year, and we as a Congress should measure up to that responsibility.

I thank the Senator from Michigan for his foresight and statesmanship in offering the amendment which seeks to accomplish one main objective, and that is to see to it that the poor children in the poor areas of this country are not denied the educational resources they must have if we are ever going to lift them up to the bright hope of full and splendid citizenship in this Republic.

Mr. HART. The Senator from Oregon has stated the case most effectively.

I thank the Senator from Alabama [Mr. HILL] for his expressions of support.

Mr. MURPHY. Mr. President, I rise in support of the amendment increasing the funds for title I of the Elementary and Secondary Education Act.

Title I has alerted America to the education problems of disadvantaged children and evidence is a realization that special efforts are needed to overcome the educational disadvantages of these children. The Elementary and Secondary Education Act has been a popular program in California. Last year under title I the State of California received over \$74 million that aided 370,000 children in 940 school districts. Concern over in-

adequate funding, while shared by educators throughout California, was particularly great among superintendents of the cities in the State.

Mr. President, all of us are aware of the problems of our cities. As I have stated, 70 percent of the students from slum schools in our Nation's 15 largest cities failed to graduate from high school. As a member of the Senate Labor and Public Welfare Subcommittee on Education, I have authored and supported various programs to reverse these statistics. I supported and continue to support the Elementary and Secondary Education Act.

I share however, the impatience of many Members of the Congress over inadequate evaluation data. There are other problems with the program, for example, there is evidence that too many of the school districts, instead of concentrating resources, are spreading the funds too thinly and thus failing to have the maximum impact that a concentrated effort might produce. The State of California in their title I report outlines the progress under the program in California as follows:

Relatively few school districts reported average gains of less than a month for every month of instruction, while in some districts the average was almost 3 years' gain during the year.

"In rare instances, the growth exceeded four years in special tutorial programs with highly individualized instruction."

Out of 1,050 Title I projects in California, 83.1 per cent showed progress that exceeded previous performance.

In summary, Mr. President, title I of the Elementary and Secondary Education Act is an important and needed program. It is the vehicle that is helping to carry education opportunities to the disadvantaged. Federally funded, but locally and State operated, the Elementary and Secondary Education Act has great long-run potential in helping to solve our poverty and many other social problems. I believe that the Senate should fund the program at the budget request.

Mr. HARRIS. Mr. President, I wish to add my hearty endorsement to the amendment proposed by the distinguished senior Senator from Michigan. This amendment would provide only an additional \$76 million above the amount contained in the Senate committee appropriation bill for the Department of Health, Education, and Welfare.

To provide anything less than the \$1.2 billion requested for title I would inflict additional penalties upon the millions of educationally deprived children who have already been severely handicapped by virtue of the limited environments to which they have been exposed.

Over the past 3 years of title I operation, nearly 17,000 school districts have established programs which provide special services for approximately 9 million disadvantaged boys and girls. Experience to date has shown that more—not less—effort is required if the job is to be done adequately. A reduction of \$76 million from the requested amount would dilute the local effort and undoubtedly reduce the quality of the results to a far greater extent than the funding reduction would indicate.

Title I is designed to provide special services to children of poverty wherever they may be. It not only benefits the deprived children in the innercity slums but those in rural areas as well. One example of the latter category includes the American Indian children attending public schools. These children are probably one of the most culturally isolated groups in the Nation and generally attend schools that have very limited resources.

Mr. President, Oklahoma universities and colleges long have produced many teachers well trained to work with children who have handicaps in such areas as speech and reading. Then we have watched these teachers leave the State, going to richer school districts elsewhere. Only since programs such as those supported by title I have been started have a significant number of these specialists been employed in our rural areas where so many of our educationally deprived children live.

This legislation must be considered as a long-range effort designed to upgrade student achievement and ultimately return them to their grade level. It will reduce the school dropout rate and provide the educational background necessary for employment. By increasing the number of young people who become contributing members of society and reducing the numbers who are relegated to the welfare rolls or institutionalized for delinquency or criminal acts, the ultimate result would be a significant economic gain for the country. Accordingly, it is my opinion that this program should not be crippled in its infancy by appropriating anything less than the requested amount.

The pending amendment is worthy of our support. I hope that it will be adopted.

Mr. CASE. Mr. President, I rise to support this amendment to restore the full funding requested by the administration for title I of the Elementary and Secondary Education Act. I support this amendment even though it makes absolutely no difference in the amount of funds which will be available for the education of the children of poverty in my State of New Jersey.

Although the \$50 million restored by the Senate Appropriations Committee has already increased the funds available to New Jersey schools to the level which would be reached under this amendment, I also am concerned about economically deprived children in 20 other States which would be affected by this amendment.

One of the highest priorities in the Nation today is meaningful education for those children who stand no chance of escaping from their poverty environment unless their educational needs are met.

Congress recognized these needs when it authorized over \$2 billion to supplement special programs for children from low-income families to help overcome their educational and cultural deficiencies. But the administration did not request the full amount of the authorization. It requested only a little over \$1.5 billion. And now Congress is proposing, in the name of economy, to reduce this even further.

But this is false economy. If we do not meet the educational needs of children of poverty today, they will never become self-supporting and contributing members of our future society.

As I said, this amendment would make no difference in the funds available to schools in my State in the next year. But no State, like no man, is an island. And what we do to meet the educational needs of the children of poverty anywhere in this country today, certainly will have a bearing on the tax burden New Jersey residents and residents of all other States will have to pay in the future.

We in New Jersey are happy that the Appropriations Committee, on which I am privileged to serve, has seen fit to recognize the needs of schools in our State. But we also hope that the Senate will demonstrate that it is aware of the high priority education deserves in all areas of our country.

I urge you to accept this amendment.

Mr. RIBICOFF. Mr. President, as one of the sponsors of Senator HART's amendment, I urge the Senate to restore the full amount proposed in the President's budget for title I of the Elementary and Secondary Education Act.

The President requested an appropriation of \$1.2 billion for this purpose.

The House cut the estimate by \$127 million. The Senate Committee on Appropriations has restored \$50 million of the cut. The amendment under consideration will increase the Senate appropriation bill by \$76 million. It will provide no funds above the amount of \$1.2 billion requested for the title I program. This sum is approximately the same as that appropriated for the 1968 fiscal year.

It should be made clear that the passage of this amendment will not mean a windfall for school districts that are providing special programs for millions of educationally deprived children from low-income families. But it will help the 17,000 school districts that receive funds from title I to maintain the enriched programs which have helped some 9 million children from poverty homes to overcome their educational and cultural disadvantages.

In my State of Connecticut for example, some 40,000 children participated in title I programs during the past school year. Remedial instruction, summer activities and tutorial help are important aspects of these programs that are giving disadvantaged youngsters the extra boost which encourages many to stay in school when they might have dropped out. Still others will have the background preparation—and the will—to go on to advanced training and education.

Last year Connecticut received \$9,212,813 for title I programs. This year, if the amendment we are discussing passes, Connecticut will receive \$9,326,709. But if this amendment is not passed, Connecticut will receive \$916,818 less than expected. This figure represents almost a million dollars of badly needed educational services for disadvantaged children.

Surely we cannot neglect the children of Connecticut—or the children of any other State in our Nation.

Yet, this will be the result if the amendment under consideration is not passed.

In a letter to the superintendents of schools in Connecticut, William J. Sanders, the State commissioner of education, wrote that a cut in title I funds would mean that many deprived children could not be included in these special programs because of a shortage of funds.

Let us remember that when we invest in American education, we are affirming what our country can be in the future.

When we invest in the education of disadvantaged elementary and secondary school children, we are saying that there is bright hope and promise for the future. We are showing in a concrete way that we mean what we say. For surely each of us has said that the goal of American education is to give to every child the best education that he is capable of absorbing.

Every child in our Nation must have the opportunity to fulfill his potential. And whatever his potential may be, the child must be given the kind of education that will develop him—even stretch him—to the fullest.

Youngsters who had had limited advantages need additional help. Many of the schools attended by these children do more than teach. They mind the young—they open up the windows of his house—they challenge his horizon.

We must make sure that they continue to do so.

We must see that help to our schools with large numbers of disadvantaged children will continue—for the future of our young people and the health of our Nation.

We must pass the amendment under consideration in order to guarantee a continuation of title I programs at their authorized level.

I urge my colleagues to keep faith with the children of America by voting for this amendment.

Mr. RANDOLPH. Mr. President, title I of the Elementary and Secondary Education Act has proved to be of significant value in overcoming the barriers to learning of our children reared in a culturally deprived environment. It has been directed toward helping children whose educational achievement is below the norm, including those with physical, mental, or emotional handicaps. Since the enactment of this legislation, communications have been received from the educational leaders in my State documenting the effectiveness of these programs.

Mr. President, I support the amendment of our colleague from Michigan [Mr. HART] to restore the full amount proposed in the President's budget request for title I of ESEA. Although the Senate Appropriations Committee has recommended the restoration of \$50 million of the \$127 million cut by the House of Representatives, this is not enough.

I am fully aware of the necessity for trimming the Federal budget. However, I am cognizant also of the critical needs of our disadvantaged children. We must not compromise the future of America's children. We have authorized programs for all age groups in our endeavors to

eliminate poverty. But none is more vital than those which emphasize the young of school age. It is now that they are developing the base around which their entire lives will revolve.

Education cannot be limited to those areas or those families which can afford the comprehensive and progressive school system and the special education facility. Education is a vital key to the future development of our society. It is the key to the development of the potential and capabilities of our young people. These are the vulnerable years. There is not provision for delay. Opportunity lost in this period of learning can never be completely recovered. The funds expended will be an investment which will mean significant savings in the future.

Mr. HART. Mr. President, I hope that the Senate will accept this amendment. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back on the amendment.

The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was agreed to.

Mr. JAVITS. Mr. President, I move that the vote by which the amendment was adopted be reconsidered.

Mr. HART and Mr. MORSE moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 64, line 22, strike section 411 and insert in lieu thereof the following:

Nothing in this Act shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

Mr. JAVITS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 10 minutes.

Mr. JAVITS. Mr. President, I should like to address myself to the amendment which is before the Senate and should like to read the amendment. I am glad the Senator from Oregon is in the Chamber because he really is the leader in this particular situation, as he is chairman of the Subcommittee on Education in the Senate.

The amendment would substitute for section 411 of the bill, which is legislation, but not subject to a point of order, because it comes over from the House—remember our rules—so that we can act on it without suspending the rule.

Section 411 now in the bill reads as follows:

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.

I would propose to substitute for that the very same provision that the Senate has included in the higher education bill, which is now in conference, with the Senator from Oregon as a conferee—and I am a conferee also—so that the appropriations "legislation"—because that is what it is—would be put in the same posture as the higher education bill.

What we included in the higher education bill was the following:

Nothing in this Act shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

Mr. President, the essential difference between these two legislative provisions is the following: The provision which the committee has brought to the floor is a mandatory prohibition where there has been a conviction of any crime, and I quote: "which involves the use of or the assistance to others in the use of force, trespass, or the seizure of property"—whereas the provision which we would substitute would give the authority to deny such a benefit to a student to the institution itself.

The real question is: Shall it be mandatorily ordered by law under the appropriations bill, or shall it be within the discretion of the institution itself?

I believe—and that is the way I voted in respect of the legislative authorization which is in conference, and that is the way I believe this provision ought to read, too—that it should be left to the institution.

I say that for two reasons. With respect to this whole argument relating to violence by students, we in New York had an actual takeover at Columbia University, an occupation, as it were, by dissident students, who did massive damage and who finally had to be cleared out by massive action. So I hope Senators will judge what I have to say in light of the fact that, as a politician running for reelection, I do not want to be soft about this; I want to be realistic about it.

It seems to me that what we complain about is that our institutions of learning have lost their authority; that they are defied; that the president of a university is defied; that the dean of a college is locked in his office; that students have lost their respect for authority. It is my argument that youth loses more respect for institutions when there is a mandatory requirement by the United States of the kind that is contained in this bill. Rather than gain their respect for law, such a provision loses respect for law, because we are obviously taking away our confidence in the institution, to wit, the college or university in which we wish the youth, himself, to have confidence.

The end result will be the same. It is inconceivable that any college or university will make any of the funds available, if it can by law refuse to do so, when a student has been convicted by any court of general jurisdiction of any

crime which involves the use of or assisting others in the use of force, trespass, or seizure of property.

So the result, in my judgment, will be precisely the same, but we will be sustaining the authority of a college or university—critically important at this time—and serving our interest very much better than by a mandate from on high which takes away that authority.

That is the difference between the Appropriations Committee, which handles a thousand matters and is not skilled in the problems of higher education, and the Subcommittee on Education, headed by the Senator from Oregon [Mr. MORSE], of which I am the ranking minority member, which deals with education itself.

So the difference is between those who work with the subject and those who sort of come new to it and, very understandably, say here, "We are not going to lend money or credit to be used by a student who is a rioter or is trespassing or rioting on school property."

The other question involved—and I do not think it is remotely as important as the first question—is its flexibility. As a lawyer I pointed out to the Appropriations Committee that section 411 could be read so that if a young man engaged in a "panty raid" in a college or university, which also involved the use of force, trespass, or the seizure of property, and which could be big enough and widespread enough, and often is, to interfere with the operations of the university or college, or, as this provision says, to prevent officials or students from engaging in their studies or pursuing their studies, the mandate would be that that kind of young man would be deprived of any benefits under the law.

Most American people would laugh at that as being a basis for any such denial.

So I think, preponderantly for the reason of strengthening the hands of institutions themselves, and secondly, in the interest of not blasting young lives because of some breach which is not considered on an individual basis, we would be advised not to have this provision stand as it is in the bill, but change it in accordance with the amendment I have pending.

The Senator from Oregon [Mr. MORSE] may have other advice or some other idea on this matter, which I shall view with the highest respect, but I think the principle which is involved is very clear: Shall we delegate this responsibility to the institution involved, to wit, the college or university, or shall we make it mandatory on the part of the top command in the Federal Government?

One further word before I am through. It used to be popularly supposed that we had to get tough, and the fact that one was tough was likely to be the most salutary way to end violence and disorder, student riots, or any kind of riots.

We have seen that this is not universally true. I may mention that Mayor Stokes, in Cleveland, instead of sending in troops or police, sent in a lot of people to talk to the rioters. That does not always work. I am the first to agree that very often police and troops must be sent in and that nothing else will do. But it indicates that sheer physical force is not

necessarily the best answer, and also it is always subject to overreaching. That is one of the big arguments about Chicago—that it was not handled wisely or intelligently, even the use of force.

Therefore, I am not proposing a soft amendment. I am proposing a practical amendment. The practicality of the amendment is to localize responsibility and to put it in the hands of the very interests whose authority we are seeking to build up, and not tear down. The best method is by the approach I have proposed in my amendment, rather than by the mandatory dictate which is contained in the bill at present.

Mr. President, there are two items—if I may have the attention of the Senator from Alabama—which I have already discussed with him, and which I thought would go into the committee report but did not appear in that report. Provided that we can get the matter clarified here, I see nothing lost of that account, but I feel that those items deserve clarification.

First, when we were discussing in committee certain aspects of what could be done about poverty, we also discussed the concept of what could be done for the small business community in the slums. These businesses need an enormous amount of help, and this is provided for by the general legislation under the poverty program, with the Small Business Administration now administering that part of the program but with the OEO Act providing the funds for it. It was understood that we would instruct the OEO and the administration to utilize or earmark \$10 million of the fiscal year 1969 OEO funds for this small business program under title IV of that act, specifically sections 406 and 407.

It is my understanding that through inadvertence, that request did not appear in the committee report. If the chairman would be kind enough to comment, I hope that we could then at least have the RECORD clear.

Mr. HILL. Would the Senator please make his statement again. I was interrupted.

Mr. JAVITS. I referred to the fact that when we were considering the bill in the Appropriations Committee, I raised the issue of earmarking \$10 million for the small business program in the slums, and it was agreed that it would be included in the report but, through inadvertence, it did not appear. Does the Senator from Alabama agree with that?

Mr. HILL. The Senator is correct.

Mr. JAVITS. So that we may consider the report as making that request?

Mr. HILL. That is correct.

Mr. JAVITS. I am very grateful to my colleague.

The other point was also discussed in committee with respect to the report, on a matter of great interest to both Senators from Illinois.

There is a program in the Chicago area which relates to the establishment of a rehabilitation, research, and training center in the Chicago area. Apparently, this matter has entered into its first stage, and the desire is to have it enter into its second stage of development.

The report of the House of Repre-

sentatives on the bill deals with that specific question and reads as follows:

The Committee notes that action has been taken for planning a rehabilitation research and training center in the Chicago area, as provided for by the statement of the managers on the part of the House in connection with the conference report on the 1968 Labor-H.E.W. Appropriation Bill. The Committee expects that funds will be made available in such amount, consistent with other program objectives, as the agency may find necessary for the second stage of the construction of such a center, and that the Service will continue to give its attention to expediting subsequent stages and completion of this center at the earliest feasible date.

Mr. President, I should like to ask the chairman if he would confirm for me that this matter, too, was discussed by the Senate committee. It is not included in the report, but I understand from the distinguished committee staff member, that the reason was that such language was superfluous since it was already in the House report.

Could we have it established by legislative record that it is the desire of the Appropriations Committee that the House will go along with it?

Mr. HILL. That is correct. It was carried in the report last year.

Mr. JAVITS. I thank the Senator. I am also very grateful to Mr. Downey for his help.

Mr. President, I yield 5 minutes to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I rise to support the proposal of the Senator from New York. The proposal by the Senator from New York is the Javits-Morse amendment that was adopted in the full Committee on Labor and Public Welfare. I want to urge it upon the Senate today.

I am very much concerned about the numerous riders which have been attached to various appropriation bills in the past several months, in Defense, National Science Foundation, NASA, and Labor-H.E.W. Officials at H.E.W. have expressed real concern that the language now in the Labor-H.E.W. appropriation bill now pending will become locked in since the House and Senate provisions are identical.

If the language of the Labor-H.E.W. appropriation bill becomes law, the actions of the Senate and House conferees on the Higher Education Act conference, scheduled to resume on Tuesday, will become a nullity, since a limitation on appropriations would take precedence over language in substantive legislation.

The administration, speaking through H.E.W., would like to see identical language enacted in each of the bills containing "student unrest" amendments, thereby alleviating what could be a major problem in having a number of different related laws applicable to students of higher education.

I happen to think the Javits amendment is the best answer to this problem as of now. I particularly want the attention of the Senator from Wisconsin [Mr. NELSON], because he and I have talked about this matter, as has the Senator from New Jersey [Mr. CASEL] and the chairman of the full committee and the Senator from New York. In my judgment, there are many difficulties with

the proposal in the appropriation bill, but first let me point out what the Senate has already done.

The Senate already passed the Javits-Morse amendment when it passed the higher education bill, and we had a discussion of it at the time. I have stood on this floor year in and year out, since 1946, when I introduced my first education bill on the floor of the Senate, and I have pleaded that we do nothing that represents a Federal interference with the administration of education in this country.

I speak respectfully, but one cannot deny the fact that what is in this appropriation bill is a case of Federal interference in telling the colleges of this country what they must do in handling discipline problems.

Mr. President, I would like to leave it to the faculties of the colleges. I have served on faculty disciplinary committees, Mr. President; and we have no more effective watch dogs, may I say, in respect to student misbehavior.

We ought to place the responsibility squarely upon the universities. Let me point out some of the problems that arise in connection with the Appropriations Committee's language.

There is no determination of when a student is convicted of a crime. If we are going to do it on the basis of conviction of a crime, when are we going to cut off the funds? Are we going to say that the decision in the lower court is to be the basis for cutting off the funds? The student has his right of appeal. And may I say, as a lawyer, time after time, upon appeal, we find the lower court in error and the case reversed.

If we were to make conviction in the lower court the basis for denying the student the funds, then look what we would be doing as far as many innocent students are concerned. For conviction does not mean they are guilty in finality. They are guilty in finality only at the end of the appeal procedure. This is one legal problem that greatly concerns me in connection with the language of the Appropriations Committee.

Does the conviction have to be one in a court of record? What do we mean by conviction, in connection with the language of the Senate bill?

I also point out that the language permits arbitrary enforcement, since there is no language to guarantee uniform enforcement. There is no indication whether the crime must be substantial or serious.

Mr. President, there are so many legal bugs, in my judgment, that will arise in connection with the Senate Appropriations Committee language, that I think what the Appropriations Committee ought to be willing to do is leave it to the legislative committee that has jurisdiction over the matter. That happens to be the committee of which the Senator from Alabama [Mr. HILL] is chairman.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MORSE. May I have 2 more minutes?

Mr. JAVITS. I yield the Senator from Oregon 2 additional minutes.

Mr. MORSE. The Senator from Alabama is chairman of the committee that

has jurisdiction over the substantive legislation in this field, and we have acted. We are now in the midst of conference on that bill. I think we ought to wait and see how we come out in conference with the House of Representatives in regard to this subject matter. I have reason to believe that we will come out with a satisfactory solution of this matter, that does not involve Federal interference in the running of education at the State level.

Mr. President, there are other substitutes that can be offered if it becomes necessary. I may offer a substitute, as the Senator from New York and the Senator from Wisconsin know. But I think the best way to handle the matter is for us to take the language that the Senator from New York [Mr. JAVITS] has offered, which is identical with the language already adopted by the Senate in connection with the higher education bill, and go to conference on that; then we will be going to conference with the House of Representatives on the higher education bill also, and that will give us some time in the future to reach a final decision on this matter.

To adopt the committee language this afternoon would lock it into the bill. There would be nothing left, then, for compromise in conference; and I think we would also do, may I say most respectfully, a great injustice to our legislative committee, the Committee on Labor and Public Welfare, that has already served the Senate well on this subject, because the Senate has already approved of what it did when it passed the bill with the Javits-Morse amendment in it.

I therefore believe we ought to adopt the Javits-Morse amendment.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Assuming hypothetically—and I hope it never develops into a reality—that the Javits amendment is not accepted by the Senate, would the Senator from Oregon still be in a position to offer an additional amendment on the subject?

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

Mr. HILL. How much time does the Senator from Ohio wish?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

The House language would still be amendable. It would still be in order for the Senator from Oregon to offer an amendment.

Mr. HILL. Mr. President, I yield 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, I support the provision which the committee wrote into the bill now pending before the Senate. I presume that this amendment was adopted by the committee because of the numerous instances throughout the country in which militant, violent members of student bodies have seized absolute control of institutional facilities. Without having made any inquiry, I assume that the principal motivation for the adoption of the language in the bill was the seizure made

by certain students of the buildings, the president's office, and offices of other high officials at Columbia University.

The first query that has to be answered is this: Can we tolerate defiance of the duly constituted officials of our institutions of higher learning by militant, violent students, in seizing property to the absolute defiance of government and the duly constituted authorities at the universities?

What does section 411 provide, that is sought to be stricken by the amendment offered by the Senator from New York? The provision as written by the committee is as follows:

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.

What is wrong with the Federal Government saying to a student, "If you are convicted of unlawfully seizing institutional property, you shall be denied the right of the benefits under the subsidy program provided by the Federal Government to help students in institutions of higher learning"?

Section 411 says there must be a conviction by a court of general jurisdiction. No conviction can be said to have occurred until all of the processes of the judicial proceedings are exercised, and a final determination is made that the accused is guilty, and he is so declared by the court.

The amendment offered by the Senator from New York contemplates striking this provision, and substituting therefor a provision that the eligibility of the student for governmental aid shall be related to the decisions made by the board of trustees or the duly constituted officials of the institution.

The President of Columbia University resigned. His offices were seized by a group of students who arrogated to themselves authority in excess of that possessed by the government and by the officials of the school. At Ohio State University, about 18 months ago, the students seized the office of the president. They held him captive. They prevented him from making calls. They were asked to surrender, but they would not do so.

I cannot understand this theory of dealing with kid gloves with these challenges of the law. There is no justification for it.

The Federal Government in all of its mercy says to these students: "We want to help you go through college. We will lend you the money. We will give you the money. We will guarantee the repayment of the debts which you incur to go to college."

Yet, those students with complete indifference reject the mercy of the Federal Government and proceed to seize by violence the facilities used for the teaching of students and disrupt the institution and deprive the innocent students of those services.

The committee recommendation is

sound. It ought to remain in the bill. The amendment of the Senator from New York ought to be rejected.

**THE PRESIDING OFFICER.** The time of the Senator has expired.

Mr. HILL. Mr. President, I yield 1 minute to the Senator from Ohio.

**THE PRESIDING OFFICER.** The Senator from Ohio is recognized for one additional minute.

Mr. LAUSCHE. Mr. President, President Kirk of Columbia has not related why he resigned. However, I suppose he threw up his hands because he did not want to carry any further the burdens of the office, knowing that times would arise when he would again be dispossessed, his office seized by the rebels, and duly elected officials cast aside, and the students would be sitting on high and running the institution.

I cannot subscribe to the idea of Congress giving encouragement to that type of conduct.

I hope the Senate rejects the amendment of the Senator from New York.

Mr. President, I ask for the yeas and nays.

Mr. JAVITS. Mr. President, before the Senator asks for the yeas and nays, I point out that there are not enough Members present at this time.

Mr. President, I modify my amendment to provide that it replace the provisions of section 411 insofar as they are contained on page 64 of the bill from line 22 to page 65, line 5, inclusive.

The reason for the modification is that the Senator from Iowa [Mr. MILLER] had an amendment agreed to yesterday to that very section, and I have no desire to disturb that amendment. Therefore, I wish to confine the matter to the issue facing us today, the issues debated by the Senator from Oregon and the Senator from Ohio and me.

**THE PRESIDING OFFICER.** Does the Senator mean the first paragraph of section 411?

Mr. JAVITS. I do.

**THE PRESIDING OFFICER.** The amendment is so modified.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I yield myself 1 minute.

**THE PRESIDING OFFICER.** The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, I wish to comment upon the very eloquent address of the Senator from Ohio because it so typifies the argument.

There is no real difference between the Senator from Ohio and me, interestingly enough, although there may seem to be. The only difference is how do we best get to that point.

There we do have a real difference between us. I say that we best get to that point by arming the college administrators with authority to correct the situation. The Senator from Ohio says that we would best do it by a mandate on the part of the U.S. Government. I say that it the wrong way to deal with the problem because we do not have enough policemen or soldiers or the will to use them to control the youth of America if they become rebellious.

Is it the purpose of Government to encourage insurrection and rebellion, or is it the purpose of Government to find intelligent ways to deal with the matter and avoid it?

**THE PRESIDING OFFICER.** The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself an additional minute.

**THE PRESIDING OFFICER.** The Senator from New York is recognized for 1 additional minute.

Mr. JAVITS. Mr. President, the Senator from Oregon and the members of the committee think that the best way to handle the matter is to place the power in the hands of the heads of the universities. If the university president does not feel that he wants that power or that he is prepared to use it, let us say to him what Harry Truman said to politicians: "If you can't stand the heat, stay out of the kitchen."

That is what we are up against here. We think it is best in dealing with the educational institutions to arm the colleges and universities with power. We cannot tolerate the existing course of action in our country.

Courts can still convict and will. And young people can still have their lives ruined by going to jail, and they will be.

We are only talking about cutting off the participation in Federal programs enjoyed by college students.

Mr. MORSE. Mr. President, will the Senator yield me 5 minutes.

Mr. HILL. Mr. President, I yield 5 minutes to the Senator from Oregon.

**THE PRESIDING OFFICER.** The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, I would like to have the attention of my very warm and close friend, the Senator from Ohio. I think we ought to take a look at what is proposed by the opponents of the Javits amendment.

I have heard many Senators talk about how we are going to have the Federal Government run educational policy in our States. That is exactly what the language of the Appropriations Committee refers to. Who will step in and make the determination? Who will make the determination? Somebody in the Department of Health, Education, and Welfare? Somebody in the Department of Justice?

It does not spell out where the determination will come from. This is a clear Federal intervention with the operation of educational policy at the State level.

It is the hard cases that put one to the test as to whether he believes in the principle.

I do not yield to the Senator from Ohio or to any other Senator in the matter of opposition to student riots, student law-breaking, and student violence.

I bespeak myself in a speech 2 years ago on this subject. That speech has been used on the campuses of this country by college administrators. In that speech I came out against demonstrations that violate the law.

What do we have here? What is the legal hodgepodge contained in the language of the committee? It reads:

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 . . .

It then sets it out. That is all that has to be shown. Suppose 6 months after a conviction, the case is reversed. The man would still not get his money.

Mr. LAUSCHE. Then he has not been convicted.

Mr. MORSE. He has been convicted by a court of general jurisdiction. As the Senator from Ohio knows, there is no provision for an appellate review or reversal of the case.

Furthermore, this is not even in futuro. The language in the bill applies to someone now in college that was convicted of a crime some years ago. If that man has been granted a loan or a grant, we could apply this amendment to him now in spite of the fact that he was convicted years ago.

This is of great importance to the States' rights, and I have heard them speak over the years. I say to them now: "If you believe in States' rights, practice it this afternoon and pass the Javits amendment, because we are merely saying we will leave it to the local authorities and to the universities."

For the benefit of my friend, the Senator from Ohio, President Kirk of Columbia University has written the committee a letter in opposition to the committee language. This is not what the President of Columbia University wants.

Mr. President, I ask unanimous consent that the letter from President Kirk to the committee—which I ask the committee to provide—be printed in the RECORD at the close of my remarks.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, listen to the college presidents of this country, by and large, as they have written to the committee and talked to the chairman of the subcommittee and the other committee members and pleaded that we not pass the Appropriations Committee language.

If we want to help them, we should give them the jurisdiction to settle their own problems on their own campuses. If we want to create problems for them, we should pass the committee language.

I am always willing to stand on the words I bespeak. If this becomes the policy of the Federal Government, instead of solving the problems on the campuses, we will be creating problems, because we will create a determination on the part of students on many campuses that they will not have the Federal Government interfere with what they consider to be State prerogatives and State rights in this matter.

The Javits amendment would strengthen the arm of every college president in this country. It would strengthen the power of the faculties of every university in the country, and it would keep faith with what we have claimed has been our policy in regard to Federal aid to education, because this is a Federal aid to education section of the appropriation bill.

We are talking about Federal money going into education, and it is not for the Federal Government, in my opinion, to

become the enforcement officer in regard to disciplinary problems on the campuses of our country.

Therefore, I plead for the support of the *Javits* amendment.

EXHIBIT 1

COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK,  
New York, N.Y., May 17, 1968.

Hon. WAYNE MORSE,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MORSE: Enclosed is a copy of a statement which I made on Monday, May thirteenth, with regard to proposals that have been made to enact legislation to withhold governmentally supported scholarship and fellowship funds from students who have participated in university disturbances.

I trust that you and your colleagues on the Subcommittee on Education of the Senate Committee on Labor and Public Welfare (the Special Committee on Education of the House Committee on Education and Labor) may find this statement helpful in your deliberations.

Sincerely,

GRAYSON KIRK.

STATEMENT BY PRESIDENT GRAYSON KIRK OF COLUMBIA UNIVERSITY, MAY 13, 1968

During the past three weeks, the faculty, the administrative officers, and most of the students of Columbia University have been engaged in a struggle to preserve academic freedom—freedom to teach, to learn, and to carry on research—against a small minority's effort to employ violence and fraud in order to bring to a halt the basic operations of the University. We who have been fighting to preserve the integrity of this University and of other universities have constantly been aware that, even in the midst of crisis, we must hold to our commitment to academic freedom and to our respect for truth and the conscience of the individual. We have, therefore, resisted a natural temptation to imitate the tactics of those who are bent on destroying the principles and the practices by which a university must live.

It is for these reasons that we cannot support any effort, no matter how well-intended or how emotionally satisfying it may be, which seeks to punish participants in university disturbances by means that endanger either academic freedom or the proper autonomy of the university community. Any attempt by governmental authorities to deprive these offending students of financial aid which they are now receiving under Federal or state programs would be difficult to administer equitably and would pave the way for the adoption of tests of political orthodoxy that would endanger the freedom of opinion and expression which all universities cherish.

At Columbia, we do not intend to use financial sanctions as a disciplinary measure in place of, or in addition to, regular academic discipline. Students of limited means who happen to be placed on disciplinary probation should not be compelled to withdraw by being deprived of financial aid. If students are suspended or expelled from the University, the question of financial aid is no longer an issue, since they cannot receive any form of assistance if they are not registered.

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

Mr. MORSE. I yield.

Mr. NELSON. Does not this present provision in the Appropriations Act raise another very serious question—that is, if we pass here a Federal statute which establishes some standards, any time a student, any place in America, is charged

with being within the contemplation of this statute and is deprived of a loan, have we not established the situation in which he then is able to get into the Federal court to test every single dismissal or deprivation of a loan, in every Federal court in the United States?

Mr. MORSE. I believe the Senator is correct. That is why I call it a legal hodgepodge, a legal can of worms.

Mr. LAUSCHE. Mr. President, will the Senator yield me 2 minutes?

Mr. HILL. I yield 2 minutes to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, I wish to restate my position, though it does not accord with some of the reasoning just advocated by the Senator from Oregon.

If we provide the gifts, the loans, and the guarantees to the students, we should have the right to expect a course of conduct from those students that will be absent of any purpose to seize the properties of the institutions which they are attending. They ask us for help to go through college. We give them the help. Then they proceed to destroy the institutions they are attending, and proceed to completely disregard the charity and the purpose of the Federal Government to help. It has been a black spot on the United States and a black spot on our educational institutions.

Riots have been rampant in the big cities. Riots have been rampant in Chicago. Riots have been rampant on the college grounds.

I humbly suggest that the provision recommended by the committee is sound. Any student who forcibly seizes the property of the school he is attending should be denied the aid of the Federal Government.

At Ohio State, they seized the offices of the vice president. They held him prisoner. They did not allow him to go into the washroom.

Now, then, deal with them with gentle hands and kid gloves? Not in my judgment. And it will not happen if I can help it.

Senator RUSSELL, the amendment of the committee provides that in the event a student is—

Mr. RUSSELL. I am familiar with it. I am a member of the committee.

Mr. LAUSCHE. I yield the floor.

Mr. MORSE. I say to the Senator from Ohio what I said in my State on several occasions, that if the students had tried to take over the building when I was dean of the law school, one of two things would have happened: either the police forces of our State would have removed them forthwith, or they would have had a new dean by night.

But my plea is that that is where it should be left. It would not be transferred to the administration of a group of bureaucrats in Washington, to pass judgment as to whether or not those people complied with the law.

I have already given my reasons as to the legal mistakes involved in the language of this provision. It would create very serious problems, in my judgment, if the Federal Government sought to determine what should be done education-wise at the State level. Senators have heard me say many times, as I have opposed attempts to direct educational pol-

icy at the State level, that you cannot start doing it without it snowballing and running away from you. What would be done here would be to let the Federal Government come in and dictate the policies that should be followed on the campuses of this country in regard to their disciplinary matters. If they are given the authority which the *Javits* amendment would give, it would be a clear indication from Congress that we expect them to follow sound disciplinary procedures, and the results would be much better than would be accomplished by the language of this bill.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The time of the Senator has expired.

Who yields time?

Mr. HILL. I yield 2 minutes to the Senator from California.

Mr. MURPHY. Mr. President, I am in complete sympathy with and very sensitive to everything that the distinguished Senator from Ohio has said.

Perhaps the emphasis has been placed in the wrong area. I believe that in the last year the heads of colleges have grown up and have learned a great deal about this matter. In my State, where there was trouble at the great university at Berkeley, the new board of regents, under the leadership of the new Governor, said, "if you do not like the rules of this university, pack up and go someplace else. You are not going to disrupt the curriculum."

I had a record last week of an occurrence at the University of Denver. That is not a large university, but certainly an important one. The president wrote a letter to every member of the alumni, in which he said he saw no reason why 200 dissidents, troublemakers, faultfinders should disrupt the curriculum of 8,000 students, and therefore he had asked the 200 to resign from the university immediately.

There are many other cases, and it is my hope and belief, after listening to the debate in the committee, that this is proper and it can and will work this way. If it does not, then, as a last resort, perhaps the Federal Government should step in. However, at this point I believe that this is a good amendment. I believe the committee language is good language, and I think it will work.

The PRESIDING OFFICER. Who yields time?

Mr. HILL. I yield 2 minutes to the distinguished Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I support the position of the Committee on Appropriations.

I should like to restate the committee amendment as I understand it. The committee amendment provides that tax funds shall not be used for the benefit of those convicted of using force, or for those who trespass or seize property under the control of an institution of higher education.

The statement has been made that the college presidents do not like this amendment added to the bill by the Committee on Appropriations. Mr. President, the college presidents are not elected by the people of the United States to appropriate tax money. As I visualize it, it is the responsibility of the tax levying au-

thority, the Congress of the United States, to lay down reasonable and proper regulations and rules under which money taken from the pockets of the taxpayers shall be spent.

The amendment put in the bill by the Committee on Appropriations merely says that the money you take from the pockets of the taxpayers, the money you take from the truckdrivers of this country, the money you take from the waitresses of this country, the money you take from the coal miners of this country, the money you take from those individual citizens of our Nation who work and earn their money by the sweat of their brows, will be appropriated to help educate people; but we will not take the taxpayers' money and use it to help those who use force, who trespass or seize property under the control of an institution of higher education to which this money is appropriated. How can the Senate vote to eliminate this amendment?

Mr. President, if the Senate is not willing to agree to this committee amendment then it seems to me that we have reached a very unusual stage in our Nation; and I guess we have reached a very usual stage in our Nation when one reflects on what took place in Chicago, on what has taken place in the city of Washington, and what has taken place on the campuses throughout this great and beloved country of ours.

I support the committee amendment.

The PRESIDING OFFICER. Who yields time?

Mr. MORSE. Mr. President, will the Senator yield to me for 1 minute?

Mr. HILL. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I appreciate the view of the Senator from Virginia but he has not joined issue with me in what I think is the basic problem. Let me use a hypothetical example and it was not too hypothetical a couple of years ago in educational debates. Suppose Congress were to pass a measure providing Federal funds shall be used to bus students in local school districts in this country from segregated schools to integrated schools. I stood on the floor and opposed that proposition because it clearly violated the right of the Congress under our system of government to use public funds for such purposes.

I am saying here today that it is not for the Committee on Appropriations of the Senate or the Congress to appropriate funds for a use that is going to create, as I am sure this will, serious difficulties in our respective States.

It is true that college presidents do not appropriate money but they are a part of our constituency and they not only have the right but they have the duty to advise us what would be good policy in keeping with some legislative action we are taking. We do not tell them. The constituents tell us.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, will the Senator yield to me for 1 additional minute?

Mr. HILL. I yield 1 additional minute to the Senator from Oregon.

Mr. MORSE. If the constituency, which consists of men of such expertise as col-

lege presidents, warns us of the disadvantages of the language of the committee, we better heed it because we are elected to carry out the public will and not dictate to it.

The Senator from Virginia makes my argument for me because we are the servants and not the masters of the people of this country.

We have to come to grips with whether or not it is sound Federal policy for the Federal Government to be determining this matter or whether it should be left where it belongs, in the States, and, through the States, in the college presidents of this country.

Mr. HANSEN. Mr. President, will the Senator yield to me for 3 minutes?

Mr. HILL. I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I have been listening with a great deal of interest to the debate this afternoon on the amendment offered by the distinguished Senator from New York. I appreciate very much what he and the distinguished Senator from Oregon said about States rights. I join with them in their conviction that we should recognize the proper role States can play and should play.

However, I must say in this instance I must support the committee amendment because I think the issue is not primarily States rights but, rather, what shall be the policy of the United States insofar as support of higher education is concerned when that support or part of it is used by students to pervert the very educational process that the Government of the United States intended to foster? That seems to me to be the issue here. In other words, are we going to say it shall be left entirely up to the discretion of university authorities to take disciplinary action, if any at all is taken, rather than to say that these grants-in-aid to students shall be denied if, by the actions of those students receiving help from the Federal Government, other students are denied the right to enjoy the benefits of the tuition paid by the taxpayers of this country, and privately paid, for their sons and daughters to go to school.

I do not think it is right at all for a student who is enjoying the benefits of a grant made by the Federal Government to take such action as would deny other students the right to go to classes. That is what is involved here. I see no invasion on the part of the Federal Government insofar as the exercise of States' rights are concerned.

I share the dismay of everyone in this Chamber, I am sure, when I note that some of the college presidents and college administrators throughout the United States have not had the courage to take the action immediately that I think should have been taken in kicking those students off of the campuses who attempted to take over forcibly the educational institutions so as to deny other students the right to matriculate in class.

I will support the committee amendment because it seems to me entirely proper for the taxpayers of this country, through Congress, to say this support will be denied anyone who is guilty of the "use of force, trespass, or the seizure of property under control of an institu-

tion of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies."

Mr. LAUSCHE. Mr. President, will the Senator yield to me?

Mr. HILL. I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I do not know if I am correct in this recollection. I will state it as I understand it.

For 3 or 4 years every time the school integration bill was brought up amendments were offered providing for the denial of funds to those school districts which failed to desegregate. Is that the law now?

Mr. HILL. Title 6 of the act of 1964.

Mr. LAUSCHE. I venture to say amendments were offered 50 times to deny aid to those school districts which failed to comply with the Federal Government's requirement. In this bill the committee recommends that aid be denied to those students who by force seize the buildings and offices of the institutions which they are attending.

The paradox is that with respect to school desegregation the principle of denial was right; with respect to the granting of aid to students who engage in criminal conduct in seizing the buildings the denial of aid is wrong.

I ask Senators to mediate. How can the two principles be reconciled? Is preferential treatment to be given in one instance and prejudicial treatment given in the other instance? If it is right in one instance it would necessarily be right in the other instance.

The argument of States rights, as it has been advocated here today, is completely in conflict with the arguments I have heard in the past with respect to the same subject. I will be at least consistent in casting my vote.

Mr. MORSE. Mr. President, I say to my dear friend from Ohio that there is nothing in common between the two issues that he raises. The matter of integration involves the matter of constitutional law. As Bob Taft expressed it so many times on the floor of the Senate, when we come to a constitutional principle, there are no States rights which come in conflict with the rights of the people. If the State is following a course of action that contravenes the Constitution, the Constitution shall prevail. That is what is involved in the matter of integration under the 1954 decision and the 1964 Civil Rights Act. But here we do not have a constitutional principle. To the contrary, we have a question as to whether the Senate and the House of Representatives will say to the States, "We are going to pass judgment upon the prerogatives of law enforcement in your State."

My plea is we should leave it to the States to enforce the laws. That is why I made the point that if students take over a university, if I were in an administrative capacity, they would move them out under State law, or get a new administrator. There is no constitutional principle involved in this case. It is bottomed upon the matter of carrying out constitutional prerogatives.

Mr. JAVITS. Mr. President, I believe I have 2 minutes remaining and I yield myself those 2 minutes.

**THE PRESIDING OFFICER.** The Senator from New York is recognized for 2 minutes.

**MR. JAVITS.** Mr. President, if I can have the attention of the Senate, I think that in the course of our deep feeling about this matter we are straying far from the point, because we are not dealing with the matter of a penalty for a wrong, we are dealing with a sanction. The penalty for a wrong should be jail, if one is guilty of trespassing, rioting, or doing violence.

The penalty which we are imposing is a sanction. It does not have a relation to the wrong. It has a relation to denying a privilege which we otherwise would enjoy.

Second, none of us is arguing about the merits. We are arguing about the means; namely, shall it be done by the Federal Government making it mandatory, or shall it be placed in the hands of the individual institution?

When we talk about precedents, I ask Senators to remind themselves about the farmers who stopped milk trucks and spilled the milk all over the road. Has anyone in this Chamber suggested that they should be deprived of the benefits of commodity stabilization?

What about people who enjoy benefits from the Federal Government in many other ways? What about businessmen who get export licenses? Has anyone suggested that they should be denied them under the antitrust laws should they have violated them?

Has anyone suggested they are guilty of a misdemeanor who would deprive a citizen of his right to vote unless State laws deprive him of it?

We know that the whole doctrine of American jurisprudence is against sanctions. Our Constitution is against sanctions.

That is why I feel as strongly as I do. That is why I believe that students will feel as strongly as they will about this matter, because it is not based on the tradition of American jurisprudence. It is the Congress acting out of resentment. It feels that this will stop the riots or future violence.

**THE PRESIDING OFFICER.** The time of the Senator from New York has expired.

**MR. JAVITS.** Mr. President, I yield myself 1 minute on the bill.

**THE PRESIDING OFFICER.** The Senator from New York is recognized for 1 minute.

**MR. JAVITS.** We are mad. We are angry. We are striking back. That is not the way for this great deliberative body to react to a given situation. We know the best means to discipline the college campus which will prevent students from interfering with their professors or their colleagues. We know that students can do that just by being boisterous. I have lived in college dormitories and I know that just playing the radio long enough can prevent everyone in the dormitory from studying.

Are we going to legislate that way? Or are we going to do other things which will be disruptive to study, because we are angry, we are mad, and we are striking back?

That is not the way to legislate, out of resentment.

Thus, I hope that my amendment will carry.

**THE PRESIDING OFFICER.** All time has been yielded back on the amendment.

The question is on agreeing to the amendment, as modified, of the Senator from New York [Mr. JAVITS].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

**MR. BYRD** of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Florida [Mr. HOLLAND], the Senator from Hawaii [Mr. INOUE], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. TALMADGE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONROEY], the Senator from Maine [Mr. MUSKIE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Pennsylvania would vote "yea" and the Senator from Florida would vote "nay."

I further announce that, if present and voting, the Senator from Louisiana [Mr. LONG] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

**MR. HICKENLOOPER.** I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKEL], the Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Nebraska [Mr. CURTIS], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] would each vote "nay."

On this vote, the Senator from Massachusetts [Mr. BROOKEL] is paired with the Senator from Utah [Mr. BENNETT]. If

present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from Illinois [Mr. DIRKSEN]. If present and voting, the Senator from California would vote "yea," and the Senator from Illinois would vote "nay."

The result was announced—yeas 25, nays 35, as follows:

[No. 266 Leg.] YEAS—25		
Case	McGee	Pell
Gruening	McGovern	Percy
Harris	McIntyre	Proxmire
Hart	Miller	Ribicoff
Hartke	Mondale	Scott
Hatfield	Morse	Williams, N.J.
Jackson	Moss	Young, Ohio
Javits	Murphy	
McCarthy	Nelson	

NAYS—35		
Baker	Griffin	Pastore
Boggs	Hansen	Pearson
Byrd, Va.	Hayden	Randolph
Byrd, W. Va.	Hickenlooper	Russell
Carlson	Hill	Sparkman
Cooper	Hollings	Spong
Dodd	Jordan, Idaho	Stennis
Eastland	Lausche	Symington
Ellender	Mansfield	Thurmond
Ervin	McClellan	Williams, Del.
Fannin	Montoya	Young, N. Dak.
Gore	Mundt	

NOT VOTING—39

Aiken	Cotton	Long, La.
Allott	Curtis	Magnuson
Anderson	Dirksen	Metcalfe
Bartlett	Dominick	Monroney
Bayh	Fong	Morton
Bennett	Fulbright	Muskie
Bible	Holland	Prouty
Brewster	Hruska	Smathers
Brooke	Inouye	Smith
Burdick	Jordan, N.C.	Talmadge
Cannon	Kennedy	Tower
Church	Kuchel	Tydings
Clark	Long, Mo.	Yarborough

So Mr. JAVITS' amendment, as modified, was rejected.

**MR. MORSE.** Mr. President, I send to the desk an amendment, which I ask to have stated.

**THE PRESIDING OFFICER.** The clerk will state the amendment.

**THE LEGISLATIVE CLERK.** The Senator from Oregon, for himself, Mr. JAVITS, Mr. NELSON, Mr. CASE, and Mr. YARBOROUGH offers an amendment to strike out the language beginning on line 22, page 64, through line 5, page 65, and insert in lieu thereof—

**MR. MORSE.** Mr. President, I ask unanimous consent to dispense with further reading of the amendment and ask unanimous consent that it be printed in the RECORD.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

The amendment is as follows:

Strike out the language beginning on line 22, page 64, through line 5, page 65, and insert in lieu thereof:

"SEC. 411. (a) If an institution of higher education determines after affording notice and opportunity for hearing to an individual attending, or employed by, such institution that such individual—

"(1) has been convicted by any court of record of any crime which was committed after the day of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of such institution to prevent officials or students in such institution from engaging in their duties or pursuing their studies, or

"(2) has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such crime or refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then the institution shall deny any further payment to, or for the direct benefit of, such individual under any of the following programs:

"(A) The student loan program under title II of the National Defense Education Act of 1958.

"(B) The educational opportunity grant program under part A of title IV of the Higher Education Act of 1965.

"(C) The student loan insurance program under part B of title IV of the Higher Education Act of 1965.

"(D) The college work-study program under part C of title IV of the Higher Education Act of 1965.

"(E) Any fellowship program carried on under title II, III, or V of the Higher Education Act of 1965 or title IV or VI of the National Defense Education Act of 1958.

"(b) Nothing in this subsection shall be construed to limit the freedom of any student to verbal expression for individual views or opinions."

Mr. MORSE. Mr. President, I yield myself such time as I need. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, may I make these points briefly? First, the Senate has just reversed itself in regard to the position it took when it passed the higher education bill. The language of the Javits amendment was in the higher education bill. The bill passed the Senate unanimously. There was not a single dissenting voice. This has been the decision of the Senate.

I am offering now an additional amendment, which I want to explain. It seeks, in my judgment, to carry out the will of the Appropriations Committee, which the Senate has just underwritten, but it offers some guidelines. It protects the basic principle of States rights that I argued a few moments ago in connection with the Javits amendment. It seeks to clear up the legal can of worms contained in the Appropriations Committee language. We are going to find that the language of the Appropriations Committee will create some most difficult legal problems in the enforcement of it.

I speak respectfully, but, on the basis of what has happened in the past, we are moving into the same kind of problem we moved into some years ago when we passed the so-called loyalty oath provision in the Senate, which caused many college professors to come out against it. It caused many universities to refuse any funds from the Federal Government because of that kind of Federal interference.

We have moved into a very interesting hybrid situation, in which we are going to have the Federal Government, now, interfere in the carrying out of State laws. All the other reasons I gave a few moments ago in support of the Javits amendment and in opposition to the committee's language I incorporate into the legislative history of this amendment by reference, and turn to the explanation of my amendment.

I have told you what the amendment would do. The best argument I can make,

I think, is to read it, with brief explanatory remarks as to its sections.

The amendment, which would be a substitute for the language of the Appropriations Committee in section 411, is as follows:

SEC. 411. (a) If an institution of higher education determines after affording notice and opportunity for hearing to an individual attending, or employed by, such institution that such individual—

(1) has been convicted by any court of record of any crime which was committed after the day of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of such institution to prevent officials or students in such institution from engaging in their duties or pursuing their studies, or

(2) has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act,

and that such crime or refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then the institution shall deny any further payment to, or for the direct benefit of, such individual.

I interrupt the reading of the amendment to state that this respects the basic right, and I happen to think the authority and responsibility, of the institution to make these value judgments. This is placing the responsibility where it belongs, rather than do what is done by the committee language, which I shall comment upon again very briefly after I have finished this paragraph. But I stress here the institutional responsibility in determining whether or not "such crime or refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution."

The amendment continues:

Then the institution shall deny any further payment to, or for the direct benefit of, such individual under any of the following programs:

(A) The student loan program under title II of the National Defense Education Act of 1958.

(B) The educational opportunity grant program under part A of title IV of the Higher Education Act of 1965.

(C) The student loan insurance program under part B of title IV of the Higher Education Act of 1965.

(D) The college work-study program under part C of title IV of the Higher Education Act of 1965.

(E) Any fellowship program carried on under title II, III, or V of the Higher Education Act of 1965 or title IV or VI of the National Defense Education Act of 1958.

(b) Nothing in this subsection shall be construed to limit the freedom of any student to verbal expression for individual views or opinions.

What this does, in essence, is place the determination of the effect of the misconduct of the student upon the institution to determine, as the language says, "that such crime or refusal was of a serious nature, and contributed to a substantial disruption of the administration of such institution."

Are we going to take the position that any other conduct on the part of the student shall be the basis for denying him financial benefits? As I said earlier this afternoon, just take a look at the language of the committee, as to what the Appropriations Committee's language would do:

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 of others in the use of force . . .

And so on. It is that conviction that denies him the funds. There is not even any provision here for appellate procedure. Take the hypothetical case that you get the conviction, then 6 months later, after appeal, a superior court reverses the conviction. He does not get his money back; he is not eligible for further funds; he has been convicted, and the action of the appellate court does not change the finding of the court of general jurisdiction.

This is an example of the difficulty encountered when the Federal Government undertakes to establish educational policy at the State level.

How are we going to do it? Are we going to have the Commissioner of Education do it? Are we going to have the Department of Justice do it? Who is to render the verdict?

My amendment would place the rendering of judgment where it belongs, with the institution of higher learning.

Oh, I know, Senators do not like to face up to the fact that what we are doing is intervening with regard to educational policy at the State level. Many who voted for the committee language have been heard to say, time after time, that they do not want any Federal aid program in education which would direct, in any way, educational policy at the State level. I do not, either. I have never failed, standing over there at the managerial desk, as I have taken Federal aid to education measures through the Senate, to see to it that the bills I sponsored did not involve Federal interference with education at the State level.

This committee language does that. It is a clear intervention in State policy, at the State level, in the field of education.

Do not forget, there is no constitutional principle here, but there is a constitutional question involved in the example used in the argument against me a few moments ago, as I pointed out at the time, with regard to the integration question. A State has no right, in its educational policy, to violate the Constitution of the United States. That is where the constitutional issue comes in.

But remember 2 years ago, in regard to the busing provision, when I stood up at that desk and said I would never support a Federal aid to education bill that directed busing at the school district level within a State, but I said that as far as Federal funds are concerned, where they are to be used at the discretion of the local school district, if they decided to use the funds for any of various purposes, including buying buses, that was their decision, and that was my long-held view in regard to the right of the States to determine educational policy.

I have tried to clarify the objectives of the committee. I think my substitute amendment will accomplish every purpose the committee has in mind, but it leaves the administrative prerogative where it belongs. It leaves the value

judgment to decide whether or not the crime or the refusal to carry out policy really was of a serious nature, or contributed to a substantial disruption of the administration of the institution.

Why do we propose to set ourselves up to be the judges, and intervene in State educational policy?

I close with the argument I made at the beginning. I simply want to state that in my judgment, we are buying ourselves, not only a peck of trouble, but great trouble, on campus after campus, because I believe we will find that a lot of law-abiding students will give support to those who challenge this section just as they did on the loyalty oath question, on the ground that they are not going to have Congress pass that kind of restriction upon what they think are their individual rights.

But they are bound to carry out the rules and regulations of the university; and I want to put the responsibility for enforcing those rules and regulations and for maintaining order on the campuses on the college presidents and the disciplinary committees on the various campuses.

I press for my amendment.

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

Mr. MORSE. I yield the Senator from New York such time as he may need.

Mr. JAVITS. Mr. President, there is a very essential difference, I think, between this amendment and the amendment which was defeated, which does make it a middle ground and a sort of compromise position. I think the Senate should understand that, because this does indicate a clear directive to the institutions concerned that they shall—the wording of the amendment is that they shall—deny the student any further payment, and so forth.

It seems to me, therefore, that whereas my amendment would have left the question open as to what the Federal Establishment could do if a university or college failed to act, I do not think it would be open under this provision. I think the Federal Establishment would have a right at least to call a university or a college on the carpet and say: "You made a determination to such and such an effect in this case which negated the denial of benefits. The law says that you shall deny them. What is your basis for this? Is it not right that you shall deny them when the facts in our judgment show that a sufficient case was made?"

I believe, therefore, that this would add an additional element. I had hoped that the Senate could have faced this particular compromise, even in lieu of my own amendment. However, I see no harm in that. I am proud to have done what I did. I think it is right.

I join the Senator in his amendment. However, I point out to the Senate that there is a substantive difference. And so that the legislative record is clear, the authorities charged with the handling of these student affairs and other matters would have a right to call to account any college or university which after hearing and consideration failed to act in a situation in which the Federal Government felt it should have acted.

Mr. MORSE. Mr. President, I offered the amendment on behalf of the Senator from New York [Mr. JAVITS], the Senator from Wisconsin [Mr. NELSON], the Senator from New Jersey [Mr. CASE], and the Senator from Texas [Mr. YARBOROUGH]. They join me in offering the amendment.

Mr. JAVITS. I thank my colleague. Does my colleague agree that the difference I have pointed out is a real substantive difference?

Mr. MORSE. It is of real substance. Placing the responsibility where we tried to place it would accomplish the committee language and avoid the pitfalls I have been speaking about.

Mr. HILL. Mr. President, I yield 3 minutes to the Senator from Ohio.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, in my opinion the difference between the two measures is the difference between willy-nilly and willy-shally.

Our country is faced with riots everywhere. The Chicago convention has called the attention of the people of the world to the fact that we are in a gross state of disorder. Riots prevail in the cities, in the colleges, in the political conventions, and everywhere else.

The question before us is whether we are going to give encouragement to riots or are going to adopt measures that will discourage them.

If we read the language of the committee amendment, in my opinion, we must come to the conclusion it contemplates discouraging riots. In simple language it says to the student: "We will make you a grant; we will lend you money; or we will guarantee the payment of money which you borrow. But, if you have been found guilty of seizing unlawfully the property of a college you are attending, you shall then be barred."

The argument is made about constitutional rights or the nonconstitutional rights. I pose this question: What constitutional rights does a student have to get a grant or a loan from the Government?

He has no constitutional right. It is a beneficence conferred upon the student through the good will of the people of the United States.

If we give him a grant, if we bestow upon him a beneficence, do we not have the right to attach conditions to that grant?

The right to attach conditions are greater with respect to nonconstitutional rights than they are with respect to constitutional rights. A legal right as distinguished from a constitutional right justifies Congress in imposing conditions far greater than it would impose with respect to the recognition of a constitutional right.

What does the amendment propose? It proposes that the colleges set up boards of inquiry in a manner similar to the administrative procedure. In my opinion, the provisions make for obfuscation.

The amendment proposed by the committee is sound, and it ought not to be disturbed.

Let us, through this Congress, announce to the people of the United States

that we contemplate doing everything within our power to bring to an end the defiance of government.

The amendment which was just rejected and the amendment which has been offered, in my opinion, will encourage riots rather than discourage them in the institutions of higher learning.

Mr. MORSE. Mr. President, I yield 2 minutes to the Senator from New Jersey.

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

Mr. CASE. Mr. President, as a cosponsor of the amendment, I direct my comment to one point. It is quite true that the Federal Government has the right in the sense of power to do what it wants to do in the way of attaching conditions.

The question concerns the wisdom and the rightness of it under our Federal system.

The Senator from Oregon and I are often on different sides of some arguments and on the same side of other arguments. However, the Senator has been absolutely consistent this time. I do not mean to suggest any absence of consistency on his part in any matter. However, in the matter of the Federal system which we are sworn to protect, the Senator has been consistent all the way through and is consistent here.

We do not want to have the Federal Government, the Department of Education, or any other Federal bureau or bureaucracy, interfere with the administration of our colleges, even in respect of the continuation or noncontinuation of what the Senator from Ohio has called beneficences.

That ought to be left to the colleges themselves. This is true whether the money comes from the Federal Government, the State government, or any other public source. The college administration ought to have this responsibility and ought not to be able to duck it.

Mr. MORSE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. MORSE. Mr. President, I do not agree that the Federal Government, through the guise of this language, should take it upon itself by way of mandate to add an additional punishment for the violation of the law and that we ought to find whether the particular violation has the effect of substantially disrupting the educational processes of the institution.

There are all kinds of crimes. The committee language calls for a conviction. We certainly do not want in addition to the penalty provided by State statute to add an additional penalty on the part of the Federal Government, to be administered pursuant to a decision to be made at the bureaucratic level in Washington, D.C.

If that is not interference by the Federal Government at the State level, I do not know what it is.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 additional minute.

Mr. MORSE. I think this is a fair compromise of those differences and carries out every legitimate objective that the committee had in mind. At the same time it provides for these protective safeguards to which I think the institutions of higher learning are entitled.

Mr. President, I yield back the remainder of my time.

Mr. HILL. Mr. President, I yield 3 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I think we should remember the provisions in the report of the bill reported by the committee. We should not break it up in different sections and thus distort the real intent we are trying to invoke in this debate and the objectives we are trying to accomplish.

We debated this matter at some length in the committee. Read the provisions very carefully—and thought by thought.

First:

No part of the funds appropriated under this act shall be used to provide a loan—

We are talking about Government money being loaned to a student to acquire an education principally at Government expense. This is the money of the taxpayers of the United States.

Second:

guarantee of a loan—

Here, again, the Federal Government is pledging its credit in order that a loan might be secured, so that a young man may become educated in college. That is a greater good fortune than I ever had, because I never had the privilege of going to college. Fortunately, I am a trustee of Brown University, and I stand behind the verbiage in the bill.

Third:

or a grant—

Which is a gift—to any applicant who has been convicted—

These are the important words. After all, are we going to say that our courts are incapable of deciding the guilt or innocence of an individual, especially when guilt must be established beyond a reasonable doubt? This is the rule of law; this is the constitutional rule of law, by any court of general jurisdiction—

What is wrong with that?

of any crime which involves—

This does not mean somebody who merely stole an apple from an orchard—this is what it involves—

the use of or the assistance to others in the use of force—

It has to be physical force. To do what? Trespass. Trespass is what they did at Columbia. They walked into the dean's office and held him prisoner all night. That is what we are talking about—trespass or the seizure of property—

They went in there and took President Kirk's desk, and scattered his property all over the floor. That is what we are talking about—seizure of property under control of an institution of higher education—

Not merely belonging to an individual, but belonging to that particular institution of higher education—

to prevent officials or students—

Students are the decent kids who want a college education and want to mind their own business—at such an institution from engaging—

In what? in their duties—

On the part of officials—or pursuing their studies.

On the part of the decent students. What is wrong with that?

I yield the floor.

Mr. MORSE. Mr. President, I yield myself 1 minute.

Everything is wrong with it, from the standpoint of our trying to protect our States rights in regard to the operation of our educational institutions.

This is what Mr. Kirk, the president of Columbia, says in opposition to the language of the Committee on Appropriations:

It is for these reasons that we cannot support any effort, no matter how well-intentioned or how emotionally satisfying it may be, which seeks to punish participants in university disturbances by means that endanger either academic freedom or the proper autonomy of the university community. Any attempt by governmental authorities to deprive these offending students of financial aid which they are now receiving under Federal or state programs would be difficult to administer equitably and would pave the way for the adoption of tests of political orthodoxy that would endanger the freedom of opinion and expression which all universities cherish.

At Columbia, we do not intend to use financial sanctions as a disciplinary measure in place of, or in addition to, regular academic discipline. Students of limited means who happen to be placed on disciplinary probation should not be compelled to withdraw by being deprived of financial aid. If students are suspended or expelled from the University, the question of financial aid is no longer an issue since they cannot receive any form of assistance if they are not registered.

I hold no brief for their misconduct. But I believe that the university administration rather than the Senate has more expertise in the matter of how best to bring wayward students back into decent behavior. The adoption of this type of punitive course of action would simply mean that the university would be given no chance to try to rehabilitate the student, to bring him to his senses, and to try to prevent in the future the wrong conduct in which the student has been engaged.

It would result in the kind of reaction, by thousands of students in this country, that President Kirk gives in his statement. Instead of helping the universities, it would create problems.

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

Mr. MORSE. I yield.

Mr. PASTORE. I do not mean any impertinence by this.

Mr. MORSE. The Senator is never impertinent.

Mr. PASTORE. Is the Mr. Kirk whose letter the Senator has read the same Mr. Kirk who was driven from the presidency of Columbia by those dissidents?

Mr. MORSE. It is.

Mr. PASTORE. He was driven out by those people.

Mr. MORSE. If I had been in Mr. Kirk's position, I would have insisted on the strictest enforcement of State law. But I do not intend to vote this afternoon to have the Federal Government take over when it is the State's responsibility to enforce the law.

Mr. HILL. Mr. President, I yield 1 minute to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I endorse 100 percent the very cogent and persuasive arguments of the Senator from Rhode Island [Mr. PASTORE]. He is a trustee of one of our great American universities, and it seems to me that his testimony, based on his connection with a great university, is much more persuasive than the testimony of the president of a college—from which I happen to hold a degree—who failed in the administration of his own institution and was finally driven out of office and off the campus.

No aspect of States rights is involved in this decision. This is Federal money, and we have control of the Federal funds. I do not want any Federal money, if I can help it, being used to subsidize violence or as a bonus for rebellion on the campus—and that is what one would be voting for if he voted to weaken the fine language as presently included in the bill and submitted by the committee.

The PRESIDING OFFICER. Who yields time?

Mr. MORSE. I yield back the remainder of my time.

Mr. HILL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Oregon. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Florida [Mr. HOLLAND], the Senator from Hawaii [Mr. INOUYE], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. TALMADGE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Maine [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator

from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], and the Senator from Oklahoma [Mr. MONROE] are necessarily absent.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senator from Florida [Mr. HOLLAND], the Senator from Louisiana [Mr. LONG], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Louisiana [Mr. ELLENDER].

If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Louisiana would vote "nay."

Mr. HICKENLOOPER. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Utah [Mr. BENNETT], the Senator from Tennessee [Mr. BAKER], the Senator from Massachusetts [Mr. BROOKE], the Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Nebraska [Mr. CURTIS], the Senator from Maine [Mrs. SMITH] and the Senator from Texas [Mr. TOWER] would each vote "nay."

On this vote, the Senator from Massachusetts [Mr. BROOKE] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Utah would vote "nay."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from Illinois [Mr. DIRKSEN]. If present and voting, the Senator from California would vote "yea," and the Senator from Illinois would vote "nay."

The result was announced—yeas 28, nays 26, as follows:

[No. 267 Leg.]

YEAS—28

Case	McGee	Percy
Gore	McGovern	Proxmire
Gruening	McIntyre	Randolph
Harris	Miller	Ribicoff
Hart	Montoya	Scott
Hartke	Morse	Symington
Hatfield	Moss	Williams, N.J.
Jackson	Murphy	Young, Ohio
Javits	Nelson	
Mansfield	Pell	

NAYS—26

Boggs	Hansen	Pearson
Byrd, Va.	Hickenlooper	Russell
Byrd, W. Va.	Hill	Sparkman
Carlson	Hollings	Spong
Cooper	Jordan, Idaho	Stennis
Dodd	Lausche	Thurmond
Ervin	McClellan	Williams, Del.
Fannin	Mundt	Young, N. Dak.
Griffin	Pastore	

NOT VOTING—45

Aiken	Bayh	Burdick
Allott	Bennett	Cannon
Anderson	Bible	Church
Baker	Brewster	Clark
Bartlett	Brooke	Cotton

Curtis	Inouye	Monroney
Dirksen	Jordan, N.C.	Morton
Dominick	Kennedy	Muskie
Eastland	Kuchel	Prouty
Ellender	Long, Mo.	Smathers
Fong	Long, La.	Smith
Fulbright	Magnuson	Talmadge
Hayden	McCarthy	Tower
Holland	Metcalfe	Tydings
HRuska	Mondale	Yarborough

So Mr. MORSE's amendment was agreed to.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JAVITS. I move to lay that motion on the table.

Mr. ERVIN. Mr. President, I ask for the yeas and nays on the motion to table the motion to reconsider.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

The question is on agreeing to the motion to table. [Putting the question.]

The motion to lay on the table was agreed to.

Mr. HARTKE. 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:

On page 43, line 23, strike out "\$30,056,000" and insert in lieu thereof "\$32,556,000".

On page 44, line 1, strike out "\$3,500,000" and insert in lieu thereof "\$6,000,000".

Mr. HARTKE. Mr. President, the amendment which I offer affects the appropriation of funds specifically for just one program. That is the construction of mental retardation facilities under part C of the Mental Retardation Facilities Construction Act.

Part C deals with the community mental retardation facilities construction program, which the House funded at \$6 million. The committee bill lowers that amount, which is the budget figure, to \$3.5 million. My amendment restores the House figure, and in doing so adds \$2.5 million to the total mental facilities program, which now stands at \$30,056,000.

Many of us recall the passage of the Facilities Construction Act in 1963, when it became Public Law 88-164. In addition to the community facilities under part C, it also covers construction of community mental health centers, of centers for research on mental retardation, and of university-affiliated facilities for the mentally retarded. It is only the first of these that my amendment is directed to.

The authorization set up a 4-year program, later extended for 2 additional years. It has made a start, but there is much more needed, and I am confident that further authorization will be provided next year for its continuance. But let us look at what has been happening lately. I think you will agree with me that the evidence shows that last year and this, in fiscal 1968 and now in fiscal 1969, we have seen the program sabotaged for lack of funds. Authorization for the first year of operation was in the amount of \$10,000,000 for fiscal 1965, \$12,500,000 for 1966, \$15,000,000 for 1967, and \$30,000,000 for 1968. The extension, accomplished by Public Law 90-164, called for another \$30,000,000 for this

year—fiscal 1969—and \$50,000,000 for fiscal year 1970.

But what happened? The first 3 years went well and the much-needed program, providing help to the mentally retarded children throughout the Nation, operated as scheduled at full funding. Thus we provided in successive years \$10 million, \$12.5 million, and \$15 million. Then came last year, with the claims of Vietnam on our resources. The budget recommendation, in spite of plans made and construction begun on a large array of facilities, was for \$15 million rather than \$30 million—a slash directly in two of the funds the States and the local communities had expected on the basis of the past 3-year history.

Last year, therefore, I set forth before the Senate the situation and described the urgency of the needs, for whose provision the smaller sum would cause great difficulty. We adopted, as a result, the figure of \$25 million instead of \$15 million for this purpose. In conference final agreement was reached on \$18 million, cutting the additional amount provided by my amendment from \$10 to \$3 million.

Today, with the same authorization of \$30 million for fiscal year 1969, we are faced in this bill with a House-passed figure of \$6 million, which the Senate committee has further cut to \$3.5 million—scarcely a tenth of full authorization. I personally would prefer an appropriation far greater than the \$6 million I am asking to be restored, but I am also a realist. In the present era of denial of funds to all manner of worthy projects—and I am a cosponsor of the Hart and the Nelson amendments to give more adequate funding to the Teacher Corps and to title I of the Elementary and Secondary Education Act in this bill also—in the circumstances I know that a proposal to appropriate the same amount as last year, \$18 million, would not carry the day. Neither would \$15 million, which the budget called for last year although it was only half of authorization.

But \$6 million is the amount recommended in this year's tight budget, rather than the Senate allotment of \$3.5 million. It is an honest, realistic, even though tragic, reduction to meet the changed situation wrought by our vast overextension in Vietnam in what has now become the third most costly war in our history. In fact, \$6 million is only enough to supply the Moloch of war in Vietnam with fuel for its insatiable maw for 1½ hours. The \$2.5 million additional I seek is enough for Vietnam's cost for less than 39 minutes. But what a difference that modest amount can make in the lives of our retarded children.

Now, in reducing the House and budget figure from \$6 million, the Senate committee has left the overall mental retardation figure at the same amount. They have shifted the \$2.5 million difference out of the part C funds for community use to the university-affiliated program. This, too, is a worthy program, and I am for its funding at the Senate committee's figure. It will make a difference in Indiana with regard to the Bloomington retardation facility now in construction with Indiana University as its mentor. You will find the committee explanation on page 70 of its report,

which notes that when the House added \$2,500,000 to the university-affiliated program it took the sum from the hospital improvement program. With Department approval, the hospital improvement funds would be restored by the Senate change at the expense of the community service facilities program. To this I object in the strongest manner.

If the hospital improvement program which the House cut should be restored, and if the university facilities program should be restored as the Senate committee recommends, why should the pitifully small community facilities program be the one to bear the cut?

These community facilities are for the retarded children of our Nation. Modern methods, which are so far ahead of those previously used in most of our States in their outworn facilities and terribly limited capacity, can make the retarded, for the most part, into useful self-supporting individuals for life rather than social cripples, by virtue of their limitations. But they are also rather impotent politically. Hospitals have administrators and clientele who can effectively protest, and so do universities. So the easy thing is to take a slice where the complaint is less likely. Indeed, had I not been concerned last year and investigated the conditions now, no voice would have been raised on this floor on behalf of the mentally retarded facilities construction program at this time.

Now, let me revert again to the story of our shabby treatment. As I said, last year's action on my amendment led to funding of \$18 million for 1968 fiscal, which was still \$12 million below the authorization even if it was more than the request. But that is not the end of the story. The administration clamped a spending embargo on two-thirds of it. Thus \$12 million was not spent even though appropriated; only \$12 million found its way from that appropriation into the projects already approved and started. This defeat by design of the express intentions and provision of the Congress caused a great deal of difficulty throughout the country. The people who administer the program supplemented the \$6 million as well as they could by again transferring some funds from the community mental health centers money—\$3 million to be precise.

So it is true that there remains this year, as in previous years, some carry-over funds—but the new obligatory authority, the new money in this bill, is only \$3.5 million in the Senate version.

Now let me point to another result if we do not adopt the amendment I have offered. That is an inequity among the States. Even with the \$6 million in reserve, the \$3.5 million makes the total which can be spent only \$9.5 million. But under the law, it is mandatory that each of the 50 States receive a minimum of \$100,000. This means that the mandatory distribution will take \$5 million of the total amount available, leaving less than half for formula distribution.

But under the formula, if you disregard the \$100,000 minimum, a number of States would receive less than that sum. Yet, with the situation as it stands, enactment as reported would have to cut

the pro rata share of other States to provide the mandatory minimums. To be specific: Indiana's Federal share of this matching program in fiscal 1967, which they received, was \$345,337. If last year's slightly increased appropriation had been allotted and used, that would have been increased by about 20 percent. Instead, because of the administrative freeze, in fiscal 1968 Indiana received only \$262,416. Now, with the Senate reduction, the amount for Indiana in fiscal year 1969 will be only \$198,000. Other States, of course, will be in proportion, except for those who inequitably receive more than their pro rata share through the \$100,000 minimum. My amendment will only hold the line at last year's figure of \$6 million actually spent so far as new obligatory authority is concerned.

What does that mean in Indiana—and by extension, in all the other States?

As I noted last year, Indiana got behind this program solidly. Its State legislature in early 1967 voted a special dedicated cigarette tax to provide State funds. Through 1969 that will provide \$3 million for the purpose annually, and thereafter \$6.6 million in State funds earmarked for both construction and operation under the 1963 act.

Five mental retardation centers in Indiana were federally approved for funds through fiscal 1967, for a total Federal share of \$1,065,583. Requests for fiscal year 1968, which were denied only because of the stringent allocation of appropriated funds, included a proposal for my home city of Evansville and a project for our largest city, Indianapolis. These have not been able to get off the ground, and they will not be started under the new appropriation even if it is increased to \$6 million.

What is the prospect for this year, then?

A check with the Chicago field office made only today shows that only three Indiana projects, out of a total of nine which could be, and should be, moving forward, will be given funds for sure. South Bend will receive \$4,600 from the 1969 appropriation, plus \$229,366 in the carryover funds. The Hendrix Habilitation Center at Logansport will get only \$1,000 in new money plus \$4,000 in carry-over. And the Lake County Sheltered Workshop Training Center at Gary will receive \$11,800 in new money and \$29,000 from last year's appropriation. The total of \$57,000 in 1969 funds, together with the others I have named, are needed to complete the projects now being built.

This is a very meager minimum. The State agency currently has five projects waiting Federal funding. They have already been approved, but even with my amendment they cannot be started. One of them is the one I mentioned for Evansville; another is Indianapolis; and there are also the second phase of the Logansport project, and Elkhart. Your own States, I am sure, can show a similar unfulfilled need. Yet, as I noted last year, a survey of the Nation showed that in 49 States the combined waiting list for entry into the existing institutions was almost 32,000 persons now getting no rehabilitation at all. In some States, with-

out new facilities the wait is as long as 5 to 6 years.

Mr. President, I move the adoption of my amendment.

Mr. HILL. The amendment is confined entirely to the item for mental retardation?

Mr. HARTKE. The Senator is correct.

Mr. HILL. There is a great need for it. There is no reason why we should not accept the amendment.

Mr. HARTKE. I thank the Senator from Alabama.

Mr. President, I yield back the remainder of my time.

Mr. HILL. Mr. President, I yield back the remainder of my time. The PRESIDING OFFICER. All time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from Indiana. The amendment was agreed to.

#### ORDER FOR ADJOURNMENT UNTIL MONDAY, SEPTEMBER 9, 1968

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

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.

AMENDMENT NO. 935

Mr. HART. Mr. President, I call up my amendment No. 935 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 35, line 12, in lieu of "\$86,900,000", insert "\$94,823,000".

Mr. HART. Mr. President, I can briefly summarize this amendment, which is co-sponsored by the Senator from Massachusetts [Mr. BROOKE]. It would increase appropriations for clinical research units under the National Institutes of Health in the sum of approximately \$8 million.

How did this need come to our attention? It came to our attention in a fashion that would not have permitted the committee to be aware of the situation at all.

Last week, we learned that a citizen in Kalamazoo, Mich., Philip T. Barnum, was in urgent need of a heart transplant at the clinical research unit which had been established under this program at the University of Michigan Hospital at Ann Arbor. It was a life-and-death matter for him.

After the emergency became apparent, it was discovered that because of lack of funds, as a result of operating increases occurring over the last 12-month period, the unit at the University of Michigan Hospital had had to close down.

Mr. President, I ask unanimous consent to have printed in the RECORD a rather full article describing the situation, which was published in the Detroit News for August 25, 1968, entitled "Budget Ills Place Medical Research in Quarantine."

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

[From the Detroit (Mich.) News, Aug. 25, 1968]

BUDGET ILLS PLACE MEDICAL RESEARCH IN QUARANTINE

(By Eric Ludvigsen)

WASHINGTON.—President Johnson's 10 percent surtax and a pending Congressional slash in spending are threatening to hobble medical research in the nation, including work at three Michigan universities.

The National Institutes of Health (NIH)—the principal research arm of the U.S. Public Health Service—faces a budget cut of up to \$38.5 million when House and Senate conferees get together in September.

That's only 3 percent of NIH's billion dollar-plus budget, but any cut is traumatic for an agency once so favored that it had to be cajoled by Congress to take money that hadn't been requested.

The squeeze showed up when the University of Michigan disclosed that it had lost federal money with which it had planned to finance an expensive heart transplant operation, the first in the state.

Furthermore there is a \$72 million backlog of projects already approved but for which there are no funds. By next June, the value of new projects pending approval is expected to climb to \$145 million.

Among the projects already approved but without funds are three in Michigan: Michigan State University's medical school (\$1.9 million), the U. of M. medical school (\$1.8 million) and Wayne State University's school of medicine (\$255,000).

No funds are going out now, except for projects of the very highest priority, according to NIH spokesmen.

In theory, every federal agency suffers equally from the \$6 billion cut in the 1968-69 budget exacted by Congress as the price for passing the surtax.

But some are "more equal than others."

Postmaster General Marvin W. Watson stayed the axe by the simple expedient of threatening to curtail service. When daily mail deliveries are at stake, Congressmen imagine they hear constituents screaming before the first angry telegram arrives.

But agencies like NIH, whose work is carried on mostly out of the spotlight, rarely can point to such graphic examples as the U. of M. case.

Most federal support of medical research at universities, hospitals and private institutions is funneled through one or another of NIH's six disease-designated divisions.

Funds now must be found to maintain NIH's own facilities at its sprawling grounds in Bethesda, Md.

Costs rise much more sharply in the medical field than in machine shops or steel plants. This is particularly so at the 91 clinical research units operating with NIH financial aid, like the one at University Hospital in Ann Arbor.

The program was started in 1960 to translate breakthrough techniques often perfected on animals into practical procedure for human medical treatment.

The supporting equipment must often be designed and built from scratch, and the first patients require long periods of intensive care.

Without a final 1969 budget, and with prior allocations nearly exhausted, NIH is having to cut back the program.

Besides the one at the U. of M., 10 other clinics have reported operating deficits of

more than \$50,000, and have announced they are suspending operations or are on the point of doing so.

The others are at the University of Pennsylvania, Vanderbilt University, the University of Southern California, Northwestern University, the Universities of Texas, and Puerto Rico, Children's and Peter Bent Brigham hospitals in Boston, Children's Memorial Hospital of Chicago and Children's Hospital in Washington, D.C.

Because of rising research costs, NIH has usually considered a 10 percent annual increase in its allocations as the minimum required just to maintain current programs.

This year NIH was down for only a 4 percent increase in Mr. Johnson's budget request. House cuts reduced the margin over 1968 to less than one percent.

The Senate restored some of the funds cut, but NIH officials expect the compromise worked out will be closer to the House version. That's because all but \$5.9 million of the amount deleted by the House was part of the reduction imposed by the tax bill.

In his report to the Senate, Senator Lister Hill, of Alabama, chairman of the Labor and Public Welfare Committee, disputed the House contention that the cuts were "taken."

He noted that the House version not only would reduce the appropriations ceiling for five NIH divisions from 1968 levels, but also would authorize less than was actually spent in 1968 for three of them (dental, heart and arthritis).

"This could have been a disastrous effect on the (research) grant programs of all the divisions," he warned.

Mr. HART. Mr. President, as the article indicates, we now discover that there are 10 of these units which have operating deficits and which have or are on the point of closing.

The article enumerates the units as: University of Pennsylvania, Vanderbilt University, the University of Southern California, Northwestern University, Universities of Texas and Puerto Rico, Children's and Peter Bent Brigham Hospitals in Boston, Children's Memorial Hospital of Chicago, and Children's Hospital in Washington, D.C.

Mr. President, when this matter came to our attention, we turned for counsel to the Health, Education and Welfare Appropriations Committee report and found there that the committee, indeed, did recognize the critical situation that confronts these units.

The report, on page 55, states as follows:

For the general clinical research centers program, the bill provides \$35,677,000, the amount available in 1968. This program provides funds for the establishment and operation of clinical research facilities which are not limited to research on any specified disease and which provide a vital link for translating the results of laboratory research into new diagnostic and therapeutic tools for the treatment of patients. The committee noted in its report last year that rapidly rising hospital costs would force a curtailment of the general clinical research center program unless funds for it were substantially increased. There has, in fact, already been some curtailment—during the past year one center has closed and the number of research beds has dropped from 1,129 to 1,006. Hospitalization costs rose 15% during the past year and are expected to rise by another 12% to 15% during the next 12 months. It is now estimated that the amount requested in the President's budget will only be sufficient to permit 70% occupancy of the existing research beds. In other words, it will only be possible to use the equivalent of 700 of the existing 1,006 beds for research purposes. Due to the rise in personnel costs, the

budget will also support only 2,092 center staff, instead of the 2,478 positions approved when the general clinical research center grants were made. The committee suggests that the special financial problems of this important research-resource program be given special consideration in the development of the fiscal year 1970 budget estimates so that these centers can be restored to maximum usefulness.

The bill provides the amount available for the current year. The committee suggests that the special financial problems of this important research resource program be given special consideration in the development of fiscal year 1970 budget estimates so that the centers can be restored to maximum usefulness.

Understandably, as the committee considered this item, not having a literal, life and death man at the door, the thought was, "Well, let us continue the existing level and recognize now that next year we will have to do something about it."

Mr. President, none of us knows how many human beings in the future will be in the situation of Mr. Philip T. Barnum of Kalamazoo, Mich., but we do know that he will not be alone.

Having been alerted to the problem, I hope that the sum of \$8 million, which is large in one meaning but relatively small in comparison with some of the concerns to which we address ourselves here in the Senate, I do not know how many men and women in this country to which that sum will mean life, or its denial will mean death.

We tend to overstate cases in the Senate on occasion, but this is literal truth that it will mean life or death to some of our citizens in the future.

Having had this matter brought to our attention, I hope that the Senate will respond by adopting the amendment.

Mr. HILL. Mr. President, there is no doubt about the critical situation confronting us, just as the Senator from Michigan has outlined it. This situation has developed to a very large extent since the committee considered the hearings, which were over 2 months ago, I believe.

I believe that we should at least take the amendment to conference.

Mr. HART. I am very grateful to the Senator from Alabama. I know that he shares this concern and will do all that is proper to save the amendment in conference.

Mr. President, I yield back the remainder of my time.

Mr. HILL. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has now been yielded back.

The question is on agreeing to the amendment of the Senator from Michigan [Mr. HART].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HILL. Mr. President, I offer an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 57, after line 5, insert the following:

SEC. 207. The limitations in section 201 of the Revenue and Expenditure Control Act of 1968 on the number of civilian employees in the executive branch shall not apply to the Social Security Administration and direct medical care activities of the Department of

Health, Education, and Welfare, and employees in such Administration and such activities shall not be counted in applying such limitations to the rest of the executive branch.

Mr. HILL. Mr. President, the committee explains the amendment in these words:

The uncontrollable nature of the social security program is recognized by virtue of its exemption from the expenditure and new obligation authority reduction provisions of Public Law 90-364. The committee has been further advised that the claims workload which SSA will be required to handle in 1969 already gives every evidence of being substantially higher than that predicted in the budget.

That budget was made up nearly a year ago, and social security has gone up, up, up—

Under the circumstances, the committee feels it is essential to avoid endangering the timely payment of social security benefits to millions of Americans by continued application of the restriction on filling vacant positions to the Social Security Administration.

Direct patient care activities of HEW include the Public Health Service hospitals and clinics, the NIH Clinical Center, the NIMH Clinical Research Centers at Fort Worth, Tex., and Lexington, Ky., the Indian health program, and St. Elizabeths Hospital. Here again, the committee has deemed it advisable to exempt these activities from the provisions of section 201 of Public Law 90-364 rather than risk endangering the health and safety of patients, most of whom are statutory beneficiaries of the Federal Government.

That is the purpose of this amendment. Its purpose is that the Social Security Administration and the hospitals and clinics operated by the Government may not be impaired in their service because of any reduction in their personnel.

The PRESIDING OFFICER. Who yields time?

Mr. HILL. Mr. President, I ask for a vote.

The PRESIDING OFFICER. Does the Senator yield back his time?

Mr. WILLIAMS of Delaware. Mr. President, the Senator may yield back his time, if he wants to, but I would like to say a few words about this amendment.

First, I suggest the absence of a quorum, and ask that the time not be charged to either side.

The PRESIDING OFFICER. Is there objection?

Mr. HILL. Mr. President, I did not hear that request.

Mr. WILLIAMS of Delaware. I want to see if there is a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. 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. HILL. Mr. President, I understand, from my friend from Delaware, that there will be a bill down here that will deal with this matter directly.

Mr. WILLIAMS of Delaware. Mr. President, I do not know whether or not there will be. I read on the ticker that the administration will try to get Congress to exempt other agencies from the \$6 billion expenditure cut, or at least to reduce it to the extent of \$1.5 billion to \$2 billion. That is unofficial. What I know about it officially is that the Director of the Budget, speaking for the President, the last time I talked with him said he was fully satisfied with the law as it was and that he was fully satisfied with the \$6-billion cut. As far as any conversation I have had, he has not asked for any exemption for this agency. I have not heard differently from him. Like Will Rogers, on this suggestion I only know what I read in the papers, and I believe only half of it.

I want to make clear, however, that I am going to oppose any proposal that will violate the expenditure reduction which the Senate adopted, because I sponsored that amendment providing for a \$6-billion reduction in good faith. There will be a record vote on this amendment if the Senator presses it. I leave it to the Senator from Alabama whether he wants to press his amendment or withdraw it. I leave it entirely to him.

Mr. HILL. Mr. President, from the information I have, I doubt if there would be a quorum here. I would like to see us finish this bill tonight if we can.

Mr. WILLIAMS of Delaware. I would, too, but there would be debate and it would take a quorum.

Mr. HILL. If I withdrew the amendment, then, I take it we could move on to third reading?

Mr. WILLIAMS of Delaware. As far as I am concerned.

Mr. HILL. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Alabama withdraws his amendment No. 918.

Are there further amendments to be offered?

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The bill was ordered to be engrossed for a third reading and to be read a third time.

The bill was read the third time.

Mr. BYRD of West Virginia. Mr. President, I yield myself 10 minutes on the bill.

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

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

Mr. McCLELLAN. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Mr. President, I think it should be pointed out to the Senate that the Appropriations Committee report on the Departments of Labor, and Health, Education, and Welfare appropriation bill contains language which relates to Youth PRIDE, Inc., an OEO title I-d project administered by the Department of Labor.

References were made earlier today by the Senator from Ohio [Mr. LAUSCHE] and other Senators to Youth PRIDE, and

reference was made by the chairman of the subcommittee, Senator HILL, to the language in the committee report with respect to Youth PRIDE, Inc.

I ask unanimous consent to insert in the RECORD at this point extracts from the committee report to which I have just referred.

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

On May 20, 1968, the committee requested the Department of Labor to furnish the committee payroll data on persons employed by Youth PRIDE, Inc., a recipient of financial assistance administered by the Department under title I of the Economic Opportunity Act of 1964, as amended. Because the information was not furnished as requested, the committee on June 5, 1968, requested the Comptroller General of the United States to secure the information. Despite the diligent efforts of the Comptroller, his Office to date has been unable to obtain from PRIDE complete data; and information as to when it will be furnished remains indefinite. It is noteworthy that at no time has any information been requested by the committee of the Comptroller General that PRIDE was not required to maintain either by law or the terms of its contract.

The committee is disturbed at the seeming lack of application of proper accounting and recordkeeping procedures in the operation of Youth PRIDE, Inc. It believes that every tax dollar should be properly accounted for, and that full access to all agency records must promptly be given to the Comptroller General, as well as to the committees of the Congress. The committee directs that the Secretary of Labor, as the contracting officer, require the keeping of proper records and the accounting for all tax moneys entrusted to the grantee.

The Secretary of Labor shall report not later than September 15, 1968, to the Congress as to whether the recordkeeping and accounting procedures of Youth PRIDE, Inc., are in proper order, and that the Comptroller General has so certified to him by letter, and the committee directs that no action be taken on the renewal of the contract beyond September 15, 1968, unless such an affirmative report has by that date been submitted by the Secretary.

The committee is convinced from its review of the administration of this agreement and from information received from the General Accounting Office of the desirability of requiring recipients of financial assistance under title I of the Economic Opportunity Act of 1964, as amended, to exercise the same types of fiscal controls and be subjected to the same types of management controls which were established by section 243, title II.

The committee therefore urges that the provisions of section 243 of the Economic Opportunity Act of 1964 as amended be applied to all future agreements under title I of the act.

Mr. BYRD of West Virginia. Mr. President, I shall read one paragraph of the extracts which have been inserted in the RECORD. It reads as follows:

The Secretary of Labor shall report not later than September 15, 1968, to the Congress as to whether the recordkeeping and accounting procedures of Youth PRIDE, Inc., are in proper order, and that the Comptroller General has so certified to him by letter, and the committee directs that no action be taken on the renewal of the contract beyond September 15, 1968, unless such an affirmative report has by that date been submitted by the Secretary.

Subsequent to this report, and contrary to the direction of the committee,

the Secretary of Labor renewed the contract on August 5 for a period of 12 months, and the new contract substantially increases the funds available, to a total of \$3.8 million for the new contract period.

Mr. President, I ask unanimous consent that articles from the August 6 editions of the Washington Post and the Washington Evening Star relating to this subject and relating to the renewal and extension of the contract be printed in the RECORD at this point.

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

[From the Washington (D.C.) Post, Aug. 6, 1968]

**PRIDE GETS \$3.8 MILLION GRANT FROM LABOR DEPARTMENT**

(By Leon Dash)

Pride, Inc., which provides jobs and training for city youths, received a \$3.8 million refinancing grant yesterday from the Department of Labor.

Secretary W. Willard Wirtz said a year ago he had gambled \$300,000 on the Pride project, followed by \$2 million grant last September to keep it going for a year.

"Today I announce an investment, not a gamble, of \$3,772,010," Wirtz said.

The new grant came after the Senate Appropriations Committee last week ordered the Labor Department to report to Congress by Sept. 15 on Pride's bookkeeping and accounting practices.

The language was put into the report on the recommendation of Sen. Robert C. Byrd (D-W. Va.) who reportedly received information charging kickbacks and payroll padding within Pride.

In answer to a question, Wirtz said he did not propose to kill Pride by inches and weeks while waiting for a congressional decision.

"The contract with Pride says that if in the determination of the Secretary of Labor there is anything out of order, the Labor Department can cancel the contract."

Wirtz said his auditors were checking Pride's accounts and nothing has been found to be "incorrect."

"Pride, Inc., has given me more satisfaction than anything else around here (the Labor Department) in a long time," he said.

After his press conference Wirtz went to Pride headquarters at 16th and U Streets nw. and spoke to some 60 youths. Mayor Walter E. Washington arrived during the ceremony and also spoke to the group.

The Mayor said the organization was helping to make Washington a better community.

"I've seen what you have been doing and I think you want a city," the Mayor said.

Pride's executive director Carroll B. Harvey, and assistant directors Marion Barry and Mary Treadwell signed the \$3 million contract with Wirtz amid the deafening cheers of the crowd.

Immediately afterward, the Pride workers celebrated the extension for another year by parading down U Street to Florida Avenue, down New Jersey Avenue and to O Street.

[From the Washington (D.C.) Evening Star, Aug. 6, 1968]

**PRIDE RECEIVES \$3.8 MILLION GRANT**

(By Betty James)

Labor Secretary Willard Wirtz has announced that an additional \$3.8 million is being made available in federal funds to Pride, Inc., to continue community improvement and rat control programs and to fund four Pride subsidiary business firms.

Pride will launch two new business enterprises and expand two present ones.

These profit-making operations will be carried on in addition to Pride's non-profit

community service work, which began last summer. Pride has already received \$2.3 million from the Labor Department.

The new money will provide jobs and work experience for about 900 young Negro men on a year-round basis, and 1,100 when summer hirings are counted. The youths are 14 years old and up.

The money for Youth Pride Economic Enterprises, Inc., comes from President Johnson's JOBS program. The four firms will hire and train 296 hard-core jobless youth.

The largest portion of the \$1.7 million, two-year JOBS contract is being invested in Pride Automotive Center, Inc., at 2600 14th Street NW.

This new venture will be based in a gasoline service station leased from the American Oil Co., which will provide basic supplies and technical know-how to train 155 youths for 52 weeks. The Labor Department is providing \$726,410 to train managers, automobile diagnosticians, mechanics, technicians, parts men and driveway salesmen.

The other new firm is Pride Painting and Maintenance Co., which will train 71 youth as painters, maintenance men and supervisors for a headquarters not yet announced.

Pride Landscaping and Gardening, Inc., 2301 Pennsylvania Avenue SE, launched last October with a \$25,000 Small Business Administration Loan, will train 50 youth.

Pride Artco, 1535 U Street NW, an art reproduction company currently thriving on the promotion and sale of medallions of Dr. Martin Luther King Jr., will open up 20 new jobs, including assistant sales managers and salesmen.

The firms, under Negro management, recruited employees from the economically depressed sections of the District. Twenty-three different occupations are involved.

The non-profit community improvement effort will be continued with a one-year, \$2.6 million contract from various labor manpower programs.

At a press conference yesterday, Wirtz said of the effort, which was launched a year ago last Saturday with a short-term, \$300,000 experimental Labor Department contract, "I gambled \$300,000 of public funds on a project here in the District of Columbia which represented more risks than it is our inclination to take."

But the gamble has paid off so well that providing \$3.8 million more in public funds is an investment, not a gamble, he said.

Pride also received a \$2 million, 9-month contract after its first contract expired last summer.

Wirtz said the money was being invested in the youth and pride of a group of Negroes who have proven they have the know how to do the job every one else is trying to do.

He believes in black pride and what it has done in the District, Wirtz said.

The contracts were signed at the Pride Office, at 1536 U. St. NW, after the press conference.

In response to a question, Wirtz conceded that the Senate Appropriations Committee instructed the Labor Department not to renew Pride's contract beyond Sept. 15 without a determination by the Controller General that Pride has established proper accounting procedures.

He said the contract with Pride is written so that it is possible to cancel it on or after Sept. 15 if any inadequacy in the accounting procedure is found.

Mr. BYRD of West Virginia. The chairman of the Appropriations Committee wrote the Secretary of Labor on August 6, requesting an explanation of the Secretary's action in extending the contract beyond the date set by the committee. I ask unanimous consent that the chairman's letter, and the reply of the Secretary of Labor of August 15, be printed in the RECORD at this point.

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

U. S. SENATE,  
COMMITTEE ON APPROPRIATIONS,  
August 6, 1968.

Hon. WILLARD WIRTZ,  
The Secretary of Labor,  
Department of Labor Building,  
Washington, D.C.

DEAR MR. SECRETARY: Because of circumstances of which you are aware, this Committee included the following language in its report on the Labor, Education, and Welfare Appropriation Bill:

"The committee is disturbed at the seeming lack of application of proper accounting and recordkeeping procedures in the operation of Youth Pride, Inc. It believes that every tax dollar should be properly accounted for, and that full access to all agency records must promptly be given to the Comptroller General, as well as to the committees of Congress. The committee directs that the Secretary of Labor, as the contracting officer, require the keeping of proper records and the accounting for all tax moneys entrusted to the grantee."

"The Secretary of Labor shall report not later than September 15, 1968, to the Congress as to whether the recordkeeping and accounting procedures of Youth Pride, Inc., are in proper order, and that the Comptroller General has so certified to him by letter, and the committee directs that no action be taken on the renewal of the contract beyond September 15, 1968, unless such an affirmative report has by that date been submitted by the Secretary."

It was, therefore, with concern that I read in this morning's "Washington Post" that a one-year contract with Pride had been signed by you on August 5, increasing Government grants to this activity by over forty percent and extending the term of the commitment over ten months beyond the date set by the Committee. I would appreciate an explanation as to why this action was taken in the face of the language of the Committee's report.

Very sincerely yours,  
CARL HAYDEN,  
Chairman.

U. S. DEPARTMENT OF LABOR,  
Washington, August 15, 1968.

Hon. CARL HAYDEN,  
Chairman, Committee on Appropriations,  
U.S. Senate, Washington, D.C. 20510

DEAR MR. CHAIRMAN: I have your recent letter expressing concern about the report that a contract had been granted to Pride in apparent non-conformity with the report of the Committee on Appropriations of the United States Senate.

Please be assured that, to the contrary, the views and concerns of your Committee were very much before me during the final negotiations that led to the new contract with Pride. The following special clause is contained in the contract:

6. Cancellation: If the Secretary determines on or before September 15, 1968, through his own investigation and after consultation with the Comptroller General, that the record keeping and accounting procedures of the sponsor are not in proper order, he shall have the right to cancel this agreement in accordance with the determination procedures set forth in clause 15."

I have provided Senator Byrd with copies of correspondence with Pride as well as the final contract, and I would be glad to provide the Committee any further information you may desire.

Sincerely,  
WILLARD WIRTZ.

Mr. BYRD of West Virginia. Mr. President, I quote from the letter of the Secretary of Labor:

Please be assured that, to the contrary, the views and concerns of your Committee were very much before me during the final negotiations that led to the new contract with PRIDE. The following special clause is contained in the contract:

"6. Cancellation: If the Secretary determines on or before September 15, 1968, through his own investigation and after consultation with the Comptroller General, that the record keeping and accounting procedures of the sponsor are not in proper order, he shall have the right to cancel this agreement in accordance with determination procedures set forth in clause 15."

In view of the language contained in the committee report, a request was made of the Comptroller General for an interim evaluation of PRIDE's recordkeeping and accounting procedures, in order that this information would be available during the Senate's debate on the bill before us today. This information is now available, and is contained in a letter from the Comptroller General dated September 4, 1968, which I ask unanimous consent to have printed in the RECORD at this point.

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

COMPTROLLER GENERAL OF THE  
UNITED STATES,  
Washington, D.C., September 4, 1968.  
Hon. CARL HAYDEN,  
Chairman, Committee on Appropriations, U.S.  
Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The purpose of this letter is to respond to your request of August 19, 1968, for a report from us no later than September 7, 1968, on our evaluation of whether the recordkeeping and accounting procedures of Youth Pride, Inc. (PRIDE) are in proper order.

Pursuant to your request, dated June 5, 1968, we are making a review of two contracts between the Department of Labor and PRIDE, a sponsor under the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2701), and the Manpower Development and Training Act of 1962 (42 U.S.C. 2571). Because of its close relationship with PRIDE, we are also making a review of PRIDE's affiliate, Youth Pride Economic Enterprises, Inc. (PEE). One of the purposes of this review has been to determine whether all Government funds utilized under the contracts have been properly expended and accounted for.

During the course of this review, the Senate Committee on Appropriations in its Report No. 1484, dated July 30, 1968, stated that:

"The Secretary of Labor shall report not later than September 15, 1968, to the Congress as to whether the recordkeeping and accounting procedures of Youth Pride, Inc., are in proper order, and that the Comptroller General has so certified to him by letter, and the committee directs that no action be taken on the renewal of the contract beyond September 15, 1968, unless such an affirmative report has by that date been submitted by the Secretary."

We have construed the reference in the Committee report concerning the propriety of the recordkeeping and accounting procedures to mean that an evaluation is required as to whether PRIDE's accounting systems and the internal controls directly related thereto are currently in proper order. Management controls not directly related to the accounting systems, such as those involving performance of operating programs, have not been considered in the evaluation discussed herein.

When PRIDE was organized and the first contract was awarded in August 1967, it had no formal system of accounting and internal

control. In October 1967 it retained a firm of Certified Public Accountants to design and install an acceptable accounting system, train employees in the implementation of the system, prepare quarterly financial statements, and make an annual audit of PRIDE's financial statements. The public accounting firm designed an accounting system for PRIDE, prepared an accounting manual, and began to install the system in January 1968. The system was gradually implemented and its installation was substantially completed by June 1968. The firm has also established separate accounting systems for two of the businesses operated by PEE, Pride Landscaping and Gardening Co., and Pride Artco (an art company).

On the basis of our review of PRIDE's and PEE's accounting systems and related internal controls, we have concluded that as of this date certain weaknesses will have to be corrected before we can certify to the Secretary of Labor that the recordkeeping and accounting procedures are in proper order. The weaknesses which we noted pertain to (1) distribution of payroll checks to enrollees, and (2) preparation, submission and verification of employees' time and attendance reports which form the basis for making payroll payments to enrollees.

Our review disclosed that time and attendance reports used to prepare enrollee payrolls are maintained and approved by the same supervisory personnel who control the distribution of paychecks to enrollees. Such a procedure does not provide for adequate internal controls and safeguards to avoid check payments on the basis of time and attendance records approved for nonexistent persons. We noted also that numerous recipients of payroll checks could not adequately identify themselves. We believe that paymasters should be designated to distribute payroll checks independently of the supervisory personnel who maintain and approve time and attendance reports and that payroll checks should not be distributed unless enrollees provide paymasters with appropriate identification.

Also, we concluded that the payroll office at PRIDE was not performing a sufficient amount of verification work in connection with enrollee payroll preparation, such as comparing information on time and attendance reports with Operations Department Morning Reports, and testing payroll calculations made by the contractor engaged to prepare enrollee payroll checks. We believe that these procedures need to be strengthened to assure reasonable accuracy and propriety in payroll operations.

We note that both the Department of Labor and PRIDE officials have agreed to the need for correcting the above weaknesses. The Department has assured us that corrective action would be implemented by September 15, 1968. As of that date of this letter, however, such action has not been taken and we are therefore not now in a position to certify that PRIDE's and PEE's current recordkeeping and accounting procedures are in proper order.

We believe that other actions which, although not directly relevant to our making a certification, should be taken by PRIDE to strengthen existing internal controls. These actions include (1) employment of a controller or comparable individual who will have overall responsibility for accounting and recordkeeping, budgeting, accounting systems, internal controls, contract compliance, and related matters, (2) improvements in PRIDE's filing system, (3) appropriate integration of the budget and accounting system, (4) independent verification, on a test basis, as to the propriety of payroll check distribution, and (5) preparation of additional written policies and procedures covering the accounting system, including related internal controls, for the guidance of PRIDE employees.

Our interim report on the audit of PRIDE is being submitted to you within a few days. We believe that some of the weaknesses described therein might have been averted, if PRIDE had initially established adequate accounting systems and appropriate internal controls. However, no system of accounting and internal controls, regardless of how well devised, can be expected to provide complete protection against all types of fiscal irregularities, such as kickbacks of pay by employees to their supervisors and collusion between employees for the purpose of diverting funds to unauthorized uses.

Subject to the satisfactory and timely implementation by PRIDE of the procedures outlined above for payroll check distribution and time and attendance reports, we expect to be able to certify to the Secretary of Labor that the recordkeeping and accounting procedures of Youth Pride, Inc., and Youth Pride Economic Enterprises, Inc., are in proper order.

Sincerely yours,  
ELMER B. STAATS,  
Comptroller General of the United States.

Mr. BYRD of West Virginia. Mr. President, I shall read a paragraph from the September 4 letter addressed to the chairman of the committee by the Comptroller General:

The Department has assured us—

Reference is made here to the Department of Labor— that corrective action would be implemented by September 15, 1968. As of the date of this letter, however, such action has not been taken and we are therefore not now in a position to certify that PRIDE's and PEE's current recordkeeping and accounting procedures are in proper order.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of West Virginia. Mr. President, quoting from the final paragraph of the Comptroller General's letter, I read as follows:

Subject to the satisfactory and timely implementation by PRIDE of the procedures outlined above for payroll check distribution and time and attendance reports, we expect to be able to certify to the Secretary of Labor that the recordkeeping and accounting procedures of Youth Pride, Inc., and Youth Pride Economic Enterprises, Inc., are in proper order.

Mr. President, Youth PRIDE, Inc., of Washington, D.C. is one of eight similar OEO projects, all of which are located in Los Angeles, New York City, or Washington, D.C. Although it was initially funded in the amount of \$291,525 on August 2, 1967, by the Department of Labor as a Manpower Development Training Act program, it operated from October 1, 1967, to August 5, 1968, under a contract with the Department of Labor obligating \$2,037,090 in OEO funds. The stated purpose of this project is "to provide work training experience to hard core Washington, D.C., youth." Under this program the District of Columbia furnishes certain facilities and services in support of the project.

Earlier this year, as chairman of the Appropriations Subcommittee for the District of Columbia, I began receiving reports through different channels that noticeably large numbers of PRIDE employees were becoming problems to law-enforcement officials with increasing frequency, and that employee controls were

loosely administered and sometimes appeared to be virtually nonexistent. Allegations of widespread payroll padding and kickbacks were also reported and carried by the news media.

In early May I requested through the Appropriations Committee staff, and later through the chairman of the committee and the Comptroller General, certain employee data which PRIDE was required to keep, either by law or by the terms of its contract. The files of both the committee and the General Accounting Office are replete with promises made and dates set, extended, and broken. Suffice it to say, however, that complete and accurate information has not been forthcoming in the well over 3 months since it was initially requested.

The Secretary of Labor has until September 15 to report to the committee as to whether or not the recordkeeping and accounting procedures of Youth Pride, Inc., are in proper order and that the Comptroller General has so certified to him by letter. It is my understanding that the General Accounting Office and the Department of Labor have been in communication with reference to the matter.

In its original request of June 5 the committee asked the Comptroller General to make a determination as to whether or not Government funds utilized under the contracts with Youth Pride, Inc., had been properly expended and accounted for. The Comptroller General has advised that it will not be possible to complete and render a formal report in response to the committee's request until November 30, 1968. At the committee's request, however, an interim report of the GAO's findings to date has been prepared and is available, and I ask unanimous consent that this interim report be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

**Mr. BYRD** of West Virginia. Mr. President, I have been charged with no direct responsibility in overseeing the operations of this particular project, even though it is operating largely within the confines of the District of Columbia and with some measure of assistance from the Government of the District of Columbia. I have, however, felt that it was my responsibility to bring to the Senate, as I did to the Appropriations Committee, the information which had come to my attention. This I have done.

Inasmuch as the \$3,772,010 made available under the new contract will come from funds made available by the bill presently before us, I do feel that this is a proper time to take note of some of the difficulties which have been encountered and reiterate the need for full and complete accountability for every tax dollar expended under any appropriation bill. The Appropriations Committee has endeavored to ascertain that this is done with reference to the \$2,328,615 spent in connection with this project in the past, and the \$3,772,010 committed to it over the next 12 months. To this end, I hope that the committee will receive the support of all of the governmental agencies charged with responsibility in protecting the public's interest in matters of this kind.

Mr. President, I hope that the Comptroller General will be in a position to certify to the Secretary of Labor by September 15 that the accounting and payroll procedures of PRIDE, Inc., are in order; and that may very well be done. But I call attention to the fact that the September 4 letter which I am placing in the RECORD today indicates that as of the date of that letter, these procedures had not been brought into conformity with the regulations and the laws, as requested by the Appropriations Committee. I do hope that this can still be done, and will yet be done. I also call attention to the interim report which I am placing in the RECORD today.

I ask every Senator to read this interim report. I shall not take the time of this body, at this point, to extract from the report. I know that many Senators wish to vote on the bill that is pending, and get on to other engagements; but I ask that Senators read the report, and I call it particularly to the attention of the senior Senator from Arkansas [Mr. McCLELLAN].

In this regard, I ask unanimous consent to have printed in the RECORD a letter which I wrote to Senator McCLELLAN on July 24, calling attention to the information that had been brought to the attention of the Appropriations Committee, and urging that consideration be given by his committee to any action which it might deem advisable.

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

JULY 24, 1968.

HON. JOHN L. McCLELLAN,  
Chairman, Senate Permanent Subcommittee  
on Investigations, Washington, D.C.

DEAR MR. CHAIRMAN: Youth Pride, Inc., of Washington, D.C., is one of eight OEO Title I, Part D projects which are located in Los Angeles, New York City, and Washington, D.C. Although it was initially funded on August 2, 1967, by the Department of Labor as a Manpower Development Training Act Program, it has been operated since October 1, 1967, under a contract with the Department of Labor obligating \$2,037,090 in OEO funds. The stated purpose of this project is "to provide work training experience to hard core Washington, D.C. youth."

In early May, I read that Ernest M. Greely, a Pride employee, was arrested and charged with first degree murder in the shooting of Benjamin Brown, a Washington merchant. About this same time, I began to receive reports through several different channels that Pride trainees were becoming problems for law enforcement officers on a noticeably frequent basis. It was also reported that normal accounting and payroll controls were sadly deficient and that there were allegations of wide-spread payroll padding and kickbacks.

I initially endeavored to obtain directly from the Department of Labor sufficient information to check the accuracy of reports I was receiving. Numerous requests were made by telephone, letter, and in person by members of the Appropriations Committee staff. The information was promised on dates set by the Department and its contractor, but was not forthcoming in a usable form.

On June 5, I requested through the Chairman of the Senate Appropriations Committee that the Comptroller General obtain the information originally requested by the Committee and in addition undertake an investigation to determine whether Government funds had been properly expended and accounted for. (Enclosure A.) Promptly upon receipt of the Committee's request, the General Accounting Office initiated its investiga-

tion. Its efforts, however, have also been frustrated. To be specific, the General Accounting Office reports that Pride initially indicated that the employee information requested by the Committee in early May could be furnished in two weeks, which would have been June 19. This date was not met, and subsequently, commitments were made and not fulfilled to place the information in the hands of the General Accounting Office on June 20, July 3, July 8, and July 12. Although Pride is required by law and the terms of its contract to keep each item requested, as of this writing the information promised on these numerous occasions has still not been received in complete form. The sundry data which has been supplied has been described as incomplete and inaccurate and Pride's efforts to date as perfunctory and careless.

A target date of November 30, 1968 has been set by the Comptroller General for rendering a final report to the Committee on this matter. As you know, the General Accounting Office deals primarily with accounting and fiscal matters and has a policy of referring allegations of possible violations of criminal law to the Federal Bureau of Investigation. It should be noted that certain allegations of this nature have been uncovered and such a referral has been made in this instance. (Enclosure B.)

You are aware of my efforts through the appropriations process to bring about effective controls in the disbursement and accountability of funds committed to this and other similar programs which have been established under Title I of the OEO Act of 1964, as amended. Because of the diligence exercised by your Committee in similar areas of congressional concern, I wanted to bring this situation to your attention for any action you might deem advisable.

With the thought that they might be helpful in gaining an insight into some of the problems that have been encountered, I am also enclosing two letters from the General Accounting Office dated June 14 and July 18 and summary reports dated July 11 and July 19. (Enclosures C, D, E, and F.)

With every good wish, I am,  
Sincerely yours,

ROBERT C. BYRD,  
U.S. Senator.

Mr. BYRD of West Virginia. Mr. President, I am today sending a telegram to the Senator from Arkansas calling his attention to the interim report which has been received only this afternoon from the Comptroller General and expressing the hope that his committee will determine the advisability, in the light of the information therein, of instigating a thorough investigation into the past activities of PRIDE, Inc.

I make no charges against PRIDE, Inc. I think that the idea in back of the program is an excellent one. I have urged that young people be given jobs in Washington and in other communities.

But I do not think we can tolerate abuses merely because we may like a particular program. I place this material in the RECORD to let Senators make their own judgment in regard thereto.

I urge that the distinguished subcommittee, the chairman of which is the very able senior Senator from Arkansas, closely scrutinize the contents of the interim report. Moreover, I trust that the Secretary of Labor will take another look at the language of the committee report urging and, in fact, directing that the contract not be extended beyond September 15 unless certain conditions were met by that date.

I hope that if, after consultation with the Comptroller General, it is deter-

mined that the accounting and budgetary procedures of PRIDE, Inc., are not in order by September 15, the Secretary will make use of the escape clause in the contract and cancel it.

## EXHIBIT 1

## INTERIM REPORT ON AUDIT OF YOUTH PRIDE, INC., AND YOUTH PRIDE ECONOMIC ENTERPRISES, INC., AN AFFILIATED COMPANY—DEPARTMENT OF LABOR

## INTRODUCTION

At the request of the Senate Committee on Appropriations, dated June 5, 1968, the General Accounting Office is making an audit of Government funds utilized under two Department of Labor contracts with Youth Pride, Inc. (PRIDE), to examine into whether such funds have been properly expended and accounted for. Because of its close relationship to PRIDE, we are also making an audit of PRIDE's affiliate—Youth Pride Economic Enterprises, Inc. (PEE). This interim report on the audit was requested by the Committee on August 19, 1968, for submission no later than September 7, 1968.

Our review, being conducted at the offices of PRIDE, PEE, and the Department of Labor, Washington, D.C., includes reviews of pertinent legislation, policies and procedures, contract provisions, and financial transactions. Our review also includes visits to PRIDE work areas and enrollees' homes, for the primary purpose of seeking information relating to possible misuse of Government funds. In addition, we are monitoring, reviewing, and utilizing to the extent deemed appropriate, audit work performed by PRIDE's public accountants and the Department's auditors.

## SUMMARY OF PRELIMINARY FINDINGS AND OBSERVATIONS

Following is a summary of our preliminary findings and observations to date.

## Personal interviews of PRIDE enrollees

Through September 3, 1968, we had completed interviews with 80 enrollees, or in a few instances their parents, of whom 70, or 87.5 percent, made one or more allegations of irregularities in activities carried out by PRIDE. The more significant allegations appear to involve criminal violations, such as payroll padding, kickbacks of wages, and other irregularities involving enrollees' wages. Also, Department of Labor investigators, in following up on certain questionable endorsements through interviews of 28 enrollees or their parents, found 12 cases of apparent fraudulent check endorsements. The Department of Labor referred its findings to the Department of Justice.

## Observations of paycheck distributions

Observations of paycheck distributions were made by PRIDE's public accountants, departmental auditors, and General Accounting Office (GAO) representatives. As a result of these observations, PRIDE officials have agreed to strengthen internal control procedures relating to paycheck distribution. In our opinion, checks should be distributed by paymasters independent of PRIDE's Operations Department and enrollees should be required to present PRIDE identification (ID) cards and sign the payroll before receiving their checks.

## Visits to PRIDE work areas

We made two visits to PRIDE work areas to observe work performance and test payroll procedures. Repeated efforts by a PRIDE official to locate for us a missing team during our first visit were unsuccessful, and he subsequently informed us that this team was working outside of its assigned area without the knowledge of the area supervisor. We

found that 27 enrollees of a total of 113 enrollees were absent from work at the time of our visits. We found that, of these 27 absent enrollees, 12 had been paid for working on the days of our visits. We have requested PRIDE to explain why nine of the absent enrollees were paid; follow-up work on the other three absent enrollees is in process.

## Listings of PRIDE personnel

Our repeated attempts to obtain complete listings of all PRIDE personnel employed from the inception of PRIDE, containing basic information required to be recorded under its contracts, have not been successful. The listings furnished by PRIDE to date are incomplete and inaccurate.

## Audits by PRIDE's public accountants

We are in the process of reviewing, appraising, and utilizing to the extent deemed appropriate the audit work performed by PRIDE's public accounting firm. The firm plans to issue a report on its audit of PRIDE's financial statements by September 15, 1968, and a further report by October 31, 1968.

## Audits by Department of Labor auditors

Departmental auditors made an audit of PRIDE's first contract with the Department of Labor and a preliminary survey of PRIDE's accounting system and related controls under its second contract. Their reports on this

work were critical of PRIDE's system of accounting and internal controls, including the placing of dual responsibility for keeping time records and paying employees in the same individuals. This deficiency was not corrected. The departmental auditors subsequently performed additional audit work under the second contract, including the identification of paychecks with questionable endorsements and the observation of paycheck distributions. The additional audit work also revealed that numerous invoices were missing from the files.

## Additional work in process

Certain audit work which we plan to complete is referred to in the various sections of the report. We plan to complete certain additional tasks not specifically mentioned elsewhere in the report.

## BACKGROUND

PRIDE was incorporated in the District of Columbia as a nonprofit organization on August 4, 1967, for the basic purpose of providing employment and job training to hard-core, multiproblem in Washington, D.C., youth while at the same time providing neighborhood services, such as street and alley cleaning and rodent control. In pursuance of this objective, PRIDE obtained three contracts from the Department of Labor as follows:

Contract No.	Amount	Period		Statutory authority
		From—	To—	
82-09-68-01.....	\$291,525	Aug. 2, 1967	Sept. 30, 1967	Manpower Development and Training Act of 1962 (42 U.S.C. 2571).
P2-8901-09.....	2,037,090	Oct. 1, 1967	Aug. 4, 1968 <sup>1</sup>	Economic Opportunity Act of 1964 (42 U.S.C. 2701) special impact project.
F9-9002-99.....	2,600,000	Aug. 5, 1968	Aug. 5, 1969	Economic Opportunity Act of 1964 (42 U.S.C. 2701) work-training program.
Total.....	4,928,615			

<sup>1</sup> Expiration date of June 15, 1968, extended to Aug. 4, 1968.

PEE was incorporated in the District of Columbia on March 29, 1968, as a profit-making corporation, to give employment and job training to hard-core, multiproblem Washington, D.C., youth and other persons and to provide businesses for dispensing goods and services.

On August 5, 1968, PEE received the following contracts from the Department of Labor pursuant to the Economic Opportunity Act of 1964. Each contract expires August 5, 1969, and covers a separate division as indicated in the following summary.

Division	Contract No.	Amount
Pride Landscaping & Gardening Co.	09-9-7036	\$130,000
Pride Artco (art company)	09-9-7037	60,000
Pride Painting & Maintenance Co.	09-9-7038	225,600
Pride Automotive Service Center	09-9-7039	726,410
Total.....		1,142,010

On August 27, 1968, these four contracts were merged into one agreement with PEE for \$1,172,010, which represents an increase of \$30,000 over the combined total of the above four contracts.

As of September 4, 1968, only Pride Landscaping and Gardening Co. and Pride Artco were in operation.

The total dollar amount of the contracts awarded to PRIDE and PEE since inception is \$6,100,625.

The officers of PRIDE as of September 4, 1968, were: Executive Director, Carroll B. Harvey; Director of Administration; <sup>2</sup> Director of Operations, Marion S. Barry; Director

of Program Development, Mary J. Treadwell. The three persons named above constitute PEE's board of directors.

The number of PRIDE and PEE employees on the rolls as of July 27, 1968, according to PRIDE's records, is summarized as follows:

Administrative personnel	104
Painting, landscaping, and art activities	52
Enrollees	850
Total	1,006

## PRELIMINARY FINDINGS AND OBSERVATIONS

## Personal interviews of PRIDE enrollees

## Result of General Accounting Office Interviews

In a letter dated August 19, 1968, the Chairman, Senate Committee on Appropriations, requested us to conduct personal interviews with a selected number of PRIDE enrollees for the primary purpose of seeking information relative to possible misuse of Government funds.

We prepared a basic list of PRIDE enrollees who had been removed from the payroll since June 15, 1968, or who were on the June 15 payroll but were not paid during the 2-week period ended July 27, 1968. We selected the June 15 payroll, because we received an allegation that this particular payroll included names of individuals who had not worked for PRIDE. We also considered names on other lists of individuals who appeared to be involved in possible irregularities, such as enrollees who couldn't adequately identify themselves when they received their paychecks.

From these lists and other sources, we selected a group of 133 enrollees for interview. Since the enrollees selected for interview were those concerning whom we had some indication of irregularities, the results

<sup>1</sup> Enrollees are youth participating in PRIDE's employment and job training programs.

of our interviews may not be representative of results that might be obtained from interviews of other PRIDE enrollees.

We attempted to locate the enrollees at the addresses recorded for them in PRIDE's records and at other places where they were likely to be found. The status of this work through September 3, 1968, is summarized below.

*Status of enrollees<sup>1</sup>*

Interviews completed:	
Enrollees alleging irregularities	70
Enrollees not alleging irregularities	10
 Total	80
Not available for interview	11
 Total	91
Interviews not completed	42
 Total enrollees selected for interview	133

<sup>1</sup> In a few instances parents were interviewed together with, or in lieu of, enrollees.

As shown above, interviews were completed with respect to 80 enrollees, of whom 87.5 percent made one or more allegations of irregularities concerning PRIDE. Eleven enrollees could not be reached, and we concluded that further efforts to reach them were not warranted.

The more significant irregularities alleged by PRIDE enrollees appear to involve possible violations of criminal laws and are related to wages paid to enrollees. We received numerous allegations of payroll padding, kickbacks of wages by enrollees to team captains and area supervisors, and under- and over-payments of wages. Other alleged irregularities were related to a variety of matters, some of which were relatively minor. Following is a summary of the various types of alleged irregularities revealed during our interviews. We have made only limited attempts to date to verify these allegations.

*Payroll padding (alleged in 17 interviews):*

1. Enrollees and other individuals were paid, although they did not report for work.
2. Checks were issued in the names of individuals who did not work for PRIDE.
3. Area supervisor submitted time report for individuals who had other jobs and did not work for PRIDE.

4. Checks were issued and cashed in names of individuals who no longer work for PRIDE.

*Kickbacks of wages (alleged in 18 interviews):*

1. Area supervisors and team captains who reported that absent enrollees were on duty shared in wage payments to enrollees. (Also involves payroll padding)

2. Area supervisor and team captains threatened enrollees if they did not agree to share their pay with them and actually retained part of their pay.

3. Enrollees paid team captains for the privilege of leaving work early but getting full pay. (Also involves payroll padding)

4. Individual who had another job was reported as present by area supervisor who shared in the proceeds of PRIDE payroll check. (Also involves payroll padding)

5. Enrollee paid supervisor \$2 for cashing his checks.

*Underpayment and overpayment of wages (alleged in 44 interviews):*

1. Amounts of enrollees' paychecks were less than amounts due and differences were not adjusted.

2. Enrollees did not receive checks due them.

3. Enrollees who left PRIDE did not receive pay for accrued annual leave.

4. Enrollees were paid when they did not work during inclement weather.

5. Idle enrollees gambled or played games while on duty.

6. Enrollees went home early but were paid for full day.

7. Enrollees were paid for full day, although they did not report for work or reported late.

*Other irregularities (alleged in 54 interviews):*

1. Enrollees claimed that they worked for PRIDE in 1967 but PRIDE records showed no payments made to them in 1967.

2. PRIDE records showed amounts of payments to enrollee which were less than amounts enrollee stated he received.

3. There were discrepancies between information concerning enrollees recorded on PRIDE's records and information obtained in interviews.

4. Enrollees had no social security cards.

5. Area supervisor collected money from enrollees for a party which was never held.

6. Older workers and team captains threatened younger workers with physical violence.

7. PRIDE enrollees assaulted other enrollees and stole their PRIDE checks and cash.

8. Two PRIDE checks were issued to same enrollee for same pay period.

9. Enrollees collected checks of other enrollees not present on payday.

10. Enrollees were never issued PRIDE ID cards.

11. Enrollees paid twice for PRIDE ID cards.

12. Area supervisor collected enrollees' ID cards and did not permit enrollees to keep them.

13. PRIDE officials were arrested on narcotics charges.

14. PRIDE official was addicted to narcotics.

15. PRIDE official was selling narcotics.

16. PRIDE enrollee obtained narcotics from a PRIDE official.

17. PRIDE official was fired for being involved in narcotics.

Examples of the results of our interviews with PRIDE enrollees are presented in the appendix.

Interviews with PRIDE enrollees were also made recently by representatives of the Department of Labor, as discussed in the next section of this report.

*Results of Department of Labor Interviews and Referral to Department of Justice*

Based on information furnished by departmental auditors, departmental investigators interviewed 21 enrollees and members of the families of seven other enrollees. These interviews indicated that 12 checks, aggregating \$900.66 had not been endorsed by the enrollees and that these enrollees had not received the proceeds of their checks. The Department of Labor referred information relative to this matter to the Department of Justice by letter dated August 22, 1968, with the following conclusion:

"The Labor Department's audits and interviews indicate the probability of criminal activity in the payroll area, specifically with respect to 12 forged checks in the amount of \$900.66, and the evidence appears to focus on a few individuals rather than indicating widespread or systemic fraud. It appears likely that a full-scale investigation would disclose additional forgeries in proportion to the original sampling of 500 checks out of 25,000—that is, in terms of the total funding of \$2 million, the total fraud would probably be on a very small scale."

Date	Areas covered	Checks distributed by—	Distribution observed by—
June 21, 1968	All	PRIDE personnel	Public accountants
July 19, 1968	32, 34, 35	Public accountant	GAO representative
Aug. 2, 1968	31, 35, 520	do	Do
Aug. 16, 1968	All except those in division 1...	PRIDE personnel	Departmental auditors

Our review of the work performed by the departmental auditors and investigators with respect to questionable payroll checks disclosed the following information.

1. A sample of 478 checks bearing two or more endorsements was selected by the departmental auditors from a group of about 11,000 checks, not 25,000 as indicated in the conclusion quoted above. We were informed by the auditors that most of the 11,000 checks bear two or more endorsements.

2. Departmental auditors attempted to compare the first endorsements on the 478 checks with signatures on file in PRIDE's personnel office with the following results:

Signatures on checks appeared to match signatures in personnel files	299
Signatures on checks for 33 individuals totaling \$2,078.99 did not appear to match signatures in personnel files	35
Signatures on checks for 128 individuals totaling \$6,540.50 could not be compared because no signatures were available in personnel files	144
 Total	478

3. Departmental investigators attempted to interview 35 enrollees to verify the authenticity of their endorsements on the 35 checks in category 2(b) above and 3 checks in category 2(c). They succeeded in interviewing 21 enrollees and members of families of seven others. The results of the attempted interviews were as follows:

Considered to bear forged endorsements	12
Not verified because payees not interviewed:	
Could not be located	7
Other members of family contacted	7
 Total	14
Considered properly cashed on basis of interview	12
 Total checks	38

We believe that the results of the Department's interviews are significant, particularly in view of the results of our interviews in which we received allegations of additional irregularities.

*Observations of paycheck distributions*

In connection with our review of PRIDE's internal controls over disbursements for wages earned, we made observations of certain biweekly paycheck distributions and reviewed reports of observations made by PRIDE's public accountants and Department of Labor auditors. The purpose of these observations was to test the adequacy of PRIDE's controls to prevent the distribution of paychecks to unauthorized recipients.

Division chiefs and area supervisors in PRIDE's Operations Department are responsible for distributing paychecks to enrollees in the four divisions comprising 19 work areas. Also, area supervisors prepare and submit enrollees' time and attendance reports which are used as the basis for computing the enrollees' pay. Ordinarily, sound fiscal controls require that the function of paycheck distribution should be independent from that of preparing time and attendance reports.

Four observations of paycheck distributions have been made since our audit has been in progress, as follows:

The results of these observations are summarized below:

	June 21		July 19		Aug. 2		Aug. 16	
	Number of paychecks	Percent						
<b>Checks distributed to:</b>								
Enrollees who could adequately identify themselves.....	569	45.2	61	70.8	32	36.8	468	79.0
Enrollees could not adequately identify themselves but were identified by their supervisor.....	651	51.7	22	24.7	52	59.8	104	17.6
Checks not claimed by payees.....	39	3.1	4.5	3	3.4	20	3.4	
<b>Total paychecks.....</b>	<b>1,259</b>	<b>100.0</b>	<b>87</b>	<b>100.0</b>	<b>87</b>	<b>100.0</b>	<b>592</b>	<b>100.0</b>

<sup>1</sup> 8 of these checks were delivered to payees at PRIDE headquarters prior to the observation at the site.

On the basis of these observations, we believe that there is a need for PRIDE to strengthen its internal control procedures relating to paycheck distributions. In our opinion, all PRIDE enrollees should be issued a PRIDE identification card and no enrollee should receive a paycheck unless he presents his ID card to the person from whom he receives his check. Also, we believe that checks should be distributed to enrollees by independent paymasters who are not directly connected with PRIDE's Operations Department.

Department of Labor officials have agreed that there is need for these procedures and have recommended to PRIDE officials that they take action to ensure that all PRIDE employees have ID cards and that ID cards be presented at the time of paycheck distribution. Department officials have recommended further that PRIDE use independent paymasters to distribute payroll checks and that the paymasters require that the enrollees receiving checks sign their complete names on the payroll register. PRIDE has expressed agreement with these recommendations but, as of September 4, 1968, had not implemented them.

We are still in the process of following up on the disposition of the checks not claimed by the payees.

#### Visits to PRIDE work areas

We made two visits to PRIDE work areas to observe work performance and to test payroll procedures.

On July 18, 1968, we visited work areas 39 and 42. We inspected area 39 and observed two teams at work. Repeated efforts by a PRIDE official on that day to locate for us the third team assigned to the area were unsuccessful. We were subsequently informed that this team was working outside of its assigned area without the knowledge of the area supervisor. We also inspected area 42. Of the five teams assigned to area 42, only three were present. We were advised by the area supervisor that the other two teams had not reported for duty. The names of the enrollees present in area 42 were recorded.

On August 8, 1968, we visited areas 34 and 42 and recorded the names of enrollees present in both areas. Some enrollees assigned to these areas were absent from work that day.

The results of our tests in areas 34 and 42 are summarized below:

	July 18, 1968		Aug. 8	
	area 42	Area 34	Area 34	Area 42
Enrollees assigned to area....	33	45	35	
Enrollees present.....	20	41	25	
Enrollees absent.....	13	4	10	
Wages of absentees:				
Unpaid.....	4	3	8	
Paid.....	9	1	2	
Total.....	13	4	10	

<sup>1</sup> Includes enrollees of the 2 teams which were not present at the time of our visit.

On August 8, 1968, we informed PRIDE of our findings with respect to the absent enrollees noted in our July 18 visit to area 42 and requested PRIDE to furnish us with an explanation as to why nine of the absent enrollees had been paid. As of September 4, 1968, the explanation had not been furnished to us. Our work concerning the three absentees noted in our visit of August 8, who were subsequently paid, is in process.

#### Listings of PRIDE personnel

In his letter of June 5, 1968, as subsequently modified, the Chairman of the Senate Committee on Appropriations requested us to determine the following information with respect to each employee on the PRIDE payroll from the inception of the organization: Full first and last name and middle initial, if any; Home address; Social security number; Date of birth; Employee number; Gross earnings. Title or job description of administrative and supervisory personnel.

On June 10, 1968, we orally requested PRIDE to prepare and furnish us with listings showing this information and with a certification as to the accuracy of such listings. Complete listings were initially promised to us by June 20, 1968, and several new target dates were subsequently established by PRIDE; but only partial listings, which were incomplete and unsatisfactory, were furnished.

On July 12, 1968, we made a written request to PRIDE to submit complete listings by July 16. Partial listings, dated July 16, were delivered to us on July 17 and again on July 24. On July 26 we requested PRIDE to furnish us with an estimate of the date by which it would be able to supply the remainder of the information requested. PRIDE subsequently established August 18 as the estimated target date. Because we had not received any additional information by August 23, we requested PRIDE by letter on that day to establish a new target date. As of September 4, 1968, we had not been advised of a new target date and no additional information has been furnished.

The incompleteness of the partial listings furnished by PRIDE is evidenced by the following tabulation of missing or incomplete data.

#### Items missing or incomplete

Employee numbers.....	2
Names.....	318
Dates of birth.....	479
Social security numbers.....	207
Addresses.....	205
Wages, 1967.....	249
Wages, 1968.....	65
Total.....	1,525

Seven items of information should have been submitted for each of the 1,749 employees on the partial listings, or a total of 12,243 items. The 1,525 items missing or incomplete amount to 12 percent of this total. Also, no information was furnished with respect to enrollees employed under the first contract.

Although PRIDE certified to us that the listings of June 16 were accurate within a

normal range of human error, our analysis of the partial listings and tests of their accuracy revealed numerous errors. For example, in 116 instances the same enrollees were listed more than once. Also, there were numerous discrepancies between the listings and the payrolls involving enrollees' names and wages paid.

Clause 18(d) of the contracts requires the sponsor to maintain payroll records containing (1) name in full, (2) home address, (3) date of birth, (4) wages paid, and (5) other information pertinent to the employee's compensation.

It appears that the principal reason for the incompleteness and inaccuracy of the listings was the failure of PRIDE to maintain readily accessible payroll and personnel records containing all the information required by the contracts. PRIDE's procedures are being revised to provide for recording the required information with respect to employees presently on the payroll and new employees.

#### Audits by PRIDE's public accountants

On October 31, 1967, a certified public accounting firm agreed to design and install an acceptable accounting system for PRIDE and to train PRIDE employees in the implementation of the system. The firm also was to prepare quarterly unaudited financial statements and to make an annual audit of the financial statements of PRIDE. In addition to furnishing services to PRIDE, the firm, on June 10, 1968, agreed to set up accounting systems, prepare unaudited quarterly financial reports, and make an annual audit of PEE which was incorporated on March 29, 1968.

The public accounting firm had substantially completed installation of the PRIDE accounting system, as originally designed, by June 1968. It had also trained PRIDE employees in the implementation of the system. An employee of the firm has been assigned as a full-time consultant to PRIDE since February 15, 1968, until the present. An Acting Director of Administration, he has been responsible for supervising financial, personnel, and accounting operations.

In our audit of PRIDE we are reviewing, appraising, and utilizing to the extent deemed appropriate the audit work performed by the public accounting firm.

The firm is currently in the process of making its annual audit of PRIDE's financial statements as of June 30, 1968. A representative of the firm informed us that about 90 percent of the fieldwork had been completed by August 29, 1968, and that the firm was planning to issue a report by September 15, 1968, which would include a balance sheet, a profit and loss statement, a statement of contract transactions, and an opinion on the financial statements. The estimated reporting date represents a revision of the firm's previous estimate that a report would be furnished by August 15, 1968. By October 31, 1968, the firm plans to issue another report which is to include comments on the contracts with the Department and on management controls.

The areas being covered by the firm's audit are cash, receivables, payables, fixed assets, and payrolls and other types of expenses.

A representative of the firm informed us also that, in the performance of the audit, the firm was considering the audit guidelines established by the Department of Labor in its publication entitled "Audit Guide for Bureau of Work Programs Agreements." Our review of the firm's audit program and selected workpapers will not be completed until after its audit is completed.

The firm has substantially completed installation of accounting systems for Pride Artco and Pride Landscaping and Gardening Co. The accounting systems for Pride Automotive Service Center and Pride Painting and Maintenance Co. have not been developed because these divisions are not yet in operation.

The firm published unaudited financial statements as of June 30, 1968, for Pride Landscaping and Gardening Co. and plans to make an audit of its financial statements as of March 31, 1969. Financial statements for Pride Artco were not prepared because it was in operation for only about 1 month before June 30, 1968.

#### *Audits by Department of Labor auditors*

An audit was made of the first contract with PRIDE and a draft report of the findings and recommendations was submitted to the Manpower Administration, Department of Labor, for review and comment on May 21, 1968. Comments on this draft report have not yet been received by departmental auditors. In April 1968 the departmental auditors completed a preliminary survey of PRIDE's accounting system and related controls under the second contract. An interim audit report based on this survey was issued to the Administrator, Bureau of Work-Training Programs (Bureau), on May 6, 1968. Both reports were critical of PRIDE's system of accounting and internal controls.

Comments on the interim audit report were furnished to the Administrator of the Bureau by PRIDE and its public accountants in a letter dated May 28. They disagreed with many of the criticisms in the report. The points at issue, most of which related to inadequate control over funds expended under the contracts, including inadequate documentation, have not yet been resolved. We did note, however, that PRIDE acknowledged certain deficiencies in its administrative system, which included:

1. Placement in the same individuals of the dual responsibility for keeping time records and for paying the employees. While recognizing that this procedure violated principles of internal control, PRIDE stated that the procedure was necessary to expedite the program.

2. Existence of too small a number of professional employees and lack of experienced administrative and accounting personnel.

3. Loss or replacement of records when the office was relocated on two occasions.

During June and July 1968, departmental auditors reviewed PRIDE's expenditures for the period September 15, 1967, through May 31, 1968. They noted that PRIDE did not have on hand 192 invoices to support payments totaling \$70,875. Department officials informed us that these expenditures were supported by interoffice memorandums signed by PRIDE officials. A Department official informed us also that the Department would not approve these expenditures until PRIDE had presented documentation acceptable to the Department.

Also, during the review in June and July 1968, the departmental auditors selected 478 paychecks with two or more endorsements for special investigation. See section in this report entitled "Results of Department of Labor Interviews and Referral to Department of Justice."

Also, the departmental auditors have made observations of paycheck distributions. See section in this report entitled "Observations of Paycheck Distributions."

As of September 3, 1968, the departmental auditors had not issued a report on the audit work done during July and August 1968.

#### *Additional work in process*

In addition to performing the work in process previously referred to in this report, we plan to complete the following tasks.

1. Inquire as to whether PRIDE has complied with other significant provisions of its contracts with the Department of Labor.

2. Monitor progress by PRIDE on implementation of suggestions for improving accounting system and internal controls.

3. Review further any listings of personnel or data relative thereto submitted by PRIDE pursuant to our formal request of July 12, 1968.

4. Inquire into PRIDE's procedures relative to preparing, filing, and distributing forms W-2 for each employee for 1967.

5. Reconcile, if possible, differences between total wages earned per general ledger with payroll summaries and with wages earned per special personnel listings submitted to us by PRIDE pursuant to the request of the Senate Committee on Appropriations.

#### APPENDIX

##### EXAMPLE NO. 1

#### *Summary of allegations*

*Payroll padding and kickbacks of wages*—Individual who had another job was reported as present by area supervisor who shared in the proceeds of PRIDE payroll check.

#### *Allegation by certain PRIDE enrollees*

Three PRIDE enrollees advised us that a PRIDE enrollee whom they named is paying a PRIDE supervisor to keep him on the PRIDE payroll by turning in time and attendance reports in enrollee's name although enrollee is not actually working at PRIDE. These enrollees advised us further that the named enrollee worked somewhere other than PRIDE during the summer months.

#### *GAO verification work to date*

It was determined that enrollee was on the payroll of both the District of Columbia Government and PRIDE concurrently. Enrollee was paid by both organizations for the following hours.

2-week pay period ended	Total	Hours reportedly worked	
		PRIDE	District of Columbia government
June 29, 1968	133	53	80
July 13, 1968	152	80	72
July 27, 1968	120	40	80
Aug. 9, 1968	144	64	80

##### EXAMPLE NO. 2

#### *Summary of allegations*

*Kickback of wages*—Area supervisor who reported that absent enrollees were on duty shared in wage payments to enrollees.

#### *Allegations from three pride enrollees*

1. Enrollee A said that, when he would agree to kick back part of his paycheck to his supervisor, he would receive pay for days that he did not report for work. He said that this happened frequently both to him and to many other enrollees in the area. He said that he gave his supervisor as much as half the amount of his check. Enrollee said that this practice was continued by a subsequent supervisor after previous supervisor was fired.

2. Enrollees B and C stated that they had essentially the same experiences as enrollee A.

#### *GAO verification work to date*

None.

##### EXAMPLE NO. 3

#### *Summary of allegations*

*Kickback of wages*—Team captains reported enrollees who came in late as being on duty and split pay with them. Team captains threatened enrollees if they didn't agree to share their pay with them and actually retained part of their pay.

#### *Allegations made by enrollee*

1. Enrollee said that there were numerous instances where the PRIDE enrollees kicked back money to the team captains. He said that his friends in other areas told him that the same situation existed in their areas.

2. Enrollee said that kickbacks were made for the following reasons:

a. Being signed in when not at work and reporting later, thereby requiring a kickback to the team captain for signing him in.

b. As a result of threats by team captains to "mess up their time," the young and timid are required to make kickbacks of part of their earnings.

#### *GAO verification work to date*

None.

##### EXAMPLE NO. 4

#### *Summary of allegation*

*Payroll padding*—Checks issued and cashed in name of individual who no longer works for PRIDE.

#### *Allegations made by enrollee*

Enrollee said that he worked for PRIDE from January 1968 to about April 1, 1968.

#### *GAO verification work to date*

Paychecks were issued to enrollee by PRIDE after the date he said he left PRIDE—April 12 through June 7, 1968. These checks (totaling \$164.85) appear to have been endorsed by someone other than the named enrollee, based on our comparison of endorsements prior to April 12, 1968, with endorsements of April 12, 1968, and subsequent dates.

##### EXAMPLE NO. 5

#### *Summary of allegations*

*Various*—Payroll padding, kickbacks of wages, underpayment of wages, overpayment of wages.

#### *Allegations made by enrollee*

1. Enrollee, who stated that he was a team captain, but no longer works for PRIDE, said that the amount of his paycheck was frequently less than the amount that he should have received and that he never was able to obtain the difference.

2. Enrollee said that he never received his last paycheck for 2 weeks' work.

3. Enrollee said that his area supervisor would inflate the number of hours worked on the time records and would sometimes report that an individual worked a full week (40 hours) although he had not come to work at all during the week. He said that the supervisor would then take a "cut" from the individual's check, sometimes as much as \$40 or \$50.

4. Enrollee said that enrollees reported for work on rainy days and got paid for the full day although they did not work, and many times they went back home.

5. Enrollee said that his group hardly ever worked. He said that they just tried to look busy when the bosses came around visiting. He said that most of the time the area supervisor, the team captain, and the workers sat around and shot dice.

#### *GAO verification work to date*

None.

##### EXAMPLE NO. 6

#### *Summary of allegations*

*Various*—Payroll padding, overpayments, underpayments.

*Allegations made by enrollee*

1. Enrollee said that he discontinued working for PRIDE because of frequent difficulties in getting his paycheck. He cited four instances of such difficulties. In the first instance, he said that he asked his area supervisor about his lost check and received some excuse and a promise to look into the matter. The second time his check was lost, he said that he argued with his supervisor about it but never received either of the two checks. He said that the third time his check was lost a PRIDE official came down from the main office and issued a check to him and to a number of other enrollees whose checks were also lost. He was told, however, to keep quiet about not having received this check previously. Enrollee said also that he never received his final paycheck from PRIDE.

2. Enrollee said that he had seen little kids crying when they did not get paid or when their checks were taken and cashed by their team captains.

3. Enrollee said that, if anyone was absent on payday, the area supervisors would have a story or some excuse for enrollee when he attempted to pick up his paycheck the following week, and he would never get his check.

4. Enrollee said that the team captains and an area supervisor were carrying individuals on the payroll and were recording that they had worked full time although the individuals only showed up on paydays. He said that such persons, when paid, would then give \$40 or \$50 out of their paycheck to team captains and an area supervisor. He said further that some persons who never worked also received checks.

5. Enrollee said that there were kids who appeared to be 7 or 8 years of age working for PRIDE. The enrollee's mother confirmed this and said that she had seen some of these kids about 2½ months ago sweeping the streets near her home.

6. Enrollee said that there was never enough work to keep the Rat Patrol busy for a full day's work. He said that the employees often left to go home at 12:30 or 1 o'clock in the afternoon and that they sometimes played basketball or cards.

7. Enrollee said that he never worked a full day during the whole time that he was employed by PRIDE.

*GAO verification work to date*

The canceled final paycheck to the enrollee, dated June 6, 1968, in the amount of \$114.18, was located in PRIDE files. The check bore an endorsement signature that appeared to be different from that of the enrollee.

**EXAMPLE NO. 7***Summary of allegation*

**Payroll padding**—Checks issued and cashed in name of individual who no longer works for PRIDE.

*Allegations made by enrollee and enrollee's mother*

1. Enrollee said that he worked for PRIDE for only a short period of time and quit because his mother wanted him to. He said he received one check for about \$18.

2. Enrollee's mother said that her son worked for PRIDE for 1 week and that she made him quit because she disliked the organization.

3. Enrollee's mother showed us her son's pay slip for the period he worked for PRIDE. The gross earnings were shown on the slip as \$12.60 and the net earnings as \$12.05. The slip was dated October 2, 1967, and showed that enrollee worked 9 hours.

*GAO verification work to date*

Listing of PRIDE employees provided to GAO for Senate Appropriations Committee shows that enrollee received gross pay totaling \$158.20 in 1967 and \$532 from January through June 1968.

**EXAMPLE NO. 8***Summary of allegations*

**Various**—Payroll padding, kickbacks of wages, and other irregularities.

*Allegations made by enrollees*

1. Two enrollees (brothers) whom we interviewed together said that they knew of instances where the team captain would sign in enrollees who reported late or did not report at all and would split with the enrollee the pay received for the period that he did not work.

2. The two enrollees named a person who they said was on their team but never worked although he received paychecks from PRIDE.

3. The two enrollees said that their area supervisor collected \$2 from enrollees for a Thanksgiving party which was never held and that he did not return the money.

4. The two enrollees said that they were supposed to work from 8 a.m. to 1 p.m. on Saturday but that they generally were released from work at 11 a.m. and got paid for the 2 hours that they did not work.

5. The two enrollees named one PRIDE supervisor who they said was involved with dope. They said he was arrested on narcotics charges about the time of the riots in April 1968.

6. The two enrollees said that they witnessed the exchange of dope by a PRIDE official in a specified location. They said that this occurred weekly and that they knew a PRIDE official was involved because he wore a green PRIDE coat. The two enrollees said that another PRIDE official, whose name they did not know, was a dope addict because they saw "shot marks" on his arm.

*GAO verification work to date*

None.

**EXAMPLE NO. 9***Summary of allegations*

**Overpayments of wages**—Enrollees were paid when they did not work during inclement weather. Enrollees went home early but were paid for full day.

**Kickbacks of wages**—Enrollees paid team captains for the privilege of leaving work early but getting full pay.

*Allegation made by enrollee*

1. Enrollee said that he worked for PRIDE from August 1967 to June 1968. During this time, he said that he and other enrollees played Ping-Pong whenever it rained or snowed and that they were always paid for those days.

2. Enrollee said that, when PRIDE enrollees wanted to leave work 5 or 6 hours before the end of the workday, they would give their team captain \$4 or \$5 and get paid for 8 hours. He said that many team captains were involved. He said that this practice started in August 1967 and continued for quite a while thereafter.

*GAO verification work to date*

None.

**EXAMPLE NO. 10***Summary of allegations*

**Various**—Kickbacks of wages and other irregularities.

*Allegations made by enrollee*

1. Enrollee said that his group was paid for not working on rainy days. He said that enrollees just reported for work, signed in, and were dismissed.

2. Enrollee said that team captains would tell enrollees that, if they didn't kick back \$2 or \$3 or some other amount, they would cut their hours for "goofing off." Enrollee said that he saw some of the boys kick back \$20.

3. Enrollee said that on one occasion his paycheck was cashed by the area supervisor. He said that both he and some other boys

saw this. Enrollee said that the supervisor would not return his money so he reported it to PRIDE, but PRIDE refused to believe him. He said that he never got his money.

*GAO verification work to date*

None.

**Mr. RUSSELL.** Mr. President, without getting into the merits of PRIDE, Inc., do I correctly understand the Senator to say that after the Secretary had been instructed not to extend the contract, he not only extended it, but also increased it?

**Mr. BYRD** of West Virginia. The Senator is correct. The contract was extended by 1 year and a \$3.8 million grant was made available from Federal funds.

**Mr. RUSSELL.** I do not know of anything that could better demonstrate the loss of prestige and power of the legislative branch of the Government than the facts just recited by the Senator from West Virginia.

Up until a few years ago no department of the Government would have dared to flout a request or a directive from a legislative committee, particularly from one that was directing that a contract not be extended, as in this case involving the Secretary of Labor.

I never thought I would serve in the Senate to see the day when the Senate of the United States would receive such cavalier, if not contemptuous, treatment from the head of any department of the Government.

That has nothing to do with the merits of the question. It has to do with the comity between the three branches of the Government. If it submits to such treatment, the Senate of the United States can no longer—or the Congress of the United States for that matter can no longer—claim that it is one of the three coequal branches of the Government. We are not even coordinate, because if I understand the Senator, we were not even notified that the Secretary intended to disregard the directive of the Committee on Appropriations.

I can only say that Congress has fallen on evil days when it accepts treatment of this kind and in the language of the times, sits down and lets it pass by.

No wonder Congress falls into contempt in the minds of the people when it permits itself to be treated in this fashion by one of the heads of an executive department.

**Mr. BYRD** of West Virginia. I thank the distinguished Senator for his remarks. And I agree with the viewpoint he has so eloquently expressed.

**Mr. GRUENING.** Mr. President, will the Senator yield?

**Mr. BYRD** of West Virginia. I yield.

**Mr. GRUENING.** Mr. President, I ask the Senator from Georgia whether he thinks this deterioration in the power of the Senate is due to abdication on the part of Members of the Senate or due to an overbearing pressure on the part of the Executive. Where does the Senator place the responsibility?

**Mr. RUSSELL.** I think it is divided. I think the overbearing pressure is caused because we have delegated such great power to the executive departments that we have to go to them on our hands and

knees to get benefits for our people to which they are entitled. It makes us subservient to the executive branch of the Government.

Mr. GRUENING. I find myself in complete agreement with the Senator's analysis.

Mr. BYRD of West Virginia. Mr. President, I yield to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, I am glad I was present to hear the Senator's remarks. The Senator spoke to me a few days ago about having sent to me the letter to which he has referred today. I have been unable to find the letter for some reason. It is misplaced or miscarried.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield 3 additional minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 3 minutes.

Mr. McCLELLAN. Mr. President, my attention has been called to probable conditions that prevail with respect to the PRIDE project. And suggestions have been made that the subcommittee look into those problems and make some investigation of the matter.

I have directed the staff to make a preliminary investigation. That is in process now or will be in process immediately, and we will give careful attention to the Senator's suggestions.

I am sure the committee will make proper disposition of them and of the report to which he has referred.

Mr. President, we have many complaints regarding this particular program and how it is being administered.

It is just impossible with the staff that the committee has and with the workload of the members of the committee to process all of them. We have to be a little selective. We will never be able to investigate all of the complaints. However, apparently there are sufficient complaints now to warrant an expansion of the inquiry the committee has been making. I think the investigation has been quite revealing and possibly shocking in some of the disclosures that have been made.

We will pursue other complaints that we have, particularly with reference to the matter referred to by the distinguished Senator from West Virginia.

Mr. President, I requested the yeas and nays on the pending bill, and I did so because I feel constrained to vote against it, not because I am against all of it and not because I am against a substantial part or a major part of it.

I would have gladly supported the bill reported by the committee. I compliment the distinguished Senator from Alabama [Mr. HILL], the chairman of the subcommittee, for his handling of the bill. He reported a reasonably good bill taking all things into consideration. However, on the floor of the Senate today we added another \$215 million to the OEO, the agency in which we have just made these disclosures.

I said earlier in the debate that I felt

then that we should wait for a supplemental and have an opportunity to further interrogate the Administrator and others responsible for the program to see whether they were going to eliminate the character of projects that everybody must condemn or whether we are going to get a better administration. I said that if they were going to be eliminated, I felt reasonably confident that the amount of money in the bill would be adequate to take care of the worthwhile and meritorious programs that the OEO administers, has jurisdiction over, and is responsible for administering.

So, I will be compelled to vote against the bill because of the amendments that have been added to it in the Senate.

It is my hope, however, that in conference the conferees can agree on a bill substantially in conformity with what the Appropriations Committee of the Senate reported.

It will be my hope that when it comes back from conference, I will be able to support the conference report and thus vote for the appropriation of funds that are proper and needed. However, I must take this method of protesting against an increase of the amount provided in the bill by some \$500 million under the circumstances and because of the purposes for which they have been made.

Mr. BYRD of West Virginia. Mr. President, I yield myself 1 additional minute. I yield to the Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, the Senator from West Virginia is rendering an outstanding service in bringing this matter to the attention of the Senate.

It was evident to the Appropriations Committee, when we handled this bill, that PRIDE, Inc., may well have misused its funds. There may have been kickbacks. They may have been misappropriation of funds of the worst order. This was the reason why the committee, I believe, unanimously wrote a provision in the bill that the Secretary of Labor would not enter into any more contracts with PRIDE, Inc., until this matter was thoroughly investigated.

Mr. BYRD of West Virginia. Until certification had been received from the Comptroller General with regard to the adequacy of procedures governing the expenditures of future funds.

Mr. YOUNG of North Dakota. The Senator is correct.

Mr. BYRD of West Virginia. The audit concerning which the interim report speaks has to do with the possibility of improper expenditure of funds in the past—alleged kickbacks, payroll padding, and overpayment and underpayment of wages, and other irregularities.

Mr. YOUNG of North Dakota. The committee was aware of it or had a suspicion of it at the time, to the extent that we wrote into the bill the provision of which the Senator speaks.

When the Secretary of Labor not only continues the contract for another year but also increases the funds, this represents to me the most contemptuous action any administrative officer has committed during my service in the Senate.

Mr. BYRD of West Virginia. I thank the Senator, and I share his sentiments.

I yield the floor.

Mr. ERVIN. Mr. President, will someone yield me 2 or 3 minutes?

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. I yield 2 minutes on the bill to the Senator from North Carolina.

Mr. ERVIN. Mr. President, a few weeks ago, the Senate, acting as part of Congress, made a pledge to the American people that it would see that Federal expenditures were reduced at least to the extent of \$6 billion. We did this to justify to the American people the imposition upon them of a 10-percent surtax. I construe our action on that occasion to be a solemn pledge by Congress in general and by the Senate in particular that we would make an honest effort to curtail Federal expenditures.

This bill, in its present form, with the amendments, totals approximately \$19 billion, in round figures, which is \$2 billion, in round figures, above the amount expended for the purposes covered by the bill in the last fiscal year. When the House voted on this bill, the House made a diligent effort to keep the pledge which Congress had made to the American people when it said that it was going to make an honest effort to reduce expenditures of the Federal Government and thereby keep the promise we made when we imposed the 10-percent surtax upon the American people. The House passed a bill which was \$2.1 billion, in round figures, below the budget request.

The Senate now has added to the House bill approximately \$1.8 billion. The net result is that this bill, in its present form, is only \$300 million less than the budget estimates which were compiled before we made the promise to the American people that we were going to make an honest effort to reduce Federal expenditures. Manifestly, Congress cannot keep its pledge to reduce Federal expenditures by \$6 billion if it reduces appropriations for the purposes covered by this bill only \$300 million below the budget proposals. This is precisely what the bill does in its present form.

Like the Senator from Arkansas, I am in favor of the vast majority of the appropriations included in this bill, but I know of no way in which to protest against the repudiation of our promise except to vote against the bill. I expect to vote against it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ERVIN. I ask for 1 additional minute.

If Congress does not have any honest intention to keep its promise to the American people, it should tell them so and stop trying to lure them into believing that there is any real intention on the part of Congress to reduce Federal expenditures.

Mr. GRUENING. Mr. President, will the Senator yield me 1 minute?

Mr. MANSFIELD. I yield 1 minute to the Senator from Alaska.

Mr. GRUENING. I ask the Senator from North Carolina whether he believes that Senators who disapproved of the \$6 billion cut and the tax increase are bound by the action of the Senate. I do

not take that view. I think the tax was completely unnecessary and that the \$6 billion cut in vital domestic programs outrageous.

Mr. ERVIN. I would say that that is a matter for the conscience of the Senator from Alaska or any other Senator.

Mr. GRIENING. My conscience feels that I am not bound by the mistaken action of the entire Senate.

Mr. MANSFIELD. Mr. President, I yield back the remainder of the time on the bill.

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time on the bill has been yielded back. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Florida [Mr. HOLLAND], the Senator from Hawaii [Mr. INOUE], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. TALMADGE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. McCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Maine [Mr. MUSKIE], the Senator from Florida [Mr. SMATHERS], and the Senator from Mississippi [Mr. STENNIS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Florida [Mr. HOLLAND], the Senator from Hawaii [Mr. INOUE], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MONDALE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Florida [Mr. SMATHERS], the Senator from Mississippi [Mr. STENNIS], the Senator from Texas [Mr. YARBOROUGH], the Senator from Maryland [Mr. TYDINGS], and the Senator from Maine [Mr. MUSKIE] would each vote "yea."

Mr. YOUNG of North Dakota. I an-

ounce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from New Hampshire [Mr. COTTON], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Iowa [Mr. HICKENLOOPER] is detained on official business.

If present and voting, the Senator from Colorado [Mr. DOMINICK], the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Hawaii [Mr. FONG], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from California [Mr. KUCHEL], the Senator from Vermont [Mr. PROUTY], the Senator from Maine [Mrs. SMITH], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 45, nays 8, as follows:

[No. 268 Leg.]

YEAS—45

Boggs	Hatfield	Nelson
Byrd, Va.	Hill	Pastore
Byrd, W. Va.	Jackson	Pearson
Carlson	Javits	Pell
Case	Jordan, Idaho	Percy
Cooper	Mansfield	Proxmire
Dodd	McGee	Randolph
Fannin	McGovern	Ribicoff
Gore	McIntyre	Scott
Griffin	Miller	Sparkman
Gruening	Montoya	Spong
Hansen	Morse	Symington
Harris	Moss	Williams, N. J.
Hart	Mundt	Young, N. Dak.
Hartke	Murphy	Young, Ohio

NAYS 8

Ellender	Lausche	Thurmond
Ervin	McClellan	Williams, Del.
Hollings	Russell	

NOT VOTING—46

Aiken	Dirksen	McCarthy
Allott	Dominick	Metcalfe
Anderson	Eastland	Mondale
Baker	Fong	Monroney
Bartlett	Fulbright	Morton
Bayh	Hayden	Muskie
Bennett	Hickenlooper	Prouty
Bible	Holland	Smathers
Brewster	HRuska	Smith
Brooke	Inouye	Stennis
Burdick	Jordan, N. C.	Talmadge
Cannon	Kennedy	Tower
Church	Kuchel	Tydings
Clark	Long, Mo.	Yarborough
Cotton	Long, La.	
Curtis	Magnuson	

So the bill (H.R. 18037) was passed.

Mr. HILL. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make such necessary changes as are needed in the bill.

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

Mr. HILL. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the

Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. JAVITS, and Mr. COTTON conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, this measure provides funds for the Departments of Labor, and Health, Education, and Welfare, and certain related agencies. It appropriates sums necessary to carry on the many vitally important programs and projects involved. Its passage today is a tribute to the Senator from Alabama [Mr. HILL]. And it is with the greatest regret that I note that along with the many measures that have been led through the Senate in years past by the senior Senator from Alabama, his outstanding service on this yearly appropriations bill will be sorely missed.

Senator HILL's dedication to achieving greatness for this Nation in the fields of health and welfare, education, and economic development have been unsurpassed. That dedication was clearly demonstrated by the manner in which he handled this measure. To it he applied the same care and diligence that he has applied to all such measures. Its overwhelming success speaks loudly and clearly for the effective and highly competent legislative skill of Senator HILL. The Senate and the Nation are again in his debt.

Joining to assure such an overwhelming success on this matter today was the Senator from New York [Mr. JAVITS], the ranking minority member of the subcommittee. His broad knowledge and deep appreciation of all facets of the proposal contributed immensely to its wide acceptance. The Senator from Rhode Island [Mr. PASTORE] is to be singled out for his splendid contribution. His successful urging of an amendment, his clear and persuasive explanations of the many features of the proposal were greatly appreciated.

Other Senators are also to be commended for their participation. The Senator from Michigan [Mr. HART], the Senator from Wisconsin [Mr. NELSON], the Senator from Indiana [Mr. HARTKE], and the Senator from West Virginia [Mr. BYRD] joined with their own strong and sincere views on the matter. Our particular thanks goes to the Senator from Delaware [Mr. WILLIAMS] who generously cooperated to secure final disposition today while urging his own strong and differing views on certain parts of the proposal.

Finally, I wish to thank the Senate as a whole for its splendid cooperation in disposing of this measure so efficiently and with full consideration for the views of every Member.

#### RENEGOTIATION AMENDMENTS ACT OF 1951

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1462, H.R. 17324, an act to extend and amend the Renegotiation Act

of 1951. I do this so that the bill may be the pending business on Monday next.

**THE PRESIDING OFFICER** (Mr. WILLIAMS of New Jersey in the chair). The bill will be stated by title.

**THE LEGISLATIVE CLERK.** A bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951.

**THE PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

There being no objection the Senate proceeded to consider the bill.

#### EXEMPTION OF ANTIBALLISTIC MISSILE SYSTEM FROM BUDGET CUTS

**MR. THURMOND.** Mr. President, it is refreshing to read in the press this morning the announcement by Defense Secretary Clark Clifford that the U.S. anti-ballistic-missile program has been exempted from any Pentagon budget cuts.

In view of reports of missile limitation talks between the United States and the Soviet Union, it is vital that if and when we negotiate, we do so from a position of military superiority.

Apparently the Soviet multiwarhead missile tests of August 23 and the military suppression of the liberalization movement in Czechoslovakia have enabled the administration to realize further delays in the ABM program could be fatal.

It also should convince the administration that further efforts to reach a detente with the Russians at this time would be foolish and would destroy the faith of the free world in the Nation's foreign policy strategy.

Certainly, the Senate should not further consider the nuclear nonproliferation treaty when the Russians have just broken treaties with Czechoslovakia. It shows once again that the Soviets view any treaty as a worthless piece of paper if their leaders feel such scrapping is necessary to forward the goal of Communist world domination.

How could we hope to deal with the Russians at this time when their hands are bloodied by the Czech invasion, a military move against people within their own camp?

The \$6 billion ABM program only provides for a thin defense for the whole United States against unsophisticated missiles. This is not sufficient to meet our defense needs, but it is a critical and urgent first step which should be pushed ahead without budgetary considerations.

Earlier this year, I expressed my disappointment with the Defense Department to deploy only the thin Chinese-oriented system when what we need is a larger deployment aimed at meeting the greater threat which comes from the Soviet Union.

I have also reminded my colleagues of the dangerous trend in our overall strategic weapon strength in comparison with the Soviet Union. Some of the Senate will remember that I pointed out, in terms of total megatonnage delivery capability—not the number of launchers in place—the Soviets have made tremendous strides in competition with the United States.

We must press forward with all due speed in developing our ABM system which the Congress has supported but which the Defense Department, formerly under Robert McNamara, has delayed.

**MR. PRESIDENT,** Secretary Clifford's announcement is encouraging, and it is my hope that additional moves in other neglected weapon system areas will also be pushed forward to maintain our Nation's military strength.

#### POSSIBLE PRESIDENTIAL TRIP TO THE SOVIET UNION

**MR. THURMOND.** Mr. President, a few hours ago, the President held a press conference at which he was asked whether he had any travel plans in the near future. This was in reference to the speculation that the President intended to go to Moscow or elsewhere to hold a series of high-level talks with the Soviet Communist regime. The President now says that he has no travel plans in the offing at this point.

I was astonished that he did not come straight out and say that he had abandoned all thoughts of such a trip, in view of the rape of Czechoslovakia. The statement indicates nothing final in the way of a decision by the President. He leaves the door open for further consideration. I believe that the door should remain shut as long as Soviet aggression continues.

The rationale for such a trip was said to be the President's desire to climax his policy of bridge building. There are even those who maintained that such a trip would exploit the desire of all men for peace, and thereby increase the President's popularity among the people.

Such a course would most certainly be a misreading of the public sentiment. We have only to look about us to see that the bridge-building policy is in ruins. Our ship, the *Pueblo* is still held by North Korean Communists whose party's central committee is dominated by Koreans who maintain Soviet citizenship and military rank. In Vietnam, our casualties increase, and heavier attacks are launched against Saigon even while we are in the midst of negotiations.

Most significant, of course, is the heavy massing of troops in Czechoslovakian territory. It is clear that the invasion of Czechoslovakia is more than an attack on Czechoslovakian aspirations. The number of Soviet ground forces in Central Europe has at least doubled. The State Department says that there are 200,000 Warsaw Pact troops in Czechoslovakia. The Czechoslovakian leaders have stated that the number is 650,000. Whatever the truth, there is a significant shifting of troops into the territory next to West Germany.

Mr. President, this massing of military strength indicates that the Soviets intend to keep the Iron Curtain in good repair. When the Soviets use brute force to repress the citizens of other countries, no one can maintain any longer that these countries are not satellites of the Soviet Union. For all practical purposes, Czechoslovakia has been absorbed into the Soviet system.

This action of the Soviets places all treaties and commitments of the Soviet Union in doubt. Today's papers say that the fate of the nonproliferation treaty in the U.S. Senate is exceedingly grave. I think that these stories reflect a true sentiment. As I have said many times, a treaty with the Soviets is nothing but a scrap of paper. The Czechoslovakian invasion has shown many people how true this is.

For example, under the nonproliferation treaty, Czechoslovakia was to be maintained as a nonnuclear nation. With such a status, Czechoslovakia was tacitly to have been guaranteed safe from aggression. What good would the treaty have done for Czechoslovakia if it had been in effect on August 21?

I trust that the President will see fit to avoid meetings with the Soviet leaders as long as they continue their aggression. No trustworthy agreement or sincere exchange of views could be expected. The only result would be to make the United States look ridiculous in the eyes of our allies and the nonaligned nations. Such meetings might even lead some people to condone what the Soviets are doing, and they will lead them to believe that the United States acquiesces in the action. I repeat, it would be a great mistake for the President to meet with the Soviet leaders under such circumstances.

#### THE CHILDREN OF BIAFRA

**MR. BYRD** of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to insert a statement by Senator BARTLETT entitled "The Children of Biafra."

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

**MR. BARTLETT.** Mr. President, I am compelled today to speak out on the atrocious spectacle of death and despair that the world is witnessing in Biafra. The sight of despair and death amongst the juvenile population of secessionist Biafra is so shocking and appalling that one is tempted to ignore the plight and turn to another page, to ignore the photographs and instead put down the paper. To idly witness the plight of these starving children and do nothing is akin to watching the lions at work in the arena.

Perhaps it would be utopian to suppose that the resolution of a revolution or secession could be bloodless. I do not address myself to this issue but, as Senator Hartke has said: "There is no political principle so certain, so decisive, so inclusive as not to admit of the compromise that would permit alleviation of the desperate straits of innocent individuals."

I add my voice today to that of Senator Proxmire, who stated on July 25, 1968:

"I do not speak today to indict any one for what is going on in that area. Rather, I wish to add my voice again to the call of many others that all involved in this dispute moderate their positions so that aid can be rushed overland in sufficient quantities to save these millions of human beings."

"There are signs of hope, in that talks may soon result in agreement—agreement that will permit the many innocents in Biafra to be fed and receive medical attention. But time is running out and every week thousands will be added to this necrology of the innocent."

Mr. President, life, it has been said, is neither good nor bad. It is original. It is these

children with lives yet uncommitted, and with the inability to be combatants, who are being subjected to the horror of starvation and the rigors of protein-calorie malnutrition or kwashiorkor. As President Johnson has said, ". . . innocent persons should not be victims of political maneuvering."

Accordingly, I request our administration to do everything in its power to convince those bearing responsibility to allow increased food and supplies through to the children of Biafra.

The Biafra-Nigeria argument constitutes a terrible tragedy. If any problem in today's world can be denominated as internal, this problem can so be classified. However, the enlightenment of the twentieth century, the lessons of the Second World War and the very nature of internationalism as embodied by the United Nations should not permit the death by starvation of these innocents. Humanity should not leave to historians the answer on what should have been done.

#### DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WEL- FARE APPROPRIATIONS, 1969

Mr. LAUSCHE. Mr. President, I voted against the appropriation bill for the Departments of Labor and Health, Education, and Welfare and related agencies for the year 1969.

I subscribe to the general purposes for which the appropriation was made. I voted against the bill, however, because I believe that it is a complete breach of the commitments solemnly made to the people of the United States by the Senate on April 2, 1968, when it adopted the bill imposing a 10-percent surtax and mandatory reduction in spending of \$6 billion.

Mr. President, on April 2, the Senate declared that there shall be imposed a 10-percent surtax. That meant that for every dollar of income tax paid by an individual, he would also have to pay an additional 10 cents as a surtax.

To pacify its conscience, the Senate said that it was imposing the 10-percent surtax but would mollify the thinking of the public by telling them it would reduce spending by \$6 billion. That was on April 2, 1968.

Today, September 6, 1968, how different is the thinking on September 6 compared to the commitment made on April 2.

What the Senate did today, September 6, completely belies the solemn commitments it made on April 2, promising the taxpayers of the United States that it would cut expenditures in 1969 compared to 1968 by \$6 billion.

Now what is the status of the expenditures financed by the House appropriations bill and those financed by the Senate?

The House tried to keep its solemn promise. It tried to cut expenditures. It authorized appropriations of \$17,232,000,000. That figure was in excess of what we authorized for 1968.

What did the Senate do? It raised the figure of \$17,232,000,000 to \$18,488,000,000 through the recommendations of the committee. In other words, the committee said, "The House did not assign adequate money. It should have given \$1,255,000,000 more."

But today the Senate comes along and passes nine amendments involving ad-

ditional expenditures of \$500 million. Thus, the Senate completely forgets its solemn commitment made on April 2 that it would cut expenditures by \$6 billion and proceeds to raise the appropriations of the House by \$1,255,000,000.

Morality in the fulfillment of commitments is a matter that all civilized nations ought to give grave attention to. The Senate of the United States, with the great respect in which it is held in the Nation and the world, over and above civilized people, ought to keep its solemn promises.

Tragically, it has not kept its solemn promise. The promise which it made on April 2, in trying to pacify its conscience in imposing a 10-percent surtax, that it would reduce expenditures by \$6 billion, has been abandoned.

Today there has been an orgy on the Senate floor. The tide of spending money was moving with great speed. The money spenders put themselves on the crest of the tide, and in the flood and flow, they moved on toward their objective. Every proposal made by the money spenders was passed, even though those proposals were in complete conflict with sacred, solemn commitments made to the taxpayers of the United States.

I shall be asked why I voted against this bill. I would want to support it. Its general objectives are sound. They should be supported by Members of the Senate. But, Mr. President, we have the problem of the taxpayers of our Nation. There are countless programs I would like to support. In my file right now I have two tax bills from the U.S. Government, one from the city of Cleveland, one from the county of Cuyahoga. I can bear the burden of those taxes, but there are thousands and millions of Americans who are feeling the burden of excessive taxation.

I have no qualms about how I cast my vote. I have no qualms because my vote was cast with courage and honesty, and without any surrender to political expediency.

Mr. President, I yield the floor.

Mr. THURMOND. Mr. President, I, too, voted against H.R. 18037, an act 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.

I wish to commend the distinguished and able Senator from Ohio for the remarks he made setting out his reasons for voting against this bill, and I wish to associate myself with those remarks and also with the remarks of the distinguished Senator from North Carolina [Mr. ERVIN].

I realize that voting against an appropriation bill is a serious matter. However, it is my feeling that we must put a halt to excess spending. When we voted to impose additional taxes on the people, there was at least a moral commitment to reduce expenses.

This bill not only does not decrease expenditures, but it increases the appropriations for the purposes set out in the bill.

In addition, it has become apparent that the OEO has funded many unwise and, indeed, even dangerous projects. The current hearings regarding Federal

financing of criminal gangs in Chicago are one example.

For these reasons I cast my vote against the bill.

Since the bill passed, I am pleased that the Senate retained the amendments intended to prevent HEW officials from using funds under this bill to intimidate local school boards.

#### COMMON SOURCES OF RADIATION EXPOSURE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I be permitted to insert in the RECORD a statement by Senator BARTLETT entitled "Common Sources of Radiation Exposure," with an attachment.

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

##### STATEMENT BY SENATOR BARTLETT

Mr. BARTLETT. Mr. President, shortly before H.R. 10790, the Radiation Control for Health and Safety Act of 1968, was reported from the Senate Commerce Committee, the magazine, the American Engineer, in its July 1968 issue, carried an article that is directly relevant to what this legislation seeks to do.

I was very interested in the article, both because of its content, and also because it author, Dr. Karl Z. Morgan, has been one of the leading witnesses before the Senate Commerce Committee and for the other body on present dangers of radiation from certain electronic products, namely x-ray machines. Dr. Morgan is the director of the Health Physics Division of the Oak Ridge National Laboratory, where he had had a distinguished career in protecting scientists, engineers, technicians and other workers from radioactive materials of all varieties, forms and amounts. He has lived daily with radiation protection ever since the days of the Manhattan project. I should add that his testimony was difficult, for it was up-hill, and bucked the party line of rather prestigious organizations.

In the July issue of the American Engineer he writes about common sources of radiation exposure and in doing so adds to the record which supports enactment of H.R. 10790.

I request unanimous consent that a copy of Dr. Morgan's article be printed in the RECORD at the conclusion of my statement. (See exhibit 1.)

However, first, I would like to note several of the highlights of the article.

Concerning non-medical sources of exposure, he said:

"The industrial radiographic X-ray machine is in some cases rather notorious for its use under poor supervision such that not only the operator but other workers have been overexposed.

"Devices such as the high voltage vacuum switch or the high voltage vacuum condenser were just spotted in 1967 as potentially very dangerous X-ray sources by health physicists at Oak Ridge National Laboratory . . ."

Not only that, but "in spite of the fact that some of the vacuum switches tested at subrated voltages produced X-ray fields several feet from them that were hundreds of times the maximum permissible levels for occupational, no warnings or indications of shielding requirement are given in the available literature describing their installation and operating characteristics. In fact, no mention is made that they might produce X-rays."

Yet, as Dr. Morgan points out, these devices are used in industry, in research, in hospitals, in universities.

Dr. Morgan also describes other sources of ionizing radiations and some of the re-

lated problems, such as that of radioactive materials from fall-out of nuclear tests, and the use of man-made radioactive materials. Then he comes to a point which has intrigued me throughout our hearings on H.R. 10790. He points out that in terms of biological consequences, it does not matter whether a radioisotope is produced in a nuclear reactor or by a high voltage accelerator, or is recovered from mineral deposits. The exposures produce equivalent damage. Likewise the effects of X-rays, whether they are produced by an X-ray machine, a high voltage vacuum switch, or an improperly designed or adjusted television receiver, are similar. In all these cases, says Dr. Morgan, the radiation source should be kept under proper surveillance and adequate control, if the radiation from the source is sufficient to produce a risk of exposure in excess of presently accepted levels. He concludes by reminding all of us, and I join with him in his thought, that ionizing radiations are not something to be feared, but are to be respected and treated with the same regard, care and understanding as all other important sources of energy. We do not take tools from the hands of men because they may be dangerous. Instead we assure the safe use of dangerous tools by education, by setting safety standards of design and use, and by following up to see that safe usage is the rule rather than the exception.

I think Dr. Morgan makes a good point when he points out that the effects of ionizing and other radiations depend not upon their source, but upon their characteristics as they fall upon the human body. It is with this in mind that I am preparing a statement to further bring out the gaps and inconsistencies which presently exist in Government control of radiation.

Dr. Morgan's facts and his analysis of these facts in this article underscore once again the reasons why H.R. 10790 should be enacted by the Senate. It will enable the Secretary of Health, Education, and Welfare can get on with the job of assuring that safety is built into the design and manufacture of electronic products which emit potentially dangerous X-ray like and other electromagnetic radiations.

#### EXHIBIT 1

##### COMMON SOURCES OF RADIATION EXPOSURE (By Dr. Karl Z. Morgan)

Ionizing radiation, like all other known sources of energy, can and has brought many great benefits to man. Perhaps the most important have not yet been discovered or fully realized. Also, like other sources of energy, for example, heat or electricity, it can and does produce serious damage when delivered in excess amounts to an individual. For example, it has caused cataracts, radiation sickness, malignancies, and death. Unlike most forms of energy, in relatively small amounts of exposure to large populations it is believed to increase appreciably the incidence of leukemia, bone cancer, thyroid cancer, and genetic injury at a rate which is more or less proportional to the amount of exposure. Unlike other sources of energy, ionizing radiation can be received in dangerously large amounts—even lethal amounts—by the unwary and careless individual without any sensation of pain or injury at the time of exposure. Radiation exposure may be from a source external to the body or from radioactive material (radioisotope) taken into the body and incorporated in the body organs. Ionizing radiation may be in a form that is electromagnetic (wavelike) or particulate.

There is a host of commercial, industrial, medical, research, and consumer product devices which fall for the most part in a class in the intermediate voltage range of 10 kv to 200 kv. It is a simple fact of physics that if a high electrical potential is applied across a partial vacuum, an electron current will

flow between the electrodes which reaches a peak at an optimum gas pressure in the tube. The electrons are accelerated by the high voltage and upon striking material of high atomic number such as tungsten, iron, copper, glass, etc., they are slowed down, producing penetrating electromagnetic radiation.

This radiation is called X-ray if the voltage equivalent is above about 10 kv. Some of these devices, such as diffraction analyzers and electron microscopes, have been recognized by the health physicists as potentially dangerous X-ray sources for many years, but even today such equipment in industry and universities leads to many overexposures because of improper supervision and failure of some to recognize the conditions under which X-rays may leak out from these devices into the area where, for example, the eyes of the researcher may be overexposed, leading to an increased risk of radiation-induced cataracts. The industrial radiographic X-ray machine is in some cases rather notorious for its use under poor supervision such that not only the operator but other nearby workers have been overexposed. Devices such as the high voltage vacuum switch or the high voltage vacuum condenser were just spotted in 1967 as potentially very dangerous X-ray sources by health physicists at Oak Ridge National Laboratory, who were checking a number of such devices for radiation safety. In spite of the fact that some of the vacuum switches tested at subrated voltages produced X-ray fields several feet from them that were hundreds of times the maximum permissible levels for occupational exposure, no warnings or indications of shielding requirement are given in the available literature describing their installation and operating characteristics. In fact, no mention is made that they might produce X-rays. Yet these devices are used in industry, research, hospitals, universities, etc. Perhaps the more widely publicized electronic device that can produce X-ray exposure is the color television set. There have been many exaggerations both relative to the radiation hazards from color television and from those who claim the risk is negligible. It is true that the standard set by the National Council on Radiation Protection (NCRP) of "0.5 mR hr at 5 centimeters from any readily accessible location on the color television receiver" is in some respects conservative, but this I believe is as it should be for radiation sources which are unnecessary and for which there is no direct X-ray benefit to the exposed individual. If one assumes the 14 million color television sets in the United States were operated right at the maximum limit set by the NCRP and that these sets are viewed on the average of 20 hours per week each by two persons at a distance of eight feet, you can make a number of interesting estimates. I have assumed the attenuation factor is such that the gonad dose from each of the sets operating at the NCRP level of 0.5 mR/hr at 5 centimeters is 3 mrad/yr at eight feet. I have assumed further that for chronic exposure of this type there are  $8 \times 10^{-4}$  mutations per year per roentgen.

This is the lower limit of genetic mutations based on recent data of W. L. Russell which indicate that perhaps five out of six damaging mutations might be repaired at this low dose rate. Under these assumptions, we arrive at the relatively low figure of about 70 genetic deaths per year in the United States at equilibrium. I submit this is not a negligible risk but agree that it is extremely low compared to others in our environment. Some would say that two genetic deaths per year per million color television viewers is completely negligible and insignificant. In any case, I would still insist it is proper the NCRP has set this risk very low. On the other hand, the recent survey of the HEW-USPHS of color television sets in Washington, D. C., did indicate about 6 percent of the 1,124 sets surveyed exceeded the NCRP

standard and two sets exceeded this level by a factor of more than 25 (the readings were beyond the range of the survey instruments used). Also, it is interesting to note that measurements have been made on a set containing a selected 6EF4 shunt regulator tube operating under conditions chosen to produce maximum X-ray emission and produced an exposure rate of 83 R/hr at floor level below the set and 800 R/hr immediately below the receiver. Hopefully, there are no sets in homes operating under these conditions. Such a set could produce erythema and epilation perhaps in about a week in a child who watched television at floor level and could result in much more serious damage such as cataracts and perhaps leukemia and other malignancies after extended exposure. Also, such a set could be a serious threat to the eyes of the television repairman. The Washington survey indicated that most sets meet the NCRP standard but a considerable number of brand names were on sets that exceeded the NCRP standard. The primary sources of trouble were the high voltage shunt regulator tube, high voltage rectifier tube, and the picture tube. In general, the higher the operating high voltage, the greater the risk of excessive dose rate, e.g., all the sets operating above 31 kv in the survey exceeded the NCRP standard. Most of the sets exceeding the NCRP standard were purchased after 1965 and the left side and back of the sets were the most likely locations of high radiation readings.

The most important source of population exposure to ionizing radiation is the medical X-ray machine. In fact, it is estimated that of man-made sources of ionizing radiation in the United States at present, about 94 percent of the gonad exposure is received from medical sources, 5 percent from weapons fallout, and less than 1 percent from all other sources, a few of which are discussed here. I will limit this discussion to medical diagnostic X-ray exposure in contrast to therapeutic X-ray exposure because therapeutic exposure accounts for only a small fraction (about 10 percent) of the exposure of the average person in the United States from medical sources and because it is usually administered by a radiologist who is actually aware of the urgent need to keep the dose as low as possible to normal tissue while destroying that which is malignant. Diagnostic X-ray exposures in the United States are much higher than those in many other advanced countries such as the United Kingdom (where it is less than one-fourth of that in the United States) and it is conservatively estimated that diagnostic X-ray exposure in the United States could be reduced by a factor of 10 while at the same time improving X-ray diagnosis and obtaining finer detail and far more information on the X-ray films. The one single development which could be expected to reduce medical exposure more than all others is that of education and the development of a proper motivation on the part of all the medical profession to take this problem seriously. At the present time, only California requires the teaching of courses in radiation protection (or health physics) in the medical schools and specifies that there must be questions on this subject on the state board examinations. Only in New York is the operation of X-ray equipment limited to the educated, trained, and certified X-ray technologists and this does not apply even here to dental technicians. It is little wonder then that many surveys have indicated skin doses for chest X-rays ranging from 1,000 mR to 10 mR and for dental X-ray series ranging from 300 mR to 300,000 mR. Yet, almost without exception, those medical men or dentists delivering doses toward the lower range of the scale obtain better radiograms with more medical information. It is little wonder that there is this wide variation in X-ray dose and quality of medical information when many of those who own and operate X-ray equipment have

never had instruction in its use. Often the cross-sectional area of the X-ray beam is several times that of the film and the USPHS surveys two years ago indicated most of the dentists were overexposing the films and underdeveloping them—a sure way to get an image on the film but a guarantee of poor quality X-rays and of patient over-exposure. Although high-speed X-ray film and long, open-ended cones have been recommended for a long time, few dentists are using both and many neither, even though the combination can reduce the X-ray dose to the patient by a factor of 10 to 20. In my congressional testimony last year supporting bills S. 2076 (Senator E. L. Bartlett) and H.R. 10790 (Representative Paul G. Rogers), I listed some 63 ways in which medical exposure to the patient can be reduced. There are many others which I could add to this list but all of them can be summarized under education, training, certification, legislation, enforcement of minimum control limits, inspections, the use of proper and reasonably modern equipment, and the application of the best of techniques by a properly informed and motivated medical and paramedical profession.

Some radioisotopes such as strontium-90 and cesium-137 are beta emitters that are common in the fallout debris from the atmospheric testing of nuclear weapons and are of particular concern when they are taken into the body. Strontium-90 is of concern because it deposits in the bone, thus increasing the risk of bone tumors and leukemia. Cesium-137, on the other hand, deposits rather uniformly throughout the body and increases the chance of various forms of malignancies in the individual and adds to the probability of genetic damage to his descendants. These two radioisotopes are among the more dangerous of those in weapons fallout and that are produced in a nuclear reactor and are separated from the reactor fuel in the less widely distributed reactor fuel reprocessing plants. Another common reactor and weapons-produced beta-emitting radionuclide of primary concern is iodine-131. This can present a problem because if liberated into the environment, much of it settles onto the grass and the cows eating this contaminated grass pass much of it on to the milk where, if consumed by the child, it concentrates largely in the child's thyroid. He it increases the risk of thyroid cancer in the child.

In addition to man-made radioisotopes, there are many such as radium-226, polonium-210, thorium-232, and uranium-238 which occur naturally in our environment. Usually, these do not represent a problem, however, unless man tampers with or concentrates them. Radium-226 was a serious problem during the decade following World War I, especially among the radium dial painters who tipped their brushes with their lips. In doing this, they ingested some of the radium such that a few millionths of a gram deposited in their skeletons, thus leading to bone cancer. The recent congressional hearings on radiation exposure to the uranium miners in some of the southwestern states emphasizes dramatically again that ionizing radiation—external or internal from man-made or naturally occurring sources—can and will create a serious problem if it is not kept under proper surveillance such as that provided by the health physicist in the nuclear energy industry. Most of these underground mines have operated for years with radon and its daughter products (produced by the natural radioactive decay of uranium-238) at 10 to 100 times the air concentration which was recommended by the National Council on Radiation Protection and the International Commission on Radiological Protection (ICRP) as the maximum permissible concentration for the radiation worker. As a consequence, it was reported in the 1967 congressional hearings that 89 uranium miners had already died of lung cancer as the result of prolonged radon and daughter produced

exposure and the projected number based on the past record is 1,150 cases of lung cancer by the end of 1985. As a consequence of these hearings and the action of the Federal Radiation Council (FRC), the permissible working level of airborne radioactivity in the mines was set at a value that is approximately three times the level set in 1959 by the NCRP and ICRP.

This represents, however, a large forced reduction of the air concentration in most of the underground uranium mines in the United States, and I believe it is probable and desirable that the permissible working level will be further reduced in the near future. This is because scientific evidence seems to indicate there is no threshold level of exposure to any form of ionizing radiation so low that the risk of radiation damage becomes zero. In other words, there are certain types of radiation-induced risks such as leukemia, bone tumors, thyroid cancers, and genetic damage that seem to relate more or less linearly with the dose. The accepted opinion of many of the world's most knowledgeable scientists in this matter is perhaps best illustrated by a summary of statements of the ICRP regarding the three basic assumptions on which maximum permissible levels of exposure to all types of ionizing radiation are set. ICRP states that the levels recommended are so low that (1) the probability of serious radiation damage such as leukemia is very low (but not zero), (2) the more common and unavoidable types of damage such as life shortening are very slight or are of a minor nature and would be acceptable by the exposed individual, and (3) the risks of somatic and genetic injuries are comparable to those of other well-conducted modern industries.

Radioisotope sources such as strontium-90, cobalt-60, cesium-137, and radium-226 can damage man either as external sources or as internal sources. As external sources, they may be relatively safe initially but when tampered with or otherwise damaged, the protective coating is removed, or the source begins to leak due to internally developing pressure or fire damage, it can become a serious contamination problem. Most of the sources containing reactor-produced radionuclides are under the surveillance of the USAEC or, in some cases, under state control. However, accelerator-produced sources and sources of natural origin are, in most cases, under very limited control or essentially no control. Sources such as plutonium-239, hydrogen-3 or carbon-12 present damage only as internal sources because of the short range of the radiation in tissue but for this very reason they may deliver their radiation in more intimate contact with the most radiosensitive tissue in the body. Radioisotopes may enter the body by inhalation, ingestion, injection, or through the intact skin and they may originate in hazardous form as a gas, dust, spray, liquid, or surface contamination. Most of the larger and more dangerous radioisotope sources are found in national laboratories, government and industrial laboratories, hospitals, and industrial radiographic establishments where, except in the latter case, they are usually under adequate health physics supervision and control. There are many cases on record where individual radiographic sources have been improperly handled, leading to excessive radiation exposure of a few individuals and in some cases to widespread contamination which led to decontamination procedures costing in the tens of thousands of dollars. Perhaps the most dramatic case involving a radiographic source occurred in Mexico in 1962 when four persons died as a result of a cobalt-60 radiographic source left in their home accidentally and unclaimed for some time. The father also was seriously injured by this source but still survived at the last report.

In terms of biological consequences, it doesn't matter whether a radioisotope is

produced in a nuclear reactor or high voltage accelerator or is of natural origin. Exposures from x and  $\gamma$  rays, or  $\alpha$ ,  $\beta$  and  $\gamma$  particles in terms of rem units or gram rem units produce equal damage. Likewise, an exposure to X-rays of a given voltage in these units is the same whether it is generated by a medical X-ray machine, a color television set, or a high voltage vacuum switch. In fact, such exposure is the same whether generated by X-rays or gamma rays from a cobalt-60 source if the energy distributions are the same. In all these cases, the radiation source should be kept under proper surveillance and adequate control of the health physicist at all times if its concentration and availability to man are sufficient to produce a risk of exposure in excess of those levels established by the NCRP, ICRP, and the FRC for the occupational worker and for members of the population at large. Ionizing radiation is not something to be feared but it is to be respected and must be treated with the same regard, care, and understanding as all other important sources of energy. Of all the sources mentioned above, medical X-ray diagnostic machines produce by far most of the unnecessary population exposure.

#### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

##### REPORT OF CLAIMS PAID UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES CLAIMS ACT OF 1964

A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting, pursuant to law, a report of all claims settled pursuant to the provisions of the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, for the fiscal year ended June 30, 1968 (with an accompanying report); to the Committee on the Judiciary.

##### MINUTES OF 81ST NATIONAL CONVENTION, LADIES OF THE GRAND ARMY OF THE REPUBLIC

A letter from the District of Columbia representative of the Ladies of the Grand Army of the Republic, transmitting, pursuant to law, the minutes of their 81st National Convention, August 5-10, 1967 (with accompanying papers); to the Committee on the Judiciary.

#### PETITION

The PRESIDING OFFICER laid before the Senate resolutions adopted by the Nebraska Rural Electric Association, of Lincoln, Nebr., demonstrating against the merger of urban and rural electric distribution facilities, and so forth, which were referred to the Committee on Agriculture and Forestry.

#### APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, and in accordance with Senate Resolution 281, 90th Congress, second session, appoints the Senator from Illinois [Mr. PERCY] to the Select Committee To Study the Unmet Basic Needs Among the People of the United States.

The Chair, on behalf of the Vice President, and under the provisions of Public Law 816, 80th Congress, appoints the Senator from Arizona [Mr. FANNIN] as a member of the Board of Visitors to the U.S. Naval Academy, in lieu of the Senator from Tennessee [Mr. BAKER].

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MONToya, from the Committee on Agriculture and Forestry, without amendment:

S. 3736. A bill to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex. (Rept. No. 1502).

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

H.R. 18146. An act to amend title 10, United States Code, to correct an inequity affecting officers of the Supply Corps and Civil Engineers Corps of the Navy (Rept. No. 1503).

By Mr. PEARSON, from the Committee on Armed Services, without amendment:

H.R. 18786. An act to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, and for other purposes (Rept. No. 1504).

By Mr. BYRD of Virginia, from the Committee on Armed Services, without amendment:

H.R. 15268. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1969 National Jamboree, and for other purposes (Rept. No. 1505).

By Mr. YOUNG of Ohio, from the Committee on Armed Services, without amendment:

H.R. 10573. An act to provide authority to increase the effectiveness of the Truth-in-Negotiations Act (Rept. No. 1506).

By Mr. STENNIS (for Mr. DOMINICK), from the Committee on Armed Services, without amendment:

H.R. 17780. An act to direct the Secretary of Defense to pay the special pay authorized under section 310 of title 37, United States Code, to certain members of the uniformed services held captive in North Korea (Rept. No. 1507).

## BILLS INTRODUCED

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

By Mr. SCOTT:

S. 4006. A bill for the relief of Alessandro La Rocca, his wife, Maria Vittoria La Rocca, and their two daughters, Daniela and Gianluca La Rocca; to the Committee on the Judiciary.

By Mr. HART:

S. 4007. A bill for the relief of Erlinda Zaragosa;

S. 4008. A bill for the relief of Gertrude Grazek Ginalczyk; and

S. 4009. A bill for the relief of Dr. Che-Shen Chiu; to the Committee on the Judiciary.

By Mr. MORSE:

S. 4010. A bill to provide that certain lands shall be held by the United States in trust for Indians of the Burns Paiute Indian Colony of Harney County, Oreg.; to the Committee on Interior and Insular Affairs.

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

By Mr. TYDINGS:

S. 4011. A bill to improve judicial machinery by repealing the provisions of section 41 of the act of March 2, 1917, as amended, concerning the U.S. District Court for the District of Puerto Rico, and for other purposes; to the Committee on the Judiciary.

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

By Mr. CLARK:

S. 4012. A bill for the relief of Angelo Caruso; to the Committee on the Judiciary.

By Mr. HATFIELD:

S. 4013. A bill to provide for meeting the manpower needs of the Armed Forces of the United States through a completely voluntary system of enlistments, and to further improve, upgrade, and strengthen such Armed Forces, and for other purposes; to the Committee on Armed Services.

**S. 4010—INTRODUCTION OF BILL TO PROVIDE THAT CERTAIN LANDS BE HELD BY THE UNITED STATES IN TRUST FOR INDIANS OF THE BURNS PAIUTE INDIAN COLONY OF HARNEY COUNTY, OREG.**

Mr. MORSE. Mr. President, I introduce for appropriate reference a measure placing certain lands in trust for the Indians of the Burns Paiute Indian Colony of Harney County, Oreg. The bill that I introduce today is a companion bill to H.R. 4789, as sponsored in the other body by my colleague, Congressman AL ULLMAN. I understand that the House bill is pending before the Committee on Interior and Insular Affairs.

I am glad to give my support to a measure that is so important to the economic future of the Burns Paiute Indians. It is my hope that this much-needed legislation can receive the early attention of both the Senate and the House.

I, therefore, introduce this bill and ask that it be appropriately referred.

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

The bill (S. 4010) to provide that certain lands shall be held by the United States in trust for Indians of the Burns Paiute Indian Colony of Harney County, Oreg., introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

**S. 4011—INTRODUCTION OF BILL TO IMPROVE JUDICIAL MACHINERY OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO**

Mr. TYDINGS. Mr. President, the bill I am introducing today is directed to a relatively small area of Federal district court jurisdiction which I think we have inadvertently overlooked while altering the general jurisdiction of the Federal courts. Section 863 of title 48, United States Code, is a special provision covering several diverse aspects of the jurisdiction and administration of the U.S. District Court for the District of Puerto Rico. In most respects it is now duplicated in other sections of the United States Code, and in the area in which it is not duplicated I believe that we should revise the jurisdiction of the district court. I am therefore proposing legislation to repeal section 863.

This action has the support of the Judicial Conference of the United States, which last year recommended repeal. The conference report, to which I fully subscribe, was as follows:<sup>1</sup>

<sup>1</sup> Reports of the Proceedings of the Judicial Conference of the United States 18-19 (1967).

The Conference agreed to recommend to the Congress the repeal of Section 41 of the Act of March 2, 1917, as amended by Section 20 of the Act of June 25, 1948 (c. 646, 62 Stat. 989, 48 U.S.C. 863). This section of the statute has four separate parts, three of which are regarded as obsolete or fully supplied by other statutes and the fourth not only obsolete but also confusing and unnecessary. The provision with respect to the naturalization jurisdiction has been superseded by Section 310 of the Immigration and Nationality Act of 1952 (8 U.S.C. 1421) which expressly confers upon the district courts of the United States, including the Puerto Rico District Court, jurisdiction of naturalized persons as citizens of the United States. The payment of salaries of the judges and officials and other expenses of the court are now made directly by the Director of the Administrative Office of the United States Courts pursuant to Section 604 of Title 28, United States Code. Authorization for payment is given in several sections relating to court personnel in Title 28, all of which apply to the District Court for the District of Puerto Rico as they do to any other district court of the United States. The provision of the designation by the President of a judge of the Supreme Court of Puerto Rico as a temporary judge of the District Court in the case of the death, absence or disability of the district judge antedates the full integration of the District of Puerto Rico into the Federal judicial system by Sections 41, 119, 132, 133 and 134 of Title 28, United States Code. The provision for special diversity jurisdiction antedates the enactment of 28 U.S.C. 1332 which confers diversity jurisdiction and is applicable to the District Court for Puerto Rico in common with all the other district courts of the United States. By the passage of Public Law 89-571 the Congress has now amended 28 U.S.C. 134(a) so as to confer the same life tenure upon the United States district judges in Puerto Rico as is provided for other United States district judges and thus the last remaining barrier to the full and complete integration of the District Court in Puerto Rico into the federal constitutional judicial system has been eliminated.

The Conference, therefore, agreed that the courts of Puerto Rico should handle so much of that special jurisdiction as is not comprehended within the general diversity jurisdiction granted to all United States district courts by 28 U.S.C. 1332, and that direct action cases should be handled by the local courts as they are now required to be in Louisiana and Wisconsin.

As the last paragraph of the report indicates, the jurisdictional grant of section 863 is slightly broader than the general diversity jurisdiction grant found in section 1332 of title 28. Further, when the jurisdictional amount prerequisite for diversity jurisdiction in section 1332 was revised upward from \$3,000 to \$10,000,<sup>2</sup> no reference was made in the amending bill to increasing the \$3,000 minimum found in section 863, and the Federal courts have accordingly construed it as being unaffected.<sup>3</sup> Hence, in two respects it is possible for litigants in the District of Puerto Rico to gain access to a Federal forum where litigants in any of the other districts of the United States could not. The continued existence of this jurisdiction in the Federal court is an anomaly,

<sup>2</sup> 72 Stat. 415 (1958).

<sup>3</sup> *Ritchie v. Heftler Const. Co.*, 367 F. 2d 358 (1 Cir. 1966); *Compagnie Nationale Air France v. Castano*, 358 F. 2d 203 (1 Cir. 1966); *Firpi v. Pan American World Airways, Inc.*, 175 F. Supp. 188 (D.P.R. 1959).

working to the advantage of a limited class of litigants who, so far as I can see, have no basis upon which to claim this preferential treatment.

The Court of Appeals for the First Circuit, which was appellate jurisdiction over the U.S. District Court in Puerto Rico has, understandably, expressed doubt as to the wisdom of this distinction. As Chief Judge Aldrich stated:

It may be that in the present social and political development of Puerto Rico, the extent of the diversity jurisdiction of the district court should be reconsidered.

However—

He continued—

this is a legislative, not a judicial function.\*

My purpose is to fulfill that function.

Litigants who are no longer able to bring suit in the Federal court will still have access to the insular courts of Puerto Rico, where they are afforded procedures basically similar to those employed in the Federal courts. I submit that the insular courts are fully capable of handling the cases that will devolve upon them as a result of this amendment. Thus I am proposing that we establish equality of treatment among litigants in an area where no justification for diverse treatment exists.

I ask unanimous consent that the bill be printed in the RECORD.

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

The bill (S. 4011) to improve judicial machinery by repealing the provisions of section 41 of the act of March 2, 1917, as amended, concerning the U.S. District Court for the District of Puerto Rico, and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 4011

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 41 of the Act of March 2, 1917 (c. 415, 39 Stat. 965), as amended (48 U.S.C. sec. 863) be and hereby is repealed.*

#### ADDITIONAL COSPONSORS OF BILL AND RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Michigan [Mr. HART] be added as a co-sponsor of the bill (S. 3629) to amend the act of October 3, 1965.

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

Mr. MURPHY. Mr. President, on July 29 I introduced S. Res. 383, which authorizes the sale of Phantom jet fighters to the Government of Israel. I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania [Mr. Scott] be added as a cosponsor of the resolution.

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

#### RESOLUTION

#### SENATE RESOLUTION 389—RESOLUTION AUTHORIZING THE PRINTING OF A REVISED EDITION OF "EQUAL RIGHTS AMENDMENTS" AS A SENATE DOCUMENT

Mr. McCARTHY submitted the following resolution (S. Res. 389), which was referred to the Committee on Rules and Administration:

S. RES. 389

*Resolved, That a revised edition of Senate Document 164 of the Eighty-seventh Congress, entitled "Equal Rights Amendments—Questions and Answers Prepared by the Research Department of the National Woman's Party", be printed as a Senate document.*

#### SENATOR JENNINGS RANDOLPH AND THE FEDERAL-AID HIGHWAY ACT OF 1968

Mr. SPONG. Mr. President, full recognition of the role played by the Senator from West Virginia [Mr. RANDOLPH] in securing passage of the Federal-Aid Highway Act of 1968 was made in a speech by Hon. Alan S. Boyd, Secretary of Transportation, before the joint session of the West Virginia Bar Association and the West Virginia Chamber of Commerce at the Greenbrier, White Sulphur Springs, W. Va., on Friday, August 30, 1968.

All of us who work with Senator RANDOLPH, the chairman of the Committee on Public Works recognize the leadership which he displayed in bringing to fruition one of the most forward looking pieces of highway legislation in the history of Congress. This act, Public Law 90-495, includes provisions which are designed to reorient the highway program to make it more responsive to people, especially those who are most directly affected by it or disadvantaged because of it.

The measure includes a sophisticated and far-reaching relocation assistance program for those who suffer private injury for the public benefit.

It requires that effective and meaningful equal employment opportunity programs be instituted in every State to insure that no man, regardless of his race, color, or creed is denied employment. The equal employment provision puts great emphasis on the need for training so that no one can be denied the opportunity to participate in highway employment because of lack of skill.

Increased aid to cities is another key feature of this legislation. Programs for traffic operation improvement on our city streets and fringe parking are both included within its scope. Great emphasis on the involvement of local people and local governments in highway decisions is stressed by the approach taken.

In addition, language to insure against a repetition of the tragedy which occurred with the collapse of the Silver Bridge was added so that citizens everywhere will be able to make use of these vital facilities without fear or risk.

Much of the adverse comment about this legislation carried in the daily press stems from a misunderstanding of the

provisions relating to parklands and the District of Columbia highway program. The parkland protection language agreed to by the conferees and approved by Congress is in many respects stronger than existing provisions of law. As with the positive features as outlined above, it is the method by which it is implemented by the responsible agencies that will make it good or bad.

As Senator RANDOLPH said when he recommended Senate approval of the conference report on this legislation:

It is the most significant highway bill brought to this body since the adoption of the Federal-Aid Highway Act of 1956. In many ways its provisions will insure that the people will have the finest roads at the least social and economic cost. The provisions of this Act will enable us to meet our total responsibilities to the people of this Nation.

I respectfully invite the attention of Senators to a portion of the remarks made by Secretary Boyd in his West Virginia speech:

As President Johnson said when he signed the measure into law, it is "in many respects the most important highway authorization bill since the start of the Interstate Program over a decade ago." It shows, he said, "more of a concern for our citizens than for concrete."

And the fact that it meets these needs as well as it does is to a large extent a measure of the leadership and concern of your own Senator Jennings Randolph.

As the President pointed out in his signing message, the bill was not perfect. The President has to balance what he called the "positive and progressive features against its shortcomings." And I think we are all persuaded that it was the hard work of Senator Randolph on the floor and in conference which produced a bill that—on balance—had more good than bad.

I join in this tribute to the chairman of the Senate Committee on Public Works, the Honorable JENNINGS RANDOLPH, and understand the pride which his constituents must have felt when they heard these fine words about their Senator.

I ask unanimous consent that Secretary Boyd's address be printed in the RECORD.

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

REMARKS BY ALAN S. BOYD, SECRETARY OF TRANSPORTATION, BEFORE THE JOINT SESSION, WEST VIRGINIA BAR ASSOCIATION AND THE WEST VIRGINIA CHAMBER OF COMMERCE AT THE GREENBRIER, WHITE SULPHUR SPRINGS, W. VA., FRIDAY, AUGUST 30, 1968

The fundamental strength of democracy is its ability to accommodate change.

One of the most important of these changes is now taking place in relations between business and government.

There is a new willingness in this country to recognize that very little social progress results from programs that are purely private or entirely public.

For its part, Washington has begun to design its programs to enhance the role of the private sector in the pursuit of national goals. At the same time, leaders of commerce and industry have increasingly taken a broader view of their responsibilities for the social health of the nation.

There is also a growing awareness that many public problems occur in forms which are not amenable to solution in the market place.

\* *Ritchie v. Heftler Const. Co., supra, at 360.*

When society was less complex, the distinction between private and social goods was easy to maintain. National defense, the Post Office and the bulk of the educational system were public matters and most of the remainder was held to be a private concern, or nobody's concern.

Nowadays, as more people crowd into less space; as the ecology of nature is replaced with the artifacts of man; as the world becomes one industrial system, more and more decisions must be made in the market of the public good.

I believe both government and business today are paying more than lip service to this concept.

Part of my optimism stems from the increasing evidence that we are on the way toward a rational, modularly integrated, socially responsive transportation system in the U.S. We have just begun and the journey will be long, but I detect unmistakable signs that transportation is coming to be recognized as one of the essential components of any serious plan for national, regional and urban reform and development.

The turning point in national awareness of the potential of transportation came during the present Administration.

When the Congress—at the request of President Johnson—created the Department of Transportation, it became possible for the first time in the history of this country to go beyond talking about a total transportation system to actually doing something to achieve it.

As a result, we are beyond the point where we see transportation merely as an isolated part of the industrial infrastructure.

Transportation is more and more viewed as one of the elements in a new social topography that is being created by the co-action of government, community leaders, and social scientists.

We have begun to see that highways, for example, have a critical impact upon the total environment, and unless carefully planned by states and communities, can ruin neighborhoods, add to pollution, displace thousands of poor people, absorb valuable park land, and promote congestion instead of relieving it.

This year's Federal-Aid Highway Act is a historic attempt to deal with these problems and—at the same time—respond to the people's need for better streets and highways.

As President Johnson said when he signed the measure into law, it is "in many respects the most important highway authorization bill since the start of the Interstate Program over a decade ago." It shows—he said—"more of a concern for our citizens than for concrete."

And the fact that it meets these needs as well as it does is to a large extent a measure of the leadership and concern of your own Senator Jennings Randolph.

As the President pointed out in his signing message, the bill was not perfect. The President has to balance what he called the "positive and progressive features against its shortcomings." And I think we are all persuaded that it was the hard work of Senator Randolph on the floor and in conference which produced a bill that—on balance—had more good than bad.

#### Under this new act:

We can move ahead to complete the Interstate Highway system.

As we do so, families—particularly the poor—who are displaced from their homes by highway projects—will receive the help they need to find and move into decent dwellings.

We can authorize highway departments to buy rights-of-way in advance to help assure better planned, less expensive routes that cause a minimum of disruption.

We can provide up to \$250 million a year in matching funds for cities to improve their traffic flows and cut congestion without resorting to expensive new construction.

We can provide financial help for the construction of fringe parking facilities that will tie in with public transportation and—again—cut congestion in crowded business districts.

Highway planners will be required to consider social and environmental factors in determining the location of urban highways.

And there will be more effective guarantees of equal employment opportunity in the highway construction industry.

The measure, as I said, does have drawbacks. It weakened the effort to beautify America's highways. It weakened the protection we have given to some park lands. It extended the Interstate System without any systematic study of priorities.

And in a provision for expanding the highway system in the District of Columbia it bordered—as the President said—on an "infringement of basic principles of good government and executive responsibility."

But the good did outweigh the bad—largely, as I have said, due to the efforts of Senator Randolph. And as President Johnson pointed out, the Congress can amend the undesirable features of the bill in future sessions.

Any transportation system that succeeds only in moving passengers and freight efficiently is by definition a social failure. The criterion is no longer machines, but people. We are discovering for whom and for what ultimate purposes highways are built and runways laid. Mobility is not enough.

What, then, will be the shape of the transportation system to come? You can get the clearest picture by examining the concerns of the Department of Transportation today, and by taking a hard look at our encouraging progress in some 400 projects of research and demonstration we have initiated during the last 18 months. There is no phase of transportation save the maritime industry where the Department does not have a mandate for innovation.

We have begun to implement meaningful safety programs on the highways, in the air, and on the rails. We are persevering with tests of high speed trains.

We have a little science fiction project involving studies for a tracked, air-cushioned bug that will go 300 mph. and carry regional commuters from city to city faster than they can now get downtown from suburbia.

We are also committed to the first full-scale study of auto insurance, and the design of safety test cars and better road signs and signals.

Parenthetically, somebody produced a motion picture of traffic on the Capitol Beltway that I wish I had with me today. It shows the rage and bafflement of drivers when they come up against confusing signs on the superhighway and have to make up their minds where to go with just split-seconds to spare. I've often been in this dilemma—I'm sure you have too—and it is a hazard we are trying to do something about.

In Baltimore and Chicago we are trying the design-concept team approach to iron out what I call "route and consequences"—the inescapable conflicts that arise between expressways and the people whose homes and businesses are in the path of these concrete juggernauts.

We have continuously asked ourselves how a highway can be made a source of community pride and a thing of beauty. How can it be used to develop linear parks and to act as a thread tying together the life of a community? We must find answers to these questions if post-industrial society is to fulfill its human potential.

We are already helping to finance planning for a proposed linear city of schools, shops, and housing to be built in the airspace over six miles of the Cross-Brooklyn Expressway in New York City. This unique experiment should obviate a great deal of local traffic by providing community facilities within walking distance of living quarters. Recreation

facilities will line the rights-of-way, and much urban land will be saved for productive use.

The overall effect of this design team approach will be to help decongest the borough, even though local population density may increase. This result cannot be achieved by letting highways take the route of least fiscal resistance, but it can be accomplished by a farsighted land resources point of view, strong leadership, and a spirit of cooperation in the community.

Indeed, I believe the number of decisions made at random without careful study of the long-range consequences will diminish in the next ten years as transportation planning by Federal, state and local governments becomes more closely coordinated.

I think, also, that we will see—within the next ten years—some kind of research and development center for transportation in which government and private industry will pool their talents to design and perfect better systems.

American business is starting to get the picture of transportation as a system, not just a congeries of isolated land and air vehicles going their merry way. This is evident from the creation of systems-oriented divisions in companies that were once pre-occupied with single items or a limited product line.

It is clear, too, in the scramble for engineers and others with broad experience in transportation planning. The systems concept is now seen to be the ideal approach to social problem-laden technologies, even though when it was first applied to the social realm it was laughed aside as a precious boondoggle, an eccentric grab for some of Uncle's research money.

Linked to computers, systems analysis could give us the clue to such dollars and cents bonanzas as where all the railroad cars are at a given time, and what they are hauling, and why some of them are empty but going the wrong way for cargo.

The significance of such studies for underdeveloped regions of the country could hardly be exaggerated. Indeed, the appearance of integrated, containerized, continuous freight systems will encourage the dispersal of people and manufacturers from the saturated supercities to outlying regions, and at the same time draw them into the orbit of megalopolitan system.

The same process of rationalization is at work throughout the world, of course, and we must be prepared for the day when the economies of states like West Virginia will be linked much more closely than now with the markets and challenges and opportunities of the rest of the world.

I think it is clear from the foregoing that big changes are coming in the organization and social conscience of transportation. We have begun to ask the right questions about our goals. We have begun to see that the real business of transportation is to enhance human life, and that it shapes the development of nations and communities whether we direct its growth and think through its consequences carefully or not.

I for one am delighted to see a growing consensus that transportation ought to be directed if it is to serve man instead of dominating him.

We have finally come to a sense of what a promethean, creative force our roads, rails and airways can be if we design wisely. They can help alleviate the effects of poverty by providing a road out of the ghetto for the unemployed. They can actually protect the kind of natural beauty this state is blessed with and can safeguard our historical sites while giving access and pleasure to millions. They can express and amplify our spirit of adventure instead of stifling it.

And since we are becoming every day more and more an urban society, whose megalopolitan tentacles now reach up and down both seacoasts and into the hinterlands, we

must not forget that perspicuous transportation planning can help preserve the ultimate resource—the land itself—from crowding and spoliation.

The Europeans are even more congested than we are, of course, and they have tried to exploit the power of transportation systems to preserve space, greenery, and the amenities. In Stockholm, even the subway has been so employed.

The Swedes have slums and delinquents just as we do, so they defused discontent by making the subway stations, each decorated by a different artist, into neighborhood centers attracting a variety of clienteles. Even at night the stations are oases of light and human activity, safe for commuters and community alike. The subway system—not the highway system—is the backbone of the city's master plan for land use and community development.

One thing the history of the post-war era should have taught us most emphatically: that building more highways through valuable urban land, adding more lanes, and double-decking the expressways cannot untangle our bumper-to-bumper traffic to and from work everyday. There seems to be an inverse ratio between the excellence of our highways and how fast we can get from one place to another.

We have to make better use of the facilities we have, expand others selectively, and try new strategies wherever traditional methods fail to work.

I believe we are in a race between prosperity and common sense, testing whether this nation can drop its prodigal attitude toward the land and begin to treat it as a finite resource—before the parts of it located where most of our people live are wholly exhausted, subdivided, and ruined for public use. In this, West Virginians have a great opportunity to develop and conserve their resources.

The Department of Transportation hopes to be able to expand such opportunities, and to make transportation responsive to a society that for most of us is rapidly moving beyond prosperity, and on to a form of social existence that is deeper, more equitable and more satisfying.

As President Johnson so eloquently put it, the question is not "how we can achieve abundance, but how shall we use our abundance."

#### BALANCED PERSPECTIVE

Mr. BYRD of West Virginia. Mr. President, the column by Drew Pearson published in today's Washington Post helps to throw needed light on the controversy that has been aroused over the television coverage of the Democratic National Convention and the serious disorders that erupted in Chicago during the convention.

As Mr. Pearson points out, outside agitators also caused considerable difficulty during the Republican National Convention in Miami Beach, and six persons were killed, in contrast with the situation in Chicago in which no lives were lost.

I think it important that any discussion of the rioting in the two cities and the television response to it be put in a proper and balanced perspective. Mr. Pearson's column should help to do this.

The column should also help to bring about a better understanding of the fact that the highly criticized security restrictions in force in Chicago also had a counterpart in Miami Beach.

The American people, I think, are entitled to more than a one-sided view of the events that transpired in Chicago.

I ask unanimous consent that the column be printed in the RECORD.

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

#### NETWORKS SLANTED CHICAGO COVERAGE (By Drew Pearson and Jack Anderson)

This is a column which will make a lot of TV executives sore. It may also make some viewers skeptical about the TV coverage of the recent Chicago convention.

We attended both political conventions and witnessed violence in both Miami and Chicago. Outside agitators came to both cities to foment trouble that they hoped would attract the spotlight and tarnish the U.S. image.

Anyone who watched the two conventions on television might think that Chicago was exploding with violence while Miami was comparatively peaceful.

Yet in Miami, six persons were killed and the riot area was put under curfew. In Chicago, sniper fire was reported, but only one policeman was wounded. A bullet also hit a bus. The outbreaks never became serious enough to require a curfew.

After the Miami Beach convention we reported that the TV networks, angry over the \$3 million it was costing them to pull up their cables and transfer everything to Chicago, intended to retaliate by focusing attention on Democratic "disturbances."

The networks got their revenge. In Chicago they played up the violence which they had virtually ignored in Miami. They complained about tight security restrictions, which, incidentally, had also been imposed by the Republican Convention. They sought out the dissidents and featured them while the Democratic orators were expounding.

#### TELEVISION'S JOB

This raises two important questions about the role of TV at the Democratic Convention.

1. Did the TV cameras help incite the violence? There is little doubt that the provocations were planned largely for the benefit of television. We stayed at the Conrad Hilton Hotel, which was the center of most of the trouble. During the disturbances we mingled with the hippies and yippies. We found almost no action outside the circle of the TV klieg lights. Aside from some shouting and surging, little was happening in the darkness.

2. Did the TV networks make news? There is evidence that the TV networks, perhaps in their eagerness to generate high ratings for TV sponsors, encouraged dissidents to make inflammatory statements and helped to stir up controversies. When the networks sell convention time to cigarette and oil sponsors for several million dollars, they have to keep up the viewing interest. One way of doing this is to pick fights, stimulate excitement, interrupt dull speeches and rollcalls. Once, the sound was switched on before the cameras focused on a TV newsman about to interview a prominent Democrat. The interviewer was overheard coaching his subject: "Let's keep this Kennedy story going."

The TV networks also presented an outrageously biased picture of the events in Chicago. They gave the impression, for instance, that the police were beating up innocent young people who had come to Chicago for peaceful demonstrations.

Certainly, the police were too zealous in swinging their billy clubs, and a lot of innocent people were hurt.

#### HIPPY HECKLERS

But the TV networks scarcely mentioned the provocations that finally made the police lose their tempers. The hippies shouted obscenities, hurled rocks and bottles, sprayed police with caustic chemicals, damaged police cars and generally defied police orders.

One group tore down the American flag

and tried to raise a Communist flag in its place. Other agitators waved red flags and North Vietnamese flags. A couple of demonstrators slammed a huge chunk of cement through the window of a police car. Others stoned police cars, tossed cherry bombs and stink bombs, smashed windows, broke into liquor stores.

Jerry Rubin, the yippie leader, cried through a bullhorn for violence against the police, whom he called "pigs." Black Panther leaders, taking the stump in Lincoln Park, urged the demonstrators to break up into small groups and go on a rampage through Chicago's Loop. Other agitators made speeches that sounded like Radio Hanoi and Radio Peking.

The same night that police began cracking heads, 70 policemen were also injured. Several officers had to be hospitalized. By the end of convention week, 118 officers had been hurt.

This was a side of the story that the TV networks largely ignored.

We reported that the leaders ranged from Communists and anarchists to sincere pacifists. They were directed loosely by the National Mobilization Committee to End the War in Vietnam. The co-chairmen are Dr. Sidney Morris Peck, a former Communist, and David Dellinger, a pacifist who has been to Hanoi and is an apologist for Ho Chi Minh.

#### THE LATE REPRESENTATIVE ELMER J. HOLLAND, OF PENNSYLVANIA

Mr. CLARK. Mr. President, it was with deep regret that I learned during the adjournment of Congress of the death of my friend and colleague, Representative Elmer J. Holland.

Elmer Holland represented Pennsylvania's 20th District in eight Congresses, and he served his constituents and the Nation well.

It was Elmer Holland in the late fifties, when half a million Pennsylvanians were jobless, who introduced and fought through the House of Representatives the Manpower Development and Training Act. This farsighted legislation is today responsible for training more than a million men and women for jobs they could not have held without the technical skills acquired through MDTA. Had this been his only contribution, Elmer Holland would have earned a memorial in the hearts of millions of Americans who have benefited from his legislative skill. But he gave us far more than this.

As chairman of the Select Labor Subcommittee and the third-ranking member of the House Education and Labor Committee, Elmer Holland has left his imprint on virtually every piece of labor, poverty, education, and job legislation passed by Congress during his years in the House. His work on behalf of minimum wage, Medicare, veterans, postal workers, elementary and secondary education, and occupational health and safety, will be long remembered. He was a great Pennsylvanian and a great legislator who has left a living memorial in the form of a better life for millions of Americans.

#### WHAT AMERICANS CAN AND MUST DO IN THE HUMAN RIGHTS FIELD

Mr. PROXMIRE. Mr. President, the Senate, in this the year dedicated to the furthering of the basic human rights of men, has failed thus far to ratify the

Human Rights Conventions that are the special focus of this year of rededication to the cause of human rights.

While a majority of my colleagues deplore this, while the President deplores this, while our official and unofficial representatives around the world and at the United Nations deplore this, and certainly a majority of informed Americans deplore this, there is still much that we as Americans can do to further the cause of human rights in a practical way.

In the last analysis, Mr. President, the phrase, "the rights of all men guaranteed to all men" has little if any real significance unless it springs from the personal convictions of every individual across the Nation. It is our own personal dedication to the principles of fairness; nondiscrimination; and equal opportunity, dignity, and justice for every man that will eventually achieve not only official approval of the U.S. Senate for the Human Rights Conventions but the practical and effective protection of these rights for all men.

There is a sense of accomplishment in the United States because of our advances in the civil rights field. This sense is, to a great degree, justified. However, we all realize that legislation and court decisions alone are not sufficient to insure the protection of rights. The only sure means of guaranteeing these rights without discrimination is the conviction in the heart of every citizen that these rights truly belong to every citizen.

Thus, to the degree that we all deepen our commitment to these principles of basic justice, we also bring closer that day in which the rights of man will truly be universal.

It would seem to me that the only way this is to be achieved is through education backed up with example. While every teacher, no matter what the educational level of the pupils, tries to create an environment of fairness in which the rights of all pupils are recognized, perhaps a special course should be designed dealing specifically with the concepts of human dignity and the rights that inhere in all men because of that special dignity. While dealing with somewhat abstract concepts, such a course should personalize the course by bringing into discussion specific opportunities for respecting and furthering the rights of those with whom the students come in contact.

Mr. President, time and again, we are told that we are giving our children a legacy of hate and disassociation; perhaps this type of course would help give them trust and confidence.

The battle always comes down to the individual soldier and his dedication to his cause.

As Eleanor Roosevelt said:

Where, after all, do universal human rights begin? In small places, close to home—so close and so small that they cannot be seen on any map of the world.

#### OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Mr. JAVITS. Mr. President, during the hearings of the Appropriations Committee on the budget of the Office of the

Special Representative for Trade Negotiations, I asked William M. Roth, the President's special representative, to seek an opinion from the Department of Justice on the question of whether this office is a temporary one or not. During hearings on the President's new trade bill before the House Ways and Means Committee, questions have arisen as to whether with the expiration of the President's trade-negotiating authority this office has a legal basis to continue.

Ambassador Roth has complied with my request, and the Department of Justice has rendered an official opinion. In that opinion, Assistant Attorney General Frank Wozencraft concludes:

After reviewing the matters you have brought to our attention, we see no reason to disagree with your conclusions that the Special Representative, his staff, and his Office were not given a temporary character by the Trade Expansion Act or the Executive Orders, and that therefore the authority for their continued existence is not now limited as to duration.

I agree with this ruling and ask unanimous consent that the letter from the Office of the Special Representative for Trade Negotiations and the reply from the Department of Justice be printed in the RECORD.

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

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS,  
EXECUTIVE OFFICE OF THE PRESIDENT,

Washington, June 17, 1968.

MR. FRANK M. WOZENCRAFT,  
Assistant Attorney General, Office of Legal  
Counsel, Department of Justice, Washington, D.C.

DEAR MR. WOZENCRAFT: At our hearing before the Senate appropriations subcommittee, we were asked to obtain the views of the Justice Department as to whether or not our agency is a temporary one.\* In this connection, I am setting out below our own views on this question, for your consideration.

The question, it seems to me, may be broken down into the following subsidiary questions:

1. Did Congress intend the position of the Special Representative for Trade Negotiations to be temporary?

2. Did Congress intend that the Special Representative be assisted by a temporary staff?

3. Is the Office of the Special Representative a temporary agency?

We think that each of these questions should be answered in the negative for the reasons given below:

Question 1. Sections 241 and 242 of the Trade Expansion Act of 1962, 19 U.S.C. 1871-1872, confer upon the Special Representative two continuing functions, whose duration does not appear to be limited. Although his function as chief negotiator for the United States in negotiations under the Act expired on June 30, 1967 (section 201, 19 U.S.C. 1821), his function to conduct "such other negotiations as in the President's judgment require that the Special Representative be the chief representative of the United States" (section 241(a)) is a continuing one. Second, he is chairman of the Cabinet-

level interagency committee whose responsibilities include advising the President on basic policy concerning the trade agreements program (section 242(b)(1)). This advisory function is also a continuing one. It concerns not only negotiation of trade agreements but also participation by the United States in the General Agreement on Tariffs and Trade. Accordingly, in at least two important respects, the position of Special Representative is by the terms of the Act not a temporary one. And while the grant of negotiating authority in section 201 was temporary, the Trade Expansion Act itself is a permanent statute.

Question 2. The House version of H.R. 11970—which was enacted as the Trade Expansion Act of 1962—provided that the Special Representative would be the chief representative of the United States for "each negotiation" under the Act and for such other negotiations as the President might determine. The Senate version, however, provided that the Special Representative would be the chief representative of the United States for each "general multilateral negotiation" under the Act. It also made him chairman of the interagency committee charged with the duty of making recommendations to the President on basic policy issues arising in the administration of the trade agreements program. In conference, the House and Senate conferees agreed that the Special Representative would have the negotiating authority contemplated in the House bill, and the trade committee chairmanship provided by the Senate bill.

When the conferees decided upon the scope and nature of the position of the Special Representative, it was first realized that he would need a staff to assist him. However, under the rules of conference, it was not possible to write this into the bill. To meet this problem, it was stated by the managers on the part of the House, H. Rept. No. 2518, 87th Cong., 2d Sess., p. 7 (1962):

"The Special Representative has authority to employ a staff to assist him in carrying out his various responsibilities under the bill. In addition, he may from time to time draw upon the personnel and resources of other agencies for his needs in this regard."

It seems to me proper to conclude from the foregoing that the staff was to be an ongoing one.

Question 3. The Office of the Special Representative was established by Executive Order No. 11106 of April 18, 1963 (28 Fed. Reg. 3911), amending Executive Order No. 11075 of January 15, 1963 (28 Fed. Reg. 473), as an agency in the Executive Office of the President. There is nothing in these Orders which in any way suggests a time limit on the duration of the Office. Indeed, the fact that the later Order elaborates the responsibilities of the Special Representative, so as to include the function of advising the President on non-tariff barriers and international commodity arrangements (48 CFR 1.3(b)), serves to highlight the continuing nature of the Office.

Sincerely yours,  
JOHN B. REHM,  
General Counsel.

DEPARTMENT OF JUSTICE,  
Washington, June 28, 1968.  
MR. JOHN B. REHM,  
General Counsel, Office of the Special Representative for Trade Negotiations, Executive Office of the President, Washington, D.C.

DEAR MR. REHM: This is in response to your letter expressing the opinion that your agency is not a temporary one, and soliciting our views on this issue.

The basis for arguing that the agency is temporary, we take it, is section 201 of the Trade Expansion Act of 1962, 19 U.S.C. 1821. That section provides for the expiration, before July 1, 1967, of certain negotiating authority, concerning which the Special Rep-

\* This year's report of the House Appropriations Committee characterizes our agency as "temporary". H. Rept. No. 1468, 90th Cong., 2d Sess., p. 24 (1968). To our knowledge, however, this is the first time our agency has been so described by a committee of Congress.

representative was to act as chief representative of the United States.

Your letter points out, however, that the duties which expired last year constituted only one of the Representative's three functions under section 241 of the Act, 19 U.S.C. 1871. You state that the other two functions—namely, chief representative in other assigned negotiations and chairman of the presidential advisory committee on trade—constitute significant responsibilities which are ongoing in nature, and not limited in time. Your letter points out further that the legislative history of the Act supports the authority for the employment of a regular staff. H. Rept. No. 2518, 87th Cong., 2d Sess., p. 7 (1962). Finally, you state that the executive orders concerning the Office of the Special Representative do not provide for its expiration or termination. E.O. 11075, 28 Fed. Reg. 473 (1963), amended by E.O. 11106, 28 Fed. Reg. 3911 (1963).

After reviewing the matters you have brought to our attention, we see no reason to disagree with your conclusions that the Special Representative, his staff, and his Office were not given a temporary character by the Trade Expansion Act or the Executive Orders, and that therefore the authority for their continued existence is not now limited as to duration.

Sincerely,

FRANK M. WOZENCRAFT,  
Assistant Attorney General, Office of  
Legal Counsel.

#### ADDITIONAL SUPPORT FOR MUTUAL FUND LEGISLATION REGARDING PRICE FIXING

Mr. MCINTYRE. Mr. President, the New York Times of September 3, 1968, published an editorial entitled "A Boon to Mutual Fundholders," relating to the mutual fund legislation which was approved earlier this year by the Senate.

The editorial concludes that the public interest would be well served by prompt action by the House of Representatives on this legislation.

What particularly interested me was the editorial call for further action on the question of mutual fund sales commissions. Senators who followed our debate earlier this summer will recall that the mutual fund industry is prohibited from sales load competition by section 22(d) of the Investment Company Act of 1940. Under this provision, sales loads, over the years, have risen higher and higher for small purchasers.

The Senate, recognizing the adverse impact on the public, has given its approval for regulation of sales loads by an industry group operating under the supervision of the Securities and Exchange Commission. However, the New York Times believes that we might well have gone further and actually opened up this aspect of the mutual fund business to competition, so that the forces of a free market could determine the proper level of sales loads.

I feel that this comment from such a responsible voice of the financial capital of the Nation should be read with care. I ask unanimous consent that the editorial be printed in the RECORD.

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

##### A BOON TO MUTUAL FUNDHOLDERS

The Administration's bill to protect investors in mutual funds, already passed by the Senate, is not by any means a perfect

instrument. But it does begin to attack two pervasive abuses—excessive "front end loads" and investment advisory fees—and should not be permitted to languish and die in the House Commerce Committee.

Unfortunately, the wrong approach was taken to the issue of mutual fund commission fees, which now typically exceed 9 per cent. We think that instead of proposing a ceiling on commissions, the Securities and Exchange Commission should from the outset have urged the repeal of the price-fixing provisions of the present laws, the prohibition against price cutting in the sale of mutual funds. By opening the industry up to the force of price competition, the need for regulating commissions would in all likelihood have vanished. What emerged instead was a compromise in which an industry organization would be instructed to establish "reasonable" commissions.

But other provisions of the bill offer hope of genuine protection to mutual fund investors. Front end loading—the bunching up of sales charges at the beginning of monthly mutual fund plans which are forfeited if the buyer drops out—would be lightened. And the S.E.C. would be empowered to regulate investment advisory service fees and end abuses where the advisers and the fund promoters are identical.

When Congress resumes tomorrow, Chairman Harley O. Staggers of the Commerce Committee can make a contribution to the public interest by pressing to push the Investment Company Amendments Act on to the floor of the House, where it probably can be passed with little difficulty.

#### POLITICAL AGONY OF YOUTH OF TODAY

Mr. GORE. Mr. President, Mr. Charles Bartlett, distinguished columnist and Pulitzer prize winner, has written a perceptive column on the political agony of the youth of today and on its challenge to Vice President HUMPHREY.

I ask unanimous consent that the article, entitled "Young Dissenters Face a Choice," published in the Washington Evening Star, be printed in the RECORD.

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

##### YOUNG DISSENTERS FACE A CHOICE (By Charles Bartlett)

He was plainly a disconsolate, shaken young man. It is a jolting experience to lose at a convention, and when defeat comes in the first flush of political commitment, it is especially tough.

He was one of the young who had enabled Eugene McCarthy to reach Chicago and whose attitude will bear on whether Hubert Humphrey reaches the White House. A leader in his class at Harvard with an inherited taste for politics, he is one of the young who stands at difficult crossroads.

"It's going to be hard to support Humphrey," he groans. His reasoning is complicated, part emotion from the long struggle and part suspicion that Humphrey is only an amiable camouflage for Lyndon Johnson's policies. He doesn't dislike the vice president, but he doesn't find in him what he seeks most urgently, a promise of "major surgery" in American political life.

What are the cancers which call for this surgery? They are first the war and then the domestic blemishes "the racism, the apathy, the loss of idealism, the TV dinners." The convention was a galling experience because it seemed to ratify all that is wrong.

Does Richard Nixon offer the promise of this surgery? He has been so busy in his assault on the Democratic establishment that he has had little time to ponder what a Re-

publican administration will bring. But he speculates that this may be a time when it is better to create a mess and start fresh, to let the Democratic party go down the drain so that it can be reborn in a new spirit.

The young man finds himself in a political vacuum. He can simply ignore the campaign or he can join the "movement" of revolutionaries, the strange new breed of students who talk excitedly of spectacular blows against the society. He sees these radicals for the nihilists they are and they do not attract him. To join the movement is to "drop out," a course which holds little promise for one who wants to make his idealism count.

The drop-outs pose no practical challenge for Humphrey. They are agitated ciphers, simple kids, brilliant exhibitionists, rebels with whatever causes lay at hand. They are grist for the sociologists' mill, but they offer nothing to a candidate because their political action is a process of spitting in the public's eye.

But thoughtful young dissenters like the Harvard boy will be a test of Humphrey because they are within his reach and he has an obligation as well as a need to reclaim their sympathies. McCarthy has stimulated these young and now Humphrey has a chance to bring them into the system.

The new generation poses a challenge to the two-party system because the young are not attracted by its labels. Dismayed 18 months ago by surveys showing that only 35 percent of college students call themselves Democrats, the Democratic National Committee launched a campaign for campus support. It has produced little response.

Both parties have made a special reach for young sympathies in their platforms. Both endorsed the vote for 18-year-olds along with reform of the draft. Both invited the young to participate in shaping America and the Democrats went further in proposing a commission to make youth's influence felt.

But the problem is more in the young themselves than in the parties. They have to wrestle with their own impatience as well as with their diffidence. They have conjured up symbols like "Teddy is good—Hubert is bad" and, until they blend some grays into their black and white view of political life, they will find it hard to join the dialogue.

They learned with McCarthy that they can have an impact and they are going to have to work out the next step for themselves. It is important that they decide to apply their reform instincts to the two-party system instead of ignoring it.

#### HEART OF LONGMONT DOWNTOWN DEVELOPMENT PROJECT

Mr. MURPHY. Mr. President, the distinguished Senator from Colorado [Mr. DOMINICK] wished to present a statement today but is unable to be present. I ask unanimous consent that his statement and an article entitled "Longmont Flexes Its Muscles," written by Helen Rothfus, and published in Colorado Municipalities magazine for August 1968, be printed in the RECORD.

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

##### STATEMENT OF SENATOR DOMINICK

Mr. DOMINICK. Mr. President, all of us are well aware of the urban crisis and the critical difficulties facing the inner core of our great urban centers. However, the pressures of the population explosion, deteriorating downtowns and inadequate facilities are not limited to only the large metropolitan areas.

We in the West have always taken great pride in our independent, do-it-ourselves at-

titude, and I point with pride to a Colorado town that upholds this proud tradition.

The community of Longmont, Colorado, recently completed an ambitious downtown development project which saw nine square blocks of the shopping area transformed into a modern, dynamic and viable inner core of business, office and shopping facilities.

The Longmont Daily Times Call newspaper has as its motto: "To build a better world, start in your own community."

I believe the Heart of Longmont Downtown Development Project is proof that the true strength of a city lies in its citizens. The story of this outstanding achievement by hardworking and dedicated citizens can serve as an inspiration and example to countless other cities, large and small. The story is told in an article written by Helen Rothfus, managing editor, and published in the August issue of *Colorado Municipalities Magazine*.

#### LONGMONT FLEXES ITS MUSCLES

(By Helen Rothfus, Managing Editor)

If you combine leadership with a lot of money, a lot of effort and total cooperation, you may be lucky enough to come up with a downtown development project like the City of Longmont.

About three years ago the city was faced with the prospect of a blighted downtown area. Parking facilities were inadequate, and as a result, the retail stores were not attracting the business they needed to ensure future growth.

Today, the core area businesses are easily accessible with spacious and numerous parking areas, have a pedestrian park no more than a block away and have the spirit of new shopping center. Within the heart of Longmont, there are five new off-street parking lots which are equipped to handle approximately 170 cars. The lots have a self-policed two hour limit. Businessmen can park all day directly outside of the downtown area which makes the new parking lots available to shoppers and clients.

In addition, five malls or pedestrian parks were constructed and lead from the parking lots to the Main Street businesses. A rest station also was provided and is located in the largest of the new parking lots.

This is the face of downtown Longmont today, but how the face lifting was accomplished is the real story. It all began when the Longmont Chamber of Commerce set a ten-man committee at work to survey the parking conditions in the district. Following this study, Arnold Burger, the Texaco distributor in the Longmont area, called a group of retailers together to brainpick a way of stopping depreciation in the downtown area. At that meeting the 21-member group pledged to raise \$20,000 for planning purposes.

As it evolved, however, the cost for planning was reduced to approximately \$6,000. The results of the parking survey and other information available at the local Chamber of Commerce made much of the original planning concept unnecessary.

After the planning study was completed, the Heart of Longmont committee was organized as an offshoot of the retailers meeting. Clair Smith, President of Ideal Markets, was named chairman. The committee's first decision was to form the Longmont Improvement District to stop the blight in the downtown area and to stimulate business.

The 15-man committee then set out in early 1966 to obtain signatures on petitions for the improvement district. There were no petitions circulated for exclusion, and 149 signatures of the 182 qualified taxpaying electors owning property in the district were obtained. The district was determined to include nine square block area in the "heart of Longmont."

The total assessed valuation of real property within the proposed district was \$1,645,-

360 and the value of inventories was approximately \$1 million. Signatures on the petitions represented 68% of the total assessed value of real property.

In September of 1966 the \$400,000 bond issue election was held. With approximately 80% of the eligible voters casting ballots, the issue was passed by a 5 to 1 margin. This meant that the real property owners in the district had voted to tax themselves an additional 10 mills for the next 20 years. The successful bond election re-emphasized the desire of Longmont citizens to finance any improvements themselves, without aid from the federal government.

Once the improvement district had been created, the Heart of Longmont committee became an advisory committee. According to Colorado Statutes, the city council became the governing board of the district, and it relied on the advisory committee as an intermediary between the governing board and the real property owners.

As had been determined earlier, it was necessary to acquire 13 pieces of property for use as a parking lot or pedestrian mall. With the help of eight members of the Longmont Board of Realtors who volunteered their services, options were acquired on all the property. No condemnation proceedings were necessary.

Following these negotiations, Keith Ames, a local man, was selected as the architect and supervisor of the building program. He took a contemporary approach to the project and used old materials in a new way. Since 90% of the buildings in the district were constructed of red brick Ames used the red brick for beams and columns which formed the pedestrian parks.

The malls were constructed in midblock. They serve as a passageway from the parking lots to the Main Street and also serve to break up the long blocks that previously characterized downtown Longmont. Planters were constructed at the Main Street end of the malls and provide beauty and identify for the city as well as serving to discourage jaywalking.

Another advantage of the downtown development project is that the five pedestrian parks make it possible for neighboring stores to have three entrances. Although only two stores to date have elected to take advantage of a third entrance for customers, more businessmen are contemplating the move. One of the major benefits of the project, however, is that property values within the heart of Longmont have increased.

No project, though, is without its minor setbacks and the Longmont plan was no exception. In early 1968 project leaders realized an additional \$4,883 was needed to complete the work. But, just as cooperation and community spirit had characterized the operation from the beginning, so now, an additional one mill levy on the property in the district for a period of two years was approved to finalize the project.

What is also notable about the Heart of Longmont project is that the qualified voters approved the measure demanding an increase in taxes even though the citizens recently had approved two other major money issues. A \$0.01 city sales tax and a \$4.8 million bond issue to build a dam had been approved by substantial majorities also in 1966.

But, now that the Longmont project has been completed, the businessmen still realize they cannot sit back and let business run itself. Chamber Manager Cliff Johnson, perhaps, best sums up the prevailing attitude. "The physical aspects of the Heart of Longmont are not the complete answer to our community's needs," Johnson said. "Like any living heart, it will need coursing life-giving blood, which in this case is good merchandising practices, inventories which fulfill the needs and desires of the customers in our retail area, increasing advertising, redecorated and rearranged store interiors, new store fronts and signs that are in good taste,

and an increasing awareness of a proper retail market, if it is to survive."

The retailers are well aware of the need for continued development. Many store owners already are constructing new store fronts and erecting modern signs. A group of approximately 80 retail businessmen has been organized to see that progress continues. As Chuck Geise, co-chairman of the newly-organized retailers association, said, "This is just the beginning."

#### ACHIEVEMENTS OF VIETNAMESE PEOPLE—ADDRESS BY DONALD MACDONALD

Mr. McGEE. Mr. President, in a speech before the Saigon Lion's Club last month, Mr. Donald MacDonald, Director of the U.S. AID mission to Vietnam, discussed the achievements of the Vietnamese people over the past few years. Mr. MacDonald stressed the fact that, in striking contrast to the too often discouraging picture that is painted of events in Vietnam, the South Vietnamese have been building at the same time they are fighting. And he continued:

I take considerable pride that AID involvement has frequently been a significant and sometimes an essential element in these achievements. But I would stress that what I have cataloged here this afternoon are primarily Vietnamese successes, in which we have played a supporting role.

To share this record of progress with the Senate, I ask unanimous consent that Mr. MacDonald's speech of August 12, 1968, be printed in the RECORD.

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

#### A SPEECH DELIVERED TO SAIGON LION'S CLUB BY DONALD G. MACDONALD, MINISTER-DIRECTOR, U.S. AID MISSION, VIETNAM, AUGUST 12, 1968

It is always a pleasure to join with this group as I have done from time to time during my two years in Vietnam. As I have said here before, I always feel very much at home and among friends on these occasions because the principles embodied in the charter of the Lion's Club are so familiar to me: The brotherhood of man, service to humanity, and community development.

These are some of the principles which guide U.S. programs of economic and social cooperation all over the world.

I have a second reason, however, for being specially pleased to be here at this time. Just last month the President of Vietnam met with the President of the United States in Honolulu for the second historic conference at that place. Naturally, in anticipation of that conference I had occasion, as did many of my American and Vietnamese colleagues, to take stock of what has been accomplished in the course of the two and one half years between those conferences.

In the 1966 Declaration of Honolulu, President Johnson said, "we will help (the Vietnamese people) build even while they fight . . . to stabilize the economy, to increase the production of food, to spread the light of education, to stamp out disease."

I want to speak to you this afternoon about the extent to which these objectives have been achieved and to suggest that the gains have been made are—in any historical perspective—not only heartening, but in striking contrast to the too often discouraging picture that is painted of events here.

In January 1966, the pace of war was quickening. Since that time the rate of social and economic progress has necessarily been far slower than could have been achieved if there had been peace, and, of course, the

inevitable human cost of war—the homeless refugee, the wounded civilian—has been heavy. Yet, other human costs have been largely avoided. Famine and epidemic disease, the traditional handmaidens of war, are nowhere present in Vietnam. Despite the restraint of allied military forces and because of deliberate enemy tactics, civilian casualties still occur in large numbers. Yet, the nation's capacity to provide medical care is impressive in amount and improving in quality.

On the more positive side, significant agricultural and industrial progress has been achieved and notable economic gains secured. With all its force, the war has failed to halt economic and—to a frequently unnoticed extent—social progress. The work of U.S. A.I.D. has been to help Vietnam achieve that progress.

Let me speak briefly about the economy itself. The direct burden of the war on the economy is all too visible. What is less evident is the indirect burden: the enormous demands placed on the Vietnamese economy by military and security requirements. Over 750,000 Vietnamese are today serving in the Armed Forces of Vietnam and there are an additional 150,000 in the police and paramilitary forces. The government of Vietnam this year will spend about 70 billion piasters to support these forces.

On top of this, U.S. and free world forces in Vietnam are spending approximately another 40 billion piasters to carry out their efforts here. Together, these expenditures consume more than one-quarter of the nation's gross national output. In other words, between one-quarter and one-third of all of Vietnam's resources are devoted to the war effort. However productive these resources are in military terms—and they are increasingly productive—they are lost to productive economic use. This is a massive loss for a nation at this stage of development. Yet such relatively good use has been made in the past two and one-half years of remaining resources, that agricultural and industrial production have not collapsed. Except for the production of rice, agricultural production has more than held its own. And there is now great promise for a sweeping improvement in rice production. Industrial output has risen by 15 per cent. Health care for most Vietnamese has improved; the numbers of children being educated have dramatically increased. And many other technical advances have been achieved—the nation is now equipped with modern physical facilities in its seaports, airports and roads; in its telecommunications capability; in its ever growing numbers of highly skilled personnel in all walks of industrial and economic life. One could name many more. The economy of Vietnam has proved more durable and resilient than most economists dared hope in early 1966. It was feared then—and with every reason—that there could be runaway inflation and, possibly, economic collapse. Instead, there has been a remarkable measure of economic stability.

You will recall that the major anti-inflation program of mid-1966 had several features. It included a rapid increase of imported goods supplied to the economy through commercial channels; a moderate increase in taxes; controls on American piaster spending; and, effectively, a 100 percent devaluation of the piaster. In combination, these measures were successful in checking the headlong monetary expansion then developing. The consumer price level rose 62 per cent in 1966. It was held to a further 31 per cent increase in 1967. In the first six months of 1968—despite the impact of the enemy's Tet and May offensives—prices rose again only 14 per cent. (I must add, parenthetically, that prices have shown a sharp upward trend in July and that the price outlook for the rest of the year is still unclear.)

Imports, financed directly and indirectly by U.S. funds have played a major role in the relative success of anti-inflation efforts here. Rice has been imported in large quantities, and a wide variety of consumer goods has been made available in substantial volume. These imports have permitted an increase in consumption as well as providing the means for increasing investment and production. These imports would not have helped if the serious bottleneck of ships' cargo unloading in the port of Saigon had not been broken in early 1967. For example, in December 1966, there had been 350,000 tons (metric) of cargo on ships in the harbor. By June 1967 this backlog was down to 50,000 tons, a normal level for any major port, and this highly efficient record has been maintained and at times even improved upon.

It is often said that the dependence of the Vietnamese economy on imports is an indication of the artificial nature of economic progress in Vietnam. To some extent, this is true—but to a large and unappreciated degree, imports serve simply to replace resources claimed by the war.

Vietnam remains a relatively poor country—imports have helped prevent it becoming poorer. Moreover, imports are not rising—quite the contrary: in 1966 there were \$660 million of import licenses issued, in 1967 only \$531 million, and in the first half of 1968 only \$219 million. Similarly, rice imports rose from none in 1964, and 130 thousand tons in 1965, to 434 thousand tons in 1966 and a peak of 750 thousand tons in 1967. This year they may actually decline, and next year they are expected to be significantly less.

In the face of intensified military action, the Vietnamese economy has supported an increasingly heavy military effort and a more or less constant standard of living without rising levels of imports. This is very significant, I believe, and holds much promise for the future.

Indeed, 1967 was a remarkable year for the Vietnamese economy. Not only did the urban and industrial sectors continue to progress, but the signs of emerging, economic transformation in the countryside were unmistakable. High prices for agricultural products, the other side of inflation I might point out, led not only to higher rural incomes, but to increased demand for fertilizer and pesticides and motor pumps and agricultural machinery needed to raise rural productivity and lay the base for genuine agricultural development. And we saw, as an important part of this process, in 1967, the development of a rural distribution network, linking farmers everywhere—but particularly in the Delta—with the resources and commercial energy of the towns and cities.

The general improvement of the economic situation during 1967 was dealt a severe blow by the Tet attacks lasting through February of this year. Recovery has been slow and it, in turn, suffered further damage in the May offensive against Saigon. The price increase between last December 24 and this July 22 has been 21 per cent. The economy is still sluggish and businessmen have been hesitant to invest new capital. But the Government has taken constructive action to assist recovery. A war risk insurance law has been enacted and a VN \$1 billion industrial recovery loan fund has been established, supplemented by a U.S.A.I.D. grant of \$10 million to finance the replacement of machinery destroyed in the enemy's attacks. Most domestic, indirect tax rates have risen substantially. Finally, new mobilization efforts pose added problems—but to date, they have been largely absorbed—at a cost, but not at the cost of economic crisis.

In general, the Vietnamese economy is in satisfactory condition. Business could be better, incomes could be higher, prices could be lower. Is there a country anywhere about which this could not be said? In any case there is no economic crisis in Vietnam today. Apart from refugees, there is no unemploy-

ment, and no apparent dire poverty. It can be said that even with the problems of the last few months, the country's economic situation is considerably better than it was two and a half years ago.

Inflation is, of course, still a threat—a constant threat, that must—I repeat must—be taken seriously. Yet I cannot but conclude that the prospects for succeeding in the fight against inflation in early 1968 were much less promising than those for continuing that success in the time ahead. The events of the last two and one-half years here are in striking contrast to the rampant inflation which took place over a comparable period of time in Korea, for example, when inflationary increases were measured in the thousands of per cent; when there were no compensating improvements in the income of ordinary people; when the nation's industrial facilities were virtually destroyed instead of expanded; and when human starvation was not uncommon.

I would like to talk next for a few minutes about the production of food.

With the increase in the tempo of the war in 1965 and early 1966, there was a quick, sharp and dangerous decline in Vietnam's production of primary food staples—of rice and proteins. In 1967, not only was this halted but the groundwork was laid for a dramatic production increase beginning with this year's rice harvest. Crop yields have been increased by wider use of fertilizer, by fertilizer-responsive crop varieties, by pesticides, by irrigation, and by improved methods of cultivation. Incentive prices and educational agricultural extension programs have stimulated farmers to modernize their methods and to invest their money in greater productivity. Fertilizer usage in South Vietnam is now, proportionately, the highest in Southeast Asia—ranging from three to ten times as great as that in India, Thailand, Cambodia and the Philippines.

Distribution of the new "miracle rice" (IR-8 and IR-5 stock) has been successful. A pilot project inaugurated at Vo Dat only ten months ago, and under poor conditions, produced a harvest double the average yield for that area. This year's post-Tet program envisages that these new rice seeds will be planted on up to 37,000 hectares with technical assistance provided to farmers who invest in the new rice seeds. The first harvest will begin in late September and it is confidently expected that average yields of these new seeds, nation-wide, will exceed the 100 per cent increase achieved at Vo Dat. Despite the war and the obvious difficulties entailed in achieving radical production increases in the short run, the progress of the recent past gives the Vietnamese every reason to strive for self-sufficiency in rice production by 1971.

The United States Secretary of Agriculture, Orville Freeman, declared here just last month that South Vietnam is achieving an agricultural revolution. You may recall that his last previous visit to Vietnam was also two and a half years ago, just following the first Honolulu Conference. He had noticed then that few of the things farmers needed were available to them and said on his departure that the non-military war was of equal importance to the military effort—that providing fertilizer for farmers was as important as providing bullets for soldiers. On his recent visit, he was impressed to see that Delta farmers now seemed to have access to virtually all the production inputs they require—including new seeds, fertilizers, pesticides, pumps and, to a lesser extent, farm machinery as well.

During the same period, farm credit has been multiplied, largely as a result of the government's establishment of the agricultural credit bank in January 1967. In its first year, the bank made three times as many individual loans as the annual average of its predecessor Agency, The National Agricultural Credit Organization, the total loan amount, \$1.5 billion piasters, was four times that previously loaned by NACO.

Similarly, protein production has revived. In 1966 diseases destroyed one-third of the total swine stock. Since that time a major effort to develop local vaccine has been undertaken and its production has gone up sharply. Livestock diseases are being reduced. Meat and poultry production is beginning to increase.

As a consequence, with the exception of temporary hardships among those hardest hit by the war, in different places, at different times, I believe that the great majority of the Vietnamese people has enjoyed a diet well above normal health standards in caloric requirements, nutritional value and variety. Anyone who remembers the spartan rations of Europe in World War II must be impressed by the comparative abundance and quality of the diet of the Vietnamese people. What has been done during these years to "spread the light of education?"

From the 1965-66 school year to the present one, elementary school enrollments have risen 20 per cent and secondary school enrollment nearly 50 per cent. An even more remarkable contrast can be made if one compares the present with the last years of the colonial system. Since 1955-56, school enrollment has risen more than 400 per cent in the elementary grades and 900 per cent in the secondary. In absolute numbers in the 1955-56 school year there were only some 500,000 elementary and 51,000 secondary pupils; last year there were approximately 2,000,000 elementary and 470,000 secondary school pupils.

Today, 76 per cent of the elementary school age group is in school, and about 20 per cent of the secondary school age group. The literacy rate is estimated to be over 70 per cent. These levels compare in a highly favorable way with those of other developing countries at peace.

Also, the nation's normal schools are producing more teachers, 1,500 this year as compared to 1,100 in 1966. More than 11,500 elementary teachers have been trained in accelerated ninety-day courses since these were instituted in 1964. The loss of about 3,000 teachers to the military services in the last three years has been made up by accelerated teacher training programs and should in the future be substantially minimized by increasing the numbers of women teachers.

School expansion has been so rapid that traditional textbook publishing resources could not keep up with it. To meet this problem, the government's instructional materials center has distributed more than 8,000,000 textbooks from June 1966 to December 1967, and will issue 3,000,000 more this year. Moreover, not only are more study materials being made available but their quality is steadily improving as the Ministry of Education continues the modernization of its instructional system. By all objective standards of measurement, the light of education has been more and more widely spread since the first Honolulu Conference.

What has been done to stamp out disease?

Improved health care services to more and more people in South Vietnam have shown rapid growth. In February 1966, the Vietnamese civilian hospital system treated less than 30,000 patients per month, including outpatients and admissions. This year, the average per month is 205,000.

By the end of 1966 the total bed capacity of the Health Ministry's Hospital System had been brought to 15,555.

It has been further increased to 16,055 at present. The treatment capability has been multiplied largely by an outpatient care system reinforced by American and free world public health assistance teams throughout the country. Free world medical assistance personnel have been sent by ten countries; their numbers on duty in Vietnam average over 90 doctors and nearly 300 nurses and technicians. U.S. health assistance teams comprise approximately 400 doctors, nurses,

technicians and administrators. Also, some 500 American physicians have served 60-day tours in Vietnam as unpaid volunteers.

In early 1966 the Vietnamese Government had hospital facilities in almost every province but many were rudimentary or otherwise inadequate. Since then 10 provincial hospitals have been modernized by major renovation projects. One is currently being renovated and is due for completion this year. In eight provinces where existing facilities were wholly inadequate, completely new, simple but practical, hospitals are under construction and all but one should be finished by the end of this year.

In 1966, medical services to village and hamlet communities were extremely limited, improved medical services have since been deployed to these local communities. Two hundred and twenty-one maternity dispensaries in villages and hamlets were completed last year; another 134 are scheduled for completion this year.

In addition to these medical facilities programs, there has been a steady buildup of Vietnamese medical personnel for the care of the civilian population. At the beginning of this year Ministry of Health hospitals had 232 medical doctors, 1,267 registered nurses (three-year graduates) and 1,559 assistant nurses (graduates of one-year training). These numbers are being increased rapidly, assistant nurse training schools have been increased from two to six. These schools produced 390 new assistant nurses this year. Registered nurse training facilities have also been expanded.

The Vietnamese government has arranged to assign military medical officers and pharmacists to civilian hospital duty. By the end of July, 176 such personnel, including 118 physicians, were assisting with civilian medical care. This is still a low doctor-population ratio, but efforts to overcome the shortage are continuing in medical education and through further transfers of military medical officers to civilian public health services.

Immunization against smallpox, cholera and plague is being carried out on a large scale. In 1966 such immunizations totalled 4,100,000. In the first four months of this year alone, nearly 9,000,000 immunizations have been given.

This, then is the record of some of the Vietnamese accomplishments over the past two and one-half years in the economic and social sphere—a record in which is mirrored the activities of the U.S. Agency for International Development during that time. The A.I.D. has been extensively engaged in programs supporting each of the Vietnamese efforts I have discussed. I take considerable pride that A.I.D. involvement has frequently been a significant and sometimes an essential element in these achievements. But I would stress that what I have catalogued here this afternoon are primarily Vietnamese successes, in which we have played a supporting role.

Finally, in taking inventory of the economic and social progress we have seen, I have not meant to suggest that it is in any sense sufficient compensation for the human costs of this cruel and bitter war, nor a substitute for the benefits a just and honorable peace will ultimately bring to the people of Vietnam. But I think all will agree that in the time between the Honolulu conferences, the people of Vietnam have built even while they fought—not only to stabilize the economy, but to improve the economic well-being of most Vietnamese; to increase the production of food; to spread the light of education; to stamp out disease.

#### OEO LEGAL SERVICES PROGRAM AIDS MICHIGAN LEGISLATURE

Mr. JAVITS. Mr. President, the Michigan State Legislature, with the strong support of an OEO-funded community-

action legal services program at the University of Detroit Law School, has made significant history this summer by passing a "bill of rights" for tenants. The OEO project drafted the legislation and helped to refine it.

This legislation should be of prime importance to Michigan's poor tenants and can set an example for other States. I draw the attention of Senators to the article for possible consideration in their own States and also as an example of the kind of multiplier effect which a relatively small number of Federal dollars can have when devoted to legal reform and legal services.

I ask unanimous consent that several memorandums describing the different Michigan bills be printed in the RECORD.

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

#### HOUSE BILL 3188, HOUSING CODE ENFORCEMENT

In Michigan in the past, as in most states, the housing codes rely almost exclusively upon criminal sanctions and governmental enforcement. Such enforcement in the criminal courts has been particularly ineffective and has been characterized by delay and fines so light that they have often been treated as the price of a license to continue the violation.

The following measures included in the bill are necessary to achieve improved code enforcement:

1. Fines as penalties for code violation are replaced or supplemented by a variety of flexible civil remedies such as injunctions, authorized repair by the city with a lien placed on the property for the cost of the repair, and appointment of a receiver to take charge of and repair the premises when there are serious and persistent code violations.

2. Tenants are given the means to enforce the code themselves. At present tenants must rely on the city to do so.

3. A mechanism is provided, in the case of recalcitrant landlords, to have all or part of their tenants' rent applied to repair dilapidation.

The proposed bill is not an entire code. It modifies only the enforcement provisions of the existing act. Its provisions are amendatory and are intended to accomplish three major objectives.

First, the duties of the local enforcing agency are spelled out in great detail. Thus, there should be no confusion or hesitation on the part of the local health department or enforcing agency as to the appropriate time and manner of inspection and the obligation to seek compliance. Also clearly spelled out are the obligations of the owners and tenants or occupants with regard to regulated premises. There is an obligation on the part of both parties to maintain the premises and to keep them in decent and sanitary condition. If the owner fails to comply, he will be liable to the sanctions provided in the statute. And if the tenant or occupant fails to comply he will be subject to the sanctions of the act.

Second, the local enforcing agency is given a clearly defined arsenal of legal weapons to use in securing compliance with the code. Whatever uncertainty may have existed in the past as to the availability of certain remedies is now dispelled. Provisions for injunctive relief, for the right to make repairs or seek demolition of the premises, and for the right to have a receiver appointed are set forth in detail.

Third, private individuals, the tenants and occupants, are given certain rights which heretofore were non-existent. When premises are in violation of the code, rent may be withheld and paid into an escrow account, the accumulated funds to be used to defray the cost of correcting the violations. The

tenant or occupant also has a right to secure enforcement of the housing code against a recalcitrant owner when the city fails to do so.

**HOUSE BILL 3384, DEFENSES TO SUMMARY EVICTION**

This bill enacts changes in the state summary possession law and alters the rights of landlords to terminate tenancies and to evict tenants in both public and private housing. Under present law, eviction procedures do not permit the tenant to effectively raise matters which are appropriate to his defense. The amendments embraced by this bill seek to provide a measure of equity to tenants, without substantially altering the landlords' rights.

In the area of public housing, no eviction may be had except for just cause, as cause will be established by law or by rules and regulations of the local housing commission. This means, in effect, that there can be no arbitrary or capricious evictions. The private landlord continues to exercise the right to regain possession upon proper notice, and without a showing of cause, except where the eviction is retaliatory, as explained below.

In both public and private housing, certain other changes are accomplished. First, the tenant is permitted, in suits for possession for non-payment of rent, to plead as a defense the fact that the landlord has breached a duty owed to the tenant.

Second, the tenant is permitted to plead that his eviction was retaliatory and was instituted as a penalty for exercising lawful rights, such as filing a complaint with the local health authorities that the leased premises are without heat or water. If the tenant succeeds in convincing the court that the eviction has been instituted as a penalty, judgment is entered for him.

Third, the appeal bond provision, which now requires a deposit of nine-months rent as a bond, has been changed to require only a "reasonable" bond. The court is empowered to condition the bond on regular payments of rent money to the court, to the plaintiff, or to an escrow account.

**HOUSE BILL 3395, BILL CREATING LANDLORD'S COVENANTS TO REPAIR**

This bill establishes in every lease, as a matter of law, covenants by the landlord that the premises are fit for the purpose intended when the tenant takes possession, and that the landlord will keep the premises in repair throughout the duration of the lease.

Other statutes impose such burdens upon the landlords as an exercise of the state's police power. These statutes are the state housing law and other health and safety codes and ordinances. In effect the only change which is accomplished through this act is to make such obligations an express part of the lease between the landlord and the tenant, thereby giving the tenant a cause of action if the landlord fails to comply with his already existing statutory duty.

Provision is made in the bill for modification of the statutory covenants in the case of long-term leases, that is, those leases which have a duration of one year or more. The bill is thus meant to govern short term tenancies.

*Note:* The House Code of Michigan did not impose a statutory duty to repair upon owners of non-multiple dwellings, nor did it apply to cities of under 10,000 population. Under this new statute tenants in single dwellings and multiple dwellings, no matter where situated, have a right of action to enforce the covenant of fitness and repair.

**HOUSE BILL 3396, BOARD OF TENANTS AFFAIRS IN PUBLIC HOUSING, DETROIT ONLY**

The bill creates a Board of Tenants Affairs for each community that builds and operates public housing facilities. There will

be one board for the entire community, and not a separate board for each project.

A board will be composed of tenants from the local facilities, to be elected by their fellow tenants; indigenous persons from the neighboring community to be selected by the mayor or chief executive; and other persons, also to be selected by the mayor or chief executive.

The major functions of the board are three:

1. The board will advise the local housing commission on matters of tenant-management relations, and on matters of tenant welfare.

2. The board will have the power to review those rules and regulations adopted by the local housing commission that affect the status of the tenants and that affect the tenants in their relationships with one another and with the local project management or the housing commission. Such matters would include, for example, the qualifications of those who seek to enter public housing, the obligations and duties of tenants, and the questions of termination of tenancies and penalties for rule violations. The right to review rules and regulations is limited to rules adopted by the commission. If the state, by law, or the local unit of government, by ordinance, enacts the applicable rule or regulation, then it is not subject to review.

3. The board will have the power to review decisions of the local housing commission or project management, made under any rules and regulations, when such decisions affect the status or rights of a tenant or applicant. Included in the categories of reviewable matters would be decisions to terminate tenancies, decisions denying applicants admission, and decisions changing the status of tenants of imposing penalties.

Decisions of the Board of Tenants Affairs, when it sits as a board of review, will be binding on the local housing commission.

As a corollary, the bill requires that local housing commission adopt reasonable rules and regulations regarding tenant relations and tenant welfare.

**HOUSE BILL 3397, CAUSE UPON CONVICTION IN PUBLIC HOUSING**

This bill remedies what has been a somewhat difficult situation for tenants in public housing. The power to terminate a tenancy or to terminate a right of use and occupation is the strongest power a landlord, whether he be public or private, can exercise in his relationships with his tenants. No attempt is made in this bill to alter the right of the private landlord to terminate a tenancy. But the right is here modified in the case of public housing. Terminations must be based on cause, and cause is defined in the bill as a repeated failure to comply with the lawful rules and regulations of the local housing commission, with examples given. The effect of the bill would be to make unlawful and void the current termination clause of the Detroit Housing Commission lease, which provides that a tenancy may be terminated "at any time upon thirty days notice and without cause."

**INTERESTING WALL STREET CONFLICT OF INTEREST**

Mr. MCINTYRE. Mr. President, last week the Securities and Exchange Commission ordered administrative proceedings on charges that Merrill Lynch, Pierce, Fenner & Smith, Inc.—the Nation's largest brokerage house—supplied nonpublic information to 14 institutional investors in June 1966.

According to the Commission, the institutions sold more than 190,000 shares of stock from their own holdings or

through short sales on the basis of information not available to the general public.

An article published in the Wall Street Journal of August 29, 1968, explains the implications of the SEC action. I ask unanimous consent that the article entitled "Investment Concerns Review Procedures To Avoid Possible Conflicts of Interest" be printed in the RECORD at the conclusion of my remarks.

I wish to note here that the SEC charges highlight three areas in which securities firms and institutional investors must show restraint. The first is the use of inside, or nonpublic, information which a securities firm may learn through its underwriting activities. The second is the conflict of interest that may result when a securities firm acts as both an underwriter and as a broker and has obligations to corporations on the one hand and to customers on the other.

Finally, the SEC proceedings raise the question as to whether small customers get the same information received by larger institutional customers, who through split commissions or "give-up," reward brokers for various services, including the transmission of inside information.

The SEC action makes it plain that securities companies must restrain the use of inside information and that institutions must not use their substantial economic leverage to gain services and information not available to the general investing public.

I feel that the current SEC proceedings regarding give-ups have been given a new note of urgency as a result of the disclosures of Merrill Lynch's activities. I have been following these proceedings carefully and intend to propose remedial legislation in the event that the SEC and the industry are unable to reach agreement on ways in which the financial community should police itself.

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

**MERRILL LYNCH CASE IMPACT: INVESTMENT CONCERN REVIEW PROCEDURES TO AVOID POSSIBLE CONFLICTS OF INTEREST**

Dozens of big investment firms were examining their own procedures yesterday, fearful of possible "conflict of interest" complaints similar to that filed against Merrill Lynch, Pierce, Fenner & Smith Inc. by the Securities and Exchange Commission's staff.

The staff alleged that the nation's largest brokerage house favored some large institutional customers with inside information derived from a corporate underwriting venture.

Merrill Lynch, 14 of its salesmen and officers and the 14 institutional investors named in the action have denied any wrongdoing. But the impact of the charge has shaken Wall Street to its roots. "A blockbuster," one investment official termed it yesterday.

Lawyers and investment men see these broad effects flowing from the case:

First, the action seems aimed at forcing investment firms to re-examine the dual role many play as underwriter and broker. As an underwriter, helping corporations raise capital by selling stocks and bonds to the public, the firm's responsibility is to the corporation. As a broker, buying and selling for clients, its responsibility is to these customers. The two roles aren't always compatible, some investment firm partners concede.

Second, the SEC action is seen as a further effort on the part of the regulatory agency to attack "give-ups"—forced commission-splitting in return for services, such as tips on inside information.

Third, the action is expected to ignite many lawsuits against Merrill Lynch by small customers who, the SEC charges, weren't given the same information as its big customers.

The SEC action orders an administrative hearing into charges that Merrill Lynch supplied certain institutional investors with "non-public information" it had learned about plummeting earnings of Douglas Aircraft Co., now part of McDonnell Douglas Corp.

Merrill Lynch gained this information, the SEC charges, through its role as a prospective underwriter of a Douglas offering of \$75 million of debentures. The favored institutional customers, alleges the SEC staff, sold Douglas stock on the basis of this "inside" tip before the public learned the bad news and the price of the stock tumbled.

#### POSSIBLE PENALTIES

If Merrill Lynch is found guilty of the charges, its registration could be revoked or suspended, putting it out of business for a period of time. The individual officers and salesmen of the firm named in the allegations could be suspended, fined or censured.

The institutions involved could be barred from associating with broker-dealers for a period of time, a meaningless penalty for all but those who engage in brokerage. Dreyfus Corp., one of the institutions named, does operate a brokerage firm, Dreyfus & Co., that could be penalized.

In an administrative hearing, an examiner not connected with the earlier investigation is appointed by the SEC. He acts as a judge in the case and decides it on the basis of the hearings. This decision can be appealed to the full commission and, after that, to the Federal Court of Appeals.

The proceedings are to start within a few weeks when those named in the case file their answers to the charges.

The Merrill Lynch case follows close on another case that lawyers say tightened the responsibilities of anyone possessing inside information that might affect the price of a corporation's stock.

This was the Texas Gulf Sulphur Co. decision by a Federal appeals court. The court's opinion pointedly noted an "insider" doesn't necessarily have to be an officer or director of a corporation. It can be anyone in possession of material facts about a company.

Under the SEC's rule 10b-5, an insider may not act on information before it becomes public knowledge. Security analysts and advisors say there are still many questions involved in trying to fit the requirements of the Texas Gulf case into their regular methods of doing business. Now, they say, the SEC's action against Merrill Lynch apparently seeks to broaden the "insider" definition even more.

#### ALTERNATIVES FOR INSIDERS

The net effect of these cases, if the SEC prevails, will be to give anyone in possession of information not known to the public only these alternatives: He may keep it secret, but he must not buy or sell shares of the company involved and he mustn't tell anyone who might trade in the stock. Or, if he wants to trade in the stock, he has a strict obligation to make sure the information becomes public, either by announcing it himself or by persuading the company to do so.

The requirement is especially demanding for investment firms. A firm's underwriting department routinely comes into secret information because of the fiduciary relationship of trust it holds with corporations raising capital. But its brokerage department buys and sells stock for clients, who often act upon the recommendations of sales representatives or the firm's research reports.

Investment firms say they recognize the potential for conflicts of interest, and many

have set up strict rules for dealing with it. They range from strict secrecy to wide distribution.

#### BROKERS' RULES

"We operate on the basis of a 'need to know' and our people are pledged to secrecy," says the head of a New York firm. "If we're putting together a merger, for example, only the men directly involved know about it, even within the firm."

"Any of our company contacts (men who deal directly with corporations) have to keep confidential from their own clients and our sales department, including institutional sales, any inside information they receive," says Benjamin Edwards, president of A.G. Edwards & Sons Inc., of St. Louis. "And we also put pressure on companies to release news as soon as they have it."

Roulston & Co., a Cleveland brokerage firm, "makes a very big point of not wanting confidential information that isn't available to anyone interested enough to inquire," says Thomas H. Roulston, president. He says, "If we do accidentally get some confidential information from an assistant treasurer or someone, we put a freeze on all orders in that stock, refusing to buy or sell until the news is out. We also immediately encourage the company to make that development public."

But many brokers concede the temptations to take advantage of tips are great. Commissions on big transactions by institutional investors are large and these orders often are given to firms that help the institutions, either by providing information or selling its mutual-fund shares. Even if the tipster firm doesn't get the order, it can share in the commission through customer-directed give-ups. This is a system, under attack by the SEC, under which the customer directs the broker handling an order to share his commission with other firms.

#### SERVING TWO MASTERS

Harry Campbell, a senior partner of Edelstein, Campbell & Co., a San Francisco brokerage firm, ponders whether underwriting and retailing might better be handled by separate entities. "I don't know how it would be done," he admits, "but it's difficult to serve two masters."

Mr. Campbell also acknowledges he's unsure how a decision against Merrill Lynch would affect his company. "Right now, I'm trying to get some information others don't have and I'll probably use it," he says. "It's fun to see the lion get his tail twisted but maybe the SEC will march in here some day."

[During the boom of the 1920's preceding the Depression, commercial banks were active in underwriting stock and bond issues of corporations. Economic historians say the venture was dangerous and led to severe conflicts of interest between banks, which made investments, and their underwriting affiliates, which helped companies sell securities. The failure of one large bank was traced directly to this situation, according to one economic history.

[As a result, Congress concluded commercial banking should be separated from investment banking and, in the Banking Act of 1933, ordered banks to dispose of their investment affiliates. Among those affected: J. P. Morgan & Co., which gave up its investment banking business and later became Morgan Guaranty Trust Co. Its former partners established the investment firm of Morgan, Stanley & Co.]

#### STUDYING PROCEDURES

Many firms said yesterday they are studying their operating procedures with an eye towards tightening them.

"Anyone in this business would be negligent if they didn't re-look at their rules at this point," says the head of the Midwest concern.

The case "is going to bring some changes. There are going to have to be some rules, some guidelines," says Charles C. Pierce, president of Rauscher Pierce Securities Corp.,

Dallas. Present policy at the firm requires distribution of inside information from the underwriting department to all offices, "through a wire or memorandum through the mail," says Mr. Pierce.

"We are tightening up as much as possible to insure that any information received by our underwriting department is fully disclosed and that no benefit comes to the partners or anyone connected with us," says John F. Bunn, Jr., chairman of Bioren & Co., of Philadelphia. "We have always tried to act this way but with the Texas Gulf Sulphur case and now this one, the SEC has thrown us some new rules which, if we want to play the game, we must go along with. The entire industry is going to have to be extremely careful in the future."

The New York Stock Exchange recently called attention to the broadened interpretation of an "insider" and the restrictions on his actions. The exchange's rules have long stated that a director of a corporation has a fiduciary obligation not to reveal privileged information. Thus, a partner in a member firm who serves—as many do—as a director of another corporation must avoid giving inside information to his partners, employees of his firm or his firm's research department.

In a circular to members dated July 18, the exchange called attention to its expanded policy on timely disclosure. It noted that "the ground rules should be substantially the same" for any representative of a member firm who is "acting in an advisory capacity to a company and discussing confidential matters." This would include members of a firm involved in prospective underwriting because, as underwriters, they have access to confidential information.

Reaction by small investors to the SEC action yesterday was slight, a fact some brokers attributed to the Wednesday shutdown of the stock exchanges. A Merrill Lynch salesman in the firm's Pittsburgh office indicated surprise at the lack of public response, but said he expects some reaction today when the market reopens.

All 170 branches and 11,700 employees of Merrill Lynch were sent a home-office message yesterday over the firm's teletype wire saying, "we do not feel our people acted wrongfully." Over the signature of James E. Thompson, vice chairman, the message said, "our counsel has advised us not to try our case in public. Accordingly, discussions of our position or what may or may not have happened should be nil. Obviously nothing should be discussed with the press."

A prominent securities lawyer, who declined to be identified, said if the SEC charges are substantiated, the firm will be open to a barrage of litigation from customers, "both those who were buying (Douglas stock) while Merrill Lynch was telling its big customers to sell and those who already owned the stock and didn't sell because they didn't have the information" the investment companies had.

"The law suits will pour in," predicted a Los Angeles broker. In fact, he said grimly, "We'll probably all be facing a flurry of nuisance suits. This kind of thing tends to spark such a reaction from anyone who's disgruntled with his brokerage people and there are a lot of disgruntled investors around."

#### GUNRUNNERS IRRESPONSIBLE AS EVER

Mr. DODD. Mr. President, 7 years ago, when I began an investigation of the wide-open traffic in mail-order firearms, I said that anyone could arm himself to the teeth with impunity.

I said that murderers, rapists, addicts, mental patients, juveniles, and even children could buy what weapons they choose for a few dollars and go about their deadly business.

Things have changed in that time only in that they have gotten worse. There are more firearms around now than ever.

The gunrunners still accept no responsibility for the effect of their business on public safety.

The gunrunners are still as irresponsible as ever.

A first-class example of this public-be-damned attitude of many of these gunrunners was published in the August 31, 1968, issue of the *Christian Science Monitor*.

Author John Kelly began his article this way:

Almost anybody can get a gun. The ease with which firearms can be acquired in the United States is a source of continuing concern in an era when resort to violence is all too prevalent.

Mr. Kelly then presented a case study. He went to a gun shop just off Times Square in New York City, also known as the crossroads of the world, and purchased an arsenal. He had it shipped to James D. Kelly III, of Hamden, Conn. No questions were asked. Within 36 hours delivery was made to James D. Kelly III, who is 18 months old.

The shipment included a 60-millimeter mortar, a .30-caliber carbine, mortar shells, and repackable handgrenades.

I ask unanimous consent that the entire article be printed in the RECORD. I ask Senators to refer to it as they consider the firearms legislation pending before the Senate.

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

#### ALMOST ANYBODY CAN GET A GUN

(NOTE.—The ease with which firearms can be acquired in the United States is a source of continuing concern in an era when resort to violence is all too prevalent. Here is a case study of what lax gun laws allow.)

(By John Kelly)

NEW YORK.—It is possible for almost anyone under any pretense to obtain weapons in New York City as well as in other urban communities. As an example, this reporter, posing as an organizer of a private army, a few weeks ago had Kaufman Surplus & Arms ship an order that included a 60 mm. mortar, a .30-caliber carbine, mortar shells, and repackable hand grenades to an 18-month-old nephew, James D. Kelly III, who lives in Hamden, Conn.

The ease with which these weapons were shipped to a baby is a case in point. Delivery was made without any questions, 36 hours after the order was placed. Neither New York nor Connecticut authorities will ever exchange reports about the purchase as it is not required by law.

Kaufman's, like a number of other big dealers in New York and other Northern cities, has been doing a lucrative business both locally and with out-of-state residents.

In addition to a midtown store, Kaufman's has a branch and a warehouse downtown not far from the financial district. Both outlets are along the paths of the commuters, and business usually picks up about 5 p.m.

Available is everything from swastika armbands and supposedly authentic Viet Cong knives to World War I cannon, two of which sit outside flanking the West 42nd Street doorway. For potential customers there is an 80-page catalogue titled "Combat" that lists rifles, ammunition, knives, bayonets, and swords. It also features a \$295 "sniperscope" for observing "enemy movements in the dark without being detected." Kaufman's also offers for \$1.50 a booklet titled, "How to Con-

vert Military Weapons" from semiautomatic to automatic.

#### CONVERSATION REPORTED

While posing as the organizer of a private army, I recently stood with 15 other men, nine black and six white, in a section of the midtown store which houses weapons and ammunition.

On the wall were more than a hundred rifles ranging in price from \$19.95 to \$240. Leaning across the counter I asked to see an M-1 carbine. The salesclerk plucked it from the display and placed it in my hands saying, "It's got a good sting and comes with a 30-clip magazine."

Pointing to a new M-16 rifle, the type used by United States forces in Vietnam, one of two Negroes at my side turned to his companion, and said, "That'd sure make a big hole in whitey."

"Yeah," replied his companion, "but not at \$240."

"If I got on a roof with that, there wouldn't be a cop in Newark," answered the first.

A white man tugged at my sleeve as I examined the carbine.

"How much is it?" he asked.

"One hundred and nine dollars," I replied.

"That's a lot of money, but I sure need something around the house," he said.

The salesclerk interrupted: "If you want one you better give me a down payment because I only got a couple left, and I can't get no more because the factory isn't turning them out fast enough."

When I told him I was interested in buying a large number of rifles and at wholesale, the clerk turned me over to the store manager, Harry Finklestein.

#### CUSTOMER REFERRED

"You better go down to the warehouse on Broadway and talk with Mrs. Korn if you want 300 rifles. She handles that type of thing," Mr. Finklestein told me.

Our conversation was periodically interrupted by a voice bellowing from the rear through an intercom, "Ammunition coming up." Presently a well-dressed white man stepped to the counter; the cash register rang out and 100 rounds of .30 caliber ammunition costing \$18.95 was carried from the store in an expensive looking black leather attaché case. Seconds later the voice bellowed again and a Negro walked from the store with \$56.40 worth of ammunition. He walked from the store and placed his purchase beneath a blanket in the trunk of a New Jersey registered car parked at the curb.

Asked if he could provide gunpowder, Mr. Finklestein replied, "We don't keep that around. It's touchy stuff, you know. You got to be careful; the cops and the FBI and everybody comes around asking questions. It's getting so you can't make a decent living."

At the downtown warehouse, Mrs. Dorothy Korn, a graying woman wearing a pale blue smock, discussed weaponry with perhaps matchless female knowledge. She balked at cutting prices for even a large order. "Why should I sell to you at a discount?" she asked. "If I could get 300 carbines tomorrow they would be moved out of here in a day."

When asked if she could provide bazookas, she said, "They're hard to come by ever since those fellas fired at the UN. The only heavy equipment we have now are mortars."

Walking me to the door, she said, "It's going to be a long hot summer; you can't come around now and expect to find any good stuff. It's been gone for months."

"Glad to do business with you," she continued, "and I'll see if I can't get those 300 carbines. Give me a call tomorrow. It's all legal."

#### LICENSE A HURDLE

Besides Kaufman's, this reporter, while posing as a person seeking from 300 to 500

carbines and up to a half million rounds of ammunition, visited several gun stores in the New York metropolitan area. All regretted they were unable to deliver weapons because, as a dealer said, "the manufacturers aren't turning them out fast enough."

One dealer said he would be willing to wholesale 300 carbines at a third off. Another, also interested in making a large sale, said he feared jeopardizing his license if the weapons were used for something nefarious and traced back. He suggested I set myself up with a dealer's license in a state with lax laws where he would be able to ship without encountering difficulties.

Violence begets violence. President Kennedy was assassinated, and so was his killer. Sen. Robert F. Kennedy was assassinated, and an attempt was made to shoot down the brother of the man accused of assassinating him.

#### REACTION EXPECTED

Authorities expect this reaction, and as a result, Sirhan Sirhan and James Earl Ray are under tight security. At no other time in United States history have incarcerated persons been so extensively and elaborately protected from bullets of would-be killers.

As mourners passed Senator Kennedy's bier at St. Patrick's Cathedral, Kaufman Surplus & Arms, just two blocks from Times Square, was doing above-average business.

Business was also extraordinarily brisk at a gun store eight blocks from the late Senator's Manhattan apartment the day after he was killed. If this and the jump in gun sales after the slaying of the Rev. Dr. Martin Luther King Jr. are any indication, another boom in over-the-counter and mail-order pistols and rifles is in the making.

A week prior to the Kennedy assassination and two months after the slaying of Dr. King, it seemed as though the arms race in the tense urban communities of the North was nearing its end.

This was perhaps because military-type weapons had been bought up by blacks and whites and their paramilitary organizations here and in Chicago, Detroit, Newark, Baltimore, and Los Angeles.

Police in these cities report increases of as much as 60 percent in pistol and rifle purchases in recent months.

New York City law prohibits one from having a pistol at home without a permit—which is difficult to obtain. Yet it is possible for a mentally deranged person to carry a loaded rifle through the streets. In the last two years, five persons have been shot and killed in Manhattan parks:

In 1966, a mental patient killed two men in a West 42nd Street park and was wounded in an exchange of gunfire with police. An hour earlier he had bought a \$19.95 rifle at a nearby gun store.

Earlier this year another man, armed with a pistol, killed three persons and wounded two police officers before being killed by police after a two-hour gun battle in Central Park. Investigating detectives entered the slain gunman's apartment and found poster-sized pictures of Hitler and other Nazi leaders pasted to the walls.

A man was arrested July 20 on Manhattan's West Side after he began firing a semiautomatic .30 caliber carbine from his apartment window at 6:30 a.m. Police said a photo of Hitler was found in the accused gunman's wallet, glued back-to-back to his own photo. The police also said the gun was bought at Kaufman's.

The price tag on the American "privilege" of owning a gun gets higher by the day.

#### EXPORT OF UNPROCESSED LOGS

Mr. JORDAN of Idaho. Mr. President, I urge the retention by the Members of the 1968 Foreign Assistance Act House-Senate conference committee of the

amendment offered by the distinguished Senator from Oregon [Mr. MORSE]. The amendment limits annually for the next 5 years the export of unprocessed logs from Western States to 350 million board feet, a figure which is approximately one-third the present level of exports.

I cannot stress too strongly the danger which exists to the economy of the Northwest in general and to the lumbermills of Idaho specifically if steps are not taken to limit the overseas flow of our logs.

Under the original Conservation Act of 1897 it was determined that the timber resources of the United States should be used for the people of the United States and this directive was strengthened by the 1926 amendments to that law which declared that public timber should not be exported unless such export would not endanger the supply for local use.

The facts seem clear enough—the Senate Subcommittee on Small Business only recently issued a report which reveals that there are no surplus logs available and that to export the quantities of logs which Japan desires is in violation of the 1926 amendments.

The Secretary of Agriculture earlier this year placed a 1-year's ceiling on log exports from the coastal lumber regions of Oregon and Washington because of a lack of surplus logs and the fact that the prices which foreign governments have bid have skyrocketed the price of lumber to homebuilders and homebuyers. It is imperative that this ban also be extended to public land in Idaho, California, and Montana. Make no mistake about it: we are dealing not only with log exports, but with job exports, as well. Western mills are being forced out of business by the excessive prices such bidding has produced. The ultimate squeeze placed on the American consumer is obvious.

Our national forests, our lumber industry, and our economy must not be sacrificed in the name of foreign trade. Resources which belong to generations yet unborn must be guarded as the Nation's trustee obligation; the amendment in question will provide us the means to carry out that trust.

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**CALIFORNIA LEGISLATURE URGES ADOPTION OF MURPHY AMENDMENT NO. 884 TO MANPOWER DEVELOPMENT AND TRAINING ACT EXTENSION, S. 2938**

Mr. MURPHY. Mr. President, on July 15, I addressed the Senate, pointing out the difficulties California was having with the Federal Government in implementing bipartisan proposals to deal with the problems of the disadvantaged.

The California Legislature recently unanimously passed Assembly Joint Resolution 45, which both urges the Federal Government to cooperate with California in this creative effort and Congress to adopt my amendment No. 884 to S. 2938, designed to provide States such as California with the needed freedom and flexibility to assist the chronically unemployed.

I ask unanimous consent that the California resolution and the text of my

amendment be printed in full at this point in the RECORD.

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

**ASSEMBLY JOINT RESOLUTION 45**

Joint resolution relative to the chronically unemployed

(Introduced by Assemblymen Monagan and Unruh, July 16, 1968, referred to Committee on Rules)

Whereas, The California Legislature has developed an imaginative program with bipartisan support to train and place the chronically unemployed into meaningful jobs; and

Whereas, Representatives of the United States Department of Labor have threatened use of discretionary power by the Secretary of Labor which could result in a possible loss of federal funds if California enacts this program because of possible nonconformity of California statutes with federal law; and

Whereas, This program, consisting of Assembly Bills 1463, 109, 1777, 210, 1046, 1966 and 1464 of the 1968 Regular Session of the Legislature, represents an effort by the state to pool available federal and state resources and concentrate them on providing a unified unbroken sequence of services to the chronically unemployed to place them in productive employment; and

Whereas, Implementation of this program requires cooperation from various agencies and officials of the federal government, including the Secretary of Labor and the Secretary of Health, Education, and Welfare, as well as other federal officials; and

**LEGISLATIVE COUNSEL'S DIGEST**

AJR 45, as introduced, Monagan (Rls.). Chronically unemployed. Notes that the Legislature has pending certain legislation designed to provide a program of training and placement services to assist the chronically unemployed in California, and memorializes the President and Congress to take specified steps to provide the federal support needed to carry out this program.

Whereas, Every effort has been made by legislative leaders in California to cooperate with federal officials in developing this imaginative program; and

Whereas, The President of the United States has publicly supported the concept of creative federalism which rests upon federal support of efforts by states to innovate and create bold new programs to solve major problems facing the state and the nation; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President of the United States to direct the Secretary of Labor, the Secretary of Health, Education, and Welfare, and other federal agencies to make every effort to cooperate with the State of California in interpreting current federal statutes to authorize this state to carry out the program envisioned by Assembly Bills 1463, 109, 1777, 210, 1046, 1966, and 1464 of the 1968 Regular Session of the Legislature; and be it further*

*Resolved, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to support amendments to the Manpower Development and Training Act this session and to authorize a new title to that act which would provide federal matching funds to states for job training, placement, and related services in a flexible manner which would provide necessary federal support to carry out the comprehensive program envisioned by legislation now before the California Legislature; and be it further*

*Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House*

of Representatives, and to each Senator and Representative from California in the Congress of the United States.

**AMENDMENT NO. 884**

At the end of the bill add the following new section:

"Sec. 12. The Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new title:

**"TITLE IV—SUPPLEMENTARY STATE PROGRAMS**

**"STATEMENT OF PURPOSE**

"Sec. 401. It is the purpose of this title to provide a method whereby a State may utilize Federal matching funds, together with its own funds for the purposes of supplementing, coordinating and improving the effectiveness of, or correcting imbalances among, the services available from all Federal manpower and related programs seeking to improve the ability of disadvantaged persons to move into productive employment.

**"AUTHORIZATION FOR GRANTS**

"Sec. 402. The Secretary of Labor (hereinafter in this title referred to as the Secretary) is authorized to grant to any State which meets the requirements of section 403 an amount, for fiscal years 1969 and 1970, not to exceed 75 per centum of the cost of the supplemental efforts and activities undertaken by a State pursuant to the provisions of this title.

**"APPLICATIONS AND CONDITIONS**

"Sec. 403. (a) Any State which desires a grant under this title shall make application to the Secretary at such time, in such manner, and containing or accompanied by such information as he deems reasonably necessary.

"(b) No grant may be made under the provisions of this title unless the Secretary finds that—

"(1) after consultation with said State, the effectiveness of Federal manpower and related programs seeking to move disadvantaged persons into productive employment within such State can be facilitated or improved by additional State efforts and activities; and

"(2) such application (A) describes how such additional efforts and activities will be undertaken in support of existing Federal programs, (B) demonstrates that such efforts and activities are not inconsistent with such State's cooperative area manpower planning system plan, (C) demonstrates that such efforts and activities will contribute to carrying out the purposes of this title, and (D) provides assurances that the State will pay the non-Federal share of the cost of such efforts and activities under this title.

**"RULES AND REGULATIONS**

"Sec. 404. The Secretary may prescribe such rules and regulations under this title as he deems necessary.

**"AUTHORIZATION OF APPROPRIATIONS**

"Sec. 405. There are hereby authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1969, and \$50,000,000 for the fiscal year ending June 30, 1970, to carry out the provisions of this title."

Mr. MURPHY. Mr. President, also, I have received a letter from Mr. Stanley H. Ruttenberg, Assistant Secretary and Manpower Administrator of the Department of Labor, differing with California's version of the Federal Government's "co-operation" with the State in implementing its program.

I understand that since this controversy has arisen, the Labor Department has indeed become more cooperative and apparently has made efforts to clear up the misunderstanding. I would say that Assistant Secretary Ruttenberg and some

Labor Department officials have tried to be most cooperative, but apparently there has been internal disagreement within the Labor Department regarding the California effort.

One California official remarked:

When the "bad guys" came to California, there was little doubt that they were more concerned with raising the specter of conformity and potential loss of Federal funds than making positive suggestions. When the "good guys" came, we were able to work out our problems with a cooperative spirit.

Mr. President, the problems of dealing with the disadvantaged are too big and too important to have levels of Government pulling in opposite directions. I am hopeful that this new "cooperative spirit" will continue and that the Senate will adopt my amendment, thus allowing California to get on with its creative effort, which will provide results that I believe will be of interest to the Nation.

Mr. President, I ask unanimous consent that the Assistant Secretary's letter to me be printed at this point in the RECORD; and in addition that Secretary Ruttenberg's correspondence with California officials on this subject be printed in the RECORD.

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

U.S. DEPARTMENT OF LABOR,  
OFFICE OF THE ASSISTANT SECRETARY,  
Washington, D.C., July 19, 1968.  
Hon. GEORGE L. MURPHY,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MURPHY: In the *Congressional Record* for Monday, July 15, you included several letters and press releases on the Department of Labor's relationship to California A.B. 1463, which presented an inaccurate picture of the Department's position and activities in connection with this bill. In the interest of preserving a cooperative Federal-State relationship, I would like to correct the misunderstandings reflected in the *Record*.

The Department has always supported the bill's stated objective, as I clearly indicated in my telegram to Senator Dolwig of June 10 (copy enclosed). We have not tried to dictate State legislation, or to make any threats.

Many different approaches have been suggested to the difficult problems of the hard-core unemployed, and a number of statutes have been enacted by Congress. The Department of Labor and the States have worked hard, and cooperatively, in initiation of new ideas and new programs and in efforts to integrate them into a framework which will eliminate duplication and assure better service to the hard-core disadvantaged. In this effort, however, the Department must operate within constraints established by Congress.

You will recall that when Speaker Unruh appeared before the Senate Subcommittee on Employment, Manpower and Poverty on May 10 to support the proposal, he recognized that it would, in his words, "require precedent-breaking changes in Federal statutes and in rules and regulations of federal agencies."

Although those changes had not been made in Federal law, A.B. 1463 was passed by the California Assembly on May 23. As passed, the bill conflicted with requirements of the Wagner-Peyser Act and other Federal laws. In accordance with long-standing Department policy of advising a State whenever pending State legislation appears, on the basis of established Department interpretation of Federal law, to raise a conformity issue, my telegram dated June 10 to Senator Dolwig noted four major areas of conflict with Federal requirement.

Following that telegram, Department personnel met with representatives of California, both in Washington and in Sacramento, in an effort to resolve the issues and a number of changes were made in the bill. The changes made through July 1 still presented some issues of conflict with the requirement of the Wagner-Peyser Act that an integrated employment service be available to all without regard to any income limitations. This requirement is not a legal technicality but is the foundation on which the public employment service rests. It not only makes for the most efficient use of money and staff by preventing duplicating and competing employment services, but also assures that the full range of services is available to those most in need of help. The bill also conflicted with requirements that Federal funds made available to a State must be used in accordance with the limitations and directives in Federal law.

Mr. Goodwin's July 3 appearance before the California Senate Committee on Government Efficiency was at the express request of Chairman Dolwig to explain questions raised in my telegram of June 10. My letter to Speaker Unruh of July 12 (copy also enclosed) summarizes the advice the Department of Labor gave to Senator Dolwig and his Committee. This letter also sets forth the reasons behind the questions raised in my telegram of June 10 and in Mr. Goodwin's testimony before the Committee.

You know, I am sure, that the Department has continued to work with California in an effort to resolve the conformity issues raised by A.B. 1463. Mr. Odell, Director of the United States Employment Service and Curtis C. Allen of my office, made another trip to California on July 15. At that time we offered some suggestions that were accepted. We made every effort to restrict these suggestions to those required to meet minimal conformity questions. I understand that the framers of the legislation are satisfied with the result that has been attained.

To make the record complete, I would appreciate it if you would arrange to have this correspondence also included in the CONGRESSIONAL RECORD.

Sincerely,

STANLEY H. RUTTENBERG,  
Assistant Secretary and Manpower  
Administrator.

U.S. DEPARTMENT OF LABOR,  
OFFICE OF THE ASSISTANT SECRETARY,  
Washington, D.C., July 12, 1968.  
Hon. JESSE H. UNRUH,  
Speaker of the Assembly,  
Sacramento, Calif.

DEAR MR. UNRUH: At the Secretary's request, I am responding to your letter of July 3, concerning the appearance of Mr. Robert C. Goodwin, Director of the U.S. Department of Labor, Bureau of Employment Security, before a State Senate Committee hearing on California A.B. 1463. It is to be regretted that you interpret Mr. Goodwin's testimony to be reflective of an over-bureaucratic federal agency and inconsistent with a concept of creative federalism.

The testimony reaffirmed the assurances which I gave to your representatives here in Washington. We are in complete sympathy with the stated objectives of your bill—that is, to eliminate duplication of manpower programs and assure better service to the hard-core disadvantaged. Our commitment to this goal is demonstrated by our own efforts to concentrate and direct a greater share of the fiscal and program resources available through the employment service, MDTA and Economic Opportunity Act to meet the needs of the hard-core unemployed and the disadvantaged. The Youth Opportunity Centers, the Human Resources Development Program, the Concentrated Employment Program, the Skill Centers Program and the NAB-JOBS Program have all been directed primarily to the needs of the

disadvantaged and have focused upon target areas of heavy hard-core unemployment. We have also supported and assisted in funding the Governor's Community Service Centers in California.

In all of our efforts we have carefully adhered to the requirement of the Wagner-Peyser Act that an integrated employment service be available to all without regard to any income limitation. While it may well be that more needs to be done to coordinate and consolidate the administration and funding of these programs, we must insist that it be done in a manner consistent with the federal laws under which we are required to operate.

Of the requirements that must be met for a State Employment Service to become a part of the Federal-State system and to receive Federal grants covering 100 percent of administrative costs, probably the most basic is the one requiring a single State employment service. A single, integrated, full-functioning employment service is essential both to serve adequately those who most need help to get jobs and to make the most efficient use of resources, both money and personnel.

A.B. 1463, even with the many amendments through July 1, would provide for two employment services; one service, not a part of the nationwide Federal-State system, would serve only the disadvantaged (as defined in the bill) in "economically disadvantaged areas", and the other, a part of the Federal-State system, would serve only those not eligible for service from the new division. There are no parallels in any State for this kind of separation in the existing organization of the employment service. Where there are offices specializing in placement of young people, and other offices specializing in certain industries or occupations—such as Farm Labor Offices, Industrial Offices, or clerical and professional offices, these offices are required to—and do—meet all the requirements of the Wagner-Peyser Act, and are open to all without restrictions relating to economic need.

The second major area of conflict not removed by the July 1 amendments, relates to the use of funds. Federal enabling statutes and appropriation acts contain directives and limitations on the expenditure of Federal funds. The Department of Labor is bound by these conditions in making funds available to States either as grants under the employment security grant-in-aid program, or as allotments to an agency acting as an agent of the Federal government under a program like MDTA. A.B. 1463 even as amended continues to provide for diverting a portion of the funds granted under the Wagner-Peyser Act to the restricted clientele of the new division. It also provides that the funds made available to California as an agent of the Federal government under provisions of the MDTA are to be used in accordance with directives and limitations in this bill. Inclusion in section 10500(b) of the phrase "to the extent permissible under Federal law" does not remove the problem since there are federal limitations and requirements on expenditures in addition to the proportion of funds to be spent in disadvantaged urban areas.

The actions of Department personnel in connection with this bill provide no basis for the allegations in your July 3 letter and press release.

The Department does not generally, and did not in this case, attempt to dictate legislative action to a State. The Department has a long-standing practice, however, of advising a State whenever there is substantial question as to the conformity with Federal requirements of a pending legislative proposal. My June 10 telegram was pursuant to this practice.

Appearance of Department of Labor representatives at the July 3 hearing of the State Senate Committee was, as you know, at the express invitation of the Committee Chair-

man to ". . . appear before our Committee and testify on issues and points raised in your teletype. . . ." Because of the complexity of the issues, and the limited time of the Committee, the Department representative, Mr. Goodwin, presented a written statement and oral testimony.

In both his written and oral testimony, Mr. Goodwin clearly recognized that there had been numerous amendments "directed to meeting the problems raised by the conflict between the State bill and Federal law." While the written statement related to A.B. 1463 as it passed the California Assembly and as amended through July 1, the oral testimony was directed entirely to the amended bill. Mr. Goodwin made clear in both statements, that a finding that a State's employment security program is out of conformity with Federal requirements is the responsibility of the Secretary of Labor not delegated to anyone—and is made only after a State has been given notice and opportunity for a hearing.

The Department of Labor personnel involved in the lengthy discussions with your representatives of the conflicts between A.B. 1463 and Federal requirements and of the possible changes did not make any commitments as to the effect of the changes being discussed. Rather they pointed out that the changes proposed did not, in their opinion, entirely remove the issues raised by the original bill, but in any event, the amendments would have to be carefully reviewed by the Solicitor's office in Washington.

There are limits, of course, established by the Congress that both of us must observe. Within these constraints, though, I'm convinced there is abundant room for the display of creative state initiative. We have been and earnestly continue to welcome your efforts and will respond in good faith and with good will to any suggestions you may wish to make as to where we go next.

Sincerely yours,

STANLEY H. RUTTENBERG,  
Assistant Secretary.

JULY 10, 1968.

Senator RICHARD J. DOLWIG,  
Chairman, State Committee on Government  
Efficiency, State Senate, Capitol Building,  
Sacramento, Calif.:

California Assembly bill 1463 as amended May 23 conflicts with requirements of Wagner-Peyser Act, and other Federal laws. Enactment of A.B. 1463 would necessitate call for hearings by Secretary of Labor on withholding of Federal grants for employment service and unemployment insurance and on terminating MDTA agreement.

The 4 major conflicts are: (1) Federal statutes require that Federal training and placement moneys made available to States be spent for the purposes for which they are made available and in accordance with the authorization and appropriation statutes; A.B. 1463 calls for commingling Federal funds with State funds, and allocating such funds in accordance with State established priorities and determinations. (2) The Federal statute on employment service requires that service be given to all "men, women and juniors"; A.B. 1463 would limit placement services by any State agency to certain needy categories. (3) Federal employment service statute also requires a single State employment service agency; A.B. 1463 would create duplicating employment services. (4) Federal statutes on unemployment insurance require that unemployment insurance be paid through public employment offices, and that it be paid without regard to individual economic need; A.B. 1463's provisions for employment services on the basis of economic need conflict with these requirements. Detailed explanation of these conflicts is given below.

(1) Section 5(b) of the Wagner-Peyser Act provides that the Secretary of Labor determines the amount necessary for proper and

efficient administration of a State's public employment offices. See also 20 CFR 602.22. Under section 9 of the Wagner-Peyser Act, if a State has not complied with the Secretary's standards of efficiency or has not properly expended the moneys paid to it in accordance with the approved plan, the Secretary withholds further grants. In Federal programs such as MDTA, California is agent of the Secretary and Federal funds must be spent for the purposes for which they are made available, and in accordance with the authorization and appropriation statutes.

A.B. 1463 establishes a manpower development fund to which would be deposited State funds, employment service grants for YOC's, MDTA funds, and Federal funds under other anti-poverty programs.

These funds would be commingled and appropriated to the Department of HRD for the purposes of this act. A.B. 1463 specifies the conditions of eligibility and priorities for service, which differ from those under the various Federal programs. Provision is made for periodic review by the State legislature, but not for accountability to the Federal agency providing Federal funds. (2) Section 3(a) of the Wagner-Peyser Act requires the employment offices to provide services for all "men, women, and juniors" who are legally qualified for employment. Section 3(b) of the Age Discrimination in Employment Act of 1967 contains a prohibition against age classification by the public employment service with respect to individuals between 40 and 65. Public employment services are also required by Federal law to give priority in service to veterans, and to have arrangements with vocational rehabilitation agencies for special services to the handicapped, and with vocational educational authorities.

Sections 9106-9110 and 10500 of A.B. 1463 set forth limitations on expenditure of job placement funds and services which restrict services of the HRD Department to those who meet specific requirements of need in terms of family or individual income, family status, age and sex, as well as geographic location and ethnic characteristics. Section 9609 requires HRD disapproval of any publicly funded placement program with private employers administered by any State agency which is inconsistent with this bill. No Federal money granted under Wagner-Peyser Act for employment service operation can be used for placement programs subject to the limitations set by A.B. 1463.

(3) Section 4 of the Wagner-Peyser requires "a State agency with all powers necessary to cooperate with the uses under this act" including authority to submit the plan of operations required under section 8, and the reports of operations and expenditures required under section 9. Single agency requirement designed to assure most efficient use of funds by preventing duplicating employment services. California State Department of Employment is, by California legislative action, designated as the single State agency. Section 9609 of A.B. 1463 provides that the department of HRD shall "be the sole State agency to approve and coordinate publicly funded training and placement programs with private employers," and requires the department to disapprove plans not consistent with the bill. Since the director of HRD has a veto over the plans of the California Employment Service, the Department of Employment does not have "all powers necessary" to cooperate with the uses.

Moreover, A.B. 1463 provides for performance in HRD Department of many services essential to a public employment service. Even if section 9609 of A.B. 1463 is construed by State authorities as not limiting the California State Employment Service to those eligible for service under the bill and the State Employment Service is permitted either to service everyone who comes to it or only those not eligible under A.B. 1463, with members of the eligible group being referred by it to HRD, the result would be duplication of

services and programs which defeats both the objective of A.B. 1463, to ensure no duplication, and the congressional requirement of a single State employment service.

(4) Section 303(a)(2) of the Social Security Act and section 3304(a)(1) of the FUTA require payment of unemployment insurance through public employment offices or such other agencies as the Secretary of Labor may approve. Objective of the requirement is to assure that claimants receive appropriate help in reemployment, irrespective of individual economic need. The Secretary has never approved any other agencies, and has specifically ruled against payment through welfare offices. Requirement of A.B. 1463 that placement programs be consistent with objectives of giving all placements to those "in genuine need" makes it questionable that unemployment insurance claimants get necessary placement services. If unemployment insurance claimants are classified according to need to determine whether they are to receive placement service from employment service office or HRD office, there is conflict with basic principles that unemployment insurance must be paid without regard to need.

STANLEY H. RUTTENBERG,  
Assistant Secretary and Manpower Administrator.

#### GRASSROOTS DEMAND BETTER FIREARMS LAWS

Mr. DODD. Mr. President, public demand for the strictest kind of Federal firearms laws has not subsided. It has been on the increase for 30 years and is now at an alltime high.

Grassroots public opinion is clear.

Our people want to live secure in the knowledge that deadly firearms are out of the reach of those hellbent on a public outrage.

And it is also clear that the public is ready to accommodate a minor inconvenience for that security.

I would like to call this public concern to the attention of my colleagues as we approach debate on the firearms legislation now pending before the Senate.

Mr. President, I ask unanimous consent that this brief sampling of editorial opinion be printed in the RECORD. I shall add to it in some quantity from time to time.

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

[From the Asbury Park (N.J.) Press,  
July 17, 1968]

#### OUR ATTITUDE TOWARD GUNS

Officials at Boy Scout headquarters in New Brunswick have indicated that the organization's attitude toward guns may be drastically altered. Programs such as the merit badge award for marksmanship and the acceptance of gun advertising in the official magazine are under review.

In suggesting a change in its "attitude" toward guns the Boy Scout organization is cooperating in a nationwide campaign to reassess the place of guns in the American society. For generations ranging back to the earliest settlements on the east coast guns were part of our heritage. They were needed to hunt the wildlife that were a major source of food, to keep the Indians at bay, and to protect the family homestead against malicious trespass. Had it not been for the muzzle loaders the Minute Men could not have fired the "shot heard 'round the world" and Washington's army would not have won the independence that created a new nation.

In the decades that followed guns were essential to the conquest of the west and

to supplying food and protection to stalwart people who settled in the wilderness. And for another century a society that was largely rural considered a gun hanging on the mantel as indispensable as the clock above it.

But in a rather sudden fashion, as time is measured, we have become an urban society and to the apartment dweller in a teeming city a gun is about as useless as a horse and buggy. Weapons that good citizens once used to protect themselves are falling into the hands of criminals who use them in a murderous attack on society. Thus it has become advisable to place the sale and possession of guns under controls in an effort to reduce the tragic toll taken by those who abuse them.

The Boy Scout movement is steeped in rich traditions, in love of country and love of nature and the ability to cope with it. Guns were part of this tradition and they will remain so in the hands of law abiding marksmen and hunters and law enforcement officers. But we have learned that the indiscriminate advertising and sale of lethal weapons leads to the assassination of leaders and to murder in the streets. Such violence is in ugly contrast to the traditional use of firearms as a source of food and protection. Not only the Boy Scouts, but the entire nation, should review its attitude toward guns lest they become a grim rather than a glorious part of the American heritage.

[From the St. Louis (Mo.) Post-Dispatch, Aug. 22, 1968]

#### WHY GUNS ARE BOUGHT

Statistics compiled in a survey by the Stanford Research Institute provide a powerful argument for adequate gun control legislation. The researchers found that twice as many firearms were sold in 1967 as in 1963; the only conclusion that can be reached is that these guns were not bought for sporting purposes, but for purposes connected in some way with urban riots.

The researchers said that the increased gun sales were partly the result of "grossly exaggerated" reports of sniping and use of firearms in civil disturbances. It is quite likely that most persons who have purchased weapons because of their reaction to riots are the very persons who should not have guns at all. The chances are they are inexperienced in handling firearms responsibly, and are a danger to themselves as well as to others.

Registration and licensing laws might not get all the weapons now in private hands (the researchers placed the number at 115 million) but they certainly would put brakes on this sort of dangerous panic buying. As the researchers said, "The dangers of living in a society where violence by firearms has reached unacceptable levels clearly outweigh the inconvenience for those who would be required to register under an effective law."

The ineffectiveness of current law was demonstrated in St. Louis just the other day when two young men displaying shoulder guns turned up as former Congressman Adam Clayton Powell visited the city. Both were in apparent violation of the National Firearms Act, but the city would have an easier time moving against them under a proposed ordinance being considered by the Board of Aldermen. Stronger laws are needed at both the national and local levels.

[From the Las Vegas (Nev.) Sun, Aug. 5, 1968]

#### LAWMAKERS SHUN ACTION ON GUN CONTROL LAWS

The action of the nation's lawmakers, or perhaps lack of action is the more appropriate term, in failing to write an effective gun control defies all logic.

A recent Congressional Quarterly survey discloses that there is a definite correlation

between strict laws governing the possession and sale of firearms and lower murder rates and murder by guns.

The Eastern states, for example, have the strictest gun laws and they have the lowest murder and gun death rates.

The Southern states, which have the most lax gun laws and whose lawmakers generally oppose stringent gun laws, have the highest murder rates and the largest percentages of murders by guns, according to FBI statistics.

Nevada's national lawmakers generally vote right along with the Southerners on matters of gun control, ranked fifth in the United States in 1966 in the murder rate and 11th in the number of deaths by gunshot.

The FBI's 1966 Uniform Crime Report showed that Nevada's murder rate is 10.6 each 100,000 population, fifth in the nation and that there were 48 murders in the state during the year.

Of all the murders committed in Nevada in the years 1962-65, 66.9 per cent were gun deaths and that gives the state an 11th ranking nationally.

However, last May, when Sen. Edward Kennedy, D-Mass., proposed an amendment to the omnibus Crime Bill to ban the interstate shipment of rifles and shotguns, both Nevada Sens. Alan Bible and Howard Cannon voted against it.

And on July 24, when the House passed H.R. 17735, which prohibits the interstate shipment of rifles and shotguns and handgun ammunition and restricts the out-of-state purchase of rifles and shotguns, Rep. Walter Baring was among those voting "No."

Nevada's murder rate of 10.6 for each 100,000 population is surpassed only by Alaska, District of Columbia, Alabama, Georgia, and South Carolina.

A District of Columbia law which goes into effect in November, requires the registration of all firearms and the licensing of gun owners.

Many of the Eastern states with low murder and death-by-gun rates already have similar laws, but their effect is reduced by the fact that many mail-order houses ignore state and local regulations when selling firearms.

The 12 Eastern states had 4.4 murders per 100,000 population in 1966, with firearms used in 39.2 per cent of all murders between 1962 and 1965.

The 13 Southern States had a murder rate of 10 and a murder-by-gun rate of 66.9. The far west rate is 5 and 54.7 respectively and the national average is 5.6 with 50 per cent by the gun.

The Nevada rate is much higher than the national average and is more near the Southern rate statistically.

[From the Leesburg (Fla.) Commercial, Aug. 11, 1968]

#### A FACTUAL CASE FOR GUN CONTROLS

If someone really wants to do you in, he will, whether or not he can lay his hands on a gun.

This statement, frequently expressed these days because of the debate over gun control laws, is plausible enough. If someone really wants to do you in, he'll find a way.

A look at actual homicide statistics, however, indicates that a substantial percentage of homicides result from attacks that were not made with the single-minded intent to kill.

Franklin E. Zimring, assistant professor of law at the University of Chicago, studied more than 1,400 homicides and 22,000 assaults recorded during 1965, 1966 and 1967 by the Chicago Police Department. His findings show that:

No less than 78 per cent of all killings, as classified by the police, resulted from quarrels based on domestic problems, liquor, sex, etc.

The gun and the knife were interchangeable weapons for persons who resorted to violence to settle personal arguments.

Some 70 per cent of all gun homicides resulted from a single wound, although a "single-minded intent to kill" should prompt the attacker to insure his result by multiple wounding.

Knife attacks resulted in more multiple woundings than gun attacks, yet there were five times as many killings by gun as by knife.

Zimring thus concludes that the elimination of guns would reduce the number of homicides.

Perhaps we can never solve the problem of interpersonal violence. But perhaps we can make it a little less deadly?

[From the Toledo (Ohio) Blade, Aug. 7, 1968]

#### GUN-LOBBY CHALLENGE

A pet argument of opponents to gun controls is that regulatory laws would deprive citizens of weapons they may need to defend themselves against an attempted takeover by a Communist or other dictator country. In a speech the other day on the need for firearms legislation, Toledo Councilman Andy Devine called this contention a "false sense of security." His understatement was generously kind to those who hold the view.

First, of course, there is no seriously proposed gun bill we know of that is aimed at depriving anyone of firearms except those such as criminals and incompetents who obviously ought not to have them. The legislative efforts are not intended to take guns away but to regulate their sale, possession, and use for the reasonable protection of society.

Second, the customary underpinning of this argument about defending against an enemy is the Second Amendment to the Constitution. Gun enthusiasts interpret it as bestowing an individual right upon all citizens to bear arms, conveniently ignoring the reference in the first words of the amendment to "a well-regulated militia." Courts generally have considered that an important qualification, however, and no bar to regulation of individual firearms ownership.

But third, and most important, there is no need to bog down in legal arguments to show how false is the notion that the defense of the country depends upon small arms in every home. One need only ask: If the argument is valid, why have we spent staggering billions of dollars annually to build and deploy around the world the most powerful, most sophisticated military establishment on the globe and in history?

Ah, some will say, but suppose the invader manages to slip by or even defeat our military forces; what would the citizens do then if they had no guns handy? Obviously the citizens would be in trouble. But it is hardly sensible to believe that, if an attacker had enough power to wipe out the most massive defense establishment in the world, he could then be stopped with pistols and shotguns and rifles—even if they were blasting from every house in the land.

Nevertheless, if—as is probably the case from our experience—the pro-gun people stubbornly persist with their argument, we think it fair to suggest a challenge: While they are lobbying so vociferously against firearms regulation, are they willing at the same time to lobby just as hard to stop spending money on the military establishment in which they profess to have so little faith?

[From the Detroit (Mich.) Free Press, Aug. 15, 1968]

#### GREAT BUT NOT PERFECT

James Brickley, the Wayne County assistant prosecutor, might have gotten a little carried away in his enthusiasm for Toledo's new gun control law. It is good news, but it is a long way from being the whole answer.

As Brickley pointed out, the law doesn't cover Toledo suburbs bordering Michigan, where just about anybody with 10 bucks can buy a handgun. But the sorest spot was the city itself, and a tough law on hand guns is welcome.

Since Michigan has reasonably strict laws on hand guns, a great proportion of those used in committing crimes in the southern part of the state are imported from Ohio. And while the Toledo law does not prohibit their sale, it does make the process more difficult, with police controls on the purchaser and the dealer.

This, though, is only part of the problem. Congress has been willing to go almost as far as Toledo in controlling the sale and interstate shipment of handguns, but the powerful National Rifle Association has lobbied down any action concerning long guns.

As Robert B. McClellan, Detroit's assistant corporation counsel, pointed out, anybody old enough can legally carry a loaded rifle anywhere he wants. Gun dealers don't even need a license.

We concede that most gun murders, which account for more than half of all murders, are committed with handguns. But 30 percent are committed with rifles and shotguns.

The argument that gun control laws don't prevent crimes can be refuted with simple statistics. In New York, which has a stiff law, only 32 percent of all murders were committed with guns in the 1962-1965 period. In Texas and Nebraska, which cling to the pioneer tradition, 69 and 70 percent were, respectively.

Murders, in most cases, are crimes of passion. They depend on the instant availability of a suitable weapon—a gun of any sort, a butcher knife, a switchblade.

For our part, we can see no reason whatever why any private citizen should be allowed to have a handgun. It is questionable whether private guards, for that matter, should be armed with lethal weapons. And we can see no reason why anyone who owns a long gun, whether rifle or shotgun, should not be required to register it, to have a license, and to produce the license when purchasing ammunition.

This is no more infringement on the rights of citizens than the requirement that auto drivers have licenses and cars have registered tags.

[From the Battle Creek (Mich.) Enquirer and News, Aug. 15, 1968]

#### IN BITS AND PIECES, GUN CONTROL ARRIVES

The Toledo City Council passage of a city law to control sale of handguns in that Ohio municipality further convinces us that, in time, we're going to have widespread curtailment of gun traffic, even if it is a patchwork quilt of regulations.

San Francisco also has just enacted a new law requiring registration of all firearms by Oct. 1, more proof of our point.

Toledo's action must be of special comfort to law enforcement agencies in lower Michigan.

For many years, police in the Detroit area especially have complained that hoodlums had only to travel across the state line into Ohio, which has been more permissive than Michigan on gun control, and buy the weapon of their choice from a wide assortment.

The Toledo ordinance requires all gun owners to register them with the police within a month. Gun dealers and pawnshops must purchase licenses within 30 days or stop selling firearms.

Minors can't buy guns under the ordinance and out-of-towners must apply for registration and wait out a police check for possible criminal record.

Authorities in the Lake Erie city are pleased, but they lament area suburbanites aren't affected.

Ohio's legislature, spurred by lawmakers from the Toledo area, turned an ear to ap-

peals for a state gun control law last year. But the plug was inserted when the state chapter of the National Rifle Association and hunter and collector groups protested.

So the piecemeal approach to lawmaking on a subject crossing local community and state lines reigns again.

In defense of local and state bodies, it must be said that many of them were expecting stronger action from the Congress than we got. Congress this spring went just part way toward alleviating the gun traffic problem, despite a Louis Harris poll conducted in April indicating 71 per cent of the American public favored passage of federal gun control laws.

A so-called anticrime measure touching handguns became law in June as the first significant step toward federal gun control in 30 years.

Provisions, though, are limited to prohibition of interstate mail-order sales of handguns to individuals; banning of over-the-counter sale of handguns to nonresidents of a state or persons under 21; and curbing of imports and sales of surplus military weapons.

There was no provision for regulating sales of rifles or shotguns across state lines, but another bill for that has passed the House and is before the Senate now.

Americans have listened to the smoke-screen argument long enough that gun registration is "a misguided step toward a police state."

Good sense and the heat of the times say that somewhere under these layers of local, state and federal legislation law-abiding Americans may be able to find some confidence to feel a little safer again.

Having a gun in total secrecy doesn't guarantee that feeling. Not when you know every thug in town finds it easy to amass an arsenal.

[From the Dover (N.H.) Foster's Democrat, July 31, 1968]

#### THE THWARTING MINORITY

Not long ago the city council of a middle-sized Western city had a public hearing on a proposed gun control ordinance. The measure suggested was mild enough, its salient provisions being directed at keeping guns out of the hands of juveniles, criminals and mental incompetents, and at establishing a "cooling-off" period between purchasing and taking home a gun.

Mild or not, the proposal brought out the gun control opponents in force. Nearly 1,000 persons, all but a few of them against any city ordinance at all on the subject, were mustered in a mass attempt to sway the city fathers.

A few days later, the mayor—who had incidentally, been the object of threats and vilification because he called the hearing—announced the results of a citywide opinion survey done by a professional polling group. He noted that it showed overwhelming public support for some kind of gun control ordinance.

The episode is illustrative of what has been happening in Congress. The strident, organized opposition mounted by a distinct minority of the American public has once again thwarted efforts to enact effective federal gun control law. What we will have, when all the backing and filling is over, is a watered down substitute for the sensible measures that were proposed.

Without commenting on evidence in the case we might point out that the murder of a Rochester woman this past weekend would probably never have occurred had a strict gun controls law been in effect.

The great majority of Americans favor nationwide regulation to lessen the innate hazards in substantially unregulated sale and possession of firearms. The American people have been profoundly disturbed by the assassination of President Kennedy and the

successive political murders that followed. They are dismayed to find that our gun-murder rate is far higher than in most civilized countries, and that guns have taken more lives here at home in this century than were lost in all the nation's wars.

Most people, in short, want effective controls; poll after poll has shown that. But Congress has responded again, instead, to the pressures of the National Rifle Association and like-thinkers. A little progress was made this time around, but not much. The task of enacting the sort of gun controls a large majority of the American people want will be up to the next Congress.

[From the Cleveland (Ohio) Plain Dealer, Aug. 18, 1968]

#### GO SLOW ON GUN IMPORT BIDS

By being in no hurry to complete its study of a flood of applications for handgun import licenses, the United States Department of State is performing good public service.

What the country does not need at this point is an additional stockpile of 400,000 low-price, low-caliber weapons that are the favorite of holdup men and others bent on crimes of violence.

Prior to June 19 when President Johnson signed the Omnibus Crime Control Act, the State Department this year had approved import licenses for 1,314,000 handguns.

The new law's ban on imports of the cheap, foreign-made guns does not become effective until Dec. 15. A flood of license applications which would cover importation of 400,000 weapons was received after June 19. Obviously they sought to beat the Dec. 15 import deadline.

Action might be taken, when Congress returns in September, on a bill to advance the effective date of the import ban. That is one good reason for the State Department to continue taking plenty of time for study of the import license applications.

Another good reason is that Congress in the Crime Control Act declared handguns to be a threat to public order. It is the duty of all agencies of the federal government to recognize and deal with that threat.

America does not need an additional supply of 400,000 cheap but deadly weapons.

[From the Perkasie (Pa.) Central News-Herald, July 3, 1968]

#### GUN LAWS

Few legislative efforts have stirred the public more than proposals on gun laws since the recent Kennedy tragedy. The fact interest is so widespread and down to the grass roots of American society is emphasized right here in the Pennridge. The community is divided.

Many sportsmen here speak out against any gun registration just as they are elsewhere. Some of their arguments merit consideration. Some also promote general misconceptions.

Their best arguments are that many laws already are on the books and not enforced; that regardless of new legislation, the punks will continue to get firearms and that due process should be followed in establishing any new codes. It's true, rapidly drafted, emergency legislation certainly won't be as satisfactory as well-considered, well-conceived acts might be.

On the other side of the coin, there is reason to look with reservation to some of the stories being promoted. Some sportsmen seem to imply gun registration would be a first step in stripping the public of all its firearms. Also that registration is against an individual's human rights. Neither argument holds water.

Almost all effort towards any type registration is established for one of several reasons, (1) safety and welfare; (2) revenue; (3) establish permanent proof of ownership. We deed properties for proof of ownership. We buy dog tags because revenue is raised in the process. We register cars. In many

areas, families must register with authorities for the privilege of moving furniture from the premises. A strange law indeed, but it's geared to catch up with that very small minority that would leave without completing its tax obligations.

None of these codes were established to strip the public of anything. None created public controversy except perhaps the related fees.

Sportsmen are presently rightly concerned. And they should be. The public joins them in seeking fair legislation.

But efforts towards fair legislation, should not get an immediate cold shoulder and opposition for the fair-minded sportsman.

It's difficult to comprehend how registering a firearm can be called a major handicap to the average citizen. There are far more cumbersome codes in effect now on other matters. History shows they have created little handicaps.

[From the New Brunswick (N.J.) Home News, Aug. 5, 1968]

#### PRIVATE ENTERPRISE ACTS TO CONTROL GUNS

Despite the Congress' apparent inability to see their way clear to enacting meaningful gun control legislation, private enterprise, in the form of large chain department stores, has apparently seen the light and, on their own, have begun some important changes in their gun selling policies.

For example, Bradlees Department Store, a New England based chain with a new store under construction at the Routes 1-130 traffic circle, has decided to discontinue selling guns and ammunition.

As a spokesman for the chain pointed out, "Anyone who is community minded will agree that something should be done about the increase in violence. This is our attempt to do something."

Perhaps the most far-reaching revision of a chain store's gun-sale policy came from Sears Roebuck and Co. A Sears retail store at Route 1 and Route 18 sells rifles, shotguns and ammunition.

Richard Carter, regional director of public relations in Philadelphia, said recently that the company has eliminated its mail-order sale of guns, an area where Sears had traditionally done substantial business.

To purchase a weapon from Sears, a person now must come to the store personally and prove he is over 21 years of age, in addition to complying with local laws.

Sears is also de-emphasizing the advertising and sales promotion of weapons and ammunition in its retail stores, although sales will continue. In addition, the display of weapons will be greatly toned down.

E. J. Korvette's has discontinued completely both the sale and the display of weapons of any kind, while at Two Guys from Harrison, the gun sale policy is currently under study.

Needless to say, we are glad that such action has been taken by the chain department stores in our area. This certainly is the right and proper place in which private enterprise should operate. It is good to know that there are many companies with enough public conscience to take action on their own without waiting for a law to be enacted which would force them to take that action.

[From the Pittsburgh (Pa.) Post-Gazette, Aug. 12, 1968]

#### GUN-LOBBY CHALLENGE

A pet argument of opponents to gun controls is that regulatory laws would deprive citizens of weapons they may need to defend themselves against an attempted takeover by a Communist or other dictator country.

First, of course, there is no seriously proposed gun bill we know of that is aimed at depriving anyone of firearms except those such as criminals and incompetents who ob-

viously ought not to have them. The legislative efforts are not intended to take guns away but to regulate their safe, possession, and use for the reasonable protection of society.

Second, the customary underpinning of this argument about defending against an enemy is the Second Amendment to the Constitution. Gun enthusiasts interpret it as bestowing an individual right upon all citizens to bear arms, conveniently ignoring the reference in the first words of the amendment to "a well-regulated militia." Courts generally have considered that an important qualification, however, and no bar to regulation of individual firearms ownership.

But third, and most important, there is no need to bog down in legal arguments to show how false is the notion that the defense of the country depends upon small arms in every home. One need only ask: If the argument is valid, why have we spent staggering billions of dollars annually to build and deploy around the world the most powerful, most sophisticated military establishment on the globe and in history?

Ah, some will say, but suppose the invader manages to slip by or even defeat our military forces; what would the citizens do then if they had no guns handy? Obviously the citizens would be in trouble. But it is hardly sensible to believe that, if an attacker had enough power to wipe out the most massive defense establishment in the world, he could then be stopped with pistols and shotguns and rifles—even if they were blasting from every house in the land.

Nevertheless, if—as is probably the case from our experience—the pro-gun people stubbornly persist with their argument, we think it fair to suggest a challenge: While they are lobbying so vociferously against firearms regulation, are they willing at the same time to lobby just as hard to stop spending money on the military establishment in which they profess to have so little faith?

[From the Lorain (Ohio) Journal, July 26, 1968]

#### FIREARMS ABUSE DATA'S FIGURES ARE ALARMING

The Justice Department report on firearms abuse throws a welcome bucket of cold water on some of the arguments frequently advanced by those who oppose firm gun control legislation. Anyone who tries to consider the matter rationally and fairly, without regard to emotional charges that an attempt is being made to "disarm the American people" and so on, cannot fail to be disturbed by these figures.

Statistical data on the firearms toll in this country have long been available. It has often been noted, for example, that during this century many more Americans have died through firearms abuse here at home than were killed in the nation's wars. The special impact of the Justice Department report comes from the fact that, for the first time, it presents all pertinent data in one document.

The figures are harrowing. It is noted, for example, that on the average there is one death by firearms in the United States every 30 minutes—a total of almost 20,000 firearms homicides, suicides and fatal accidents annually. The report also provides the estimate that more than 42 million Americans own firearms, and that four and a half million were purchased for private use last year.

One of the most significant passages of the report, in light of the present controversy, is this: "States with strong firearms laws tend to have fewer murders with guns than states with weak firearms laws and tend to have lower overall murder rates." The Department of Justice supports its conclusion with figures: whereas firearms murders range from 24 per cent to 43.2 per cent of the murder

total in the "strong gun law states," in the "weak gun law states" the percentages range from 62 to a high of 70.9 per cent.

There has been a lot of propaganda and loose talk on both sides of the gun control question. Those who would like to make a judgment on the basis of pertinent facts should consider the Department of Justice report.

[From the Portsmouth (N.H.) Herald, July 30, 1968]

#### GUN LAW FIGHT NOT YET OVER

The assassination of President Kennedy, for all its profound traumatic effects, was not a sufficient stimulus to counteract the work of the gun lobby and prod Congress into enacting strong gun control legislation. The assassination of his brother, Sen. Robert F. Kennedy, has now also failed to provide the necessary impetus to force passage of such law.

One might argue, perhaps with a touch of cynicism, that this is as it should be—that isolated events of this kind do not in themselves warrant passage of effective federal law curbing the sale and possession of firearms. The argument has some merit if taken simply at face value. Clearly, the murderous acts of two men—political fanatics, psychotics, call them what you will—are not in themselves a satisfying argument for such legislation.

The essential point ignored in this outlook is that the assassinations—and additionally the shooting of Dr. Martin Luther King Jr.—cannot be considered out of context. They merely dramatize the atmosphere of violence which infects American society, and whose manifestation is fostered by the loose controls we exercise over the scores of millions of guns possessed by citizens. The point made by the more reasonable advocates of firm gun control is not that this would prevent political assassinations, but that in due time such law would tend to put a damper on use of the gun as the "great equalizer."

The phrase, significantly, is still advanced by gun control opponents as an argument for their viewpoint. The fact is that this concept tends to undermine the whole rationale of virtually uninhibited access to guns. For the gun is indeed the "great equalizer," in the unintended sense that it enables one madman to destroy a great leader and disrupt a nation.

Congress has again, in large part, bowed to the will of the gun lobby. The matter must be taken up again early next year when the new Congress convenes. The need for firm, sensible gun controls remains.

[From the Cocoa (Fla.) Today, Aug. 14, 1968]

#### SCRATCH 1,087 FLORIDIANS

A great tide of statistics have swept across this desk in the past month, "facts and figures" used to bolster the case against gun controls.

Because we are in favor of a strict gun control law, we'd like a moment for rebuttal.

Firearms took the lives of 1,087 Floridians last year—double the number of a decade ago.

The increase during the 10-year period ran far ahead of the state's population growth.

The rate for homicides by firearms for each 100,000 population rose from 5.4 in 1957 to 8.6 in 1967.

The national rate, 3.3, has been virtually steady since 1950.

There has been a constant rise in the state however, year by year, of deaths involving firearms.

A comparison over the decade looks like this:

Deaths:	1957	1967
Homicides	168	525
Suicides	231	446
Accidents	37	116

If the case for or against gun control is going to be argued statistically, we thought you'd like to see both sides.

[From the Florence (S.C.) News, July 23, 1968]

#### ROCK HILL EVENING HERALD: SOUTH CAROLINA'S SHOCKING HOMICIDE RATE

The report that South Carolina leads all of the mainland states in the homicide rate is shocking. Oddly, only Alaska has a higher rate of murder in relation to population.

According to the Federal Bureau of Investigation, the homicide rate per 100,000 persons in South Carolina is 11.6, just under the rate of 12.9 in Alaska.

The figure for the Palmetto State is even more disturbing when matched against those of other states with reputations which might have led to the assumption that more violence existed in them.

New York State, for example, has a rate of only 4.7 homicides per 100,000 of population, about the same as the California rate.

Pennsylvania and New Jersey, both highly industrialized, have rates of only 3.2 and 3.5, respectively.

Why is the rate so high in South Carolina? Columbia Detective Harry T. Snipes makes the point that New York and California have more rigid controls over the sale of firearms, and from this draws the conclusion that more stringent control is needed in South Carolina.

This may be the case; it also may be an oversimplification. But it is worth wondering about—and worrying about, too.

[From the Chicago (Ill.) Sun-Times, Aug. 21, 1968]

#### AND THE GUN TRAFFIC MOUNTS

With the nation's legislators engrossed in political rhetoric, it may appear fruitless to cry out again for tough gun controls.

Yet, since much of the rhetoric concerns law and order, it should be pointed out that firearms—those machines of potential lawlessness and disorder—are being purchased by private citizens at an alarming rate.

The Stanford Research Institute, in a five-month study financed in part by two major gun manufacturers, found that more than twice as many guns were sold in 1967 as were sold five years earlier. At a conservative estimate, the study said, there now are about 115,000,000 firearms in private hands in the United States.

Perhaps more important than the figures, however, is the finding that the citizens are arming themselves "in anticipation of future riots."

The enormous potential for needless bloodshed is frightening, particularly since, in the absence of strong national gun controls, there is little that can be done to weed out incompetent and even deranged gun purchasers.

Law enforcement agencies are charged with protecting the public and maintaining order. It is apparent from comments by police quoted above that the responsibility is taken seriously. Formation of armed citizen camps will just make their job more difficult. Congress should recognize that and pass strict gun controls.

[From the Fremont (Ohio) News-Messenger, July 26, 1968]

#### FIREARMS ABUSE DATA

The Justice Department report on firearms abuse throws a welcome bucket of cold water on some of the arguments frequently advanced by those who oppose firm gun control legislation. Anyone who tries to consider the matter rationally and fairly, without regard to emotional charges that an attempt is being made to "disarm the American people" and so on, cannot fail to be disturbed by these figures.

Statistical data on the firearms toll in this

country have long been available. It has often been noted, for example, that during this century many more Americans have died through firearms abuse here at home than were killed in the nation's wars. The special impact of the Justice Department report comes from the fact that, for the first time, it presents all pertinent data in one document.

The figures are harrowing. It is noted, for example, that on the average there is one death by firearms in the United States every 30 minutes—a total of almost 20,000 firearms homicides, suicides and fatal accidents annually. The report also provides the estimate that more than 42 million Americans own firearms, and that four and a half million were purchased for private use last year.

One of the most significant passages of the report, in light of the present controversy, is this: "States with strong firearms laws tend to have fewer murders with guns than states with weak firearms laws and tend to have lower overall murder rates." The Department of Justice supports its conclusion with figures: whereas firearms murders range from 24 per cent to 43.2 per cent of the murder total in the "strong gun law states," in the "weak gun law states" the percentages range from 62 to a high of 70.9 per cent.

There has been a lot of propaganda and loose talk on both sides of the gun control question. Those who would like to make a judgment on the basis of pertinent facts should consider the Department of Justice report.

[From the Perth Amboy (N.J.) News, July 15, 1968]

#### GUN CONTROL HYSTERIA

The suggestion of the president of the New York City Board of Education that school rifle teams be abolished is an example of gun-control hysteria.

Such extremist measures are as invalid as the hysteria being mounted on the opposite side of the issue by those opposing any and all gun curbs.

It is important to note that hysteria on the gun-control question is by no means confined to those arguing against controls.

Training in marksmanship and hunting represent two major sports fields in this nation that have always existed and which will continue to exist.

The point that extremists on both sides fail to understand is that gun registration and federal controls over their sale in no way should deprive anyone from having a gun or using a gun in a lawful manner.

The only purpose of such legislation would be the effort to keep guns out of the hands of persons for whom gun ownership cannot be justified.

Regulation is not confiscation. Hysteria on both sides hinders progress toward a civilized control system in the best interests of the public.

[From the Oxford (Pa.) Press, July 1, 1968]

#### TOY GUNS

In the wake of the assassination of Dr. Martin Luther King and Senator Robert Kennedy a number of recent reactions which could lead to national deemphasis on our cowboy and violence-filled heritage are being taken.

The latest significant omen was the announcement by Sears Roebuck that it would no longer advertise and promote the sale of firearms, ammunition and toy guns. Other firms have announced they were halting such sales. Mail-order sales of guns and ammunition had been halted altogether by Sears and several other major houses earlier.

Gun control legislation recently passed by Congress and a national awakening on the subject of television violence and the growing crime rate in the United States indicate the day may not be far away when youngsters will no longer play so much shoot-em-up.

Instead of portraying cowboys who do a lot of killing in a stupid and lawless primitive society as heroes, it would seem we could focus the attention of our young people on a more meaningful and morally worthwhile interpretation of U.S. history.

Actually, the last four hundred years in America have produced much of great interest, historically, but most of this story has been overlooked because film producers discovered that violent tales of the "wild west" were money-making properties.

[From the Ellsworth (Maine) American, July 24, 1968]

#### THE GUN DEBATE

There are a great many legitimate misgivings about any legislation that imposes upon ordinary citizens new burdens of inconvenience and new intrusions of governmental discretion, however insubstantial. These misgivings apply to proposals for registering firearms of all kinds and licensing gun owners. Expressions of these misgivings are strictly in order and a part of reasonable debate and discussion.

Much of the opposition to all kinds of gun legislation goes far beyond these rational doubts into a kind of emotional hysteria and irrational frenzy. No one has seriously proposed legislation that would deny the constitutional right to bear arms. No such legislation is before Congress and none has been before it. The Courts long since have held state legislation regulating the use of firearms to be within the reach of the Constitution. The Constitutional issue is a red herring.

A letter in this issue raises this issue. In addition, it makes the equally fallacious argument that the strict provisions of New York's Sullivan Law have not curbed crime in New York. Actually, New York's record on crimes and accidents involving firearms is far better than that of states without gun laws.

Of course gun registration and licensing laws are not going to eliminate all crimes and accidents involving guns. It is wrong of the advocates of these measures to infer or suggest that they will do so. It is reasonable to hope that by limiting mail order sales of firearms and registering their ownership the appalling annual loss of life from firearms might be diminished.

How much inconvenience are we willing to submit to in order to cut down a casualty rate rivaling that of the war in South Vietnam? That really is the question. It can be debated reasonably without conjuring up false alarms of "socialism" or false hopes of eliminating all weapons deaths and injuries.

[From the Lakeland (Fla.) Ledger, Aug. 15, 1968]

#### LIVES HANG IN BALANCE

A room at Lakeland General Hospital. Doctors at hand, constantly on the alert. Nurses checking oxygen valves, pulses, blood pressures, temperatures.

All while life hangs in the balance.

In Lakeland General lies Detective B. W. Wilson of the Lakeland Police Department while his family waits and prays.

And every minute, while he fights for complete recovery, someone, somewhere in the U.S.A., is walking into a sporting goods store or hardware store and picking up a handgun, just like the one that stopped Wilson in his pursuit of duty.

A white-clad nurse comes in and checks Wilson's pulse and blood pressure, and smiles back at the grateful smile in his eyes.

Even as Wilson smiles, another of our 54 American killers a day fires another .22 or .38 slug into another police officer or civilian and runs for a car or the bushes. Our armed camp of 100,000,000 unregistered, unlicensed guns takes another toll.

Quietly, a team of doctors hovered over Wilson, after his second operation to stop

internal bleeding from the bullet wound in his liver.

And every hour they struggled for Wilson's life, two more Americans died from gunshot wounds.

Last year, over 20,000 Americans, a record high, succumbed to violence with guns while Congress debated the need for gun control.

Wilson is alive. He's out of the intensive care unit, but, still far from full recovery. His family files in to say "hello."

Meanwhile, U.S. gun manufacturers continue to mass produce handguns and rifles and shotguns at the rate of 2,000,000 per year. And importers bring in another million to sell like cameras over the counter.

And Congress, swayed by powerful lobbies, passes half-way measures to restrict mail order sales.

Wilson fights on. He's alive after facing the hidden gun of a hoodlum.

Not so with 1,087 other Floridians last year, many from "peaceful" Polk County. They died, like 750,000 Americans have died since 1900 . . . by gunshot wounds.

Ironically, more U.S. citizens have died from gunshot wounds at home than the 627,000 Americans killed in all our wars.

Tragically, our Congress and state legislatures have vacillated on real gun control measures, like registration and licensing. When Wilson recovers, perhaps we should send him, and others like him, to Congress. Maybe then all our lives wouldn't hang in the balance.

[From the Morristown (N.J.) Record, July 22, 1968]

#### THE FIGHT GOES ON FOR GUN CONTROL

Although there are strong indications that Congress may fail to pass a strong gun control law to include registration and licensing of weapons, the fight is not yet over.

At the moment, it appears that a bill calling only for a ban on mail order sales of rifles and shotguns will be moved.

Nevertheless, there are many who are not surrendering. They comprise another lobby, one which does not have the support of gun merchants or the National Rifle Association.

This is a group known as the National Committee for Gun Control, and it is headed by former astronaut John H. Glenn. Supporting this organization is a unit organized a few days ago, the New Jersey Emergency Committee for Gun Control.

The New Jersey group has a program that deserves vast public support. Its aim is to help gain a federal law prohibiting mail order sales and the licensing and registration of small and long guns. While most of our representatives in Congress favor strict controls, the committee wants to make certain that none of them change their minds before a vote is taken and that others join the camp for strong prohibitions.

The New Jersey committee contends that about 80 per cent of the nation's populace favors a tight law, and this attitude must be put before Congress again and again until the air of congressional compromise disappears under the strength of forthright action.

The call has been made by the committee for those who deplore uncontrolled gun ownership to act now—to write, telephone or telegraph members of Congress and express the nation's need to lessen the chances for new savagery.

There has been a high tide of demands for hard controls, but there also has been a concerted effort against them stimulated by the NRA and others. What is needed now is another flood of opinion from those who see no reason why guns of all kinds should be easily available to those who would use them for criminal purposes.

The New Jersey committee is asking for more than letters, telephone calls and telegrams. It is requesting that gun control committees be formed in every county, that the mayor of every municipality in the state

proclaim a Gun Control Week to further stimulate Congress to act as it should. The committee also is asking each local governing body to permit use of its municipal building as a central place where the public can sign petitions in favor of stringent measures.

Should Congress fail to enact the tough law required to combat a vicious evil, it would be to the entire nation's discredit. Failure to act also would put a stigma on Congress. The public's respect a Congress needs to maintain its prestige will not spring from genuflecting to lobbyists; it will come from disregarding professional pressures and from laboring for an important need.

There are 39 municipalities in Morris County. We urge that in each one a Gun Control Week be proclaimed soon, that every municipal building be used as a center for signing of petitions.

Three assemblymen are serving as co-chairmen of the New Jersey Emergency Committee for Gun Control. They are George C. Richardson (D.-Essex), Thomas H. Kean (R.-Essex) and Robert N. Wilentz (D.-Middlesex). They are leading the good fight, but they need the public's support—including those who already have voiced their desire for strict laws to their congressmen.

Write, mail or telegraph today! Sign a petition as soon as they become available! We hope the committee can secure sufficient funds to send copies of the signed petitions to every representative and every senator so there will be no doubts throughout the entire Congress about where New Jersey stands on gun control.

[From the Boston (Mass.) Herald Traveler]

#### THE PSYCHOLOGY OF GUNS

More Americans (34,229) were killed by guns between 1962 and 1967 in the United States than were killed in Vietnam (26,793) from 1961 to mid-August 1968.

This fact from the FBI's report on crime statistics, supported by current psychological research, reaffirms the necessity for Congress to pass effective gun control legislation when it reconvenes this week.

Because most murders are committed by relatives or friends of the victim, the FBI concludes, "criminal homicide is, to a major extent, a social problem beyond police prevention." And among the social factors that influence murder by firearm (58 per cent of all murders) is the availability of the weapon. In states with gun control laws, a generally smaller percentage of murders are committed by gun than in states with no laws or ineffective laws.

In New England, for example, Vermont and New Hampshire have notoriously weak laws and the other states relatively good laws. In Vermont and New Hampshire the percentage of murders involving firearms is well above the national average and in the others well below it.

The Stanford Research Institute estimates conservatively that there are 115 million guns in private hands in the United States. This figures out to about two guns for every male between 14 and 65. Noting that the U.S. is the leader among free industrialized nations in both total deaths by gun and in the rate per capita, the institute concluded that, with our generally lax gun laws, "The availability of firearms apparently contributes to human propensity to violence."

The current issue of *Psychology Today* magazine described experiments that showed that the mere sight of a gun strengthens aggressiveness. A group of volunteer college students were deliberately humiliated by the experiments. All were then given a chance to inflict electric shocks on their "antagonists." The group was divided in two. Half of the subjects were "accidentally" shown a gun before they fingered the electric switch. These students administered more shocks and longer shocks than did the subjects who did not see a gun.

As *Psychology Today* noted, quoting playwright Anton Chekov, "If in the first act you hang a pistol on the wall, by the third act you must use it."

[From the Raleigh (N.C.) News & Observer, Aug. 21, 1968]

#### GUN BUSINESS

Anticipating the enactment of new gun control legislation soon after Congress returns, federal officials have delayed approval of import licenses for about 400,000 foreign made handguns. The imports being delayed are described generally as "Saturday night specials," the cheap favorites of hold-up men in the big cities.

Obviously, somebody in the State Department is cutting a corner. Title IV of the omnibus Crime Control Act passed this year bans the importation of such guns specifically—beginning December 15. The basis for ignoring the date so clearly spelled out is the preamble to the law, which states that handguns are a threat to public order. Also, a bill pending in the Congress and awaiting the end of the recess called for party conventions, would remove the December 15 date, making the import ban effective from the date the President signed the original act.

That the State Department is acting a bit high-handedly cannot be denied. But it is equally apparent that the gun importers placing their flood of orders to get under the wire, are determined to make a last fast buck out of questionable commerce.

The greed of the gun merchants doesn't justify the arbitrariness of the bureaucrats. But the contrast deserves noting. Government officials are expected to have a high sense of fairness and neutrality. The profiters in the cheap means for violence are only participating freely in the market place.

[From the Royersford (Pa.) Weekly Advertiser, July 25, 1968]

#### CONGRESS IGNORES WISH OF PEOPLE

The overwhelming numbers of citizens who have, since the senseless assassinations of Dr. King and Senator Kennedy, beseeched Congress to enact a comprehensive gun control law, are about to learn that the American people are no match for the powerful gun lobbies to which their representatives cow-tow.

The Congress, which could have made a major contribution to law and order in this troubled nation, has side-stepped that responsibility, despite the fact that violence hangs like a heavy cloud over the whole land.

What makes the threat so real and terrifying is that the ruthless, the mentally sick and the person overcome by momentary passion can in this country find it so easy to get their hands on a gun. In no other advanced country in this world is it so easy. As former Justice Arthur Goldberg pointed out last week, an American is killed or wounded by gunfire an average of every two minutes of every day.

At the heart of proposed gun control legislation which the Senate has already rejected, and upon which the House is reluctant to act, is the registration of every gun and the licensing of every gun owner with police. The worn out argument about "hardship" for sportsmen is absurd. It would be no more of a hardship than it is for a prospective driver to apply for a driver's license.

The American Rifle Association slogan, "Guns don't kill people; people kill people," is patently silly. People with guns kill people, and more often than would be the case if guns weren't so accessible. After all, a one-armed dwarf with palsy could forever silence a Wilt Chamberlain, but he would think twice if he had to use a knife to do the job.

The mood of the nation in this matter is reflected in a report of this week from Texas in which President Johnson announced that an appeal to governors of the 50 states to

survey and tighten gun-control laws brought favorable answers from 40 of them. Georgia's Lester Maddox was the only one flatly opposed. Congress this year did not get the message the people tried to convey. It is up to the people to make sure Congress gets that message in November.

[From the New York (N.Y.) Irish Echo July 27, 1968]

#### RETREAT FROM SANITY

In an incredible series of moves, Congress has ignored the vast majority of the people and has killed two major gun control bills. Apparently bowing to a vociferous minority lobby, Congress has rejected gun registration as essential to the national good.

It is difficult to understand this blatant disregard for the peace and safety of all our citizens. The future of other gun control legislation according to most Washington sources is not good. Congress seems content with the fact that it has passed a law regulating the sale of guns by mail.

Though you must possess a license to fish, our federal legislators feel it is not necessary for you to go through a similar process to buy firearms. This reasoning is incomprehensible.

Opponents of gun control legislation pretend that the majority of Americans are also opposed to the passage of these bills. They have been most effective at promulgating this false premise. Apparently some members of Congress believe them. We think they will soon find out that this noisy lobby has led them down the garden path.

Recently President Johnson asked the governors of the 50 states to join in a study of how state gun control laws can be strengthened to prevent unqualified people from obtaining firearms.

Forty-five governors have now answered the President's appeal. One is opposed to it, four are noncommittal and 40 support the President's plan. The state chief executives are showing much better understanding of the electorate than is the Congress.

The Emergency Gun Control Committee, headed by Colonel John Glenn, is not taking Congress' action sitting down. The rapidly growing national organization is making plans to oppose Congressmen who have bowed to the gun lobby. It is a wise decision—one that deserves support of all.

How many rooftop snipers does it take? How many demented murders must we survive? Perhaps it's time for those in Congress who don't understand the problems of 1968 to retire to the porch. Gun control legislation—with strict gun registration—is essential to the health of this nation now.

[From the Duluth (Minn.) News-Tribune, Aug. 18, 1968]

#### WHAT OTHERS SAY: FEDERAL GUN CONTROL NEEDED

The approval of a limited gun control bill by the Minneapolis City Council is another example of what will continue to be done until Congress finds the gumption to enact a meaningful national law.

The Minneapolis ordinance provides for registration of sale of hand guns.

However, there is no mention of rifles, or long guns.

There were several reasons why the council stopped short of including rifles. One was the strong protest by members of the National Rifle Assn. and others urging on outdated constitutional grounds.

Of more significance and the one which produced at least equal pressure was the point of Minneapolis businessmen. They said prospective purchasers of rifles merely would go to suburban communities which did not have gun control ordinances and make their transactions there.

So it is across the nation with states which already have gun control laws, cities which have ordinances, or the more numerous which have none at all. Each reads differently and

each leaves a varying degree of escapement which tends to nullify their effectiveness.

Congress has shown few collective signs of passing stiff gun control legislation. The lawmakers would prefer to palm the whole thing off on the states—basically a good idea, but it is only a form of buck-passing in face of the hodge-podge of laws, outright indifference or delays which would result.

The frustrating experiences of the Minneapolis City Council—as illustration of what could have been done but wasn't—is doomed to be repeated in the continued absence of definitive and comprehensive Federal gun control legislation.—Mankato Free Press.

[A WTOP editorial, Washington, D.C.]

#### GUN CONTROL

(Editorial broadcast August 27 and 28, 1968, over WTOP radio and television)

This is a WTOP Editorial.

During the next several weeks, the suburban jurisdictions surrounding the District of Columbia will have their turn with the urgent proposition of gun control.

Prince Georges and Montgomery Counties will lead off with public hearings next week. Various governments in neighboring Virginia will confront the issue later in September and in October.

Some emotional turbulence is to be expected any time tight controls over firearms are being proposed, but this can be isolated for what it is if the residents of these communities understand clearly what the suggested do—and do not—prescribe.

None of the proposed firearms measures so far as we know, seeks to deprive the average citizen of the right to possess a pistol or a rifle. This central feature should not become clouded.

Registration and licensing of guns would be required, because only in this manner can such deadly weapons be denied to the potentially destructive individuals among us. Most of the proposed laws would not permit ownership of guns by persons convicted of crimes of violence, by narcotics addicts, by fugitives from justice, or by persons under 21 years of age—although, with parental consent, minors could own long guns.

Other laws long taken for granted in this country similarly withhold privileges—like the operation of motor vehicles or the practice of medicine—from persons in various categories. The obvious fact that regulation in any of these areas is never 100 per cent effective is no justification for avoiding an attempt to limit these activities for the common good.

Those who oppose strict but reasonable gun laws are, in effect, defending the right of volatile elements of the population to acquire exceedingly dangerous armaments.

It is not a sane public policy to permit the unlimited spread of guns. With courageous leadership, reason can prevail in the counties and cities surrounding the nation's capital, and the rest of the country can benefit from the example.

This was a WTOP Editorial . . . Norman Davis speaking for WTOP.

#### NEWS MEDIA COVERAGE OF DEMOCRATIC CONVENTION

Mr. McGEE. Mr. President, much has been said since the Democratic National Convention about the events that transpired in the streets of Chicago and about the coverage afforded these events by the news media, but particularly by the television networks. Certainly there were instances of severe provocation of police and National Guard troops in Chicago. This cannot be denied, any more than it can be denied that there was a bit of overzealous club swinging by those so

provoked, so that some innocent people were, unfortunately, injured.

Quite intentionally, Mr. President, I viewed the events in Chicago at first-hand, and, as a result, I am among those who must be counted critical of the coverage which was transmitted to millions of American living rooms by the networks. I did, in fact, witness incidents being staged for the benefit of TV cameramen. I came away very disturbed because of the impact television so obviously had on the minds of people everywhere in this country.

Mr. President, I was not, by any means, the only person so disturbed. In this morning's Washington Post, columnists Drew Pearson and Jack Anderson have indicted the television networks for their coverage in Chicago. Their column deserves attention, not only from those of us here in the Senate, but even more from the executives who are responsible for the operations of this powerful medium. They had best take an inward look at their operations. Soon.

I ask unanimous consent that the Pearson-Anderson column be printed in the RECORD.

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

#### NETWORKS SLANTED CHICAGO COVERAGE (By Drew Pearson and Jack Anderson)

This is a column which will make a lot of TV executives sore. It may also make some viewers skeptical about the TV coverage of the recent Chicago convention.

We attended both political conventions and witnessed violence in both Miami and Chicago. Outside agitators came to both cities to foment trouble that they hoped would attract the spotlight and tarnish the U.S. image.

Anyone who watched the two conventions on television might think that Chicago was exploding with violence while Miami was comparatively peaceful.

Yet in Miami, six persons were killed and the riot area was put under curfew. In Chicago, sniper fire was reported, but only one policeman was wounded. A bullet also hit a bus. The outbreaks never became serious enough to require a curfew.

After the Miami Beach convention we reported that the TV networks, angry over the \$3 million it was costing them to pull up their cables and transfer everything to Chicago, intended to retaliate by focusing attention on Democratic "disturbances."

The networks got their revenge. In Chicago they played up the violence which they had virtually ignored in Miami. They complained about tight security restrictions, which, incidentally, had also been imposed by the Republican Convention. They sought out the dissidents and featured them while the Democratic orators were expounding.

#### TELEVISION'S JOB

This raises two important questions about the role of TV at the Democratic Convention.

1. Did the TV cameras help incite the violence? There is little doubt that the provocations were planned largely for the benefit of television. We stayed at the Conrad Hilton Hotel, which was the center of most of the trouble. During the disturbances we mingled with the hippies and yippies. We found almost no action outside the circle of the TV klieg lights. Aside from some shouting and surging, little was happening in the darkness.

2. Did the TV networks make news? There is evidence that the TV networks, perhaps in their eagerness to generate high ratings for TV sponsors, encouraged dissidents to make inflammatory statements and helped to

stir up controversies. When the networks sell convention time to cigarette and oil sponsors for several million dollars, they have to keep up the viewing interest. One way of doing this is to pick fights, stimulate excitement, interrupt dull speeches and rollcalls. Once, the sound was switched on before the cameras focused on a TV newsman about to interview a prominent Democrat. The interviewer was overheard coaching his subject: "Let's keep this Kennedy story going."

The TV networks also presented an outrageously biased picture of the events in Chicago. They gave the impression, for instance, that the police were beating up innocent young people who had come to Chicago for peaceful demonstrations.

Certainly, the police were too zealous in swinging their billy clubs, and a lot of innocent people were hurt.

#### HIPPIE HECKLERS

But the TV networks scarcely mentioned the provocations that finally made the police lose their tempers. The hippies shouted obscenities, hurled rocks and bottles, sprayed chemicals, damaged police cars and generally defied police orders.

One group tore down the American flag and tried to raise a Communist flag in its place. Other agitators waved red flags and North Vietnamese flags. A couple of demonstrators slammed a huge chunk of cement through the window of a police car. Others stoned police cars, tossed cherry bombs and stink bombs, smashed windows, broke into liquor stores.

Jerry Rubin, the yippie leader, cried through a bullhorn for violence against the police, whom he called "pigs." Black Panther leaders, taking the stump in Lincoln Park, urged the demonstrators to break up into small groups and go on a rampage through Chicago's Loop. Other agitators made speeches that sounded like Radio Hanoi and Radio Peking.

The same night that police began cracking heads, 70 policemen were also injured. Several officers had to be hospitalized. By the end of convention week, 118 officers had been hurt.

This was a side of the story that the TV networks largely ignored.

We reported that the leaders ranged from Communists and anarchists to sincere pacifists. They were directed loosely by the National Mobilization Committee to End the War in Vietnam. The co-chairmen are Dr. Sidney Morris Peck, a former Communist, and David Dellinger, a pacifist who has been to Hanoi and is an apologist for Ho Chi Minh.

#### IMPLEMENTATION OF THE WORK OF THE SENATE SELECT COMMITTEE ON NATIONAL WATER RESOURCES

Mr. HART. Mr. President, shortly after my election to the Senate in 1958, I was privileged to be appointed as a member of the Select Committee on National Water Resources. The committee was established by Senate Resolution 48 of the 86th Congress which was submitted by our distinguished majority leader, Senator MANSFIELD, and his colleague, the late Senator James Murray, of Montana. The late Senator Robert S. Kerr, of Oklahoma, was chairman, and the distinguished minority whip, Senator KUCHEL, was vice chairman. Theodore M. Schad, now Deputy Director of the Legislative Reference Service of the Library of Congress, was staff director.

The submission of Senate Resolution 48 and the formation of the select committee reflected the increasing concern

of the Senate over the ability of the Nation's water resources to meet the needs of the decades ahead. Over the years immediately preceding the submission of Senate Resolution 48, Congress had been subjected to a barrage of reports on water resources which painted an alarming picture of the water resources problems faced by the Nation and made all kinds of recommendations for their solution. There were the two Hoover Commissions, President Truman's Water Resources Policy Commission, the Missouri Basin Survey Commission, President Eisenhower's Advisory Committee on Water Resources Policy, and a number of others. Most of the recommendations went unheeded and the reports gathered dust on the shelves of our committees in the absence of any definitive program for their implementation.

The select committee was different. Comprised of 17 Members of the Senate, this group of practical men, under the leadership of Senator Kerr, conducted a series of studies which pointed out the problems in a realistic way and made realistic recommendations for action necessary to their solution.

Several of us felt that the select committee did not go far enough toward pointing up the extreme urgency of the water situation, and I was joined by the late Senator Clair Engle, and Senators GALE McGEE and FRANK E. Moss in submitting supplemental views and additional recommendations which were appended to the committee's own report and recommendations.

In concluding our supplemental views, we stated:

... we believe that the water crisis is not something to be feared for the future. It is here now. It urgently demands immediate attention from all segments of our economy—governmental and nongovernmental. The American people must proceed with the programs and provide the governmental mechanism to assure more and faster water resource development.

A great deal of progress has now been made toward implementation of the recommendations of the select committee, by legislation or, in some minor items, by administrative action taken in the executive branch of the Federal Government. Nevertheless, the comments we made at that time are still true today. The task ahead looms even larger today than it did in 1961, because so many of our efforts have been too little and too late. Man is going to have to fight to preserve his right to exist on this planet. Continuation of past abuses of our environment can lead only to disaster for the human race.

It is my intention today to describe the recommendations of the select committee and how they have been implemented. But my principal purpose is to point out that we have only begun to do the job which must be done. We must mount an ever-continuing and increasing effort, if the needs of the Nation for water resource conservation and development in the decades ahead are to be met.

The committee's major findings and recommendations were contained in a 19-page summary and discussed in a substantiating report containing but 52 pages. Sixty-four additional pages were

devoted to describing the activities and the studies undertaken by the committee. Our supplemental views, and the individual views of Senator McGEE added another 11. The studies themselves were printed in a series of 32 committee prints. Further support for the findings of the select committee was contained in the printed record of the hearings held by the committee in 1959 and 1960 which filled four volumes.

In its report, the committee briefly defined the water resources situation in the United States in terms of water diversions as well as consumptive use. These were developed for the various purposes for which water is used, and related to water supply in each of 24 water resources regions into which the contiguous 48 States of the United States were divided for the purpose of the studies. The committee's principal recommendations were five in number and covered a series of steps which the committee believed necessary to enable the Nation to meet demands on its water resources over the decades ahead. In addition, the committee made a number of recommendations for progress in more technical fields.

The committee's water supply-demand study defined the national water supply and pollution abatement problem in terms of a minimum cost program to meet needs for a medium projection of economic activity in the years ahead based on an estimated growth rate for the economy of about 3 1/4 percent annually. The minimum cost program indicated the need for 315 million acre-feet of reservoir capacity for river regulation between 1954, the base year for the study, and 1980, at an estimated cost of \$12 billion, and an additional 127 million acre-feet between 1980 and the year 2000, estimated to cost \$6 billion more. Municipal and industrial sewage collection and treatment works under the same program would require new investments estimated at \$42.2 billion between 1954 and 1980 and an additional \$39.4 billion between 1980 and the year 2000. Total program would involve \$18 billion for storage facilities and \$81.6 billion for collection and treatment facilities or, in round numbers, a \$100 billion program.

Mr. President, these were rough estimates, based on a number of gross assumptions, but in my judgment they reflected the minimum program required to meet our needs.

Both the administration and the Congress accepted the challenge laid down by the committee, and over the years following the issuance of the report the Congress concerned itself with legislation to implement the select committee's recommendations to create a climate under which the Nation's water needs could be met.

The select committee's first recommendation called for the Federal Government, in cooperation with the States, to prepare and keep up-to-date plans for comprehensive water development and management of all major river basins of the United States, taking into account prospective demands for all purposes, giving full recognition to non-revenue-yielding purposes such as streamflow regulation, outdoor recreation, and pres-

ervation and propagation of fish and wildlife, and keeping in mind the ultimate need for optimum development of all water resources and for considering all practicable means of meeting demands. The committee suggested that the executive branch of the Federal Government submit plans to the Congress by January 1962 for undertaking and completing such studies in all basins by 1970, and that future reports on specific projects submitted by Congress for authorization should specify how the project fitted into the comprehensive plan, and should discuss the range of alternative purposes that might be served by the resources needed for the recommended projects.

Second, the committee recommended that the Federal Government stimulate more active participation by the States in planning and undertaking water resources development and management activities. This would be accomplished by a 10-year program of Federal grants to assist the States in river basin planning, with a minimum of about \$5 million in Federal funds being made available for matching by the States in preparing the comprehensive plans contemplated by the first recommendation.

Third, the committee recommended that the Federal Government should undertake a coordinated scientific research program on water aimed both at increasing available water supplies and making more efficient use of existing supplies. It was recommended that this would be accomplished primarily by first, expanding basic research programs, deemed essential by the committee for a major breakthrough in water resources; second, a more balanced and better-constructed program of applied research for increasing water supplies; third, an expanded program of applied research for water conservation and making better use of available water resources; and, fourth, evaluation of completed projects with a view to making them more effective in meeting changing needs and providing better guidelines for future projects. Again, the committee suggested that the executive branch should review on-going research programs and develop a coordinated program of research to meet the foregoing objectives and submit it to Congress in January 1962 so that it could be considered along with budget estimates for the next fiscal year.

The committee's fourth recommendation was that a periodic assessment of water supply-demand relationships, somewhat along the lines of the committee's own endeavor, should be made biennially for each of the water resource regions of the United States and submitted to the Congress by the executive branch of the Government, beginning in January 1963.

The fifth recommendation suggested steps to be taken by the Federal Government to encourage efficiency in water development and use by first, regulation of flood plain use to reduce flood losses, and delineation of flood hazard areas; second, more detailed studies of emerging water problems in areas in which water shortages will be most acute by 1980, with emphasis on minimizing adverse effects on the economy of the area caused

by water shortages; third, a study of future needs for major storage reservoirs with recommendations as to steps that should be taken to preserve any necessary sites so that they would be available for use when needed at minimum cost; and, fourth, holding public hearings in connection with Federal programs in order that the people affected may be more fully informed and that their desires may be more fully considered.

In addition, some specific recommendations were made throughout the substantiating material contained in the report for increasing research programs in what the committee called new technical methods for increasing the usefulness of water supplies.

Some of the first actions taken toward implementation of the recommendations of the select committee involved these ancillary recommendations and the action necessary to start on the major construction program which was shown to be needed. The select committee's findings to the effect that the water resources problems of the Nation involved more than \$4 expenditure for water pollution control and abatement for every \$1 for water supply augmentation through reservoir storage was immediately recognized by the Public Works Committee which, under Senator Kerr's leadership, pushed through to enactment the Federal Water Pollution Control Act Amendments of 1961. This legislation which was approved July 20, 1961 as Public Law 87-88 authorized a substantial increase in Federal grants for developing pollution abatement programs and for construction of sewage treatment plants by non-Federal entities. The act also established storage and release of water for water quality control as a recognized Federal purpose in construction of reservoirs by Federal agencies such as the Corps of Engineers and the Bureau of Reclamation. New research programs were authorized and the enforcement procedures of the Water Pollution Control Act were extended to apply to navigable waters, in addition to interstate waters encompassed under the earlier pollution abatement acts.

Congress also acted promptly to increase the authorization for research and development in the field of saline water conversion, with the enactment of the Saline Water Conversion Act Amendments approved September 22, 1961, as Public Law 87-295. This has continued under that act and the program was expanded in 1965 when additional appropriations were authorized by Public Law 89-118 approved August 11, 1965. Just last year, Federal participation in the huge new combined water desalination and nuclear powerplant at Bolsa Island off the coast of southern California was authorized by Public Law 90-18, approved May 19, 1967, as a further demonstration of progress toward making use of the ocean's water. None of these acts have given us the final answer, but all have helped set the stage for future progress in meeting the Nation's water needs.

In a more traditional way, the Congress used the recommendations of the select committee to stimulate Federal

water resources planning work through provision of additional funds in the appropriations for the Corps of Engineers, the Bureau of Reclamation, and other agencies with programs related to water resources development. Acting to implement the budget recommendations of President Kennedy, which were later supported and increased by President Johnson, the Congress provided very substantial increases in funds for preparation of water resource development plans for major river basins through the annual appropriations acts. The magnitude of these increases can be shown by the fact that the appropriations for general investigations of the Corps of Engineers have increased from about \$12 million in fiscal year 1961 to over \$34 million in fiscal year 1968, and for the Bureau of Reclamation, from over \$5 million to about \$16 million in the same period.

The latter increases include a substantial amount for the Bureau of Reclamation's program of research on weather modification as a means of increasing water supply in the Western States. Funds for this program were added to the Bureau of Reclamation's appropriation act by the Senate Committee on Appropriations several years ago, largely as a result of the comments on this subject made by the Select Committee on National Water Resources.

But the major legislative actions which have been taken by Congress as a result of the recommendations of the select committee have been in the fields of water resources planning and water resources research.

President Kennedy accepted the recommendations of the Select Committee on National Water Resources and adopted them as goals of his administration in his message to the Congress on natural resources transmitted February 23, 1961. Following introduction by Senator ANDERSON and Senator Kerr of several proposed measures which would have partially implemented the select committee's recommendations, President Kennedy, on July 13, 1961, transmitted a proposed bill to Congress under the title, "Water Resources Planning Act of 1961." I was pleased to join Senator CLINTON P. ANDERSON in sponsoring the President's bill which was introduced as S. 2246 of the 87th Congress. The Water Resources Planning Act, which moved on to enactment eventually as Public Law 89-80, approved July 22, 1965, contained four titles.

Title I provided for establishment of the Water Resources Council which President Kennedy proposed to consist of the Secretaries of the Army, Agriculture, Health, Education, and Welfare, and Interior. Later, the Chairman of the Federal Power Commission was named as a member, before the bill became law. Title II proposed the establishment of presidentially appointed Federal river basin commissions for water resources planning in major river basins or regions in the United States. Titles I and II provided the basis for implementing the first and the fourth recommendations of the select committee dealing respectively with comprehensive planning for water resource development and a periodic

assessment of water supply-demand relationships in the several river basins.

Title III was taken from legislation introduced earlier by Senator ANDERSON and Senator Kerr to authorize financial assistance to the States for water resources planning to implement the second recommendation of the select committee. Title IV of President Kennedy's bill and of the act which finally became law covered miscellaneous administrative provisions.

A great deal of opposition was expressed in the first hearings on the bill in 1961 because of a feeling that it would strengthen the Federal Government at the expense of the States. Senator ANDERSON took the lead in working with representatives of the Council of State Governments toward effecting a compromise. This finally came in the form of amendments to title II which provided that the river basin commissions would be Federal-State organizations, with members appointed by the President to represent Federal agencies and members appointed by the States to represent State interests. With this basic amendment, the bill passed the Senate in 1963 and the House in 1964, but died with the 88th Congress in the Rules Committee of the House of Representatives.

The bill moved on to enactment in the 89th Congress, and, under it, the Water Resources Council has been set up as an independent agency. So far, four river basin commissions have been set up under title II. These cover the Columbia River Basin, the northeastern region, the Great Lakes Basin, and the Souris-Red River of the North Basin. Most of these commissions have been set up within the last year and their effectiveness has yet to be fully demonstrated.

On the water resources research side, President Kennedy's natural resources message proposed studies by the National Academy of Sciences and the Federal Council for Science and Technology aimed at evolving a coordinated Federal program. President Kennedy's first proposal was for establishment of a water resources research institute as a part of the Geological Survey in the Department of the Interior. This was proposed in the Federal budget for fiscal year 1963, but it failed to receive congressional approval. Again our colleague, Senator ANDERSON, stepped into the breach and introduced legislation patterned after the Hatch Act to set up a water resources research program. The Hatch Act of 1887 established the agricultural experiment stations at the land-grant colleges and universities, and provided for the basic research which had made the United States the world leader in advancing the agricultural sciences. Senator ANDERSON's bill was first introduced in July of 1962 as S. 3579 of the 87th Congress. Introduced for discussion purposes, the bill received enthusiastic support of the land-grant colleges and universities, as well as private organizations and institutions engaged in water resources research, and it became the basis for S. 2 of the 88th Congress. This passed the Senate in 1963, the House of Representatives in 1964, and eventually became Public Law 88-379, to authorize the estab-

lishment of a water resources research institute in each of the 50 States.

Proposed amendments to this legislation in the 89th Congress, which became Public Law 89-404, expanded the program to include authorization of funds for contracts and grants to institutions other than the land-grant colleges and universities for research in water resources fields related to the mission of the Department of the Interior.

A significant part of the Water Resources Research Act of 1964 authorized the President to coordinate the efforts of the several Federal agencies engaged in water resources research and to have prepared a catalog of water resources research underway. Under these provisions, along with regular appropriations for the Federal agencies engaged in water resources, we now have a very substantial water resources research program underway, thus implementing the second recommendation of the Select Committee on National Water Resources.

A few comments also might be made on the points covered in the fifth recommendation of the select committee. With respect to the regulation of flood plain use, the Congress has authorized Federal agencies to compile and disseminate information on flood hazards to State or responsible local governmental agencies. Several studies have been undertaken by the Federal agencies culminating in a report to Congress under date of August 10, 1966 under the title, "A United National Program for Managing Flood Losses." This has already led to legislation to reinstitute a Federal flood insurance program which was incorporated in the Housing and Urban Development Act and became law August 1, 1968.

Many studies of emerging water problems in areas of acute water shortage have been undertaken in line with the second part of the select committee's fifth recommendation. Numerous plans have been proposed for the Pacific Southwest which is our area of greatest water shortage. The Lower Colorado River legislation passed by the Senate late last year will provide a basis for moving ahead in that area. Another major study was authorized in the Northeastern United States under title I of the Rivers and Harbors and Flood Control Act approved October 27, 1965.

The study of future needs for storage reservoirs recommended by the select committee has not yet been reported to Congress, although President Kennedy in 1961 announced that he was having legislation prepared to accomplish the necessary reservations of reservoir sites.

The select committee also recommended more public hearings to increase public knowledge and understanding of proposed water resource facilities. Beyond a doubt, there has been a substantial increase in public understanding of these works, so that the objectives of the select committee in this respect appear to be on the way to being achieved.

In spite of the record which has been made in implementation of these recommendations, it is fair to say that we have only begun to find solutions to the Nation's water problems. The select committee's recommendations were tempered by the recognition that any attempt to

undertake too ambitious a program in one stage might be doomed to failure, as had the many earlier recommendations. Thus, only the first and most immediately needed steps were recommended. The Congress has already gone beyond the specific recommendations of the select committee in some instances, where the needs have been apparent. We still have much to do.

The great increases in the Federal Water Pollution Control programs authorized in the amendments of 1965 and 1966 have not yet been fully implemented because of difficulties in reaching agreement on acceptable standards and the failure of the administration to recommend adequate appropriations. While a number of actions have been undertaken, it appears that they may be too little and too late to stem the deterioration of the Nation's water resources. The increasing programs of some of our States have shown that even the expanded Federal program will provide only a fraction of the funds required to do the job. New legislation now under consideration to authorize Federal assumption of bond carrying charges may get around the immediate financial limitations but still leave us far short of the needed effort, which the Department of the Interior has estimated will require from \$20 to \$23 billion in capital outlays over the next 5 fiscal years, 1969-73. Local expenditures for operation and maintenance of the expanded plant are increasing rapidly, and are expected to reach a total of \$5.8 to \$6.2 billion, so that local financial resources will be strained to keep up with this phase of the program.

On the water supply end of things we are not any better off. The needs of municipalities alone for new water supply facilities, now estimated at roughly the \$2.5 billion annual level, are increasing at roughly 5 percent a year, and there is no let-up in sight if present trends continue.

In the matter of providing reservoir storage for stream regulation for all purposes, the Nation's programs are lagging far behind the goals of the select committee, and, in fact the rate of construction has slackened. From 1947 to 1954, the base year of the select committee's studies, controlled storage in reservoirs over 5,000 acre feet in size in the United States increased over 71 percent from 163,000,000 acre-feet to 278,000,000 acre-feet. In the 9-year period from 1954 to 1963, an increase of only 81,000,000 acre-feet was achieved, to a total of 359,000,000 acre-feet. In more than one-third of the time period between 1954 and 1980, only about one-fourth of the additional storage projected by the select committee has been added, and with the objections that are continually being raised to construction of new reservoirs, it is likely that the rate has slowed down even more in the last several years.

Clearly, we will be far short of meeting the goals expressed by the select committee for the minimum cost program for water supply and pollution abatement by 1980. Instead of the expansion needed in our water programs, it appears to me that there has actually been a relative slowdown. We must make amends by increasing our efforts.

In the field of watershed protection and flood prevention our efforts lagged even further behind the needs. From a level of less than \$40 million annually in fiscal year 1961, by dint of great struggle, we got the appropriations up to about \$76 million in fiscal years 1967 and 1968, a level of effort, which I must add, is still far short of what is really needed. It is my understanding that funds are available for planning only 50 percent of the watershed protection programs for which applications have been made. Of the plans that have been completed, from 70 to 100 are held up by the dispute between the administration and the Congress over the constitutionality of the legislative provisions which have been in effect since 1954 for approving these plans. In the face of these delays, then, it is a real tragedy to find that the fiscal year 1969 budget requested only \$6 million for continued planning at roughly last year's level, and \$42 million for implementation of work programs.

The Department of Agriculture's flood prevention work under the Flood Control Acts of 1936 and 1944, which has been running at a level of about \$25 million annually, was even more drastically reduced in the 1969 budget with an appropriation request of only \$12,395,000. Clearly, these important programs are suffering heavily in the efforts to trim the Federal budget. Mr. President, these are the programs which help prevent our topsoil from washing down to the sea, filling up our lakes and estuaries. These are the programs by which man is attempting to reverse his profligate and wasteful actions of the past in an attempt to maintain habitability of our land.

Mr. President, while the legislation to effectuate the recommendations of the Select Committee on National Water Resources has been enacted, the necessary programs have not yet been fully implemented. We must move ahead toward their implementation through providing the necessary funds, and by developing more imaginative approaches to the even more serious water problems which lie ahead.

#### URBAN OPPORTUNITIES: NO LONGER BUSINESS AS USUAL

Mr. JAVITS. Mr. President, many of us in the State of New York have been very proud of the progress made by the city of Rochester since its nights of turmoil and curfew in 1964. The bitterness of that summer spilled over 2 years later into the stockholders' meetings and policy discussions of a major corporation in that city, the Eastman Kodak Co.

What the management of the Kodak Co. realized, and decided to do something about, was that the old efforts, the old slogans of nondiscrimination, and the separation of the public and private sectors, no longer sufficed. This company chose to join forces with existing private and local governmental structures, and to create new organizations and programs where needed. The result has been a community mobilized in the fields of low-income, open housing; job-training orientation; and minority entrepreneur-

ship. This is a history that bears study and widespread emulation. Rochester's story of progress was recently summed up in an eloquent and urgent call for continued action by Mr. Fred S. Welsh, vice president of the Eastman Kodak Co., in a presentation entitled "Urban Opportunities: No Longer Business as Usual." This speech was addressed to the 51st Annual International Marketing Congress of the American Marketing Association, on June 17. Mr. President, I ask unanimous consent that the text of his speech be printed in the RECORD.

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

#### URBAN OPPORTUNITIES: NO LONGER BUSINESS AS USUAL

(By Mr. Fred S. Welsh, vice president, Eastman Kodak Co., to the 51st Annual International Marketing Congress, American Marketing Association, June 17, 1968)

Let's begin by reviewing three "happenings." Four years ago, something happened in a city that was used to being described in terms out of *Camelot*.

It was a city with a reputation as "a great place to live and work." A national magazine had written it up as "a cautious, quiet city" where "people are patient," and where "when night falls, traveling salesmen prefer to push on to Buffalo some 60 miles to the west."

It was a city that had enjoyed continual industrial growth and generally showed the lowest unemployment rate of any of the 39 major industrial areas in the United States. At any given time, there were likely to be more jobs seeking people than people seeking jobs. It was a city whose concern with recreation, health, and welfare programs was considerable. From year to year, it had the highest per capita Community Chest budget in the country. And it never failed to meet that budget.

What happened in this almost-model city was one of the first outbreaks of what has since grown into a national problem. The pattern has become all-too familiar. We now acknowledge it by such code names as "urban crisis" . . . "crime in the streets" . . . and "long, hot summer."

Two years later, something happened to the largest company in this city. It was a company that had been founded by a man known around the world for his philanthropy, whose personal convictions about social responsibility had lived on after him in corporate policy. It was a company that had done much for the community which was its home and for the people who worked for it. Its employee activities and benefit programs were among the most extensive in all American industry. Probably as a result of this it was a company that had never had a serious labor dispute. In a word the people here who worked for it and the people of the community at large were happy with this company.

What happened to this company was a surge of protest that it was stifling the legitimate aspirations of black people in the community to earn a living.

The demonstration swept right into the company's annual meeting. Let's face it, confronted with action like that, how many reporters were interested in digging into facts like these:

The fact that contributions by this company to Negro colleges dated all the way back to 1924 and it had been a regular recruiter at Negro colleges.

The fact that it was among the first companies to sign up in President Kennedy's 1962 Plans for Progress Program.

The fact that on its own, two years before these demonstrations, this company had initiated an on-the-job training course to

upgrade applicants who could not meet normal hiring standards.

The point is, if these things could happen to a city like Rochester and a company like Kodak, they could happen to your cities and to your companies.

But I promised you three "happenings," didn't I? The third took place only a couple of months ago. The occasion was the murder of Dr. King. It has been reported that "the shooting . . . sparked four days of rioting, looting, and violence in more than a hundred cities." What happened in the City of Rochester at this time was . . . nothing.

Oh, there was considerable tension—as there was in other cities with a sizable black population. But, unlike most of those cities, in Rochester the emotions did not boil over into destructive action.

It would be dangerous to attribute too much to it, and events could make a fool of me next week, but the absence of any incidents worth a newspaper story during those critical days has given some of us at least a glimmer of hope. Perhaps we have learned a little something as a community—both white and black—about living together from what we have gone through over the past four years. But I am not trying to justify my community—or my company. Rather I am trying to share with you some of the experience of having "been there."

For this particular audience, it seems to me that there are three useful ways of looking at the Rochester case history:

1. As a concerned citizen.
2. As a manager in an involved company.
3. As a marketing man.

At this point I am going to do you a disservice. I am going to assume that not a single one of you is interested in doing anything to help your poorer neighbors out of a sense of justice, morality, compassion, or any such commendable motivation. Rather, I will follow the prescription of the psychologist Kenneth Clark, who has said: "Appeals to be nice to Negroes are out. Self-interest angles must be vigorously exploited."

Incidentally, the same Dr. Clark, who stands out as one of the most positive of Negro spokesmen, has also said: "Business and industry are our last hope, because they are the most realistic elements of our society." So, profit motivation which I have assigned as a limit to our discussion is not the worst reason in the world for doing something about the problems of American cities.

First, let's look at that problem from the viewpoint of a concerned citizen. As a starter, we ought to recognize in one simple declarative sentence what is often only hinted at or covered under many layers of sociological jargon: *The principal problem of the cities is that there are too many black people in them who are poor.* When it comes to priorities, no other economic problem in the country has the terrible compression of black people in the ghetto, as expressed in numbers like these:

About one out of nine Americans now is black.

About one out of eight Americans is poor by prevailing standards.

But more than one out of three black Americans are poor.

And more than two out of three black Americans now live in metropolitan areas.

A study made of the Rochester metropolitan area 2 years ago showed that 98 percent of "the nonwhite unemployed" lived in our inner city.

This brings us to one of the first major propositions we should consider: the idea of immediately creating 2 million jobs. It has been urgently advanced as the solution for clearing up this picture of ghetto people living out each day with little hope of anything better. I'd like to go behind the picture and examine that idea more thoroughly.

In the Rochester area, we have had no shortage of jobs, according to the statistics. During 1960, we had 280,000 people employed

and an average of 5000 vacant jobs. By 1966, employment had grown to 317,000 and there were 10,000 jobs available. In other words, over a 6-year span, 26 percent more people were working but we had twice as many jobs still open as before! And here's something that might come as a surprise: Proportionately, more of those new jobs by far went to black people. Employment of white people increased 11 percent, but employment of "nonwhites" (that's the study's word again) increased 43 percent. That's right, 43 percent. So what's the problem?

Here's the problem: during the same period the nonwhite population of working age increased by 46 percent. In spite of what we thought was a rather remarkable record of putting minority people to work, we were actually losing ground!

Compounding the situation was the fact that 3 out of 4 persons making up the increase in the nonwhite working population were newcomers. Most of them—as in other northern cities—had moved up from the south, where they had known only an agricultural economy, into a white-collar and blue-collar economy.

This is a fairly familiar pattern, but once more I'd like to go behind the picture and try to put some dimensions on the problem. Although there were 10,000 vacant jobs listed in the Rochester area in 1966 almost 80 percent of them were in the "White-collar," "Skilled," and "Semi-skilled" categories.

But those weren't the jobs most of the black people in Rochester were qualified for. Seventy percent of the nonwhite unemployed in the area were signing up in the "Unskilled Labor" and "Service" classifications. To sum it up: employers were offering most of the jobs where the fewest black people were looking, and most of the black people were looking where the fewest jobs were being offered. The conclusion, I guess is that you can't form a simple equation between open jobs and unemployed people, then sit back and wait for a match-up to occur automatically. You have to make an active effort to bring people together with what suitable jobs do exist for them.

One approach we have come up with is Rochester Jobs, Incorporated, a broad-based new organization made up of representatives from public agencies, ethnic groups, the clergy, and industry working in partnership. RJI collects unskilled job openings from local employers. But it doesn't stop at the usual referral-agency role. It takes the jobs out to where the people who need them are and through personal interviews helps to discover what people can do.

Fifteen hundred jobs for an estimated 4000 to 5000 hard-core unemployed was the ambitious target the organization established as an 18-month goal. At its first year anniversary, it had already practically reached that goal. It placed almost 1400 people in the first year.

But employment is only one facet of a complex problem. As some black people have noted from time to time. "Down on the plantations, we had *full* employment."

What has happened to living conditions in our cities could not help but distress any thinking person. And the distress does not have to go beyond pure self-interest to be considerable.

Decay of the inner city hurts everyone right in the pocketbook. It drives out business, thus shrinking the tax base. It raises the cost of municipal services generally. It makes the hiring of new talent difficult. And finally, it changes the middle of town from a center for pleasurable activities into a place nobody wants to be—day or night.

Here we should test another proposition: if the community at large knew what conditions in the ghetto were like, it wouldn't allow them to go on that way. I'm sure no well-intentioned citizen would ever vote in favor of ghetto housing for any human being.

We haven't any lack of good intentions.

There are no fewer than 60 separate agencies working to improve housing in the community. Yet it is still difficult for black families to find housing outside the ghetto.

What I am suggesting is that good intentions, like jobs, are not in themselves enough. You must have people who will stand up and be counted.

In Rochester, we have several groups that have demonstrated a willingness and ability to assert leadership on this front. One is the Metropolitan Rochester Foundation, a private corporation whose board of directors is made up of top management from local businesses. In addition to its vital role of planning better housing, one of the valuable contributions it has made is influencing the acceptance of moderate income housing that was being opposed in a predominately white neighborhood. Also, the Metropolitan Rochester Foundation applies a couple of million dollars worth of proven managerial talent to the project of building new housing for the people of the inner city.

This brings up another proposition worth looking into. One of the common remedies advanced for clearing up the particular kind of social ailments that we have allowed to grow up in our cities is a massive infusion of dollars.

There's no doubt that it will take money—and lots of it—to cure the blight of the inner city. But if there is one point on which we have come to agreement in Rochester, it is that money is not enough—by itself. Over the long haul, self-help is the only help that really takes.

One approach to this self-help idea is the Rochester Business Opportunities Corporation, which, like Rochester Jobs, Incorporated, is one of the positive outgrowths we can point to from the discussions between FIGHT and Kodak. It is managed by an executive on leave of absence from the Ritter-Pfaudler Company in our city. What this organization does is to provide the needed doses of cash and counseling to help people of the inner city start up and run their own businesses profitably. RBOC lends a helping hand to such budding entrepreneurs as the bricklayer who wanted to lease the abandoned gas station he passed every day on his way to work, or the dry cleaner who needed to find out how to arrange a small-business loan.

There is one last observation that a concerned citizen should make: if you do nothing else, get to the young people. Their hopes and expectations are the highest. Their despair and frustration are the most bitter.

You may remember that the President's Riot Commission found that "the typical rioter was a teenager or young adult."

One of the most promising avenues Rochester has established along this line is Teens on Patrol, a program funded by Kodak through Rochester Jobs, Inc., and administered by city police. TOP seeks out young people with leadership ability and nothing but time on their hands. It gives them jobs paying \$1.75 an hour to perform such "square" occupations as supervising playground activities. The great thing is they get to like it.

The TOP young people don't have any police power, as such, but our police chief credits them with cooling off at least a couple of incidents that could easily have blown up into riots.

So much for some observations of a citizen whose community has gone through the experience of a major race riot. Let's turn now to a consideration of matters from the point of view of a businessman whose company has felt the pressure of open protest from black people.

The key proposition we ought to examine here is the idea that the absence of discrimination means equal opportunity for employment. Long before the phrase "Equal Opportunity Employer" became current, Kodak had a stated policy of nondiscrimina-

tion in hiring. Any person, regardless of race, creed, or color could be assured of fair consideration for any available job for which he was qualified.

*Qualified* was the catchword. We paid well. Our standards were high. As openers, we traditionally asked for a high-school diploma.

But what meaning did it have for the dropout or the boy whose education had been disrupted by family troubles and constant moving? To these people, it meant that Kodak's open door was just as effectively closed as if it had been consciously shut in their faces. The terrible fear of failure had been drilled into them over the years. What was the sense of applying and being turned down again?

In the early 1960's Eastman Kodak came to a realization that many of your companies may also have come to: some of our hiring standards, which were set up to find workers with ability to do given jobs, actually screened them *out* on the basis of what they hadn't done, as opposed to bringing them *in* on the basis of what they could do. To look at it in the most selfish terms possible, we were cutting off a potential source of supply for manpower.

So, we started looking for ways of adapting our hiring standards to the realities without lowering performance standards on the job. This, incidentally, was well before our first hassle with the FIGHT organization.

The initial experiment with more flexible employment practices took the form of Pre-Apprentice Training. We hired undereducated youths, who in the ordinary scheme of things would not qualify, gave them paying jobs learning what they needed to bring them up to the level where they would be able to tackle the Skilled Trades Apprenticeship Training Program. Please note that we did not lower the standards of this program, which we had run with outstanding success for 30 years. We opened up a new route to get into it.

Pre-Apprentice Training worked out so well that two years later we initiated other opportunities at Eastman Kodak for people who couldn't have made it under our former employment policies.

The Machine Operator Program introduces the trainee to the shop and tools he will be using there, beginning with things as basic as a pair of pliers.

The Laboratory Trainee Program gives participants a year of on-the-job experience, coupled with basic familiarization in elementary chemistry, techniques, instrumentation, and safety.

And we have begun to attack the dropout problem head-on by instituting, in conjunction with the Rochester Board of Education, a High School Student Trainee Program. The idea is to catch the young people while they are still in school and keep them there by giving them a taste of the kind of knowledge they have to have to hold down a job these days.

The girls are not being left out of it. We are also cooperating with a number of Rochester employers in sponsoring the Urban League's Advancement through Clerical Training. And when they have upgraded their typing and shorthand skills to the requirements of our offices, we see to it that they get responsible desk jobs there.

So, experience on many fronts, at many levels, in training people to fit into jobs, rather than interviewing them out of jobs, has enabled us to form certain impressions regarding what the whole business is all about. I think some of these impressions might be worth your consideration.

For one thing, when you get into training the so-called "unemployables," you may have to change your ideas of what constitutes industrial training these days.

At the time we made our first venture into training pre-apprentices, we assigned some of our best craftsmen as instructors on the theory that the man who knows the job

best can teach it best. After a while, we made a discovery.

The instructors weren't teaching tools and tolerances. They were teaching reading, writing, and arithmetic. They had correctly sensed what was needed, all right, but this kind of training wasn't exactly their specialty.

So we called in some people whose specialty it is—the Board for Fundamental Education. They explain their success in teaching adults comes through not trying to teach them. They train them to learn. The Board for Fundamental Education runs two programs for us: one to bring people along from zero education to the equivalent of the fourth grade and another to take them from the fifth through the eighth grade. Students attend class 2 hours a day for 10 to 12 weeks as part of their paid working schedule.

A related principle on which we have firmly fixed is that *make-work projects don't work*. We hire these men at the outset—putting them on our regular payroll. And from the day he reports, a man is working on projects that have a tangible purpose. These not only help to give him a true sense of accomplishment, but they also make it clear that the company is not patronizing him. He gets paid for a contribution to Kodak operations—however basic it might be. A typical starting project, for example, might be the tote box in which he will carry the tools provided for him as a Kodak worker.

Another pointer that we have picked up is that *education only begins with the trainee*. The men who will be supervising need to adapt to new ways of understanding things just as much as the men who will be supervised. For our foremen and supervisors, we now schedule seminars to give them new insights into the job they have to do.

For example, there's a story that's making the rounds. It has to do with the new worker who had his supervisor mystified by an erratic pattern of attendance at work. To appreciate this one, you have to have some of the deductive powers of a Sherlock Holmes and know one fact: Rochester has about the highest incidence of precipitation of any city in the country.

The new man came from farm country, where they never worked on rainy days. So, whenever it rained in Rochester, what did he do? He did what came naturally. He stayed home. Case closed.

This little story suggests another proposition that we might put to you: *what works in one place may not necessarily work in another*. You have to tailor your solution to the specifics of your local situation.

One of the most imaginative new approaches to the interlocking problems of ghetto people was devised by Aerojet General in Los Angeles. Most of you have probably heard about it. What Aerojet General did was to build a plant virtually on top of the ruins of the riot, thereby giving residents a source of employment in which they did not have to travel 2 hours each way.

This example, naturally, has been held up to other companies, and the suggestion was made that we build a plant in the ghetto area of Rochester. We gave the idea consideration, and came to the conclusion that the circumstances are not at all the same. We already have plants within easy walking distance of the ghettos, where there are job vacancies right now.

But we didn't leave it there. One of our regional marketing directors suggested that what the company's Rochester operations needed was to speed up the routine servicing of cameras sent in from the field. We saw that this need of ours coincided with the need of inner-city residents to gain experience of their own in business. The upshot of all this was the birth of Camura, Inc., a camera-repair business that will make a profit and provide jobs by helping Eastman Kodak solve its customer service problem. Camura, Inc., illustrated a point that was probably

apparent in the earlier examples: *no organization, however large, can afford a "go-it-alone" approach to this problem*.

My company, for example, is the largest employer in the area, yet 7 out of 8 of the area's job opportunities are outside our premises. So, coordination is the key word. And Camura provides a model of coordinated effort. The Urban League is sponsoring it; Rochester Business Opportunities Corporation is handling the financing; Eastman Kodak people are training the people who will form the nucleus of the new company. This suggests another major observation based on our experience: *probably the most useful contribution business can make is not money or products, but the time and talents of its people*.

A case in point is a motion picture called "Sloppy Sam," which was written, directed, produced, and starred in by children of Rochester's inner city under the guidance of a specialist on loan to the school system from the Eastman Kodak Research Laboratories.

One of the handicaps of ghetto kids, the educators tell us, is a fear of expressing themselves vocally or on paper. But turn them loose with pictures and watch out!

Well, "Sloppy Sam" has a happy ending, both in the film and in real life. The little boy who was the inspiration for Sloppy Sam got the film's message and did a complete turnaround.

At Brockport State University outside Rochester there are a couple of other Kodak men on loan assignment. They work with children transported from the city and the surrounding area, trying to find ways of putting learning more nearly on a one-to-one basis without jacking the costs way up.

I feel a need here to reassert my earlier contention that good business alone can justify this sort of thing. After all, some of you may be Kodak stockholders!

We have always encouraged Kodak people to take an active part in filling community obligations, whether that means giving blood or helping underprivileged kids discover the kick of competing in the soapbox derby. But this is something else again. When we assign qualified Kodak people as part of their jobs to work on special educational projects, we do it not to be nice guys but because Education is a highly promising market for us.

And I ask each one of you to consider if there isn't a market in all this for your companies. This is not as crass as it may sound at first. Any number of thoughtful people have suggested that this approach may be the only one that will actually get something done about the problem—as opposed to talking about it.

A former Defense Department official, John Rubel, perhaps put it best when he said a couple of years ago: "The method of creating a market for a solution to a problem has proved itself capable of producing the technology to solve the problem. When you create a market for rockets to the moon, you get rockets to the moon."

Can't we create markets for cities that are livable again?

With that question we are right in the middle of the third viewpoint, the marketing viewpoint, from which I would like to consider the urban crisis in our nation. We must recognize among ourselves that marketing as a specific function of business does not have a great deal to show yet. It is not as far along as, say, the manufacturing function in defining what needs to be done and doing it. Yet, marketing, of all functions, would seem to have a key role to play as business and industry become more involved in the problems of our cities.

In the January issue of Fortune, devoted to the Urban Crisis, there was this statement: "American business, busily generating change, has in the main stood apart from the responsibilities and the opportunities of coping with community needs that arise from change. The ardent efforts of the nation's

business institutions will be especially needed, because they have the special qualities specifically demanded by the double crisis of the Negro and the city. Modern corporations are flexible and innovative. They are accustomed to sensing and meeting and evoking the changing desires of the public. After all, they practice the difficult art of mobilizing special knowledge for action . . . i.e., the art of mediating progress, of managing change."

And if that is not a job description of the marketing function, then we had all better march out of here right now and make a bonfire of our file copies of "Marketing Myopia."

To look at the whole thing in the most basic terms, jobs are one of the three indispensable elements required to ease the hardship of black people. But there are jobs and there are jobs. Made work satisfies the requirements of neither economics nor self-respect.

Real jobs cannot be invented, wished, or legislated into existence. They come about only through a valid increase in demand. And it is the marketing function that is charged with identifying and stimulating demand.

We in marketing are fond of proclaiming that a business continues to grow not through building bigger and better plants to turn out products but through finding new wants and needs to satisfy. It follows, then, that the better the performance of the marketing men, the more real jobs he is helping to bring into being.

But jobs are only part of the picture from this point of view. The black person seems to have another need these days that is addressed squarely to the marketing function; it is a need for the honor of being treated as a customer. To the marketing professional, market segmentation is not a new idea. But it seems that we have been largely ignoring a market segment that had a purchasing power last year roughly equal to the total of all United States export sales. I'm thinking, of course, about the Negro market, which amounted to some \$30 billion.

Each year black people have been saying to us that they are a distinct group of people with distinct preferences, distinct media, distinct buying habits, and they want to be treated that way. But on the whole we haven't been very responsive.

Marketing is in charge of most of the mass communication apparatus of business. We expend large amounts of money, time, and effort painting a picture of the good life. It is invariably a picture as seen through the eyes of the white man.

Oh, sure, we've gotten smarter about seeing to it that every tenth person or so in our advertising illustrations is black. And I don't mean to knock that. After half a century of invisibility, the discovery that black people buy and use our products, too, represents a giant step in the right direction. But our thinking could range so much further.

We have always considered ourselves reasonably sophisticated in our market research. We could talk to you all day about the amateur market, the professional market, the East Coast market, the West Coast market, the women's market, and the teenage market. But awhile back, it struck us that we didn't know much about ethnic markets as entities in themselves. So we set out to find out something about them.

In outlining for you a few of the things we have gotten into, I do not mean to suggest that we think we know all the answers. As a matter of fact, we are becoming more and more aware that we don't even know all the questions yet. But we have begun to ask, and that's something.

Now, it would seem basic that if you are going to find out something about black people, you ought to employ black people to do it. It appeared to us, however, that too many studies suffer precisely from a lack of that

basic. Under the National Urban League summer fellowship program, we engaged a business school professor from a leading Negro college as a consultant to steer our efforts. He helped us examine our advertising efforts—including media, copy, types of illustrations, etc.—in our consumer marketing area.

A most revealing project was a study of Harlem as a photographic market, made for us by a research firm run by Negroes. We followed up by assigning two young Negroes in our Consumer Markets Division to make calls in Harlem on Negro-owned businesses just as thoroughly as we would cover any major market area. One of the interesting conclusions that has already turned up is that Kodak products seem to be moving like crazy in Harlem—largely by accident. Most of the people who run stores selling Kodak products were not aware of the selling and advertising aids available to them—in spite of the efforts of our many wholesale accounts operating in the New York area. In fact, few of them knew we had a New York Regional Office.

As a result, we find ourselves deeply involved in the educational experience of setting up dealerships in a ghetto. If you should ever get into this sort of thing, forget whatever you know about the normal routines of credit, banking, insurance, and related matters. It seems to be an entirely different ball game in the inner city. And this is one factor that has frustrated the desire of the people there to run their own businesses.

But if we don't exactly break the rules outright, we are becoming more expert at bending the rules to fit the situation. And we feel that this sort of guidance is one of the principal contributions a company like ours, which has been setting up independent businesses for more than 75 years, can make to this pressing urban problem. There is something out of balance about an economic system in which 1 out of 9 customers is black, but not even 1 out of 100 entrepreneurs in the system is black.

If you are aiming at the Negro market, it makes good sense to advertise in the Negro press, which we are doing in 25 newspapers. It also makes good sense to have some Negro marketing people on your team. It makes good sense even if you are not aiming at the Negro market.

In attempting to enlarge the number of black people on our marketing staff, we ran into much the same problem that the manufacturing people did in hiring apprentices—paper qualifications. We ordinarily look for a college degree to be held by people considered for professional jobs in marketing. But it is a basic fact of life that black men do not make it through college yet in the same proportions as white men.

Our answer was to start up our own "marketing college" for young men who have demonstrated in other ways that they have what it takes to make a career in marketing. This is in addition to over 100 now in regular sales training. Our Basic Marketing Training Course currently has a student body of ten—eight of whom are Negroes. In one year they get an exposure to marketing-related subjects that will enable them to meet the same requirements as any recruit off the campus. And from there on, they will become members of our Marketing Program on exactly the same basic as college graduates.

This bring up another important question. How far should special treatment go? It's easy to talk in the abstract about fairness, but we were faced with the painful reality of the problem recently. One of our Basic Marketing Trainees just wasn't making it. The cause was clearly not lack of ability but attitude, and it was affecting the other trainees. After some efforts to bring him around, we made a decision to cut him from the program, prepared to encounter at least some recriminations.

Paradoxically, he seemed rather impressed that we expected as much of him as of everybody else. Wherever he goes from here, he has learned something from the episode—and so have we.

By way of summary, then, it is not only as concerned citizens and as managers within our companies but specifically as marketing professionals that we have an opportunity to do something about our country's racial strife.

On the subject of professionalism, there's a story they tell about the actor, Tom Ewell, who is recognized as one of the real "pros" of his business. But at one point in his career, Ewell had an incredible run of something like 16 or 17 straight flops that closed after a couple of performances, in spite of rave notices for him personally.

Then he finally connected with a show called "The Seven Year Itch," and became a star in one night after all those years of bumping his head against a stone wall. Next day, he ran into a young actor at the stage door who asked: "Well, was it worth it?" Ewell thought for a moment, then answered: "It has to be."

That's the attitude of the real professional. And that is the attitude with which I urge you to undertake this vital job that faces all of us.

It's not going to be any snap. But whatever effort is needed to mend this tear in our society *has to be worth it*. There is no other course.

#### THE UNCIVIL WAR

Mr. FANNIN. Mr. President, I invite the Senate's attention to a news dispatch moving on the wires of Associated Press from Saigon. The opening sentence reads:

A veteran Viet Cong battalion, herding women and children in front as human shields, smashed into a company of American paratroopers in three waves early today.

The dispatch goes on to say that 31 Americans were killed and 27 wounded; that the first wave of enemy troops came running shoulder to shoulder through the night, screaming, firing assault rifles, and pushing women and children in front of them.

Mr. President, I wish to ask the yipie-hippie people why they do not raise their voices in protest as quickly as they raise the Vietcong flag in downtown Chicago. I wish to ask the backers of the yippies and the hippies if they condone such wanton brutality. Furthermore, I wish to ask those political leaders who have accepted the backing of the new left, who have called for the inclusion of the Vietcong in the Government of South Vietnam, who have openly voiced support of the National Liberation Front forces—which is the Moscow-coined phrase for these barbarians—if they do not wish to reconsider and disassociate themselves from such support.

Mr. President, I cannot conceive of an American political leader, indeed of anyone who loves this Nation, failing to condemn this kind of action or repudiating the support of those who endorse it.

Can you imagine, Mr. President, the dilemma that faces an American fighting man when he realizes a ruthless enemy is willing to sacrifice the lives of innocent women and children deliberately to mount an attack? Such inhumanity is utterly repugnant and loathsome to the civilized mind. It should illustrate the depths to which the Com-

munist-backed NLF will go to achieve its aims and demonstrate for all the world the futility of thinking that such brutality can be accommodated at the negotiating table.

Where are the protests of those who have countless times protested the actions of Americans in defending the freedom of South Vietnam? Why are there no cries of outrage from those who have been so quick to show us innocent civilians wounded and killed in battle areas? Is their case so weak that it cannot withstand the tide of indignation that will sweep America when such atrocities become fully understood?

Mr. President, so far as I am concerned, the Vietcong flag, which symbolizes the brutality and inhumanity perpetrated in the name of the NLF, should have no place in America. It is abhorrent to the concepts of freedom and civilization for which American blood has been shed all over this globe. I wish to hear no more of a "civil war to determine the course of Vietnam." This Nation, the United States of America, has endured a civil war. There are no shameful, bloody instances such as this recorded in the actions of that war. Other nations have undergone civil strife and these demonstrations of pitiless brutality are not recorded. Such savagery is reserved for those conflicts where one side assumes the role of barbarian, and when that happens there is no dealing with them in honor.

Because of the length of this war, we have perhaps grown callous to the loss of life. It takes an episode such as this to reawaken our consciences and revitalize our sense of perspective. The road to peace in Vietnam is obviously long, and dark and filled with many dangers, but we will make it no shorter, brighter, or less dangerous by underestimating the enemy or allowing those who espouse his cause to subvert and confuse us here at home. Mr. President, by these and similar acts the Vietcong drops its mask and shows its true face—that of a Communist-dominated savage, moving at the will and direction of the centers of international communism. Let us have no more weasel words regarding his "civility."

I ask unanimous consent that the Associated Press wire dispatch of September 6, 1968, be printed in the RECORD.

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

#### VIETNAM.

SAIGON.—A veteran Viet Cong battalion, herding women and children in front as human shields, smashed into a company of American paratroopers in three waves early today. Thirty-one Americans were killed and 27 wounded.

The waves of troops from the Viet Cong's Cu Chi regiment broke through a company from the U.S. 101st Airborne Division 26 miles northwest of Saigon. The Viet Cong and the paratroopers were still locked in battle as night fell.

Thirty-one Viet Cong have been reported killed so far.

AP Photographer Max Nash reported from the battlefield that many of the Americans were killed by the Viet Cong as they lay wounded on the field.

The battle was one of three fought northwest and southwest of Saigon today in which,

according to incomplete reports, at least 110 of the enemy were killed and 150 persons seized as suspected Viet Cong.

A Communist defector had told U.S. Intelligence officers that Viet Cong troops were meeting Thursday in the village of Ap Trang Dau, nine miles from a major allied military base housing the headquarters of the U.S. 25th Infantry Division and a South Vietnamese training base for Rangers.

Troops from the 25th Division put a cordon around the village, and the Viet Cong tried unsuccessfully three times to break out.

Suddenly, Photographer Nash reported, about 300 enemy troops charged through rice paddies into one American paratroop company 150 yards away. They came in three waves. At command headquarters in Cu Chi, the voice of a radio operator came through: "They are coming, they are coming." Then the radio went dead.

U.S. officers said the first wave of enemy troops came running shoulder-to-shoulder through the night, screaming, firing assault rifles and pushing women and children in front of them as human shields.

After breaking the cordon, the enemy vanished into the darkness, leaving 31 of their own dead on the battlefield. Nash said some of the third wave enemy troops had bamboo poles with them to carry off some of their dead.

The American troops seized 123 persons as suspected Viet Cong in this area.

American soldiers also battle enemy troops 12 miles southwest of Saigon and South Vietnamese troopers were engaged in a third fight about 40 miles northwest of the capital.

About 14 miles north of the paratrooper battle, South Vietnamese forces, part of a multiregimental operation to clear the Boi Loi woods of Communist troops, killed 39 of the enemy in daylong fighting and seized six suspects. South Vietnamese losses were put at 10 killed and 18 wounded.

#### WORDS INTO ACTION

**MR. MONTOYA.** Mr. President, the Bilingual Education Act was passed last year in recognition of the very grave problems which confront children of limited English-speaking ability in the United States. Comprehensive hearings were held not only in Washington, but in New York, California, and Texas. The enthusiastic conclusion of the experts was unanimous—bilingual education presents us with a workable solution to many of the problems of minority groups which have too long been ignored.

Bilingual education won wide bipartisan support from the Congress, as the need for such programs became self-evident. The demonstrated success of the few projects now in operation in local school districts served to convince those who were still dubious.

Passage of the Bilingual Education Act in December of last year was widely heralded as the first real sign of national concern for the plight of the Spanish and Mexican Americans, the Indians, and the Puerto Ricans who are trapped by linguistic circumstance in the cycle of poverty.

The Bilingual Education Act authorized an appropriation of \$15 million for fiscal 1968, \$30 million for fiscal 1969, and \$40 million for fiscal 1970. Funds for 1968 were not appropriated, but expectations for 1969 still ran high. I can assure Senators that the President's budget request for only \$5 million was met with astonishment and great disappointment by the many supporters of this act.

The glaring disparity between legislative concern and fiscal action can best be summarized by the aphorism which refers to the "many slips twixt the cup and the lip." The House carried the administration's request for budget cuts to the extreme by refusing to appropriate any funds at all to the Bilingual Education Act.

The Senate Committee on Appropriations has increased the President's budget request of \$5 million by recommending an appropriation of \$10 million. Given the enormity of the need, however, such a sum can make very little impact.

I do not suggest that we ignore the economic crisis which currently confronts us, but the need for thrift must not be allowed to justify the slow starvation of a program which has such vital potential.

In view of my dual concern for the health of our economy and for the needs of our non-English speaking population, I am speaking out in support of the Senate committee's recommendation of \$10 million for education. I would far prefer to see this act fully funded. In the absence of this probability, however, I submit that the addition of \$5 million to the President's recommendation and \$10 million addition to the House bill can make all the difference to the future success of bilingual education.

There are two top-priority demands which must be met if the educational needs of our 3 million children of limited English-speaking ability are to be satisfied. First, we must train far more teachers in the special techniques of bilingual education. Harold Howe II, Commissioner of Education, stated in his testimony in the Senate hearings on bilingual education that:

If bilingual education is to make a significant impact, the supply of personnel specially trained for service in bilingual programs must be increased substantially.

Statistics based on Office of Education estimates show that a \$10 million appropriation could provide short-term and academic year programs for up to 1,140 teachers, as compared to the 750 teachers who could receive training under a \$5 million appropriation.

Funds for program planning and the dissemination of information are also desperately needed if our schools are to be able to use their money wisely once the Bilingual Education Act has received the acceptance and full funding which it deserves. A \$10 million appropriation would provide approximately \$510,000 for such purposes as compared to \$220,000 under the \$5 million appropriation. It would also allow \$900,000 for research and \$970,000 for teaching materials as compared to \$700,000 and \$750,000 respectively.

It is estimated that up to 75,000 children would benefit from the Senate committee's action, as compared to the 20,000 who would be served by the \$5 million budget request. The small investment recommended by the Senate committee would mean hope for 75,000 children who might be rescued from the academic retardation which has afflicted our non-English-speaking population for so many years. I submit that as a Nation

we cannot afford to cut these children off from the productive lives which bilingual education can help them to lead. Their numbers are still negligible in the face of the 3 million children who might benefit, but such programs also have their effect on the children's families and communities. We must do all that is within our fiscal means to reassure those whom this legislation proposes to help that we intend to back our words with action.

Dr. Bruce Gaarder of the Office of Education, presented a most convincing summary of the reasons which support the introduction of bilingual education in the Nation's schools. In his testimony before the Senate Special Subcommittee on Education, he listed the following five items:

1. Children who enter school with less competence in English than monolingual children will probably become retarded in their school work to the extent of their deficiency in English, if English is the sole medium of instruction. On the other hand, the bilingual child's conceptual development and acquisition of other experience and information could proceed at a normal rate if the mother tongue were used as an alternate medium of instruction. Retardation is not likely if there is only one or very few non-English-speaking children in an entire school. It is almost inevitable if the non-English language is spoken by large groups of children.

2. Non-English-speaking children come from non-English-speaking homes. The use of the child's mother tongue by some of the teachers and as a school language is necessary if there is to be a strong, mutually reinforcing relationship between the home and the school.

3. Language is the most important exteriorization or manifestation of the self, of the human personality. If the school, the all-powerful school, rejects the mother tongue of an entire group of children, it can be expected to affect seriously and adversely those children's concept of their parents, their homes, and of themselves.

The other two reasons apply when the bilingual child becomes an adult:

4. If he has not achieved reasonable literacy in his mother tongue—ability to read, write, and speak it accurately—it will be virtually useless to him for any technical or professional work where language matters. Thus, his unique potential career advantage, his bilingualism, will have been destroyed.

5. Our people's native competence in Spanish and French and Czech and all the other languages and the cultural heritage each language transmits are a national resource that we need badly and must conserve by every reasonable means.

Dr. Gaarder's words were echoed by witness after witness who testified to the damaging effects of our present system on the academic competence, the earning power, and the self-concept of the child of limited English-speaking ability.

Ten million dollars is a small price to pay for an education which can lead these children to the equal opportunity which this Nation has promised to all her people. I commend the Senate committee's recommendation for the approval of my colleagues. As I have stated, I would prefer to see full funding—\$30 million—of the Bilingual Education Act for fiscal year 1969. However, faced with the realities of the need for economy, the minimum that we can provide is the \$10 million recommended by your committee. Certainly a 67-percent reduction

from the original request is more than should be expected. Let us not provide less.

Mr. President, as illustrative of the added benefits which funding at various appropriation levels would provide, I ask unanimous consent to have printed in the RECORD a table prepared with the

## ESTIMATED ALLOCATION OF FUNDS AT VARIOUS APPROPRIATION LEVELS

	Research (Indian language, etc.)	Short-term institutes (number of teachers)	Academic year programs (number of teachers)	Teaching materials	Local school support (number of pupils)	Planning orientation and dissemination
\$5 million	\$700,000	600	150	\$750,000	20,000	\$220,000
\$10 million	900,000	900	210-240	970,000	72,000-75,000	510,000
\$15 million	1,100,000	1,200	300	1,100,000	129,000	800,000
\$20 million	1,100,000	1,500	450	1,700,000	174,600	1,000,000
\$25 million	1,100,000	2,100	600	2,700,000	194,600	1,600,000
\$30 million	1,100,000	2,100	600	2,700,000	214,600	1,600,000
\$40 million	1,100,000	2,100	600	2,700,000	408,400	1,600,000

ADJOURNMENT TO MONDAY,  
SEPTEMBER 9, 1968

Mr. BYRD of West Virginia. Mr. President, in accordance with the previous order, I move that the Senate stand in adjournment until 12 o'clock noon, Monday next.

The motion was agreed to; and (at 6 o'clock and 39 minutes p.m.), the Senate adjourned until Monday, September 9, 1968, at 12 o'clock noon.

## CONFIRMATIONS

Executive nominations confirmed by the Senate September 6 (legislative day of September 5), 1968:

## IN THE ARMY

The U.S. Army Reserve officers named herein for promotion as Reserve commis-

sioned officers of the Army, under provisions of title 10, United States Code, sections 593 (a) and 3384:

## To be major generals

Brig. Gen. John L. Boros, XXXXXXXX.  
Brig. Gen. Leonard W. Cronkhite, Jr., XXXXXXXX.  
Brig. Gen. Ray D. Free, XXXXXXXX.  
Brig. Gen. Herman H. Hankins, XXXXXXXX.  
Brig. Gen. Norbert J. Hennen, XXXXXXXX.  
Brig. Gen. Herbert T. Johnson, XXXXXXXX.

## To be brigadier generals

Col. William T. Archibald, XXXXXXXX, Infantry.  
Col. Thomas F. Butt, XXXXXXXX, Judge Advocate General Corps.  
Col. Joseph P. D'Arezzo, XXXXXXXX, Artillery.  
Col. Harold A. Hyde, XXXXXXXX, Infantry.  
Col. Albert B. Jones, XXXXXXXX, Armor.  
Col. Robert D. Partridge, XXXXXXXX, Civil Affairs.

Col. Richard S. Payne, XXXXXXXX, Infantry.  
Col. Eugene Phillips, XXXXXXXX, Armor.  
Col. Conrad D. Philos, XXXXXXXX, Judge Advocate General Corps.

Col. James M. Roberts, Jr., XXXXXXXX, Infantry.  
Col. Moise B. Seligman, Jr., XXXXXXXX, Infantry.

Col. Harry L. Willard, XXXXXXXX, Corps of Engineers.

The Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, sections 593(a) and 3385:

## To be major generals

Brig. Gen. Kenneth W. Brewer, XXXXXXXX.  
Brig. Gen. Edward F. Logan, XXXXXXXX.  
Brig. Gen. Hugh B. Mott, XXXXXXXX.

## To be brigadier generals

Brig. Gen. James H. Biddy, XXXXXXXX, Adjutant General's Corps.  
Col. Erle H. Bridgewater, Jr., XXXXXXXX, Corps of Engineers.

Col. William T. Burgoyne, XXXXXXXX, Artillery.

Brig. Gen. Jack K. Elrod, XXXXXXXX, Adjutant General's Corps.  
Col. Carl E. Lay, XXXXXXXX, Armor.  
Col. Andrew W. H. McKenna, XXXXXXXX, Armor.

Col. Narvol A. Randolph, XXXXXXXX, Corps of Engineers.

Col. Vahan Vartanian, XXXXXXXX, Artillery.  
Col. Walton K. Weitmer, XXXXXXXX, Artillery.

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

## To be brigadier generals

Col. Harry W. Barnes, XXXXXXXX, Adjutant General's Corps.  
Col. Robert F. Wilson, XXXXXXXX, Adjutant General's Corps.

## EXTENSIONS OF REMARKS

## ELOQUENCE IN THE PRAISE OF FLOWERS—ADDRESS BY HON. EVERETT MCKINLEY DIRKSEN

## HON. FRANK CARLSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. CARLSON. Mr. President, few voices in Congress can equal the eloquence of our beloved colleague, the distinguished senior Senator from Illinois [Mr. DIRKSEN]. And even fewer can match his eloquence in the praise of flowers.

To EVERETT DIRKSEN, the humble flower is a thing of beauty, a part of gracious living and a true expression of sentiment. He has often said:

I can go without a meal, but I cannot go without flowers.

So, Mr. President, it comes as no real surprise to learn that Senator EVERETT M. DIRKSEN has received the highest honor of American floriculture—the Golden Rose Award—in recognition of his great contribution and unwavering advocacy of the beauty of flowers in daily living.

The Golden Rose Award, established by Florists' Transworld Delivery Association in 1960, was presented to the distin-

guished Senator at the association's convention at Miami Beach on August 19. He is the second figure in political life to receive the award. The first was our First Lady of Flowers, Senator MARGARET CHASE SMITH, of Maine.

The presentation of the award was the highlight of the convention attended by nearly 2,000 florists from all over the United States, Canada, and Latin America. The Golden Rose, designed in gold vermeil by Cartier, is in the form of two perfectly shaped rose blossoms held aloft by golden stems with finely wrought leaves.

Introducing Senator DIRKSEN to the Nation's leading florists, FTD president, Adolph LeMoult, from New York, described the 1968 recipient of the Golden Rose Award as "a universal man with a genuine interest in flowers and an almost evangelical belief in the need for esthetic beauty to make life itself more beautiful."

The acceptance speech by Senator DIRKSEN received a tumultuous ovation. His knowledge of flowers and their language and history touched a very responsive chord in his audience. One lady florist remarked:

He's just told me why I've been in this business for 30 years.

Mr. President, I commend this speech to Senators and ask unanimous consent

that it be printed in the RECORD. In his usual superb, colorful style, Senator DIRKSEN commits to history his deep and abiding love for flowers in which he sees "the majesty and beauty and the mystery of the Lord."

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

REMARKS BY THE HONORABLE EVERETT MCKINLEY DIRKSEN, SENATOR, ILLINOIS, MINORITY LEADER, U.S. SENATE, AT THE 55TH ANNUAL CONVENTION OF FLORISTS' TRANSWORLD DELIVERY ASSOCIATION, AMERICANA HOTEL, BAL HARBOUR (MIAMI BEACH), FLA.

Mr. President—and fellow florists: It's so good to see you and believe me, it's good to be here. It constitutes such a change of pace; but there is no partisanship about a flower just as there is no partisanship about beauty.

I wasn't sure I was going to get here. I had a time of it yesterday. The meetings are so many, and the distances are so long, and the weather is so unpredictable, that yesterday I had to do without lunch. I had to do without dinner too. Although, I finally sat down to dinner. I then looked at my watch and realized I was due at 9:00 o'clock at O'Hare Field in Chicago if I was to be here. It required a squad car to get me there and they were boarding the plane when I arrived. But I made it, so once more I must knock on wood.

I remember that man who married a very nagging shrewy wife. From the day of their wedding until she was gathered up in the bosom of Abraham she nagged him. That's a polite Senatorial way of saying she died. At

the graveside they had the usual ceremony and there came a great rolling peal of thunder and then a jagged bolt of lightning. The bereaved husband contemplated this phenomenon for a moment and then tapped the minister on the shoulder and said "Parson, I think she made it." So I made it—and I am delighted to see you.

But you know I am delighted to see you for still another reason. I doubt very much whether anyone can give a good share of his life to flowers without having it create in him or her a greater feeling of the majesty and mystery of nature that you get in no other way. For if we fully understood flowers, we would know every secret of the universe. So that sets you apart and makes you a different breed of people in my book.

In fact, it brings to mind an experience I had on the western front 50 years ago . . . and that's a long time ago. Two chaplains had become separated from their respective military organizations and they were wandering around in the mud and water of the shallows of the western front. After hours of fruitless wandering they heard a rather deep stentorian voice say, "Who in the devil led the ace of spades?" They got up, embraced each other and said "Thank goodness we are among Christians." So you see, I set you apart from so many people.

Now I am sure I'm here this morning not for any expertise that I have given the field of flowers. I do work at it, but I do not want to lose my amateur standing, please—because that would be too bad for me.

But this much I can say, I doubt whether I need yield to any person when it comes to my deep and intrinsic devotion to the whole domain of flowers. Yes, as your president said, I can skip a meal, but I cannot skip a flower. And to me there is something more for that mere cliche you might remember from long ago. They used to say "he is one that sells bread by hyacinth." Yes I am like that. I can walk along the street in Washington, and if I have only one sou in my pocket, I say a flower would be bread to me.

So I am honored today by this very beautiful symbol, and I feel very deeply about it. One reason I feel deeply is the meaning that's in it. What was it that Tennyson said long ago? "Flower in the crannied wall, I pluck you out of the cranny. I hold you in my hand, root and all, little flower. And if I could understand I would know what you are, root and all, and all in all, and I would know what God is—and man."

You see, that is what a flower means. There is no way of explaining the mystery of the flower except that it came from the hand of the Creator. In my garden is a sign, and I am sure there are signs in thousands of gardens just like it. Oh, it goes like this, I believe: "The kiss of the sun for pardon, the song of the birds for mirth, one is nearer God's heart in a garden than anywhere else on earth." If you don't have one of those signs, you ought to, if you fool and fiddle with flowers as I do, in all their great variety.

When I think of flowers, I think of them in their many aspects. First of all, of course, the flowers that might properly be called shrubs . . . the hydrangeas, the spirea. And then the rose and the primrose and the lilac—oh, there are so many varieties—and strangely enough I have all of them. And then there are what one might call the leafy flowers. The fern is an example. The caladium is a better example, and so is the coleus. Because of the beauty of the leaf and the beauty of the form, I have them also. You'd be amazed at the variety of flowers I have. I like those humble flowers. I like such annuals as zinnias, marigolds, impatiens, dahlias, snapdragons—oh, a great variety and a great display. And the one great comfort I have after a long day in the Nation's Capitol is to drive out to Virginia and just lose myself in the beauty of the flowers. I can pick up one damn petunia and just be-

hold it and say, "They call you Comanche, and that is only a man-made name—but Comanche, where did you get your color and where did you get your beauty?" Or I can pick a canna that is double tinted yellow and orange and red and say, "Who made you, and why are you different from the petunia?" I could go on and on and try to spell out those differences. Finally, I see the majesty and beauty and the mystery of the Lord, but there is no way to understand it. So it brings great comfort to me.

Of course, flowers are messengers. And I must remember to accent the rose, the favorite over so many generations and in so many countries. I'm not sure I remember exactly how the rose does in the tropical countries. I have no recollection, on the basis of my travels in Latin America, Africa, or in Asia, that I readily recall the rose. But certainly in every country in the Northern Hemisphere or the northern latitudes there is the rose. And if I got there in the growing season, what a rare privilege and delight it was to see them. I remember the first time I saw tree roses in Vienna and, oh, how much they made of them. I wished I could take some along, but I didn't know how to pack and store them to bring them back.

But you find the rose everywhere. It's been the object of solicitude not only of the botanist but of the poet as well,—and that is understandable because the rose is a messenger. First, a messenger of love. Isn't it wonderful, after all, that in this rather cynical age—and it is a cynical age—the young people can still fall in love, and old people can fall in love all over again. After 41 years, I think I'll fall in love with Mrs. Dirksen . . . certainly on our wedding anniversary. And I can think of no more tender message than those deep red long stemmed roses. They convey everything I want to say, and they pour out from my heart all the happy sentiments that somehow are inspired by 41 years of a rather happy married existence. So you see, the rose is a messenger of love.

But the rose is a messenger of remembrance, also. During the times I have been in the hospital, oh, the flowers that came. I was simply overjoyed to know that people remember, and evidently miss me just a little bit, and so they send a message. Those messages, of course, become two-fold. Because in the hospital, as I could move around, I gathered up many flowers and took them down to the Vietnam Ward. Walter Reed is one of those terminal hospitals where they receive the evacuees from Vietnam. What a ghastly business it really is to see these youngsters minus arms and hands and legs . . . so badly battered, and in some cases where both arms and both legs are gone. So I strode into that ward with my arms full of flowers, and had the hospital orderly bring a cart to get all the rest of them. I wanted them to share this beauty, notwithstanding the mayhem that is committed upon the human body by the cruelty of war. Oh, you saw something light in their eyes as they beheld a flower or a bouquet. So you see, they are a message of remembrance.

But it is something more: they're a message of friendship. You know you don't get a lot of real friends in life. I think you are lucky if you have three or four durable friends. Sometimes you are lucky if you have one. And when I say one, or two, or three, I am speaking now about friends who under any and every circumstance are there to hold your hand, to give you comfort, and to help you over the tortuous places in life and never forsake you.

Then when, perhaps, you're laid up, here comes a floral bouquet—roses—to mark an enduring friendship. But it's a messenger also for anniversaries. Isn't it wonderful on your birthday to get a bouquet, and isn't it awful to forget to send a bouquet on your wife's birthday? You're not permitted quite to forget it, and it is just as well that you are not . . . because it adds so much.

Then, of course, there is still another area where the rose especially is a messenger that goes from one heart to another. It is in those distressing and anxious days when the icy finger of disillusion touches someone in the family and they go to their eternal sleep. What a comfort when the flowers come—messengers from friends in those anxious hours of family grief. The fragrance and the beauty which God put there by way of a flower somehow seems to assuage the grief and take the sting out of that bereavement.

Flowers are also messengers which know no politics or partisanship although when I introduced a bill to make the marigold the national floral emblem I was promptly confronted with a list of competition. There were those who thought the carnation should be the floral emblem. My former colleague in Illinois thought that the cornstalk should be the national floral emblem. I had quite a time talking a lot of people in the corn country out of the idea that the cornstalk is a flower. Of course, they ran to the experts in the Department of Agriculture in order to try to prove their case. But somehow, no one ever came along to make the petunia our national flower. And yet, I don't know of any flower to which I am so greatly devoted as the petunia, unless it is the marigold.

I think I have introduced that bill at five different sessions of the Congress. My enemies chide me and say, "Look, he can't even get the marigold made our national flower." That is supposed to be the sign of political impotence, or something. And then it becomes a campaign issue, notwithstanding the fact that I tried to keep it out of the campaign. I might say parenthetically that the marigold, on occasion, got me into no end of trouble.

For reasons completely unknown to me, the people out in Pasadena thought I would be an excellent Grand Marshall of the Rose Bowl Parade. Well, I could think of no good reasons for not going, particularly since Mrs. Dirksen was entranced by the idea. So we went to Pasadena. I thought it would be one of those easy undertakings. But they put me to work, and I think they worked me 18 hours a day.

Then the trouble began. That was the Tournament of Roses—and the rose must have emphasis. Nothing must be ahead of the rose. So when that parade got underway—the streets were jammed with people, they said a million people—the people began to shout, "Where is the marigold?"

I fooled them and I defied them, for I had equipped myself with just a little bouquet of scrawny marigolds. It was all I could find in Pasadena. So as we went along, I waved this little bouquet and it excited a lot of interest.

But I noticed the driver of the car and the president of the tournament of roses were getting a little pink around the collar. And as this went on, they became pinker and then slightly red. I thought perhaps I had trespassed on courtesy and kindness perhaps too long. If I had not given up on this endeavor to convert the tournament of roses into the tournament of marigolds, I might not have gotten out of the Golden State alive.

So the marigold can do that for me. But all in all—flower in the cranny wall, I pluck you out of the crannies—I hold you in my hand—root and all—little flower, and if I could but understand what you are, root and all, and all in all, I would know what God is—and man.

That's what flowers mean. And there is something absolutely holy about the pursuit of this beauty and this mystery—because it can't help making a person a better person. It cultivates this esthetic sense, and somehow it makes him a better citizen. And may that devotion to floriculture to all flowers—particularly as a messenger of sympathy, love, remembrance, and friendship—never wither.

How greatly you honor me by asking me to come here today. And you honor me doubly by presenting this Golden Rose. I shall treasure it forever.

**PUBLIC OPINION SURVEY IN NORTH CAROLINA'S EIGHTH CONGRESSIONAL DISTRICT**

**HON. CHARLES RAPER JONAS**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 6, 1968

Mr. JONAS. Mr. Speaker, under leave to extend my remarks, I am including the results of my annual public opinion survey among residents of the Eighth Congressional District of North Carolina.

I would like to express appreciation to all those who took the trouble to inform me of their stands on some of the important issues facing the country today. A total of 13,379 persons completed questionnaires and mailed them to my Washington office.

One especially gratifying aspect of this year's questionnaire is that a great majority of those responding added comments elaborating their views on one or more of the questions or on some other issue of concern to them.

Questionnaires were mailed to the broadest possible cross section of district residents and returns were received from all of the counties of the district. This would indicate that the responses constitute a fair reflection of the thinking of the Eighth District residents, and also indicates that people are anxious to have their views solicited.

Answers were tabulated by Data Management, Inc., of Washington, D.C., by the use of data-processing equipment.

Following are the questions listed in the 1968 survey and the responses by percentages:

1. In the event current negotiations fail to bring the parties to the conference table, indicate which of the following policies you recommend in Vietnam:

- (a) Continue limited warfare including resumption of bombing of selected targets in North Vietnam. (The policy before the President's announcement of Sunday night, March 31, 1968) 4.0
- (b) Crank up an all-out offensive in an effort to win a military victory as soon as possible 39.3
- (c) Stop U.S. bombing in an effort to get the V.C. and North Vietnamese to the conference table 2.9
- (d) Deescalate the war by withdrawing troops to selected strong positions but remain in Vietnam 4.5
- (e) Get out of Vietnam 15.9
- (f) Make greater diplomatic efforts to get peace negotiations started 13.7
- (g) I have another idea 5.7
- No answer 14.0
- (h) If your views about Vietnam have changed recently, indicate in which direction:
  - More "dovish" 22.6
  - More "hawkish" 30.2
  - No answer 47.2

2. Which of the following courses do you think should be followed in an effort to prevent future rioting in the cities:

- (a) Stronger police action by use of such force as is necessary to stamp out the riot in early stages 73.8

**EXTENSIONS OF REMARKS**

(b) Mount a massive effort, by use of increased Federal funds, to clean up the slums in the cities	7.9
(c) I have a better idea	8.1
No answer	10.2

3. Inflation is becoming a serious problem, resulting in higher living costs at home, and loss of confidence in the dollar abroad. In an effort to curb inflation and restore confidence in the dollar, would you:

- (a) Raise Federal income taxes, as recommended by President Johnson 3.2
- (b) Make substantial cuts in the administration's spending programs 57.9
- (c) Both 30.3
- No answer 8.6

4. If you said you would make substantial cuts in spending, where would you cut:

- (a) Defense 4.9
- (b) Regular programs such as space, foreign aid, public works (post offices, Federal buildings, dams, highways, rivers and harbors), agriculture, etc. 14.5
- (c) So-called "Great Society" programs such as poverty, model cities, public housing, etc. 46.0
- (d) Other 4.3
- No answer 30.3

5. Indicate whether you think the Federal Government should do more, less or continue present level of support in the following areas.

- (a) Space:
  - More 14.5
  - Less 37.7
  - Same 41.9
  - No answer 5.9

- (b) Foreign Aid:
  - More 1.8
  - Less 85.4
  - Same 8.3
  - No answer 4.5

- (c) National Defense:
  - More 26.7
  - Less 14.5
  - Same 50.7
  - No answer 8.1

- (d) Aid to the poor:
  - More 21.7
  - Less 43.0
  - Same 29.0
  - No answer 6.3

- (e) Aid to cities:
  - More 14.9
  - Less 57.6
  - Same 21.0
  - No answer 6.5

- (f) Highway construction and improvements:
  - More 32.8
  - Less 10.5
  - Same 50.5
  - No answer 6.2

- (g) Beautification:
  - More 12.5
  - Less 49.9
  - Same 30.1
  - No answer 7.5
- (h) Housing for low-income families:
  - More 26.7
  - Less 35.0
  - Same 32.0
  - No answer 6.3

- (i) Air and water pollution:
  - More 61.3
  - Less 7.2
  - Same 25.9
  - No answer 5.6

(j) Public works:

More	11.7
Less	38.7
Same	40.7
No answer	8.9

(k) Hospital and medical care:

More	23.5
Less	29.1
Same	41.2
No answer	6.2

(l) Medical research:

More	51.4
Less	8.9
Same	33.4
No answer	6.3

(m) Parks, recreation and conservation:

More	26.0
Less	21.9
Same	45.2
No answer	6.9

(n) Education:

More	48.0
Less	15.8
Same	30.4
No answer	5.8

(o) Job training:

More	47.6
Less	19.5
Same	27.2
No answer	5.7

(p) Law enforcement:

More	75.9
Less	5.7
Same	14.5
No answer	5.9

**MIGRANT WORKERS' HOUSING ON LONG ISLAND**

**HON. JACOB K. JAVITS**

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. JAVITS. Mr. President, some Americans in Riverhead, Long Island, N.Y., are accomplishing the wish of their lives. These people are finally going to own their own homes after many years of wandering over the country. The people I refer to were migrant workers.

Now, due to the Suffolk County Opportunity Council, they have been able to settle down in their own homes. Isaac Beamon and William Lenihan, ex-migrant workers, have been taught the fundamental skills of carpentry through the adult education classes offered by the Suffolk County Economic Opportunity Council. They are furnishing their own labor to build the houses—which serves, in essence, as the "downpayment."

The educational self-help program which was so instrumental in helping Beamon and Lenihan to obtain their first homes is representative of the fine programs being conducted by the Suffolk County Economic Opportunity Council. That these men were able to achieve their goal—homes of their own—is a tribute to their determination as well as an achievement for the local opportunity program.

Because the success of these Americans will be of interest to Senators, I ask unanimous consent that the article en-

## EXTENSIONS OF REMARKS

titled "Skills Pooled by Long Island Poor to Build Their Homes," and published in the New York Times of June 26, be printed in the RECORD.

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

## SKILLS POOLED BY LONG ISLAND POOR TO BUILD THEIR HOMES

(By Francis X. Clines)

RIVERHEAD, LONG ISLAND, June 25.—Soon after Isaac Beamon first went on the migrant farming cycle 15 years ago, his wife began asking, "When are we going to make our last move?"

And for years, Mr. Beamon replied, "Woman, when we go to the cemetery."

But this year, the Beamons have invested their only asset, the sweat of their brows, to build a permanent home under a self-help program in which farm workers are building their own houses here on eastern Long Island. Their own labor, in effect, is serving as their down payments.

Under the program, which is sponsored by the Suffolk County Economic Opportunity Council, former migrant workers banded together to learn basic construction skills at night.

The Federal Government is guaranteeing low-interest mortgage loans, despite skepticism and even opposition from some farmers, real-estate dealers and other residents in this conservative farm area.

## WORK BEGUN ON 9 HOUSES

The first nine of 45 families who have applied for the program have begun construction, spending evenings and weekends prefabricating the shells of their future homes in an old produce plant here.

The first nail was driven last month and now there are neat piles of roof trusses, wall frames and window frames ready for the first two foundations, which were begun last weekend.

Mr. Beamon's family and the eight others in the first group are Negroes, like most seasonal farm workers on Long Island's East End. Racial prejudice shown by real estate dealers, they said, was the greatest obstacle in a year-long struggle with bureaucracy and banks that has now been rewarded with the smell of fresh-cut lumber.

The dealers kept trying to sell the nine families a single tract of land to subdivide, while members of the Self Help Home Building Association insisted on individual widely scattered sites.

"They wanted to create a new ghetto for us," said Mr. Beamon, an even-tempered man who quit a strawberry farm eight years ago in disgust at "the shack I had to live in."

Mr. Beamon now works at a commercial nursery. Some members of the housing program still work on farms, as seasonal employees rather than migrants, while others have obtained more permanent jobs through the local antipoverty center. One man is a bus driver, another a carpenter's helper, one is an asphalt worker and three are workers in a duck-processing plant.

In some cases, the building sites were obtained by proxy purchase with the help of white persons. In another, a real-estate dealer secretly arranged a sale but recorded it through a dealer in another area to avoid community resentment.

Mr. Beamon visited more than a dozen dealers without success before obtaining a half-acre in an integrated area, near a stream in Southampton.

"One real-estate lady made a date to meet me and when she saw I was black, didn't say a word and drove off so fast she splashed mud on me," Mr. Beamon said. "I kept telling them 'If you don't want to do business with me, I don't want to deal with you.'"

Edward Geyer, an antipoverty worker who directs the program, said most of the nine homesites are in integrated areas. A second group of hopeful homebuilders, who are now completing the necessary paperwork, includes two white families, Mr. Geyer said. He said that if more whites joined the program, a single, racially balanced subdivision might prove feasible.

One of the white applicants, William Lenihan, the father of seven children, has been in the hospital and on welfare for the last several years. He heard about the program through Seasonal Employees in Agriculture, an agency here that assists farm workers.

## FINANCIAL BENEFIT EXPECTED

"I'm paying \$130 rent for the place I have now," Mr. Lenihan said of a house here on Flanders Road, a decrepit community of predominantly Negro, low-income former migrant workers.

"We're not only helping ourselves, we're helping the taxpayer," Mr. Lenihan said, comparing his present welfare-aided rent with the anticipated monthly payment of about \$80 for mortgage and taxes.

The basic self-help house is a three-bedroom raised ranch-style building with room for two additional bedrooms on the basement level, a valuable feature since the nine families have a total of 49 children. The individual mortgages are \$500 to \$10,000, including about \$2,500 for land.

## HOMES WORTH \$16,000

Add to this the value of each owner's labor—estimated at \$6,000 for 1,500 hours on each house—and the product is a \$16,000 house. Such a house has been beyond the reach of poor farm laborers, mainly because they cannot afford to save for a down payment.

The nine families are working in concert, much like this area's pioneer farm families. Their skills include plumbing, masonry, carpentry and wiring. They learned the crafts from experts at the Seasonal Employees in Agriculture headquarters on Flanders Road and from volunteers like Orban Chase, a middle-income Negro familiar with construction.

Lissa Werner, an antipoverty worker, said many of the men who now saw, hammer and glue into the night were skeptical of the program but responded to prodding from their wives. The wives have been repairing old furniture. In a program where wage-earners have to travel from the farms in \$100 used cars, furniture and shrubs are luxuries.

## WASHINGTON BACKS LOANS

The mortgage loans are guaranteed by the Farmers Home Administration which has backed more than 1,000 self-help homes in 25 states. While the housing group here said they once encountered months of Federal red tape, relations are reported greatly improved with both the Federal agency and a three-man panel of local farmers who review each loan application.

One problem, since solved, was the definition of poverty. Applicants must be seasonal farm workers and poor by the Federal standard of \$3,200 or less in annual income for a family of four. Once accepted by this definition, however, the families have had to seek extra or better-paying jobs to be able to carry the mortgages, which are for 33 years at 5 per cent interest.

Mr. Beamon said his 20-year-old son, Norvin, was recently drafted and ordered to Vietnam, casting a shadow over the celebration of the "first and best home" the family ever owned.

"I was in the Army," said Mr. Beamon, the son of Virginia tenant farmers, "and I learned that each of us is only a man who wants to be free in a place where he can be left alone."

September 6, 1968

## CONCERN FOR LAW AND ORDER

## HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 5, 1968

Mr. GRIFFIN. Mr. Speaker, unquestionably the subject of law and order is currently of foremost concern to all responsible citizens of this Nation. James M. Lambert, editor of the award-winning Natchez, Miss., Democrat, recently published an editorial containing what I consider to be a sound and reasonable commentary on certain recent events. The editorial was prompted by a telegram directed to Mayor Richard Daley, of Chicago, by Sheriff William T. "Billy" Ferrell of Adams County, president of the Mississippi Sheriff's Association.

Mississippi peace officers are very familiar with the tactics of demonstrators. As a matter of fact, many of those in Chicago have been in Mississippi taunting and attempting to provoke our law-enforcement officers. Communist rabble-rousers and pinko demagogues must be dealt with sternly and swiftly. Otherwise their poison would inflame the ignorant and the indolent so as to cause widespread violence.

I commend to my colleagues the careful consideration of the timely editorial which follows:

## CONGRATULATIONS, SHERIFF

Our sincere and heartfelt congratulations to our own Sheriff William T. "Billy" Ferrell on his telegram as President of the Mississippi Sheriff's Association to Mayor Richard J. Daley of Chicago, Ill., for his actions during the National Democratic Convention.

There has never been a time in the entire history of these United States when law and order was more badly needed than at the present time.

There has never been a time when our peace officers, whether the Sheriff and his Deputies; Chief of Police and his Officers; Federal Bureau of Investigation men; Security Officers and others, need to exercise the right and power given them under the U.S. Constitution, than at the present time.

There has never been a time when our Peace Officers should be instructed and told by their Superiors to "use force when necessary" for the maintenance of law and order in our country, in our states and in our communities, than NOW.

There has never been a time when all of this "hog-wash" about "Police Brutality" should be totally disregarded and thrown out the window, than the present.

If we in this community, this state and this nation are to know and enjoy the peace and tranquility that we have a right to expect as "Free People", it must be the result of the strict enforcement of ALL laws to the very fullest extent and through the use of FORCE, if necessary.

There may be laws which we individually may not think and believe are right, just and equitable, but, they ARE laws and so long as they remain laws they must be obeyed and must be enforced.

The vast majority of our laws are designed and intended for the protection of ALL of our people and for insuring the peace and tranquility of the communities, state and nation. Without their rigid enforcement none of the above can be reality.

Now is the time to let all violators of law, whether they are bewhiskered, dirty beatniks; So-called Pacifists; White or Negro; Rich or Poor, be firmly made to understand

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that their violations of laws and order will not be tolerated.

Again, Congratulations Sheriff Ferrell. It is only to be regretted that more Peace Officers and more leaders on the local, state, and national levels have not done likewise.

We certainly join Sheriff Ferrell in extending our congratulations to Mayor Daley "on a job well done".

## THE SENATE AND THE SUPREME COURT

## HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. MOSS. Mr. President, I concur in the statements expressed in the lead editorial, entitled "The Senate and the Supreme Court," published in this morning's Washington Post. I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

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

## THE SENATE AND THE SUPREME COURT

The confirmation of Mr. Justice Fortas as Chief Justice of the United States is the most important obligation currently confronting the Senate. It is an obligation because only the crassest political partisanship could explain a failure to confirm the President's nomination of a man already confirmed as an Associate Justice. It is important because such a failure would seriously interfere with the Supreme Court's current work and would imperil its independence for the future.

Two principal arguments have been advanced against the confirmation of Justice Fortas. One is Senator Griffin's argument—to which Mr. Nixon has given a measure of support—that the selection of a Chief Justice ought not to be made by a President in the final months of his tenure in office. It seems to us that precedent and logic alike consign this contention to the discard. Appointments to the Supreme Court and to inferior Federal courts are not made at the President's pleasure but when vacancies occur. Presidents from John Adams on have made appointments to the courts close to the conclusion of their terms; and indeed there is no good reason why they should not do so. A President who has decided not to run for re-election is no more disqualified from making appointments at the close of his tenure than he is from discharging the other duties of his office—say, for instance, negotiating the settlement of a war or giving his approval to an act of Congress.

A more dangerous and no less meretricious argument against the confirmation of Justice Fortas has been advanced by Senators Thurmond and Ervin. They contend that he should not become Chief Justice because they disagree with some of the decisions of the Supreme Court in which he concurred—or which, at any rate, he declined to criticize, when he appeared before the Senate Judiciary Committee, as a purchase price of confirmation. This is an argument that disgraces its authors. It is designed to subordinate the Supreme Court to the Senate.

If confirmation of a judicial nomination is made dependent upon the nominee's agreement with a majority of the Senate, that majority will obviously be able to exercise a controlling influence on the Court. It emphatically ought not to do so. In the American tripartite constitutional system, the Federal courts are made independent of the Congress and the Executive—by a grant

of life tenure to their members—precisely in order to assure them the independence requisite to their counterbalancing role. And that independence is designed to give them freedom from the political pressures that inevitably color the judgment of men obliged to stand from time to time for re-election. It would be tragic for the Senate to compromise the independence of the Supreme Court.

There is a practical consideration which should lend impetus to the Senate in confirming Justice Fortas. If he has not been confirmed when the October term of the Supreme Court begins, Chief Justice Warren will be obliged either to remain in office despite his desire to retire or to leave the Court without a Chief Justice. Either course will seriously impede the Court's work. Cases argued before it while he sits will have to be reargued if they are not decided before his retirement.

All of these considerations argue for a prompt resolution on the Fortas case. Delay by the Judiciary Committee—as on last Tuesday's pretext that a quorum was lacking—or by a filibuster would be unconscionable. The Senate ought not to tolerate either form of obstruction. The nomination should be brought to a vote.

The situation, in our judgment, presents an opportunity to Richard Nixon for statesmanship of a high order. To his credit, he characterized Justice Fortas on Wednesday as "one of the ablest Justices on the Court." On moral and pragmatic grounds alike, he would do well to go the logical step beyond this and indicate a repugnance to any part in the effort to block the Fortas confirmation. Four years, or eight years, from now he may be sending to the Senate a judicial nomination of his own. He can hardly wish to lend color to the pernicious doctrine that retiring Presidents should be rendered powerless. And he can hardly wish to accept any portion of the obloquy that would be justly attached to the rejection of a manifestly qualified nominee on purely partisan grounds.

Abe Fortas has had an extraordinarily distinguished career in the law—as a teacher, as a Federal administrator, as a lawyer in varied private practice, as a judge. In terms of intellect, character and experience, his fitness to be Chief Justice cannot reasonably or fairly be assailed. The Senate has a clear duty to confirm him now—and to save the Chief Justiceship from the tumult and the hazards of a national election.

## SOME MEMBERS OF THE SUPREME COURT ARE TAKING UNDUE LIBERTIES WITH THE CONSTITUTION

## HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 6, 1968

Mr. PELLY. Mr. Speaker, during the August congressional recess I was privileged to spend 4 weeks in Washington's First Congressional District where I enjoyed the many opportunities afforded me to discuss the matters of greatest concern to the people at home. Many of these discussions were predictably about war in Vietnam, violence at home, and the state of our economy.

But, concern over some of the recent decisions by the U.S. Supreme Court appeared to me to be at a new high. The issue I heard raised again and again was whether or not the Supreme Court was stepping out of its constitutional role in

our Government and into the lawmaking legislative branch as a result of some of its recent decisions.

In the past, I have taken strong objection to many decisions. For example, the decisions in which the Court found that a Communist has a right to work in a defense industry where, of course, our national security is involved; or other decisions which set free confessed murderers and rapists on minor technicalities. It has seemed to me that the rights of society have been subverted in favor of the rights of individuals.

However, in general, my feelings as to the Supreme Court taking undue liberties with the Constitution are appropriately covered in the September 2, 1968, issue of U.S. News & World Report which includes a report entitled, "From State Judges: Growing Attacks on the Supreme Court." Here, I read some of the same arguments I had heard raised at home, and this time they were coming from Justices of the Utah State Supreme Court and from a justice of the Pennsylvania Supreme Court.

The issues raised by Justice Michael A. Musmanno, of Pennsylvania, included his conclusion:

The Supreme Court is acting as a super-Senate. It is now unabashedly making law.

The statement of the Utah Supreme Court, I place in the RECORD for the attention of my colleagues. It is an opinion in a criminal case that contained passages concurred in by all five justices of the Utah Supreme Court, three of whom were Democrats and two Republicans serving on a nonpartisan court:

The United States Supreme Court, as at present constituted, has departed from the Constitution as it has been interpreted from its inception and has followed the urgencies of social reformers in foisting upon this nation laws which even Congress could not constitutionally pass. It has amended the Constitution in a manner unknown to the document itself.

While it takes three fourths of the States of the union to change the Constitution legally, yet as few as five men who have never been elected to office can, by judicial fiat, accomplish a change just as radical as could three fourths of the States of this nation.

As a result of the recent holdings of that Court, the sovereignty of the States is practically abolished, and the erstwhile free and independent States are now, in effect and purpose, merely closely supervised units in the federal system.

In addition . . . we are disturbed in the attitude of the criminal element in our society since the federal courts have arrogated unto themselves the powers and duties which rightfully belong to the State courts. It is a daily occurrence when some known burglar or thief flouts a police officer and threatens to "get his badge" and threatens the trial judge with having him taken before the judge of the federal court. . . .

The prime prerequisite toward a good relationship between a prisoner and his rehabilitation is his acknowledgment and acceptance of the fact that he has done wrong and a realization on his part that society is his benefactor, trying to improve his lot so that he can become a useful citizen.

It is difficult to supervise a man who is looking for loopholes through which he may escape from the results of his criminal tendencies. Each time he is let out on a technicality, he believes the court is on his side and so he does not have to conform to any

standard except that which he sets for himself.

A constant stream of writs of habeas corpus flows from the prison daily, complaining about the lack of beefsteak and pie, and other frivolous matters. Suits are filed against judges who, in the performance of their duties, sentence criminal to prison, etc. . . .

The decision of the United States courts have in effect invited or caused prisoners to look for technicalities of how to "get out of it" or to "beat the rap."

The time was when a lawyer could counsel his client to plead guilty and receive supervision and training so that he might be a better citizen when he had paid his debt to society. Such advice came from honest lawyers who thought more of the future of the defendant than they did of getting a guilty man off.

No longer can an attorney safely do that, for to do so will likely result in a release of the prisoner on habeas corpus upon the ground that the lawyer was incompetent and had not put the State to as much expense as possible.

#### THE GREAT DRUG ROBBERY

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. METCALF. Mr. President, the Small Business Committee's Monopoly Subcommittee, under the chairmanship of the able Senator from Wisconsin [Mr. NELSON] is the subject of an article entitled "The Great Drug Robbery." In the September issue of the Progressive, a fine and informative magazine, Mr. Morton Mintz pinpoints some of the confusing and contradictory facts uncovered during the course of the subcommittee's hearings on the drug industry.

The American people owe a real debt of gratitude to Senator NELSON and his subcommittee for the work they are doing in their efforts to expose and resolve some of the problems within this industry. As the article so aptly points out, this investigation has opened up several new areas of knowledge.

The Senator from Wisconsin was rightly appalled at the pricing practices within the industry. A drug which is sold to a druggist in the United States for \$17.90 per 100 tablets, was sold by the same firm to druggists in Bern for \$4.34 and in Rio for \$5.30.

The subcommittee has made every attempt to get an explanation of this wide price variance, yet not a single industry witness could satisfactorily account for it. I applaud my colleague for saying "The pricing policy seems to depend on what the traffic will bear. Even if you don't call it that, I do." Mr. President, I think the American people do, too.

Furthermore, the Senator and the subcommittee were shocked at the advertising policies followed by the industry. Nowhere was this more dramatically illustrated than in the case of chloramphenicol, a drug which has been responsible for hundreds of needless deaths in this country from aplastic anemia, a horrible and usually fatal disease.

The Parke, Davis Co., manufacturer of the drug, is required by FDA to meet

stringent standards of advertising in this country. Yet, in England, to cite one example, the company's ad contains no warning regarding serious and fatal side effects whatsoever. When asked to explain this, the Parke, Davis executive could not. He conceded that the effect of chloramphenicol is the same on people in other countries as it is here, and he stated the company always complies with the requirements of the law in each country.

Senator NELSON called this a shocking "when in Rome do as the Romans do" policy which placed the lives of people in other parts of the world at the mercy of American drug companies. He said:

That means, of course, that there is not a single underdeveloped country in the world that has any defense against the exploitation of their people for profit by an American corporation that does not warn them of the serious, mighty serious, possibly fatal consequences.

As the Senator so clearly stated, there is, indeed, a very serious moral question involved in this.

Mr. President, I know I speak for my fellow Americans when I say we can all be grateful to Senator NELSON and the Small Business Committee's Monopoly Subcommittee for courageously and steadfastly continuing to probe a matter which affects not only the pocketbook of every citizen of this land, but his very health and life, as well.

I commend the Progressive for its coverage of a subject so vital to the health and welfare of our people.

Mr. President, I ask unanimous consent that the article be printed in the Extensions of Remarks.

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

#### THE GREAT DRUG ROBBERY

(By Morton Mintz)

(NOTE.—Morton Mintz, a staff writer for The Washington Post, won the Raymond Clapper, Heywood Broun, and George Polk awards for his 1962 reporting of the thalidomide tragedy. He wrote "By Prescription Only," published in hard-cover by Houghton Mifflin and in paperback by Beacon Press, which is a 60,000 word updating of his earlier book, "The Therapeutic Nightmare.")

"I will match the integrity and morality of the pharmaceutical industry with that of our accusers any time."—Foster Whitlock, chairman of the Ortho Pharmaceutical Corporation, a division of Johnson & Johnson, in a speech May 15, 1968 at the Seventeenth Annual Rutgers Pharmaceutical Conference.

President Johnson long has had close ties to the drug industry. His friends have included lawyers who represent the Pharmaceutical Manufacturers Association and its member firms, including Thomas G. (Tommy the Cork) Corcoran and Lloyd N. Cutler. While president of Merck & Company, John T. Connor served as a co-chairman—with Henry Ford II—of the National Independent Committee for Johnson and Humphrey in the 1964 campaign and later became Secretary of Commerce.

But such ties did not bind the President last March 4 when, in his health message to Congress, he used some of the toughest language about the drug industry ever spoken in public by a high Government official. Requesting legislation similar to that sponsored principally by Democratic Senators Russell B. Long of Louisiana and Gaylord Nelson of Wisconsin to prevent payment of what the President called "needlessly

high and exorbitant prices for prescription drugs used in Federally supported programs," Mr. Johnson cited prices ranging from \$1.25 to \$11 for the same quantity of various drugs of the same formulation and dosage. "The taxpayer should not be forced to pay \$11 if the \$1.25 drug is equally effective," the President said. "To do this would permit robbery of private citizens with public approval."

Mr. Johnson's use of the word "robbery" was a perceptive recognition of public hostility to the drug industry. How intense this hostility can get was suggested seven weeks earlier in a story in *The Washington Post* on a poll taken in New York City for Chas. Pfizer & Company, Inc. The poll, conducted by Roper Research Associates, Inc., showed that of the persons sampled, ninety-seven per cent were critical of the profits and pricing practices of the drug industry.

"I cannot recall any study we have done where an industry has been criticized by such a vast proportion of the population," said Burns W. Roper, the polling organization's president. "In fact, male voters surpassed Ivory Soap's 99-44/100ths per cent with a full 100 per cent citing the drug industry negatively on one or more of . . . six questions," he commented. "In our experience, it is rare indeed to find 100 percent of any group agreeing on anything."

For such a fall from grace many causes could be cited, including the industry's greed, rigidity, clumsiness, and moral insensitivity. All of these characteristics were displayed in a sensational criminal anti-trust case in which, shortly before the Roper poll, a guilty verdict was returned against Pfizer, American Cyanamid Company, and Bristol-Myers, Inc. In Federal Court in Manhattan last December 29, these firms were convicted of conspiring to fix the prices of three "wonder" antibiotics (tetracycline; Pfizer's Teramycin, or oxytetracycline; and Cyanamid's Aureomycin, or chlortetracycline); of conspiring with each other and with the Upjohn Company and the Olin Mathieson Chemical Corporation (Squibb) to monopolize a \$100-million-a-year market for the products, which are effective against a broad range of infections, and of actually achieving a monopoly.

The trial brought such devastating disclosures as these: The cost of producing 100 tablets of tetracycline in the 250-milligram dosage was disclosed in hitherto confidential company documents to be as low as \$1.52. But from 1953 to 1961, the period covered by the indictment, the price to druggists was \$30.60—and to consumers \$51. In the six years ending in 1955, Cyanamid's sales of antibiotics totaled \$407 million. Gross profits totaled \$342 million, or only \$65 million less, and were at an annual rate of between 82.6 and 85.7 per cent.

The trial, despite its importance to what the *Columbia Journalism Review* called "readers' essential concerns of life and health," was seriously neglected by major news media, including *The New York Times*. Other factors, therefore, must account significantly for the low esteem of the drug industry by the Roper pollsters. And so it is noteworthy that of the 516 persons in their sample, 278 asserted knowledge of Congressional or other Government drug-price inquiries. Of the 278, there were 166, or sixty per cent, who said there were "just causes" for such inquiries, compared with nineteen per cent who considered them to be "politically inspired."

"Just causes" are precisely what constitute the heart of the continuing hearings begun in May, 1967, by Senator Gaylord Nelson, Wisconsin Democrat, as chairman of the Subcommittee on Monopoly of the Senate Select Committee on Small Business. Formally, Nelson's purpose is to inquire into the "Present Status of Competition in the Pharmaceutical Industry." But with a tiny

Subcommittee staff, economist Benjamin Gordon and his research assistant Susan H. Newman, and with the pioneering investigation led by the late Senator Estes Kefauver as a building block, the Wisconsin Senator has opened up several new areas of knowledge. Some of these areas concern "The Strange Ethics of the Ethical Drug Industry," in the words of the title of a 1960 article by economist Alek A. Rozenthal in *Harper's*. Nelson has shown, in the thirty-six days of hearings completed thus far, that the industry's ethics are nowhere stranger than in its international dealings. This applies not only to prices, but to matters of drug safety which have direct bearing on health and life.

Last November 29, the Nelson Subcommittee heard testimony from Leslie M. Lueck, director of quality control of Parke, Davis & Company, who appeared under sponsorship of the Pharmaceutical Manufacturers Association. Lueck presented evidence that Chloromycetin, the Parke, Davis brand of chloramphenicol, enters the bloodstream in therapeutically useful amounts with greater speed than chemically similar, cheaper versions of the antibiotic. Readers of *The Progressive* will recall from my article last June ("How Doctors Learn the Easy Way") that Chloromycetin has been responsible for hundreds of needless deaths in this country from aplastic anemia, a usually fatal disease which destroys the ability of the bone marrow to make vital blood components.

In questioning Lueck, Senator Nelson asked if the extensive warnings required in Chloromycetin advertisements by the Food and Drug Administration "are justifiable." Lueck replied, "Yes; I think they are. I think they are very adequate." An advertisement to which Nelson had specific reference was published in the *Journal of the American Medical Association* on February 20, 1967. Nine days earlier, the *British Medical Journal* had carried a Parke, Davis advertisement for Chloromycetin. This "does not have any warning in it at all," Nelson said. "How do you explain that?" Lueck really couldn't explain it, because he had to concede Nelson's point that the effect of Chloromycetin "is the same on people in other countries as it is here." Instead, the Parke, Davis executive took a When-in-Rome-do-as-the-Romans-do tack. His company, he said, "has always met all the requirements, the legal requirements of whatever country we distributed our products in . . ."

But the question was not whether an advertisement met the "requirements" of other countries. "There is a very serious moral question involved," Nelson said angrily. "It sure shocks me. What the witness says is we will meet the standards of the country where the drug is sold. That means, of course, there is not a single underdeveloped country in the world that has any defense against the exploitation of their people for profit by an American corporation that does not warn them of the serious, mighty serious, possibly fatal consequences here. Do you mean to testify that your company will stand on the proposition that we will send drugs to Tanganyika, we will send to Latin American countries, we will send drugs to all the underdeveloped countries in the world and since they do not have any standards, we will fool them all we can and make a great big profit and never tell doctors that there is a risk of serious blood dyscrasias? Is that what you are telling the Committee?"

Lloyd Cutler, special counsel for the Pharmaceutical Manufacturers Association, who had helped trigger Nelson's attack, entered a general denial and then said, "You are indicting every drug company in Great Britain and the United States." Nelson shot back that any company that would do what Parke, Davis had done in this case, "I would be pleased to indict on moral grounds. . . . I would think you would not sleep at night, frankly, you or any drug company that would do that."

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Two weeks later, Nelson recalled what the company had done, and the defense made for it, to George S. Squibb, a former vice president of E. R. Squibb & Sons. "I think that is horrible," Squibb said. Because every life-saving drug can have a dangerous potential, he went on, every manufacturer has a "special social responsibility." This requires disclosure "without limitation or selection at all times . . . to everybody who is a potential customer" of the full facts about a drug. Any other attitude "is just disastrous, it is immoral, it is unethical, it is stupid," Squibb said. "I cannot see how a responsible company can fall back on 'the law' to limit its burden for proper disclosure of things it knows about its products, good and bad both."

But Parke, Davis hardly could be alone, as was clearly indicated by Cutler when he accused Nelson of "indicting every drug company." On May 3, a large entourage from Merck & Company appeared before the Nelson Subcommittee to testify about indomethacin. Sold in the United States as Indocin and in about 100 other countries as Indocid, this drug is permitted by the Food and Drug Administration to be recommended in the labeling for physicians as principally for use against rheumatoid arthritis. So far as use for numerous other diseases is concerned, the agency has not recognized as substantial the evidence submitted by Merck that indomethacin is safe and efficacious. In the United States, therefore, Merck cannot legally promote indomethacin for these unapproved indications.

Nelson asked Merck's president, Henry W. Gadsden, about its policy in a country that is underdeveloped, that lacks a sophisticated scientific community, or that is without a regulatory agency and thus unable to protect itself. In such a country, Nelson inquired, "what is your standard of guidance for advertising . . .?"

"Our standard of guidance, sir, is whatever has been approved by the scientists of Merck as appropriate medical positioning of the product," Gadsden replied.

Then you do not use the standard of what is approved by FDA in this country?" Nelson asked.

"No, we do not," Gadsden responded. He explained that the standard which governs promotion in other lands is what is "in the request" made by Merck to FDA—whether or not the requested uses have agency approval.

"The principle that bothers me," Nelson said, "is there are lots of companies in this business that may not be as conscientious as Merck, and you will end up with all the companies supplying drugs to other countries that do not have drug standards, so that a drug might be used for purposes that it should not be."

For those who had been at the hearing the previous day, Nelson's remark about companies "that may not be as conscientious as Merck" had an ironic sound. The reason was that twenty-four hours before the exchange with Gadsden, Nelson had heard testimony from the FDA that because of false advertising of Indocin in the United States, the agency had recommended a criminal prosecution of Merck; whether the recommendation would be forwarded to the Justice Department was being considered by the agency's counsel. And a month before the hearing, in April, the counsel, William W. Goodrich, had recommended to Justice that a criminal prosecution of Merck be begun for its failure to notify FDA promptly after its discovery, in 1965, of an alarming finding—breast cancer in dogs given an experimental oral contraceptive which also was being given to about 500 women.

In March, 1967, Abbott Laboratories ran an advertisement in the *Journal of the American Medical Association* for Enduron, the trade name for methyclothiazide which is

used to combat high blood pressure or congestive heart failure. In removing excess fluids from the tissues, Abbott claimed, Enduron caused "less potassium loss" than rival thiazide diuretics. The claim was deemed misleading by the FDA, which compelled Abbott to send a "corrective letter" individually to the nation's prescribing physicians and hospital pharmacists.

In a story last May in *The Washington Post*, I reported that a year after sending the "corrective letter" in April, 1967, Abbott was making claims substantially the same as the one it had repudiated—but in Canadian medical journals which are beyond the FDA's reach. There the trade name was Duretic. Nelson inquired of Abbott Laboratories if there were countries other than Canada which had been exposed to this peculiar double standard, but this and other questions in his letter were met only with uninformative answers by George R. Cain, Abbott's board chairman.

In the light of such disclosures, a non-commercial program such as the Public Broadcast Laboratory's might give Foster Whitlock of Ortho Pharmaceutical the opportunity he seeks to "match the integrity and morality of the pharmaceutical industry with that of our accusers any time."

The first witness before Senator Nelson's Subcommittee was William F. Haddad, chairman of the Citizens Committee for Metropolitan Affairs, Inc., of New York City. Haddad testified May 15, 1967. This was just seven days before Justice Tom Clark, in an unusual dissent in a case brought by Abbott Laboratories, said: "The pharmaceutical companies, contrary to the public interest, have through their high-sounding trademarks of long established medicines deceitfully and exorbitantly extorted high prices therefore from the sick and the infirm. Indeed, I was so gouged myself just recently when I purchased some ordinary eyewash drops and later learned that I paid ten times the price the drops should have cost."

Another kind of eyewash was cited by Haddad. He called Nelson's attention to a complaint made in April, 1965, by Philip Colebrook, chairman of the Chas. Pfizer & Company subsidiary in the United Kingdom, about a plan of the British Government to buy drugs cheaply in Communist Poland. "This whole question is not one of commerce but of politics," Colebrook protested. "In purchasing Communist material at totally uneconomic prices the Minister [of Health] is achieving a short-term gain. . . He is trying to obtain the best of both worlds by buying the most vital and widely used medicines from unlicensed manufacturers and still expecting established manufacturers to continue hazarding their resources on research."

Six months later the *London Sunday Times* disclosed that from September, 1965, Pfizer had had a contract with an outfit called Medimpex to import oxytetracycline (sold by Pfizer under the trade name Terramycin) into Belgium. Medimpex was, it turned out, the state-owned drug-marketing firm of Communist Hungary.

The first hearing day also produced disclosures by the Subcommittee itself which helped to explain how in 1966, for example, Smith Kline & French Laboratories could at once have ranked 280th in size on the Fortune list of the 500 largest industrial corporations and third in rate of profit, whether figured on invested capital (81.6 per cent profit) or on sales (17.3 per cent).

In repeated annual performances of that sort a dominant role was played by two highly important and potent tranquilizers which were discovered not by SKF, but by the French firm of Rhone-Poulenc, for which SKF is the exclusive licensee in the United States. Not only in the country of origin, but also in seven other countries in a survey made by the State Department for the Subcommittee, prices to the pharmacist were far

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below those in the United States. Here, for example, are the prices for 100 tablets of Thorazine in the 25-milligram dosage: Paris and London, \$1.08; Bonn and Rome, \$2.40; Teheran, \$2.52; Rio de Janeiro, \$2.53; Vienna, \$3.48; Mexico City, \$4.80; and the United States, \$6.06.

At a later hearing, Nelson brought out another contrast involving sales of the same tablets of Thorazine, but in lots of 1,000. SKF's price to the U.S. Defense Supply Agency was \$32.62. This was twelve times the \$2.60 charged by the firm's Canadian counterpart, Bell-Craig, Rhone-Poulenc's exclusive licensee in Canada, to that country's Department of Veteran Affairs.

One of the principal rationales offered by SKF was that it had done the development and research which established the great usefulness of Thorazine and Compazine. In May, 1967, I asked Arthur L. Davis, SKF's Washington representative, questions such as how much this work had cost in dollars, so that it might be measured alongside SKF's prices and profits. Davis assured me he would get the answers. Well over a year has gone by. I am still waiting.

Some drugs are researched, developed, and manufactured in the United States, shipped to distant countries—and sold there for less than here. Such a drug is Meticorten, the Schering Corporation brand of prednisone. This is an anti-inflammatory hormone much used by, among others, rheumatoid arthritics. In July, 1967, Schering president W. H. Conzen appeared by invitation to testify about the pricing of Meticorten. Like some others who twisted and turned on a similar hook in the earlier Kefauver hearings, Conzen talked solemnly, although hardly relevantly, about international differentials in "living standards," the "expense of doing business," and the "purchasing power of an average workman." He invoked fluctuations in "exchange rates" and the "discount pattern," not missing the opportunity to note a "galloping inflation" in Brazil.

The trouble was, none of this came within a mile of explaining why it was that a druggist in the United States had to pay \$17.90 for 100 tablets of five-milligrams of Meticorten when a druggist in Bern paid Schering \$4.37. Or, to press the point, why a pharmacist in Rome paid \$12.20, which was six cents less than in Mexico City. In Rio the price was only \$5.30. But in adjacent Canada the price was \$22.70, \$15 more than in Australia, half way around the world. The explanation was simple enough, Senator Nelson told Conzen. "Wherever you have competition you charge a substantially lower price. . . ."

In September, Charles T. Sillaway, president of the CIBA Pharmaceutical Company, floundered about as badly as Conzen in trying to make sense of the pricing pattern for Serpasil. This is the CIBA brand of reserpine, which is widely used to lower blood pressure. The basic research was done by CIBA of Switzerland, the parent firm. Selling to a druggist in Bern, it charges \$1.24 for one hundred 0.25-milligram tablets of Serpasil. Selling to a druggist here, the wholly-owned American subsidiary charges \$4.50, or three and one-half times as much.

The price in Bern is more than in Bonn (\$1.05) and in London (\$1.19), although less than in Rome (\$1.52), Vienna (\$1.56), Rio (\$1.80) and Mexico City (\$3.00).

At one point Sillaway sought asylum in a strained comparison of the daily cost of hospital rooms ("\$40 in the United States and \$13 in Bonn"). But Nelson brought the dialogue back into the real world when he said, "But there are a lot of people over here taking drugs who are just as poor as people you will find in Bern or Rome. The pricing policy seems to depend on what the traffic will bear. Even if you don't call it that, I do."

In the real world, the price of a drug is related—or should be—not to the price of a hospital room, but to the cost per unit of

drug produced. And so Nelson laid down a challenge. Show that this cost "is greater in the United States than it is in Rome, Bern, and Bonn, and that it justifies the differential in the price charged," he said. "If the cost justifies the price, fine, the argument is over. Is that fair enough? Are you willing to do that?"

Sillaway's answer was ambivalent: "I am not sure that I can do that, sir, but I will accept your charge." There is nothing ambivalent about what has happened since. None of the facts requested from Sillaway has been supplied to the Nelson Subcommittee.

## CAMPOBELLO ISLAND

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. HARRIS. Mr. President, on behalf of the distinguished Senator from Maine [Mr. MUSKIE], who is necessarily absent today, I ask unanimous consent to have printed in the Extensions of Remarks a statement prepared by him relative to Campobello Island and an article entitled "Campobello—Island of Contradictions," written by Bill Caldwell, of Maine, and published in the *Boston Sunday Globe*.

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

## CAMPOBELLO ISLAND

(Statement by Senator MUSKIE)

Mr. MUSKIE. Mr. President, for the past four years I have been privileged to serve as one of three United States Commissioners of the Roosevelt Campobello International Park Commission, which administers the Roosevelt Campobello International Park on Campobello Island, New Brunswick, Canada.

During these years, I have often visited Campobello and have come to understand the special affection that Franklin Delano Roosevelt had for his "beloved Island." Situated off the coast of eastern Maine and connected to Lubec, Maine, by the Roosevelt International Bridge, Campobello is an island of quiet natural beauty and quietly individual people.

In a recent article published in the *Boston Sunday Globe*, Bill Caldwell, of Maine, wrote about "Campobello—Island of Contradictions." I ask unanimous consent that it be printed in the RECORD.

## CAMPOBELLO: ISLAND OF CONTRADICTIONS

(By Bill Caldwell)

CAMPBELL ISLAND.—This delightful island is a mass of marvellous contradictions. They blend. And jumbled together they make the island a beautiful and interesting side-trip for anyone vacationing in Downeast Maine or heading toward the Maritime Provinces of Canada.

First contradiction is that Campobello is Canadian, although the island is best known as the Summer home of Franklin D. Roosevelt. Here it was that FDR was struck down by polio.

Next contradiction is that you get to this piece of Canada by a bridge from the United States mainland at Lubec, Maine. The Customs and Immigration officers, American and Canadian, at either end of the bridge find no contraband, no smugglers, no fugitives from justice, no forged passports. They hand out smiles instead of fines.

Another contradiction is that the Roosevelt Campobello Bridge was largely the

dream-child of some of the finest, staunchest Republicans ever to come out of Republican Maine—the remarkable Pike brothers of Lubec. (This is another story; but too good to pass up entirely even here. Eldest brother Sumner Pike has served with huge distinction on the Security Exchange Commission and the Atomic Energy Commission; Moses Pike runs the family's flourishing Maine sardine business here; Radford Pike is a professor at New Hampshire University and one of America's leading botanists; and youngest brother, Algar, made a quick million on Wall st. 30 years ago, hurried home at age 35 before he lost it and has since gained fame as the inventor of Algar's Gasless Bean—a boon to all New Englanders.

FDR's Summer cottage is of course the strongest magnet to most Campobello visitors. The broad highways and the large parking areas, the fine reception offices housed in a separate building, the kindly-mannered and well-informed guides are all geared to handle up to 100,000 visitors in the Summer months.

The 34-room "cottage" itself is a big, rather ugly, nondescript and comfortable waterfront home. Unhappily (but authentically) it is painted a harsh red and green. The rooms are kept as they were in FDR's time. They are spartan, and simple for easy Summer living for an active family. They are not beautiful; but, most important, they are very genuine "Franklin and Eleanor".

All rooms are open to the public; and kept just as the Roosevelts used them. Perhaps the most interesting feature of all is the rare and excellent collection of family photos. While these were not all in the house in FDR's lifetime, they are a fine and useful chronicle of his memorable days.

Through the joint efforts of Canada and the United States 2600 acres of the island have been set aside as an International Park.

Visitors therefore are able to swim at one of the finest white sand crescent beaches on the East Coast, and enjoy their own cook-outs close to the promontory where Eleanor Roosevelt gave her famous hot dog picnics for world dignitaries.

There are miles of unspoiled walking trails through woods and bird sanctuaries.

The Roosevelt Memorial comprises less than one-third of the area of Campobello Island. The rest of the island centers around a Canadian fishing fleet, with headquarters at Welshpool.

Good roads give access to spectacular views seaward, across the Bay of Fundy toward Nova Scotia, and inland toward Maine.

In the secluded harbors, finely equipped, brightly painted and heavily subsidized Canadian fishing boats land their rich harvest of herring.

Good restaurants and modern motels are available. Gift stores offer Canadian and British goods—especially tartans, woolens, English candies and chinaware—at low prices.

Unlike so many spoiled and over commercialized "memorial-meccas" Campobello does not exude FDR for the tourist trade. FDR is an incident—a highly important, much loved, deeply venerated incident. But Campobello Island keeps its own very substantial and strong character. Without any connection with FDR, this is a grand island on which to spend a Summer day or a Summer month. Of course, this is why the Roosevelts—and scores of other families from the United States—chose Campobello as their Summer place, when they had all the world to choose from.

They chose well. For here is an island of beauty: fine for fishing, fine for swimming, fine for riding, fine for simple living. The fact that the Roosevelt Memorial can bring you into close and intimate, understanding of one of the century's greatest figures adds one more big plus to an island rich in pluses.

NEW YORK'S HARLEM MARKET  
THRIVES AS A CO-OP

## HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. JAVITS. Mr. President, I invite the attention of Senators to the dramatic progress being made in the Harlem community by a newly established cooperatively owned supermarket.

Under the leadership of Mrs. Cora Walker, a Harlem lawyer, some 3,300 shareholders have invested \$5 each to found a cooperative market.

This is the kind of ghetto economic development in action about which so many persons have recently speculated. I invite the attention of Senators to an article published in the New York Times of August 10, 1968, describing the progress of this important venture.

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

**HARLEM MARKET THRIVES AS CO-OP—3,300 SHOPPERS OWN STOCK IN AREA ENTERPRISE**

(By Rudy Johnson)

"After Labor Day, look out for the upward roar," predicted William Holmes, manager of the Harlem Co-op.

Mr. Holmes was speaking optimistically last week about the cooperative supermarket that Harlem residents opened at 147th Street and Seventh Avenue on June 4.

After two months of operation, business has been good, but peak sales are not expected until after the summer, when families return from vacation, the manager said.

The store has won wide approval, not only inside Harlem, but outside, too, as a point of pride as well as a decent place to shop.

Mrs. Cora Walker, the Harlem lawyer who was the market's prime mover, noted that the income from sales of shares has grown from \$161,000, when the store opened, to \$209,000 as of last weekend. She said the number of investors buying shares, at \$5 each, had grown to 3,300 in the two-month period.

The shareholders receive dividends determined by the number of shares held, and annual rebate on the costs of the products they have purchased at the store.

## MEETING THE PROBLEM

Mrs. Walker said the cooperative was established in answer to what she described as a long-standing problem in the Harlem community—"high prices and inferior products."

She called the market's rate of progress "fantastic," attributing its success to "the pride and dignity of the Harlem community—they're part of it—it's their store."

The store operates independently of any outside support.

Mr. Holmes emphasized that people come from other sections of the city to shop there.

Inside the bright, air-conditioned market, a shopper who identified himself as H. Anderson, was pushing a shopping cart the other day, a cigar clenched between his teeth.

He said he patronized the Harlem Co-op because the stores near his home, 160 West 174th Street, the Bronx, did not have as much variety.

"The choice of meats is better here," Mr. Anderson said. "The prices are more reasonable on meats and vegetables, and even on ice cream."

## "SOUL FOODS" ON SALE

The store sells a variety of meats ranging from smoked ham hocks, frozen chitterlings

## EXTENSIONS OF REMARKS

and other "soul food," to lamb and chopped liver, all of which seem to sell well.

Although it was predicted that the "deli" counter would "flop in this neighborhood," the delicatessen department, specializing in such items as lobster and shrimp salads, is said to have great appeal.

As for prices, Mrs. Walker emphasized that the store stressed quality over economy. One housewife said she felt some items were a few pennies higher than the same goods elsewhere, but she felt the shopping convenience at Harlem Co-op compensated for it.

For the most part, however, food prices are comparable with costs at most large food stores, according to surveys by the city Department of Markets. The price of medium white Grade A eggs ranges from 43 to 59 cents a dozen, the current price, and chicken sells at about 45 cents a pound.

Offering turkey at about 45 cents a pound, the Co-op seems not to have features one of this week's special buys at other stores—turkey at 33 to 39 cents a pound. But there were good buys in other items. Peaches, for example, were selling for two pounds for 25 cents and fresh corn at eight ears for 39 cents.

**GEN. EARLE WHEELER, CHAIRMAN, JOINT CHIEFS OF STAFF, ADDRESSES 43D ANNUAL REUNION OF 36TH INFANTRY DIVISION, DALLAS, TEX.**

## HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 6, 1968

Mr. TEAGUE of Texas. Mr. Speaker, on Saturday, August 31, 1968, I had the distinct pleasure of attending the 43d annual reunion of the 36th Infantry Division, a Texas division, in Dallas. The principal speaker at this reunion was Gen. Earle Wheeler, Chairman of the Joint Chiefs of Staff. General Wheeler made an excellent address and again pointed out our policies and objectives in Southeast Asia and I think it important that this speech be read by all who are concerned about this part of the world.

The speech follows:

**ADDRESS BY GEN. EARLE G. WHEELER, U.S. ARMY, CHAIRMAN, JOINT CHIEFS OF STAFF, BEFORE THE 43D ANNUAL REUNION OF THE 36TH INFANTRY DIVISION, DALLAS, TEX., AUGUST 31, 1968**

I am happy and honored to be here with you today. When I say this, I assure you that I am not uttering the usual speaker's cliche. I mean it from the bottom of my heart, because, from the day in September 1941 when I joined the 36th Infantry Division as General Fred Walker's aide-de-camp until the day in September 1942 I relinquished command of the 2nd Battalion, 141st Infantry Regiment, and regretfully departed the Division, I felt at home and among friends. Today, I feel as I did then—at home.

Since my only participation in combat with the 36th Division occurred on 29 April 1945 when you relieved the 63rd Infantry Division, of which I was Chief of Staff, near Landsberg, Germany, I can comment briefly on your achievements in World War II without having to face charges of immodesty or exaggeration.

Into five years and twenty days of World War II Federal service, the 366th Infantry Division: (a) undertook seven campaigns in four countries and endured 366 combat days in the process; (b) suffered in excess of 27,000 casualties—the 3rd highest total of any US division; and, (c) produced fifteen (15) winners of the Medal of Honor.

A history of the Division summed it up very nicely at the end of its narrative treatment with these words, "The 36th had had a tough time of it, but they had given more than they had taken." I agree with this sentiment with the observation that I think it an understatement which gives the lie to allegations made by some envious persons relative to Texans.

Have you ever compared the situation of World War II with our problems of today? If you have, I think you will agree with me that, despite our massive military effort during World War II and the bloody path we had to follow to achieve victory, it was a simple war. Pearl Harbor unified and galvanized the American people. The danger to the United States was clear; what needed to be done was obvious. We buckled down and, despite enormous obstacles and many setbacks, we did it.

We live today in a dangerous world. But, unlike World War II days, to many of our people the danger is not clear, what needs to be done is not obvious.

We cannot, in my view, understand what is at stake today without understanding how history functions as a "back azimuth" leading backward in time from the present and projecting a proper course for the future.

I conjecture that World War II probably could have been avoided if the capacity and will of the democratic nations to employ national military power had been made clearly evident in timely fashion. There was nothing inevitable or irrepressible about the Panthers and Stukas of September 1939. For one reason or another, national leaders elected to let events run their course until war erupted. Thus, the "back azimuth" of history should have taught us one indelible lesson: that large-scale events of danger and strategic dislocation occur when the United States and other nations of the Free World for whatever reason, make little or no active effort to influence events in faraway places. We, and much of the world, are forced to ante up later when the price of strategic poker has gone way up; and strange new players have dealt a brand new deck of strategic choices.

So much for history as a taskmaster. What strategic tasks we do face today in the light of events, known to all of us, which have occurred over the last year or so?

One inescapable requirement, clearer today than ever, is to keep the North Atlantic Alliance cohesive and militarily strong. There are non-military pressures that argue for increased and accelerated troop reductions. For a variety of causes, the pound sterling has weakened and the U.S. dollar has been under assault. Views are advanced which call for expanded U.S., U.K., and Canadian redeployments from the center of Europe.

My words on NATO will be brief. We need the alliance and the alliance needs us, now more than ever. Some might have truly believed that the Soviets are so concerned with meeting the consumer needs of their people that the brave new world is on us. Tragically, as we have seen, this is not the case. The facts we face are (1) an increase of the Soviet ICBM Force; (2) the appearance of a Soviet ABM System; (3) the continuing modernization of Russia's land-power; (4) the projection of Soviet seapower into the Mediterranean and Indian Ocean and (5) the demonstrated capacity and will of the Soviet Union to employ force with power and precision even against one of their own allies. This brutal and cynical maneuver gives special meaning to the old saying "with friends like these who needs enemies."

The threat to NATO, a "blue chip" area, has not receded. President Johnson spoke right to this point when he reminded us that "we must not forget in success and abundance the lessons that we have learned in danger and in isolation: that whatever the issue that we share, we have one common

## EXTENSIONS OF REMARKS

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danger—division: and one common safety—unity."

I now call upon you to take note of these additional strategic facts of life.

The decline of British power, particularly as deployed east of Suez, is no longer a matter for gloomy speculation. It is now detailed for all to see. Beyond the size of the forces involved, what we may also see ebb away is that form of stability that is the clear outgrowth of a British administrative presence.

The situation in the Middle East has deteriorated recently despite, or even in an ironic way, because of Israel's dramatic feat of arms during the Six Day War in June, 1967. The USSR has become the principal arms supplier to a number of increasingly dependent states in that troubled region. A new configuration of Soviet seapower—including a force to intervene—shadows the Sixth Fleet.

I should like to carry forward my remarks by outlining for you my thoughts on two crucial areas. These are: first, an assessment of the nature and scope of the modern Communist threat; and, secondly, to summarize for you my military appraisal of the war in Vietnam.

There are those who argue that the Communist camp is in ferment, citing the recent dramatic events in Eastern Europe. I am not in the business of gauging changes in "atmospherics," and neither are my colleagues on the JCS.

Whether Communist power is now "polycentric" as opposed to being "monolithic," I find little strategic difference. I don't want the United States to be squeezed to death by one *octopus* or several *octopi*.

There are now, and in the foreseeable future there will be, only two super powers: The U.S. and the USSR. Today we hold a measure of strategic superiority over the USSR. This situation, I submit, is not pre-ordained to remain in force if we should ever embark upon one or more of the following errors: (a) view the "balance" as being static as opposed to being a dynamic state of technological, hence, strategic, flux; (b) allied to the foregoing announce and act upon the unsound concept of "plateaus" being achieved to spare ourselves the necessity of conscious choice between and among strategic alternatives; or (c) enthrone "assured destruction" and slight the "damage limiting" function.

Turning, briefly, to Czechoslovakia there are a number of crucial strategic considerations raised by the sudden and overwhelming application of Soviet power against that hapless state.

First among these lessons is the clearly demonstrated requirement to maintain our focus upon Soviet capabilities. It may be more intellectually stimulating for some to pursue the will-of-the-wisp of Soviet intentions. Certainly attention must be paid to this field, but never can we permit these speculative exercises—based upon volatile intentions—to become the principal determinants of our strategic posture.

A second lesson which we must draw is that the Soviet Union will not, where it believes its vital interests to be at stake, refrain from a sudden and overwhelming application of military power despite any and all written and oral assurances to the contrary. If anything has been clarified for us, it is this unhappy fact of life.

While time does not permit, nor this comradely occasion suggest, an exhaustive listing of all the "lessons learned," there is one final thought on this matter that I should like to leave with you—it is the enduring military value of having forces in being and in place. In saying this I in no way slight the importance of strategic mobility in widening our present choices or, if required, in opening new choices for us. Our security needs in Europe, however, cannot be principally met by long range, heavy lift aircraft. I believe a substantial requirement persists

in that area for US forces in being and in place.

Red China, of course, muddies up everyone's neat, two-sided strategic war game. The worst case, from our point of view, would be unmistakable evidence that China's geographic and political militancy, supported by a single-focus technology, becomes realigned with Soviet power. Not likely to be sure, but being "surprised" is the special province of those unable or unwilling to consider all the possibilities. We can, however, say for certain that China poses an unsettling current threat to her neighbors and a growing threat to us—a threat which is partially offset by the currently projected level of SENTINEL deployment.

Let us never forget that the global strategic balance can be tipped against us if we fall into the error of assuming that they, "like us," understanding the nature of modern weapons, will invariably seek a reasonable accommodation of basic differences. "They" are not like us, and I am convinced that it is the power of our arsenal that keeps "them" away from us.

Turning to a military appraisal of the war in Vietnam, let me state at the outset that I understand full well the complex character of the war in Southeast Asia. Interacting forces are political, military, economic, psychological, and even ethnic in nature.

I wish to make clear that, while I recognize the many important forces at play, I am convinced that the military outcome in Southeast Asia is fundamental to the nature of the settlement which will someday be reached.

Let me define war as I understand it. War is a political act; it is the employment of military force to achieve a political objective. Put another way, war is violence organized and utilized to destroy the capability and will of a hostile state to pursue a course of action inimical to national interests.

The political objective established by our government to be gained in Southeast Asia is simple and limited—indeed, the most limited war objective of which I have knowledge. It is, as the President reminded us on the 31st of March, "to bring about a recognition in Hanoi that its objective—taking over the South by force—could not be achieved."

Implicit in my definition of war is the thesis that war is not a passive act; it must be dynamic. That is, a war cannot be conducted defensively; strategically, it must be prosecuted offensively if the war effort is to be successful.

The two foregoing statements express in basic terms the problem with which the American military have been dealing. Our limited political objective has established the following policy guidelines:

- (a) We seek to avoid widening the war.
- (b) We have no intention of invading North Vietnam.
- (c) We do not seek the overthrow of the Government of North Vietnam; and,
- (d) We are guided by the principles set forth in the Geneva Accords of 1954 and 1962.

In consonance with these guidelines, our war effort in South Vietnam is a strategic defensive, although it is conducted tactically in a major way by offensive operations. In contrast with our operations in South Vietnam, our air and naval campaign against targets in North Vietnam is a strategic offensive. The difference is this: in South Vietnam the enemy can control—at a cost—the type and level of combat activity and, hence, the degree of destruction and number of casualties. The contrary is true in North Vietnam: there we have the strategic initiative, and it is we, not the enemy, who can control the combat situation.

Viewed against our own limited war objective—causing Hanoi to recognize they

cannot take over the South by force—what are Hanoi's objectives? General Giap in September, and again in October of last year, spelled them out in major policy addresses. These objectives are:

- (a) To protect SVN;
- (b) To overthrow the present government of SVN and to seize its apparatus; and,
- (c) To unite all of Vietnam under Communist control.

It is instructive, I believe, to contrast our limited, and essentially defensive, objective with Giap's last two goals. No one could argue, in the normal course of events, with his aim of protecting SVN. This is a central purpose of governments of all lands. The war, however, came to pass when our objective—causing Hanoi to recognize that they could not take over the South by force—was directly challenged by Hanoi's twin aims of overthrowing the government of SVN and uniting all of Vietnam under Communist control. Let us make no mistake on this score. As the *Economist* of London pointed out, however the war ends—and personally I support our negotiators and hope for their success—there will be a "winner" and there will be a "loser." The North Vietnamese Communists either will impose their control on the South, or they won't. This is the inescapable issue.

The situation today finds our enemy attempting to (a) gain political and psychological mileage out of "lulls" in combat—which I attribute directly to his weakened offensive potential; and, (b) attempting, alternatively, in the face of superior fire power and spoiling tactics, to create an impression of power by mounting psychologically-conceived and militarily-futile attacks on "prestige" objectives—and suffering staggering losses in the process.

Clearly the enemy's purposes are to sustain pressure on the capital and other key cities, to raise tension, create havoc, and to induce a sense of hopelessness and despair. (These means are used to achieve Giap's object #2—overthrowing the GVN and seizing its apparatus.)

My thoughts are these:

(a) The US Armed Forces in South Vietnam remain unbeaten and unbeatable. The enemy has lost whatever chance he had of taking over South Vietnam by military force;

(b) Our forces have achieved an unbroken string of victories which, in the aggregate, is something new in our military history. They won while they were learning. There were no Bladensburgs or Bull Runs.

(c) The combat effectiveness of the ARVN has improved steadily over the past few years;

(d) Much hard fighting lies ahead. The NVA/VC will fight for headlines, as much as for military purposes, during the months ahead. No one can have more reasons than the person occupying my position to want an honorable end to the fighting; but, if our efforts toward a peaceful settlement are to succeed, we must continue to convince the enemy that they are not going to achieve their objectives by military force and its psychological by-products.

(e) Despite the torrents of words and pictures that have come from Vietnam, this war remains the least understood in our history. Americans, as they more fully understand the magnificent record of our armed forces in Vietnam, will accord these young men that full measure of respect and honor which is their due. I know that people in this room will help in this regard.

In closing let me make this point: Our answer to the current situation in Southeast Asia is, of course, a matter for national decision now and in the weeks and months ahead. I have, in the past, and will, in the future, furnish the President with the most realistic advice the JCS can develop. In this connection, Khe Sanh, I need not remind you, has scarcely been a "Dien Bien Phu." In fact,

as has been publicly reported, Khe Sanh wiped a single word, a single strategic concept from the mind of General Vo Nguyen Giap and his associates: that of "Dien Bien Phu." There was to be no overrunning of any position the US chose to hold, whatever the odds, no victory of the kind that shattered the French grip on Indochina.

What are our stakes in this faraway fight?

In my view, we are using our military power now to assure the widest possible role for our political influence later. If we crawl back from Vietnam, which means Southeast Asia as a whole, we will be verifying for all to see that it is the Communists, and not ourselves, who understand and are dominating current history.

In this regard, we all hear from time to time that while America's "power" has never been greater, our "prestige" has never been lower. I wonder if those who suggest this condition know what they are talking about.

"Prestige" is to "power" as credit is to cash. And military force, properly understood and applied, is to "power" as gold is to paper money and checks.

In short, neither "power" nor "prestige" are free agents. The status of one has a direct bearing on the condition of the other.

What must we do? I have argued, am arguing, and will argue, for an American military posture which is (1) strong, but not belligerent; (2) too determined to be frightened and too strong to be defeated; and (3) unwavering, despite setbacks, disappointments and opposition in following that course which we know is the right path to organize a stable and durable peace.

Can we stay the course? We all hear, from time to time, that we have grown tired of meeting foreign responsibilities in the face of allied indifference and competing domestic needs. The final answer to this question will emerge over the not too distant future. I'm betting that we can and we will stay the course. Certainly, we are somewhat more "tired" than we were fifteen or twenty years ago, but to me the test of true greatness of a man or of a nation is what they can do when they are tired. And I believe that the United States of America is a great nation.

If my thesis has any merit, an observation I heard attributed to General Eisenhower is apt:

"Hindsight is more accurate, but foresight is more valuable."

#### CURIOUS STORY OF AMERICAN CIVIL LIBERTIES UNION

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. FANNIN. Mr. President, there is an organization in America of which many of us are vaguely aware but about which most of us know little. It is the American Civil Liberties Union.

The most recent prominent association of the ACLU in the public mind is in connection with the defense of the accused slayer of Senator Robert F. Kennedy.

Mrs. Shirley Scheibla, Washington correspondent for Barron's weekly, has begun an outstanding series of articles on the background and work of this organization. In order to give this excellent research and reporting wider distribution among Members of the Congress, I ask unanimous consent that her article, published in the August 26 issue of Barron's be printed in the RECORD.

There being no objection, the article

#### EXTENSIONS OF REMARKS

was ordered to be printed in the RECORD, as follows:

##### PROS AND CONS: THE CURIOUS STORY OF THE AMERICAN CIVIL LIBERTIES UNION

(By Shirley Scheibla)

WASHINGTON.—Violence and civil liberties these days seem to be inextricably entwined. Chances are that whenever violence erupts, someone representing the American Civil Liberties Union is already on the spot or quickly appears to jealously guard the rights of the violent ones. A famous recent instance: shortly after TV viewers witnessed the brutal murder of Robert F. Kennedy, an official of the ACLU hurried to protect the civil liberties of the Senator's alleged assassin.

Established 47 years ago with the stated aim of providing legal help in preserving constitutional rights, the ACLU handles litigation chiefly through cooperating attorneys who serve without pay. Through its 46 affiliates in 44 states, the ACLU has defended communists and their sympathizers, fascists, pornographers, draft dodgers, admitted burners of flags, crosses and draft cards and alleged burners of cities. The diversity of its defendants has confounded its critics. Seemingly, the organization's only purpose is the announced one of preserving rights guaranteed by the U.S. Constitution. And ACLU's insistence that it defends the liberties of all by defending those of the most despised has won it many friends.

##### HITS U.S. DEFENSES

Careful study of ACLU cases, however, reveals that nearly all the causes it has taken up tend to weaken law and order and the ability of society to defend itself. Some landmark cases give communists more freedom to destroy the nation from within. Those involving the draft erode the state's ability to defend itself against armed attack. Other significant ACLU cases diminish the authority of schools and police and the influence of religion.

The cases ACLU refuses to take are just as significant as those it does handle. It has refused to defend right-to-work laws. It also has turned down a request to protect the civil liberties of one group of Washington, D.C., merchants whose businesses were destroyed by riots last spring.

According to the ACLU, holding federally funded Head Start classes in churches and having Catholic nuns as teachers of such classes do not violate the constitutional separation of church and state. Yet it has argued in court that church-and-state separation is violated by inserting the phrase "under God" in the oath of allegiance.

What, then, is this organization which voices such good intentions, yet exhibits such unfortunate tendencies in its litigation? The genesis goes back to the beginning of World War I. The American Union Against Militarism was established to prevent U.S. involvement in the war, and Roger Baldwin, a young Harvard graduate who called himself a "philosophical anarchist," became head of the organization's Civil Liberties Bureau.

Public sentiment forced dissolution of the Union soon after the U.S. entered the war. Its Bureau lived on, however, defending conscientious objectors and occasionally members of the International Workers of the World, an organization devoted to waging a class war "until the workers of the world organize as a class, take possession of the earth and the machinery of production and abolish the wage system."

Of necessity, however, the Bureau functioned without Mr. Baldwin. Shortly after the U.S. entered the war, he was jailed as a conscientious objector and not released until July 21, 1919. Following his release, he attended a meeting at the home of Socialist Norman Thomas to decide on the future of the Bureau. Among those attending were Elizabeth Gurley Flynn, who later became chairman of the Communist Party, U.S.A.,

and Agnes Smedley, who served as a Soviet agent in China until she died and was buried in a Red Chinese cemetery. From that meeting the Bureau emerged in 1920 as the American Civil Liberties Union.

Many years later Mr. Baldwin wrote an article, published in the September 1934 issue of Soviet Russia Today, in which he said: "When the power of the working class is once achieved, as it has been only in the Soviet Union, I am for maintaining it by any means whatsoever. . . . The class struggle is the central conflict of the world; all others are coincidental." According to a pamphlet by Organizational Research Associates quoted by Rep. John A. Rousselot (R., Calif.) in the Congressional Record for September 20, 1961, Mr. Baldwin "has a record of over 100 Communist-front affiliations and citations." He was the first national director of the ACLU and served in that post until 1950. Currently he is its International Work Adviser.

##### "ADVOCATE OF TREASON"

Dr. Harry Ward was the ACLU's first chairman. According to the same issue of the Congressional Record, he has over 200 Communist-front affiliations and citations listed by the House Un-American Activities Committee and was chairman of the American League for Peace and Democracy at the same time he was ACLU chairman. The League has been cited as Communist and subversive by the Attorney General, as subversive and un-American by a House Appropriations subcommittee, as a Communist front by the Senate Internal Security subcommittee and as "nothing more nor less than a bold advocate of treason" by the House Special Committee on Un-American Activities.

Serving on Dr. Ward's ACLU board of directors was Scott Nearing, who was also a member of the Garland Fund. The House Un-American Activities Committee said in 1944 that after the establishment of the Fund in 1922, "it was a major source for the financing of Communist Party enterprises. . . . The Committee has described Mr. Nearing as a "leading writer for the party." The late William Z. Foster served as a member of the ACLU National Committee when he headed the Communist Party, U.S.A.

In its first official statement, in January 1920, the ACLU declared: "Today, the organized movements of labor and of the farmers are fighting the big fight for civil liberty throughout the United States as part of their campaign for increased control over industry. Publicity, demonstrations, political activities and legal aid are being organized nationally and locally. . . . The union of organized labor, the farmers, radical and liberal movements is the most effective means to this."

Before the end of the ACLU's first year, a New York legislative committee characterized it as "a supporter of all subversive movements" and said it "attempts not only to protect crime but to encourage attacks upon our institutions in every form."

##### CELEBRATED CASES

The Sacco-Vanzetti case, one of the ACLU's first, involved the defense of two anarchists accused of murder. One of the ACLU lawyers in the case was Felix Frankfurter, then a Harvard professor and later a Supreme Court Justice.

Another celebrated early ACLU case concerned Fred Beal, charged with shooting a policeman during a textile workers' strike in Gastonia, N.C. According to the California Senate Fact-Finding Subcommittee on Un-American Activities, Mr. Beal was then a member of the Communist Party, and his bail "was provided by the instrumentality of the ACLU."

In 1925, the ACLU achieved great fame as a result of the so-called Scopes Monkey Trial case. Tennessee state law prohibited public schools from teaching Darwin's theory of evolution. The ACLU advertised in Tennessee papers, offering free legal defense for

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any teacher who would violate the law. John T. Scopes volunteered. Two brilliant and famous lawyers handled the case, Clarence Darrow for the defense and William Jennings Bryan for the prosecution. Although the ACLU lost, the case launched it on the road to wide popularity. Among government officials who subsequently joined the ACLU were Harold L. Ickes, Secretary of the Interior; Frances Perkins, Secretary of Labor; Lloyd K. Garrison, chairman of the National Labor Relations Board; and Francis Biddle, U.S. Attorney General. (Last year, the ACLU again challenged the Tennessee law and won.)

In the 'Thirties, a bitter fight erupted within the Union between moderates and leftists; the upshot was that in 1940 it adopted a resolution barring Communists from leadership. Miss Flynn refused to resign and was dismissed. Dr. Ward then resigned in protest. (William Foster already had resigned, saying that since he had moved to Chicago he found it too difficult to attend the ACLU meetings.)

Since the resolution applied only to those holding office in the ACLU, it did not keep Communists out altogether. Herbert A. Philbrick, who was a Communist for the FBI in the Forties, wrote in his book, *I Led Three Lives*: "Communists had orders to infiltrate the ACLU. They always had kept a token representation in it and were told to strengthen their ties with it." He told Barron's recently that the secretary of a state chapter of the ACLU at that time "was a secret member of the Communist party and a member of my own cell."

The Southern California Staff Counsel for the ACLU's Roger Baldwin Foundation is Abraham L. Wirin, the ACLU lawyer who rushed to the aid of Mr. Sirhan. According to the Congressional Record for September 20, 1961, Mr. Wirin practiced law in partnership with Leo Gallagher, who once ran for office in the Communist party in California. The same issue of the Congressional Record says that in 1954 Mr. Wirin was a candidate for the executive board of the National Lawyers Guild, an organization cited as a Communist front by both the Senate Internal Security Subcommittee and the House Un-American Activities Committee.

#### STRONG OPINIONS

The Rev. A. A. Heist resigned as executive director of the Southern California chapter of the ACLU in 1952 to become director of a new organization which he founded called the Citizens' Committee to Preserve American Freedoms. According to the Congressional Record of September 20, 1961, "This organization is run by its executive secretary, Mr. Frank Wilkinson, an identified Communist." The Record says: "The Rev. Heist stated in a speech to an audience of high school and junior college students in Pasadena that 'the Constitution of the United States is outmoded, outdated and impotent'."

William A. Kilpatrick, long a prominent member of the ACLU on the East Coast, declared in his 1939 book *The Teacher and Society*: "The revolution by force and violence was probably necessary in Russia, but it would not be necessary in America. Here, the same goals could be achieved by effectuating change within the framework of the Constitution."

The anti-Communist resolution, of course, has not kept the ACLU from helping the Communists in the courts, and on this score it has an astonishing record of success. In the Steve Nelson case it persuaded the Supreme Court to make state prosecution of Communists virtually impossible. Overturning the conviction of an admitted Communist party leader for allegedly violating the Pennsylvania state sedition law, the high tribunal said the Smith Act of 1940 gives the federal government exclusive jurisdiction in the field of sedition. Then, in the Yates case, the high court accepted the ACLU contention that advocating overthrow of the gov-

ernment does not violate the Smith Act if the advocacy is "divorced from any effort to instigate action to that end."

#### A FEDERAL OFFENSE?

In a recent Kentucky case the ACLU argued successfully that sedition is strictly a matter for federal prosecution. The defendants were Alan and Margaret McSurely, Carl and Anne Braden and Joseph Mulloy. According to the Washington Post of September 17, 1967, the local sheriff had hauled a truckload of allegedly seditious material from the Mulloy and McSurelys homes. At the time, the Post said, the McSurelys were organizers for the Southern Conference Education Fund. The Senate Internal Security Subcommittee in 1954 found the fund to be under the same Communist leadership and to have the same purpose as its predecessor organization, the Southern Conference for Human Welfare. (The House Un-American Activities Committee has cited the latter as a Communist front.) The Bradens have been identified as members of the Communist Party by the Louisiana Joint Legislative Committee on Un-American Activities. Mr. Mulloy was a poverty worker. The aforementioned William Kunstler was an ACLU attorney in the case.

Thanks to the Union, the Supreme Court has made it virtually impossible to deny membership in bar associations to Communists. The ACLU won the Rudolph Schwart case in which the high tribunal ruled that he could not be denied membership in the New Mexico Bar Association because of past membership in the Communist party. Bowing to the ACLU's argument on behalf of Raphael Konisberg, the court declared he could not be prevented from joining the California Bar Association although he would not say whether he ever had been a Communist.

At the behest of the ACLU, the courts also are making it difficult for state governments to deny employment to persons because they are Communists. In a recent case brought by ACLU affiliates, Kansas federal court struck down a state loyalty oath required of all public officials, employees and teachers. The Minnesota CLU has asked the state supreme court to declare unconstitutional the Minnesota civil service rules denying employment to anyone who advocates Nazism, Communism, Anarchism, Fascism or is "in any manner disloyal to the U.S." And the Northern California CLU won a ruling in a federal district court that a man's refusal to say whether he is a Communist could not bar his employment as a postal worker.

The ACLU also has been effective in blocking at least one subversive investigation. In Tennessee it obtained a federal district court order prohibiting a legislative investigation of alleged subversive activities at the Highlander Education and Research Center.

In like vein, the ACLU has asked the U.S. Supreme Court to declare unconstitutional the provisions of the Subversive Activities Control Act which requires Communist-front organizations to register with the Attorney General. It also filed a complaint against a Justice Department order that the W. E. B. DuBois Clubs register as a Communist-front organization.

#### LEFT AND RIGHT

When criticized for defending the Left, the ACLU regularly replies that it also has defended the Right. Close examination of its activities of the latter type leads to some disturbing conclusions. The Union defended the Ku Klux Klan—contending that the House Un-American Activities Committee had no right to investigate it. This, of course, fits right in with the ACLU's call for abolition of the Committee.

The ACLU also has defended the right of policemen to belong to the John Birch Society. This dovetails with an ACLU aim to abolish all control over which organizations government employees may join. It also has defended Jehovah's Witnesses, contending

that they cannot be required to give the pledge of allegiance to the American flag as a condition for attendance at public schools.

The Union protested revocation of the visa of Michael Struelens, director of the Katanga Government Information Office in New York City. The organization objects to Uncle Sam deciding who shall or who shall not enter the country.

When Governor Ross Barnett was charged with contempt of court for barring James Meredith from the University of Mississippi, the ACLU stepped in with an *amicus curiae* brief which contended that he had a right to a trial by jury. The Union's critics say that if it obtained all the jury trials it wants in civil rights cases, the courts would break down from sheer overload.

While the ACLU urges college presidents to allow Dow Chemical Co. to recruit students on campus, the Southern California CLU is defending four students who were arrested for allegedly participating in a demonstration to protest the same company's recruitment at State College in Los Angeles.

The Union enthusiastically supports the right of both Left and Right to demonstrate. In a case now pending in the Supreme Court, the ACLU has argued that the threat of a race riot in Princess Anne, Md., was insufficient reason for a court order banning a series of segregationist rallies in that town about two years ago by the National States' Rights Party.

Too, the ACLU contested a regulation of Washington police putting a 100-man limit on demonstrations at the White House. It also applied for an injunction to keep District of Columbia police from using the chemical Mace during riots, and it is seeking an injunction to prevent them from enforcing the statute prohibiting demonstrations at the Capitol. It sued the Los Angeles police chief for breaking up a demonstration against President Johnson. In Washington it argued that an alleged threat against the Chief Executive was, in fact, only rhetorical criticism of foreign policy. After a demonstration against the President in Killeen, Texas, the ACLU went to court on behalf of the demonstrators and won a ruling that the Texas disturbing-the-peace law was unconstitutional.

#### "BRUTALITY" CASES

In conjunction with lawyers employed by the Legal Service Program of the federal Office of Economic Opportunity, it launched, but lost, suits asking U.S. district courts in Newark and Philadelphia to appoint federal receivers to run the local police departments as a means of eliminating "police brutality," particularly during riots. (The Union also has five "police brutality" cases pending in Mississippi and three in Louisiana.)

The Philadelphia suit also asked for nullification of state laws against carrying concealed deadly weapons, sedition, riot, conspiracy, loitering and obstructing justice. The Newark case asked for a halt to the compilation of police dossiers on civil rights groups.

Asked why the ACLU rushed to the aid of Sirhan Bishara Sirhan, the accused killer of Senator Kennedy, Lawrence Speiser, director of the Washington office of the ACLU, told Barron's: When President Kennedy was shot, Oswald was questioned by police without counsel; we didn't want this to happen with Sirhan."

#### NOMINATION OF SENATOR MUSKIE AS VICE PRESIDENTIAL CANDIDATE

#### HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. MOSS. Mr. President, I commend to the Senate a reading of the editorial entitled "The Choice of Mr. MUSKIE."

published in the St. Louis Post Dispatch, and ask unanimous consent that it be printed in the Extensions of Remarks.

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

**THE CHOICE OF MR. MUSKIE**

In selecting Senator Muskie of Maine as his running mate, Vice President Humphrey took his first concrete step toward an independent candidacy. He successfully resisted the pressure brought upon him to choose Gov. Connally of Texas, or some other Southern conservative, and picked a man who represents something close to an ideal political choice.

If the selection can be faulted at all, it is on the ground that Senator Muskie is not too well known to the national electorate. He is well and favorably known, however, to officials of the big urban centers through his effective work on the big-city problems, and he will strengthen the Democratic ticket in the cities where Mr. Humphrey hopes to win.

Mr. Muskie has an enviable background for any American political candidate. The son of a Polish immigrant, he worked his way through college, won a Phi Beta Kappa key and obtained a law degree at Cornell. He served in World War II, was a member of the Maine House of Representatives for six years, served two two-year terms as Governor, and then, in 1958, became the first popularly-elected Democratic Senator in Maine's history. In the Senate Mr. Muskie has worked quietly, industriously and effectively, and is exceedingly popular with his colleagues.

Because of his phenomenal vote-getting record in a state once considered a bellwether of Republicanism Mr. Muskie has been in demand as a Democratic political speaker in almost every state, so that he has a considerable acquaintance with national politics. He is a person of liberal leanings, substance and good judgment, and in general meets the most important test of all—whether he is qualified to act as President if the President should die or be disabled.

He seems to us to be well qualified, which is all that really ought to matter to the voters.

**"RETIREMENT HAS ITS RICH REWARDS"—ADDRESS BY SENATOR RANDOLPH**

**HON. HARRISON A. WILLIAMS, JR.**

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. WILLIAMS of New Jersey. Mr. President, the distinguished senior Senator from West Virginia [Mr. RANDOLPH] today addressed the convention of the American Association of Retired Persons at Pittsburgh, Pa. AARP was founded in 1958 to provide all retired persons the privileges and services already available to the National Retired Teachers Association which was founded in 1947. The two associations now have a total retired-person membership of approximately one and a quarter million.

This nonpartisan organization is dedicated to the taking of a leadership role in the search for solutions to the problems facing older Americans.

AARP President George Schluderberg, who has been elected for another term, introduced Senator RANDOLPH to more than 1,000 persons in attendance at the convention.

As chairman of the Special Committee on Aging, of which Senator RANDOLPH is

**EXTENSIONS OF REMARKS**

a veteran member, I feel certain that the senior Senator from West Virginia interpreted clearly our committee's vital interest in the welfare of older Americans. Although ours is a committee without legislative jurisdiction, we have held many hearings and have conducted much research, and, based on our evaluation of the research findings and the expert testimony received, we have made many recommendations to the Senate and to committees of this body with legislative jurisdiction.

We are pleased to have the American Association of Retired Persons and other groups with allied missions working with us as the search continues for improved solutions and new answers to problems of our country's senior citizens. The Special Committee on Aging is especially gratified to have had a vital role in developing studies and reports which were of substantive value in the legislative processes under which Medicare and the Older Americans Act of 1967 were developed and became law.

Mr. President, I ask unanimous consent that the address made today at Pittsburgh by the senior Senator from West Virginia be printed in the RECORD.

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

**RETIREMENT HAS ITS RICH REWARDS**

(Address by U.S. Senator JENNINGS RANDOLPH, Democrat, of West Virginia, at convention of American Association of Retired Persons, Pittsburgh, Pa., September 6, 1968)

I am happy that the American Association of Retired Persons gives serious thought to the three words written on its emblem; namely, Independence, Purpose, Dignity.

Each is rich in meaning, and there is substantial evidence that your organization makes practical use of these purposeful words.

*Independence* is more than taking care of one's self. It is also the ability to keep one's own judgment free of pressures that might otherwise force conformity. For that reason, the older people of the United States will never become a unified "bloc" of voters or a pressure group. They are the possessors of wisdom that comes with the perspective that sees beyond self.

*Dignity* is another word of significance for older Americans of today and for those who will be older Americans. The dictionary provides several definitions, but most relevant is:

"Behavior that accords with self-respect." Surely a man or woman who works for the greater part of a lifetime has a desire for dignity in retirement. Self-esteem is proper. Younger citizens should know of their accomplishments and accord them esteem.

And, there is your *Purpose*.

Your founder, Ethel Percy Andrus, made a stimulating declaration:

"Aging is an achievement. The later years have meaning and purpose. Activity is life, and work is one's salvation."

The twenty of us who serve on the Senate Special Committee on Aging have evidence to support the fact that worthwhile activity helps keep people young.

The Committee is chaired by the dedicated Senator from New Jersey (Harrison A. Williams, Jr.). There is no partisanship among the following members who compose our Committee: Alan Bible, Frank Carlson, Frank Church, Everett McKinley Dirksen, Hiram L. Fong, Clifford P. Hansen, Edward M. Kennedy, Edward V. Long, Jack Miller, Walter F. Mondale, Wayne Morse, Thruston B. Morton,

Frank E. Moss, Edmund S. Muskie, Winston L. Prouty, George A. Smathers, Ralph Yarborough and Stephen M. Young. I am not listing them as Democrats or Republicans because of our intense interest in developing meaningful programs for persons like yourself.

These men are joined with people like yourself for a common purpose and realistic goals for retired citizens.

We have heard from those who serve as foster grandparents in institutions for youngsters who need help and loving attention. Foster Grandparents were mobilized. Before this program our doctors and nurses were overworked; they cared, but could not spare the time other than professional attention to a child. Foster Grandparents are performing important work, and they deserve our gratitude. But they don't seek thanks; they feel they gain more than those they serve.

The same mood is expressed by men in the Green Thumb Program, which enlists retired people in highway beautification. Green Thumpers from Arkansas testified on a proposed Older Americans Community Service Program last year, and one witness said:

"In our country, before this Green Thumb Program started, we had a number of citizens that were sitting on their porches, even letting their lawns grow up. Since this started, the chair has hit the floor, the wife is fixing a lunch pail, she is watching her husband go back to work. She is living again, and she knows when he goes out that gate that he is going to do the job, because she has confidence in him. I think that our Nation should be very proud of the stockpile of knowledge in our elderly citizens."

Yes, purpose can be expressed in new programs that put the talents and experience of older Americans to work. But there are other ways to demonstrate purpose. Your organization knows most of them. Your Institute of Lifetime Learning is an impressive example. Here is an entirely new approach to adult education; here is a model for action throughout the Nation. We are impressed, too, by your statement of legislative objectives. You are concerned about the quality of life for all Americans.

But even more fundamentally, your organization has done much to generate healthy attitudes toward retirement. And I think you know that much more must be done in this area because, unfortunately, our democratic society still suffers because of outmoded, irrational attitudes toward age.

Such attitudes toward age are irrational. There are the problems faced by men and women whom we do not usually consider to be aged or even aging. They are younger than most members of your organization. They are the so-called "older workers" thus classified when they reach "the grand old age of 45."

I am Chairman of the Subcommittee on Employment and Retirement Incomes in the Senate Committee on Aging, and I have heard much testimony about senior citizen problems. Within recent weeks the Subcommittee has joined with the Subcommittee on Federal, State and Community Services in a study of "Adequacy of Services for Older Workers." Senator Edward M. Kennedy is chairman of our allied subcommittee.

We believe that the time has come for a really intensive study of that which is happening to millions and millions of Americans who—solely because of age—are having employment problems.

Others may be left jobless by plant shutdowns.

Others may find that their jobs disappear when their skills become obsolete.

Others may simply feel that they would like to move on to different work but that they lack adequate training.

And others—the underemployed—know that they are earning too little in jobs that do not interest or satisfy them.

## EXTENSIONS OF REMARKS

The time is now for an in depth study of older workers problems. Congress has passed the Age Discrimination in Employment Act. A man or woman between the ages of 40 and 65 is now protected from arbitrary hiring or firing policies rooted in discriminatory attitudes toward age. That is the purpose and the intent of the law.

The Age Discrimination Act can become the cornerstone of a national effort to provide services and employment opportunities to Americans of middle-age and beyond. And there is a clear need for such services. Secretary of Labor Willard Wirtz told our Subcommittee about the world of the older worker:

One out of every two jobs which becomes vacant is closed to all persons over 55; and one out of every four jobs is closed to all persons over 45;

One out of every eight unemployed men 45 to 64 is unemployed for six months or more;

The proportion of long-term unemployed men who are 45 or older has increased by 10 percentage points since 1961;

The risk of unemployment is 25 percent greater after 45 than 10 years earlier; and 37.5 percent greater again after 55;

The risk of remaining unemployed for a half year or longer is more than twice as great for men after they reach 45 as it is for adult men under 45.

Secretary Wirtz also said that action must be taken to keep these facts from becoming a perpetual feature of American life.

What would happen to this Nation if it were to have a chronic unemployment condition affecting men and women dropped from the labor market 20, 15, 10, or 5 years before that period which we now regard as normal retirement age?

And, as our technology transforms itself more and more rapidly, think of all the skills that will become outmoded, all the workers in need of new training, and all the plants that will close or be absorbed by larger enterprises.

And think, too, of the sheer numbers of people involved.

There are now more than 22.6 million persons between ages 45 and 54, and 17½ million between 55 and 65—or more than 40 million middle-aged people in this Nation.

We have gathered compelling evidence on the need for action on many fronts.

I am, therefore, preparing—in consultation with other members of the Committee on Aging, and also with Representative Scheuer of New York—legislation to fulfill the following objectives:

*One:* To examine present training opportunities for older workers and to make adjustments that will throw open such opportunities to many more people.

*Two:* To strengthen the United States Employment Service in its efforts to provide more services to older workers.

*Three:* To open more employment opportunities for the elderly and to recruit and train retired individuals to serve in establishing and conducting such programs.

*Four:* To direct the U.S. Civil Service Commission to conduct a study of potential opportunities for part-time work suitable for older workers in Federal offices.

*Five:* To make the Age Discrimination Act more effective.

I regret reporting to you that Congress has not provided adequate funds for implementation of the Age Discrimination Act.

Secretary Wirtz told the Subcommittee that he will be hard-put to find the staff with fund limitations to oversee its enforcement provisions.

Congress has failed to provide funds for the essential research and educational programs to be established under the Act.

We heard at the hearings that many employers or personnel directors refuse to interview a person past age 50, because they believe he or she will be less effective than a younger worker. And yet, study after study

shows that the older worker has many attributes which may make for a superior employee. The research and educational programs were intended to help change such attitudes by searching out facts and helping employers to understand.

The Age Discrimination Act needs more than money for full effectiveness. It also needs national understanding of the problems and the potential of the older workers. How big is the job which is ahead? For part of the answer I refer you to the words of a man who, at age 54, was informed one day that his 18 years of service with a New York City publishing company had been terminated. He was the victim of a merger. He wrote a book—called “The Journal of a Discarded Man”—to tell how it feels, over months or years, for a person in his fifties to look for work in today’s market. And please remember that his experiences took place in New York State where an anti-discrimination law is in effect. I quote:

“When a person is up against discrimination based on prejudice, he is up against a kind of social automation, a blind process that just kicks along in its own way and is seemingly impervious to anything that can be brought against it. Rational argument is impotent and plain facts are laughed at or angrily denied.

“Upon first encounter, the whole thing seems unbelievable; then when its full shape is seen, disgust is aroused, and fear, scorn, and blazing anger. Perhaps later, after long experience, one becomes resigned.

“In the job market every job-seeker is immediately plastered with all kinds of tags and labels. The law has been moving in against this practice, and against the more glaring forms of discrimination, but it doesn’t do much good. An employer can reject you because you’re a Jew or because you’re ‘too old’, but he knows better than to say so. He’ll simply say, ‘Not qualified.’ For the most part, legislation only makes prejudice cagier and less outspoken.”

I have placed much emphasis on attitudes toward aging. In this Nation we are too careless in our treatment of, and our thinking about, the aging and aged citizen. We have yet to realize that retirement—and the years just before it—should be regarded as a transitional time toward a new stage in our life. We have many “beginnings”—Our first day in school, our graduation day, marriage, children, a new home. Retirement is a beginning, too, and it should be, as former Secretary of Health, Education and Welfare John Gardner so aptly described, a period of self-renewal—exploration, satisfaction, curiosity. The day is coming when most Americans will not think of older Americans as a problem group. The “Dynamic maturity” sought and found by so many members of your organization will truly be the rule, not the exception, for the retired. They will understand as you understand that: “You are as young as your faith, and as old as your doubts; as young as your self-confidence, as old as your fear; as young as your hope, as old as your despair.”

I am grateful to have counseled with a group of splendid citizens rewarded in all that keeps men and women young, often in body, but more importantly—in mind, and spirit!

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THE “PUEBLO”—HOW LONG, MR. PRESIDENT?

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HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 6, 1968

Mr. SCHERLE. Mr. Speaker, this is the 228th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

September 6, 1968

NEW YORK’S CATTARAUGUS COUNTY GREEN THUMB PROJECT

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. JAVITS. Mr. President, one of the few programs for our senior citizens which has been sponsored under the Economic Opportunity Act is the green thumb program administered by the Department of Labor. The program is particularly useful because it can be implemented in predominantly rural areas which often has tended to be overlooked by antipoverty programs that are typically concentrated in the big cities.

I am pleased to say that the Cattaraugus community action program in up-state New York has now received a Federal grant for such a green thumb program under which 14 men will be employed on the improvement of roadside areas. I am especially pleased with this project announcement because many months ago I had taken the initiative, with Dr. Blue A. Carstenson, of the National Farmers Union, which is the nationwide sponsor of this program, to bring the New York State Department of Transportation into contact with the Farmers Union to plan for the program in New York State.

Mr. Thomas F. Cusack, the executive director of the Cattaraugus community action program, is particularly to be congratulated for his efforts on this and other antipoverty programs in this section of our State.

I ask unanimous consent to have printed in the RECORD an article entitled “Plan To Start Green Thumb Work in County Next Week,” published in the Salamanca, N.Y., Republican Press of June 15, 1968.

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

PLAN TO START GREEN THUMB WORK IN COUNTY NEXT WEEK

Plans to start a “Green Thumb” employment program for elderly persons with low incomes next week were announced today by Floyd Printup, Jimersontown, supervisor for Cattaraugus and Chautauqua Counties, and Thomas F. Cusack, director, Cattaraugus Community Action, Inc.

Fourteen men will be employed in Cattaraugus County on two projects, improvement of the roadside rest areas on Rt. 62, just north of the community of Conewango, and on Rt. 16, between the Village of Delavan and Yorkshire Corners.

These projects will be carried out in cooperation with the State Dept. of Transportation, with the Department providing tools, trees, shrubbery, fertilizer and “know how” as its contribution to the program.

The program, conceived by the National Farmers Union, operates under a grant from the U.S. Dept. of Labor, covered by the Nelson Amendment of the Economic Opportunity Act. Additional contributions are provided by local participating units, plus Farmers Union and other nonprofit groups.

The program is open to those more than fifty-five years of age, whose income in 1967 did not exceed \$1,400 per couple for farm residents, or \$2,000 per couple for others.

It is expected to prove of much help to those living on limited Social Security or other retirement programs.

Some additional applications are being accepted, with men more than sixty-five being given preference. Men up to ninety-nine years of age have been employed, according to Henry E. Wilcox of the National Farmers Union, who has worked on setting up the Green Thumb program in communities from Oregon to New Jersey.

Working a three-day week, eight hours daily, at \$1.60 per hour, the men will have an opportunity to earn up to \$1,500 permitted under Social Security regulations.

It is planned to operate the program in this county until December, or until inclement weather forces a shut-down. Mr. Williams said it has filled an important need with many retired people, supplementing their income and providing a sense of accomplishment.

#### ACCOMPLISHMENTS OF RALPH NADER

#### HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. METCALF. Mr. President, through the efforts of one man, the Nation has been made acutely aware of many of the dangers that beset our society. I speak of Ralph Nader, author of "Unsafe at Any Speed." Besides his one-man crusade against the automobile industry, Mr. Nader has called to the consumers' attention unpublicized hazards in connection with gas pipeline safety, air pollution, and the meat industry. These topics all share the common denominator of being of vital interest to the American consumer.

Mr. President, Dave Prosten speaks of many accomplishments of Mr. Nader in the August 22 issue of the International Union of Electrical, Radio, & Machine Workers News. I ask unanimous consent that this article be printed in the Extensions of Remarks.

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

RALPH NADER  
(By Dave Prosten)

There's this guy, his name is Ralph, who lives in one of the cheaper sections of Washington, D.C. He pays 20 bucks a week to live in a rooming house, has maybe five suits to his name, doesn't have his own telephone or own a car.

Sounds like the average working stiff, right? Perhaps one who's even a little worse off than most of us, as a matter of fact. Just a little guy, like most working men.

Well, that's true in part. He's sure no millionaire. But he's not exactly the average little man. His first name is Ralph, and his last name is Nader.

He's the guy who singlehandedly took on the auto industry with his book, "Unsafe at Any Speed."

He's one of the people who went before the Congress of the United States and demanded effective intrastate meat inspection.

He's the guy who dropped a section of worn-out gas pipeline into the laps of our lawmakers, and demanded something be done before people get killed because of it.

#### SLIM AND SOFT-SPOKEN

Ralph Nader is a crusader in every sense of the word, but he sure doesn't look the part.

#### EXTENSIONS OF REMARKS

He's thin—almost skinny—shy, and he speaks softly. He doesn't go much for publicity, and he doesn't grab for the headlines—though he sure gets them. As a matter of fact, he looks like an accountant or a school teacher.

But he doesn't act like one. When "Unsafe" was published, one of the auto companies had an investigator scrounging around, trying to pick up some dirt on him so he could be discredited. Much to the company's dismay, though, the private eye just couldn't find anything against him. If anything, Nader was found to be just what he was—an honest guy sincerely worried about the needless slaughter on our highways. Slaughter, much of which could be avoided if the auto industry worried as much about safety as it does about sales.

Nader refused to be intimidated. He fought back, and filed suit. And he continued speaking out, not only on unsafe cars but on other things—the meat and pipeline dangers, radiation, fish inspection, "corporate behavior," and even the legal profession.

Nader, a lawyer himself, just can't seem to accept any sacred cows. If something needs knocking, he knocks it. If something needs improvement, Nader does all he can to bring about that improvement.

In honor of his continuing fight for America's working men and women, the League for Industrial Democracy recently gave Nader its annual award. IUE President Paul Jennings, a member of the LID board of directors, presented the award for Nader's "championship of consumer rights and his reforming zeal."

Not long ago, the IUE News got hold of the number of the hallway phone in Nader's rooming house, called him and asked for an interview. When told it was for a union publication, he said: "Let's do it as soon as possible." That turned out to be the next afternoon.

Sitting in a little restaurant behind the Treasury Building in Washington, Nader told how he became involved in the auto safety fight; and, more importantly, he told what union members can do to help bring about better and safer working conditions on the job.

The concern over auto safety, Nader said, "started in law school when I became interested in the inadequacy of the law as it related to automobile design and construction. The law goes by the theory that all accidents are related to driver failure, but that escapes the point. Whatever may be the cause of the accident, the thing to do is cut down on the number of people getting killed and injured.

"The first priority for this," Nader said, "is to design the vehicle to protect people during collisions. It is the most controllable solution, the cheapest and the one that's most easily administered. And it lasts the longest; human beings will always make mistakes in operating machinery, so we have to have machines that are so designed as to make these mistakes less injurious.

"Having more well-designed vehicles is the first priority, rather than trying to cope with 100 percent effectiveness on the part of 95 million drivers—which we simply are not going to achieve."

#### HOW NADER PICKS TARGETS

Noting that he has touched a lot of bases in his safety and health crusades, we asked how he chooses his "targets."

"Well," he answered, "I have two criteria: first, is it important to consumers; second, is the problem being ignored. If the answer is yes in both cases, then I go after it."

What can the average guy in the shop do when he spots something potentially dangerous on the job? Where does he go?

"If you find a hazard," Nader said, "go to your shop steward and have him approach the company, as I'm sure you do now. But if

the company doesn't do anything about it, write to your Congressman or Senator.

"I get letters from union people myself, and some of the important details about what's going on in the plants come from them. They know exactly what's going on—they're there.

"The thing is, don't let 'George' do it, because he won't. The unions have to be their own 'George.'

And our concern must be not only in the plant, Nader said, but when we're away from the job also.

"The dangers of a modern industrial age have gone beyond the confines of a factory, and they affect us all," he said. "We're all subjected to the hazards of pollution, contamination and hazardous products. And we always have to be on the alert, both on and off the job."

#### SERVICE BENEFITS FOR RESERVISTS

#### HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. THURMOND. Mr. President, the Navy Times of July 24, 1968, published a hard-hitting and persuasive editorial in favor of H.R. 14739. The bill was passed by the House on May 6 and is now in the Senate Committee on Armed Services.

The editorial makes the point that a reservist who is injured or killed while on active duty is just as injured or as dead as a serviceman with a longer tour of duty, and his dependents have needs which are just as great.

Mr. President, I ask unanimous consent that this editorial be printed in the Extensions of Remarks.

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

Despite the drive towards adjournment early in August, the Senate Armed Services Committee should immediately approve, and push through the Senate the Reserve-National Guard benefit bill, HR 14739, which was passed by the House back on May 6 after 12 years of Reserve effort.

In a nutshell, the bill gives non-regulars reporting to, serving on, and returning from short periods of active duty about the same death, hospitalization and burial benefits as servicemen serving 30 days or more.

Additionally, it abolishes some differences in the benefits various non-regulars receive under such circumstances—differences which apply not only to Reservists as distinguished from National Guardsmen, but even as between Reservists of one service and those of another.

That such distinctions between non-regulars on short tours cannot be justified and should be wiped out is too obvious to need further comment.

That the distinctions between non-regulars performing more than 30 days' duty and those less—during drills, annual active duty and the like—also need be abolished, as HR 14739 would do, also is clearly justified.

A Reservist killed incident to a drill is just as dead, in the service of his country, as a serviceman killed in his 40th day (or 20th year) of service.

A Reservist injured or becoming ill incident to a drill is just as hurt in the service of his country as a military man on a more-than-30-day tour. And he's just as much in need of medical care.

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The need of the dependents of the one can be just as great as the needs of the other.

Compounding the difficulties the short-duty non-Regulars face is the fact that their own insurance often is void with respect to the casualties occurring on duty. (Non-Regulars, by the way, are excluded from the Uniformed Services Group Life Insurance plan. *Navy Times* has several times called attention to that, particularly as it affects fliers performing vital air supply missions in support of the Vietnam War.)

The need for action *this* year on HR 14739 is all the greater, with Defense seeking authority to call Reservists for short-term riot duty in the same manner as guardsmen.

The need for action *this* year is pointed up by the estimated annual cost of the bill—\$566,000. In the total Federal budget, the amount is peanuts. The terms of the impact on individuals—the few individuals who are actually affected each year—the \$566,000 points up how staggering is the individual impact of the exclusion of the short-duty Reservists from the benefits available to those on longer tours.

It would not take the Senate Armed Services Committee long to act on this bill. And if the Committee acts, the Senate undoubtedly would pass the bill on a routine calendar call.

If the Committee acts . . .

#### WOLFPACK JOURNALISM

#### HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. FANNIN. Mr. President, Mr. Roscoe C. Born, associate editor of the *National Observer*, has delivered an attack upon a journalistic phenomenon called "Wolfpack Journalism" which he says is rampant here in Washington.

Mr. Born suggests that rather than being controlled by some power structure, wolfpack journalists dominated by front-page mentality follow the cry of the pack after one of the leaders produces a sensational bit of reporting. The leaders, he says, have seniority by virtue of their past successes or the influence of their particular news outlet.

The *National Observer* editor noted that he was not attempting to defend all the causes or individuals who have been subjected to the wolfpack treatment. Rather, he is arguing for the brand of journalism that goes beyond learning to "fold a gob of copy paper three ways, carry a stub of editing pencil in your pocket, back a news source against the wall, get the goods, and rush it into type in time for the next edition."

This viewpoint holds a particular interest to this body, and to me personally, because Mr. Born mentions the Wholesome Meat Act of last year that owes its passage largely to the panic situation created by the wolfpack with little regard for investigative reporting that would have uncovered the real facts in the meat inspection story. The *National Observer* has performed an excellent service for the Nation in this regard by publishing the memoranda of the Department of Agriculture in its attempt to produce lurid stories about filthy meat. Some of the victims of this mess were Arizona citizens. I have already put that story in the RECORD.

More recently the National Rifle Association has been the subject selected by the "villain-of-the-month club" as the cry of the pack sounds the cry for more restrictive gun legislation.

In my opinion, Mr. Born is entirely correct when he suggests that editors and reporters reflect upon the increased level of sophistication and education of the American reader and give him the "thorough, responsible reporting and good writing that he has a right to expect."

I ask unanimous consent that an article written by Gerald B. Healey, detailing Mr. Born's talk, and published in *Editor & Publisher* of August 31, 1968 be printed in the RECORD.

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

#### WOLF PACK JOURNALISM IS ASSAILED (By Gerald B. Healey)

LAWRENCE, KANS.—Wolf pack journalism "rampant in Washington" and not entirely absent from the local scene underwent a caustic attack by Roscoe C. Born, associate editor of the *National Observer*, following his acceptance for his publication of a reporting award from the American Association of Journalism School Administrators here this week.

Born described wolf pack journalism as a practice in which reporters work in gangs, in packs, the result being that the "readers, or at least the more perceptive reader, know that somehow the leaders of the pack have picked a victim, and that the pack members are already in full cry after the quarry."

Born said he does not suspect these packs are deliberately planned by some unseen power who is unable to make the press of America do his bidding for his own purposes.

#### NO POWER STRUCTURE

"It is pure nonsense to suggest, as some of the naive radicals of the day do, that the press is uniformly controlled by the power structure, by the advertisers, or by anybody," Born declared. "No, the wolf pack operates without direct orders from anybody. Its leaders have seniority by virtue of their past successes, by the influence of their publications. Sometimes by the figurative display of medals on their journalistic tunics, testifying to their ingenuity and valor in the service of the Fourth Estate.

"The cry of the pack is heard after one of the leaders produces a sensational bit of reporting, an exposé. The exposé usually must involve a major public figure or a major public interest. The object at this stage of the game is to get picked up by a wire service. Overnight, other reporters leap to the attack.

"Shortly it will become clear what a line has been established on how this person or this subject is to be reported. The villain-of-the-month club has picked its newest target, and from there on all the rules of fairness, of honest, thorough reporting, are scattered to the winds."

#### UNFAIR TO HOFFA

Two of the better-known victims of wolf pack reporting were named by Born, who said he was not defending them or contending that all were honorable men or institutions that shouldn't have been brought to an accounting.

He mentioned Jimmy Hoffa, whom Born covered as a Washington reporter. Of Hoffa, he said that almost no effort was made by the press to report him fairly and almost no attempt was made to learn and publish the facts about what was going on in the teamster's union.

Born singled out the National Rifle Association "known to any newspaper reader as the advocate of assassination and indiscriminate murder in the streets and parks."

"I favor gun control," he said, "but I don't believe that justifies making the NRA into such a heavy that it must be hissed and booed by the press every time it puts in an appearance."

Born examined the Wholesome Meat Act of last year and claimed the wolf pack was "especially successful on this effort, using as a base for much of the reporting a survey taken by the Department of Agriculture in non-federally inspected meat plants."

#### THE REAL MEAT STORY

But "precious little real reporting" went into the issue, Born charged.

It was after the law had been passed that the *National Observer* discovered that while it had not gone along with the wolf pack "neither had we done the kind of reporting that, it turned out, we should have been doing."

The weekly *Dow Jones* newspaper assigned a reporter to six months of discovering the real story which showed that some of the reports written by federal inspectors after visits to meat plants had been "doctored" in Washington, eliminating favorable references and emphasizing the unfavorable findings.

The reporter also found that, although 183 of 15,000 plants had been inspected—"what would appear to be a fair sampling"—a memorandum had gone out from one regional meat office that specifically directed the inspectors to go only to plants where they would find bad conditions.

Trying to determine the existence of such a memorandum proved unavailing and finally *National Observer* had to resort to the Freedom of Information Act. The newspaper's lawyers were on the verge of filing suit when the Agriculture Department released the memorandum which contained detailed instructions for what it described as "project quick, quiet and confidential."

"That was the basis of the 'fact' used to produce some of those lurid stories about filthy meat," Born said. "It was on that basis that Congress decided that the conditions in the state plants were so appalling they required legislation."

#### "HOAX" DELUSED CONGRESS

The *National Observer*'s point, Born said, was to put on the record the fact that a few men in Washington were able to stage an elaborate hoax, to delude Congress, and to delude the public in the interests of passing some headline-making consumer legislation.

"My point . . . here," Born continued, "is to note that this hoax couldn't have been accomplished if the press corps had been doing a thorough reporting job all the way along. It was another example of wolf pack reporting, and it is frightening to think we could be that easily hoodwinked."

Born said he thinks the press is justified in asking for reforms where reforms are needed, in rooting out villains who should be jailed, in exposing public officials who need to be ousted. "But I would ask that these efforts be made after thorough reporting, honest reporting, fair reporting. If a judgment is made without real reporting, it is not a judgment at all but is based on a hunch or on a whim, or—much worse—on malice."

Born added that although there are exceptions "most of our news-writing style is still geared to the Front Page Era."

"Too often," he said, "the merits of a reporting job are based on whether it was sensational, did it put someone in jail, did it get a public official fired, did it help a legislative body conduct an equally sensational investigation."

#### BAD EXAMPLE

"The evil is self-perpetuating," he continued. "The journalism student or the young reporter grows up knowing full well how to succeed in this business. He learns that you don't do it by being perceptive and knowledgeable and understanding—and by

really good writing. No, you learn to fold a gob of copy paper three ways, carry a stub of editing pencil in your pocket, back a news source against a wall, get the goods, and rush it into type in time for the next edition."

Born contended that in the main American newspapers are not being read. "Nobody doubts," he said, "that newspapers are being bought—they just aren't being read and for a great number of reasons beyond the control of editors and the schools that are producing journalists of tomorrow."

"The weakness I have singled out today," he concluded, "is an especially egregious fault. We could do a lot to cure our ills if we could rid ourselves of the front page mentality, if we could put the wolf pack journalism behind us, if we could dispense with the anachronistic notion that we are racing against the clock to finish the news to our readers. . . . We have long since lost the race against the clock. Now we should take the time needed for the thorough, responsible reporting and good writing that today's better-educated, more-sophisticated reader has a right to expect."

#### COMPREHENSIVE CRIMINAL JUSTICE PLANNING—A NEW CHALLENGE

HON. FRED R. HARRIS

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. HARRIS. Mr. President, the distinguished Senator from Maine [Mr. MUSKIE] is necessarily absent today. On his behalf, I ask unanimous consent that a statement prepared by him and an article entitled "Comprehensive Criminal Justice Planning—A New Challenge," which was published in the July issue of *Crime and Delinquency*, be printed in the RECORD.

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

##### STATEMENT OF SENATOR MUSKIE

Mr. MUSKIE. Mr. President, enactment of the Omnibus Crime Control and Safe Streets Act of 1968 opened the way for a new and more comprehensive approach to the complex problems of law enforcement throughout the nation. It also pointed up the increased national attention and concern being given to the problems of crime and criminal justice in our society.

Mr. Daniel L. Skoler, Deputy Director of the Office of Law Enforcement Assistance at the Department of Justice, has written an article entitled "Comprehensive Criminal Justice Planning—A New Challenge," which appeared in the July issue of *Crime and Delinquency*. Because of the great relevance of the article, I ask unanimous consent that it be printed in the Extension of Remarks.

##### COMPREHENSIVE CRIMINAL JUSTICE PLANNING—A NEW CHALLENGE

(By Daniel L. Skoler, Deputy Director, Office of Law Enforcement Assistance, U.S. Department of Justice; associate director, Joint Committee for Effective Administration of Justice, American Bar Association, 1961-62; executive director, National Council of Juvenile Court Judges, 1962-65; LL.B., 1952, Harvard Law School)

(NOTE.—This article is based on remarks presented at the Eastern Regional Conference on Criminal Justice Planning, Boston, Mass., March 11-12, 1968. The opinions expressed are the author's and not necessarily the position of the Department of Justice.)

#### EXTENSIONS OF REMARKS

Under new federal legislation, the development of comprehensive criminal justice plans will be a prerequisite for receipt of federal matching grants to strengthen state and local crime-control capabilities. This will be a difficult task in a national structure administered by a variety of disciplines, by numerous and often overlapping political jurisdictions, and with distinct subsystems for processing juvenile and adult offenders. The current status of criminal justice planning offers some guides, promising new instrumentalities, and the experience of federally financed planning in other fields to assist in the effort. However, few models of comprehensive criminal justice planning are available. A concerted program of technical assistance through training workshops, planning materials, and clearing-house and consultation services will be needed if the nation is to meet this challenge successfully. Finally, although the exact requirements of criminal justice planning will be determined by the final anticrime enactment, some basic requisites are likely to appear under any legislative formula. These include (1) a view of planning as a continuing process, (2) a bias toward the detail necessary to translate general improvement standards into solutions workable for a given jurisdiction, (3) serious attention to all facets of criminal administration and a strong burden of justification for ignoring any, (4) a recognition in federal planning standards of the time needed to evolve and refine quality plans, (5) the establishment of planning machinery which involves all necessary competencies and is representative of all criminal justice interests, (6) well-designed and orderly programming for the planning mission, both in relation to long-term plans and annual action programs, and (7) the incorporation of explicit, quantified program goals and evaluative mechanisms capable of measuring their achievement.

All indications are that 1968 will be the year in which federal aid to law enforcement and criminal justice will join federal aid to education, health, highway safety, public welfare, and similar subjects of social concern as a major program in support of services administered at state and local government levels.

National interest in the crime and delinquency problem has reached new peaks, pilot programs have probed approaches of federal aid in this area,<sup>1</sup> and a searching President's Commission study has identified major avenues for improving crime control and criminal administration capabilities.

Legislative blueprints for the new federal program were introduced in 1967 and are now in the final stages of congressional consideration.<sup>2</sup> Briefly, they provide funds for development of comprehensive improvement plans; offer annual matching grants to help implement the programs, projects, and goals established in such plans; and permit special support for education and training and for research, development, and demonstration programs designed to produce or test new knowledge and techniques for the criminal administration community.

A basic principle and mandate under all versions of the anticrime legislation now pending is that state and local governments must develop and maintain comprehensive improvement plans—that is, the plans must consider all aspects of criminal administration: law enforcement, correction, courts and prosecution, citizen action, crime prevention. They must also integrate, to the greatest extent possible, the work of all agencies and levels of government carrying law enforcement and criminal justice responsibilities in the planning jurisdictions.

When the new federal aid partnership becomes law, the states and communities of

the nation will be obliged to undertake a collective planning effort of a scope and depth unknown to our institutions of criminal justice administration. The impact of this will be felt by correctional administrators, police commissioners, judicial structures, state budget agencies, and others as they are asked to work on plan components, analyses, and data-gathering efforts. The perspectives and understanding by all concerned must be sufficient to produce the most useful and effective programs possible. This article will seek to explore the role of comprehensive planning, its current status in the federal aid and criminal justice contexts, and possible issues and requirements likely to be considered as the concept is defined under the coming grant-in-aid program. The precise standards and formats to be developed will depend on the legislation ultimately approved. They will undoubtedly undergo evaluation and refinement as experience is accumulated under that legislation and initial planning efforts help reveal what can realistically be achieved and which approaches to planning offer most promise for the crime-reduction goals of the program.

##### PLANNING AS A PREREQUISITE FOR ASSISTANCE

The experience of past years has amply demonstrated that the mere infusion of even a vast amount of federal money is no assurance of success or effective action. Well-defined objectives, realistic goals, appropriate techniques, proper allocation of resources, and careful study and program design are requisites for assuring prudent use of public funds and for guaranteeing, in an increasingly complex age, that the desired results will be achieved.

Accordingly, federally financed planning has become a basic tenet of national aid policy, and virtually every important program launched in recent years has included a planning requirement as a condition of eligibility for large-scale aid.<sup>3</sup> The Highway Safety Act of 1966 requires approved "highway safety programs"; the Comprehensive Health Planning and Public Health Services Amendments of 1966 requires approved plans for "comprehensive state health planning"; the Demonstration Cities and Metropolitan Development Act of 1966 requires approved plans for "comprehensive city demonstration programs"; the Land and Water Conservation Fund Act of 1965 requires "comprehensive statewide outdoor recreation plans"; and even more modest efforts, such as the Technical Services Act of 1965 (programs to communicate technical and scientific data for use of commerce and industry) and the Older Americans Act of 1965 (programs for the aging) begin with planning grants as a condition of aid for action projects.

Recognizing that programs such as crime control embody at least the order of complexity that has launched a "generation of planners" in these other areas of public activity, Attorney General Ramsey Clark noted at the 1967 National Conference on Crime Control:

"Our purpose is to commit ourselves to excellence as we now see it and later refine it. This will require definitive planning coordinated with all relevant agencies. Our time, our numbers, the complexity of our lives compel planning."<sup>4</sup>

Similarly, the President's Crime Commission accorded priority to planning as a first step for criminal justice improvement:

"A state or local government that undertakes to improve its criminal administration should begin by constructing, if it has not already done so, formal machinery for planning. Significant reform is not to be achieved overnight by a stroke of a pen; it is the product of thought and preparation. No experienced and responsible state or city official needs to be told that. The Commission's point is not the elementary one that each individual action against crime should

Footnotes at end of article.

## EXTENSIONS OF REMARKS

be planned, but that all of a state's or a city's actions against crime should be planned together, by a single body. The police, the courts, the correctional system and the non-criminal agencies of the community must plan their actions against crime jointly if they are to make real headway."

The Commission caveat has been embraced in the pending legislative proposals for law enforcement aid and has attracted little opposition from federal legislators. However, planning in criminal justice, as in other social problem spheres, must deal with important constraints. These include the "state of the art," available resources, intergovernmental complications, and the demands of the "comprehensive planning" mandate.

## CURRENT STATUS OF CRIMINAL JUSTICE PLANNING

Today, the nation has almost no validated models of good comprehensive planning in crime control. It confronts its mission, however, with (1) a variety of personnel, operational and performance standards, and codes of good practice, and (2) some models of good survey work in specific segments of criminal justice activity—both largely the work of responsible professional groups supported, in varying measure and at different times, by academic and public agency competencies. Guides such as the American Correctional Association's *Manual of Correctional Standards*, the American Bar Association's new *Minimum Criminal Justice Standards*, the U.S. Children's Bureau's *Standards for Courts Dealing with Children*, and the National Council on Crime and Delinquency's model legislation and other publications are available to aid planners as they assess local needs and frame action plans. Similarly, recent state correctional system surveys by the National Council on Crime and Delinquency (in Oregon and Indiana) and a variety of metropolitan and municipal police agency studies by the International Association of Chiefs of Police (in Baltimore, Puerto Rico, Washington, D.C., and elsewhere) offer valuable models of the level of analysis, comprehensiveness, and detailed action programming that might be expected in the correctional and police components of a comprehensive criminal justice plan.

The best of this body of accumulated professional experience, standards, and reform goals has been integrated into the report volumes of the President's Commission on Law Enforcement and Administration of Justice, which has added important new insights and improvement measures. This is all to the good. However, translating standards and precepts into well-designed and properly phased programs responsive to the conditions and circumstances of particular state and local governments is the largely uncharted course which intelligent federal assistance must nurture.

Much remains to be done to develop resources. State and local planners in criminal justice are in short supply. Organizations currently capable of providing study and survey services have inadequate capacity to meet the demands of the national planning effort contemplated by the proposed legislation. Although they are beginning to show interest in criminal justice work, firms and organizations with general systems analysis, operations research, and organizational development capabilities have relatively little experience with and knowledge of the field. Planning and research units in correctional, police, and other criminal justice agencies are, for the most part, in early evolution. General criminal justice planning and coordination units, new on the scene, offer promising potential but are still few in number and have not had enough experience to offer the required levels of guidance and leadership.

Footnotes at end of article.

A further complication confronting comprehensive planning is the fractionalization of responsibility for police, court, and correctional activities on the local level. With important exceptions, states and counties remain dominant in operation of correctional institutions, counties and municipalities have prime responsibility for police activities, and states and counties shoulder the major load in operation of court and prosecution systems. In a given metropolitan area, all three levels of government may play important roles in the police, court, and correctional services provided to residents. Planning must therefore transcend jurisdictional boundaries and individual agency responsibilities, a difficult task under the best of circumstances.

## BUILDING PLANNING COMPETENCE

Such problems, large as they may seem, are not greatly different from those facing intergovernmental partnerships which address other contemporary needs. Many responses are possible. A particularly important one is the opportunity presented to the federal government to match grant funds with an aggressive technical assistance program aimed at building planning competence. This could include national workshops for training of criminal justice planners, development of materials and guides for planning, provision of consultant services to planners, and development and dissemination of successful planning models. This kind of help has frequently been neglected in other federally stimulated mass planning programs, often to the detriment of program quality.<sup>6</sup>

Federal assistance of this type will undoubtedly have to draw on the capabilities of universities, leading crime control agencies, professional associations, and qualified consulting organizations.<sup>7</sup> Federal agencies have themselves no superior wisdom or store of resources for this purpose, although encouraging progress is being made through such instrumentalities as the Bureau of Prisons' new Community Services Division, which was established expressly to provide technical assistance and consulting services to state and local correctional agencies. However, because of its national perspective and grant dollar stewardship, the federal government is uniquely situated to marshal qualified resources, often in short supply, and deploy them to maximum advantage. It is important to recognize, moreover, that the "technical assistance" role is as appropriate and proper to the federal-state-local partnership as the grant-in-aid technique. Because of its advisory nature, it is consistent with the trend toward greater local autonomy in defining problems and mapping programs of action and yet meets a need particularly important at the starting juncture of the crime-control planning effort.

Through other federal help, all states and major localities are today developing technologists and permanent planning agencies whose skills, blended with those of criminal justice specialists, can provide a valuable resource for crime-control planning. These include the forty-four state planning agencies and more than two hundred regional planning agencies and metropolitan councils of government supported by urban planning grants from the Department of Housing and Urban Development (an investment aggregating nearly \$80 million over the past ten years) and, more recently, the core-city planning bodies to map comprehensive neighborhood improvement schemes under the Model Cities Program.

Within the past three years nearly thirty states, assisted by Department of Justice pilot grant funds, have established special commissions, councils, or committees to examine criminal justice needs and map comprehensive programs for improved criminal justice administration.<sup>8</sup> An increasing number of cities and other local units are taking similar action, even before the advent of federal

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subsidies to assist in such efforts. For the most part, the staffs of these units are too small, their resources too modest, and their origins too recent to permit substantial progress toward complete models of comprehensive plans. However, as they build strength and get their bearings, these specialized state and local criminal justice planning agencies should be able to demonstrate increasing effectiveness and themselves assume major roles in providing technical assistance for coordinated criminal justice planning. Thus, experienced state criminal justice planning agencies might well assume a major part of the training, consulting, and guidance services which initially will require federal impetus.

## THE SHAPE OF COMPREHENSIVE PLANNING

Despite the newness of the comprehensive planning concept in crime and delinquency control, we can discern the directions indicated by limited past experience, the lessons of planning efforts in other social problem areas, and the results the new federal aid partnership hopes to achieve.

## How much

Planning is a continuing process; any program for effective plan development must recognize that fact. Although the production of a comprehensive written plan is contemplated as a condition of aid eligibility under all versions of the anticrime legislation now under consideration, it must be recognized that planning efforts cannot stop with achievement of a jurisdiction's initially approved "comprehensive plan." Indeed, it is a virtual certainty that this first-year plan will be rudimentary in relation to the fully delineated and refined plan achievable over, say, the five-year initial operating period contemplated for the new legislation. Accordingly, all planning authorizations anticipate federal support not merely for the initial preparation of a plan, but also for its modification, revision, and expansion. Planning agencies should expect increasingly demanding standards of quality and thoroughness as time and experience provide the opportunity for the research, care, and detail which may not be possible in meeting initial plan deadlines.

## How detailed

A dominant purpose of comprehensive criminal justice planning is to permit jurisdictions to select, adapt, and apply general measures and concepts of improvement to the context and needs of a particular state, city, or metropolitan area. This being the case, the most thorough analysis and detailed planning possible, within realistic constraints of time, money, and the need for action, would seem desirable. It will be easy enough for a jurisdiction to echo general standards, tenets, and goals of improved operation in planning documents. These abound in the report volumes of the President's Crime Commission and in the "standards of good practice" which each of the disciplines has developed through its professional and research arms. More difficult will be the tailoring of these to the resources and special problems of the jurisdiction so that maximum prospects for success will be assured and, before that, ascertainment of which measures are valid for that jurisdiction. A high level of detail will help lay bare deficiencies, inadequate assumptions, faulty data, and feasibility of implementation. What must be watched in the process of detailing is the introduction of detail at the proper stage of planning. The comprehensive plan that determines a need for a new facility may not need to produce a detailed design of that facility in the long-range program, but jurisdictions should be prepared to delineate and justify in much greater detail the action program to be undertaken with their fund allocations for a program year.

*How comprehensive*

A comprehensive plan must cover all aspects of criminal administration. This means that police, correction, prosecution, and court services should each receive attention, that all major phases of their operations should be examined, and that the work of all agencies carrying responsibility in a particular jurisdiction should be accounted for. It probably means further that the need for citizen action, crime prevention efforts of other governmental agencies and private groups, and reform undertakings having no significant "money" dimension (e.g., criminal code revision) also be reviewed and, where appropriate, planned for. This will be a complex task and dilemmas are bound to arise.

For instance, what if a significant law enforcement agency (e.g., the state police) operating in the planning jurisdiction is not under the authority of that jurisdiction; and what if the planning jurisdiction feels that intensive upgrading of a particular function (e.g., police) should be pursued to the substantial exclusion of other criminal justice operations (e.g., courts and correction)? These conditions could create serious imbalances in plans which, before extension of plan approval, should carry a heavy burden of justification to show, in one case, that efforts would be integrated with those of the nonsupervised agency or, in the other, that the priority is reasonable and justified in the light of local progress and needs.

*How soon*

The deadlines for comprehensive planning can have a critical effect on the quality of that planning. At present, it appears that plans will have to be produced before the end of the first year in which the new grant-in-aid program becomes operative to permit a jurisdiction to qualify for its share of action funds appropriated for that year. This is because action fund requests must be based on previously submitted plans which have been approved as complying with statutory standards. This could create unfortunate pressures. Notwithstanding opinion that a number of jurisdictions are well advanced in developing comprehensive state and local plans, no such plans are yet on the scene and many jurisdictions will be hard pressed to develop the data and to conduct the studies they require, distill these into an accurate profile of existing resources and needs, prepare a comprehensive master plan, and reconcile opposing viewpoints along the way, all within the first fiscal year of federally supported planning operations. The experience of the existing state planning committees suggests that we may be underestimating the time needed for such work, including time to organize and properly staff a new planning operation.

Three types of remedial measures for such deadline problems have been accorded recognition in different versions of the anticrime legislation:

1. Permitting a jurisdiction's first-year action funds to be carried over to another fiscal year so that they will not be forfeited if the plan takes longer to develop than anticipated (utilized also in the Urban Mass Transportation Grant Program).<sup>13</sup>

2. Permitting the jurisdiction to apply for first-year action funds without first submitting a plan, thereby enabling a more deliberate pace in plan development (utilized also in the Highway Safety Aid Program).<sup>14</sup>

3. Accepting an "interim plan," admittedly incomplete in scope and quality, as a basis for release of first-year funds but not as a substitute for the detailed, comprehensive plan which will ultimately be required (utilized also in the Outdoor Recreation Grants-In-Aid Program).<sup>15</sup>

*What machinery*

The machinery that a state or local jurisdiction establishes for comprehensive planning can measurably affect the success of

**EXTENSIONS OF REMARKS**

the planning effort. It is important, first, that planning groups have strong commissions, committees, or advisory boards to help review and establish programs and priorities. This is especially critical where the planning program encompasses more than one kind of jurisdiction and addresses multiple criminal justice fields (police, courts, and correction). Board representation of all interests, including not only operating agencies but research and educational resources, should be welded into a structure suited to the planning jurisdiction's needs and political structure. A number of "commission-subcommittee-advisory group" mixes are possible; the determination of the mix should be left to local initiative.

Equally important are strong planning staffs with capabilities spanning all criminal justice specialties. These will be needed even where substantial elements of planning are delegated to concerned operating agencies. Without this staff capability, the integration of plan components and the necessary attention to total system performance required by comprehensive planning may be put in jeopardy. Planning machinery must also fix ultimate responsibility in a single unit of state or local government enjoying support of the chief executive and the jurisdiction's legislative authorities. Such a unit can be effectively housed in a variety of structures—in an independent agency or in an office within an existing state department (for example, the attorney general's office or a public safety unit)—so long as the responsibility is pinpointed and the necessary staff capability provided.

The quality of planning machinery not only will have a critical effect on the planning process but also will be an important determinant of plan implementation. Appropriating necessary local funds, securing cooperation of criminal justice agencies in carrying out the plan, and accepting plan priorities should prove as large a task for the planning agency as formulating the plan.

*Steps in planning*

The planning process must itself be an orderly development. After the first steps of organization and staff, it would normally involve (1) design of the planning study, (2) collection of data and conduct of studies and surveys necessary for plan formulation, (3) formulation of the total plan, (4) delineation in detail of components for short-term or immediate implementation, and (5) review and approval of the plan and its priorities. Work on each of these phases can, to some extent, be advanced concurrently and certain studies and efforts can be assigned for future accomplishment as part of the plan scheme. Whatever the case, a well-conceived and specific, albeit flexible, work plan and time sequence should be developed. Stinting in preliminary stage work (e.g., design of the planning effort, data collection and surveys, problem definition) to arrive at final results more quickly could seriously impair the quality of the final plan. To insure against omissions, some federal programs have established requirements for interim submissions which delineate such components as problem analysis, general goals, and program strategies to be used in plan formulation.<sup>16</sup>

*Goals and evaluation*

Well-defined long- and short-range targets are, of course, essential to a meaningful improvement effort. Equally essential is a system for evaluation of progress in attaining the goals, and this should be an integral component of the plan. As with other endeavors in social measurement in our dynamic and changing society, evaluation of the crime-control effectiveness of improvement plans will be a difficult undertaking. Validation may be slow in coming until programs have a chance to take hold and we can factor out variables that obscure the picture. Federal guidance will probably be needed to define

expectations and provide a common measurement base to which state and local jurisdictions can, if they desire, add refinements.

Evaluation should deal with attainment of both "capability" goals (e.g., achieving model casework levels in correctional treatment programs, or securing crime labs or computerized information centers in law enforcement programs) and "performance" goals (e.g., reduction of serious crime, or lowering the recidivism rate, or raising the conviction rate in prosecuted cases). The objectives should be explicitly stated in quantified terms so that measurement is possible and expectations can be tested and adjusted against the realities of actual program experience. Cost analysis should be built into evaluation efforts wherever possible because costs are important determinants not only of what can be attempted but of the comparative value of alternative solutions or techniques.

Movement in this direction can be seen in other programs. The Model Cities Program is asking planning grantees to define both one-year and five-year performance goals in quantitative terms (e.g., specified percentages of reduction in personal assault rates, in infant mortality differentials, in low rental housing deficiencies, etc., toward levels normal for the total city) and is providing guidance on how progress toward these should be measured.<sup>17</sup> Something comparable should be fashioned for anticrime programs, supported by adequately defined and nationally conducted collection of statistical data.

As the criminal justice community moves toward large-scale planning, it is important to keep in mind that the technique must serve and not dominate our crime control efforts. Some aid programs have had their disappointments with planning efforts; some are searching for more effective applications; none appears to have developed clearly superior or error-free approaches. We hope that our commitment to planning will feed on critical examination as well as intelligent adherence to the formulas and formats which emerge and that sufficient flexibility will be maintained by those administering the program to permit the fullest expression of state and local creativity. The attorney general cautioned a group of criminal justice planners in 1966 that "the vital purpose of reform is action, not abstraction."<sup>18</sup> Planning is action and should be seen in that light. Properly executed and utilized, it can prove to be one of our most effective tools in the cause of criminal justice reform.

**FOOTNOTES**

<sup>1</sup> Under the Law Enforcement Assistance Act of 1965, P.L. 89-197, 89th Congress, the Department of Justice has provided more than \$20 million in grant and contract support for over 350 training, demonstration, and study projects covering all phases of law enforcement, correction, and criminal justice administration. Under the Juvenile Delinquency and Youth Offenses Control Act of 1961, operative from 1961 to 1967, a comparable \$47 million investment in delinquency and youth crime projects was administered by the Department of Health, Education, and Welfare.

<sup>2</sup> Safe Streets and Crime Control Act of 1968, S. 912, 90th Cong.; Law Enforcement and Criminal Justice Assistance Act of 1967, H.R. 5037, 90th Cong. At May 1, 1968, versions of this legislation had been approved by the House of Representatives and were ready for floor action in the Senate. See also, Juvenile Delinquency Prevention and Control Act, H.R. 6160 and 12120 and S. 1248, 90th Cong.

<sup>3</sup> In late 1966, the Bureau of the Budget tabulated eighty-two federal grant-in-aid programs (nearly 75 percent of them enacted since 1961) which required plans or planning as a condition of assistance. See *Creative Federalism*, Hearings before Subcom-

mittee on Intergovernmental Relations, 89th Cong., 2d Session.

<sup>4</sup> First National Conference on Crime Control, Proceedings, U.S. Department of Justice, 1967, p. 16.

<sup>5</sup> President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, D.C.: U.S.G.P.O., 1967), pp. 279-80.

<sup>6</sup> One new comprehensive planning program where proper emphasis has been given to preparation for planning is the Partnership for Health Program, P.L. 89-749, 89th Congress. Here, the statute makes specific provision for training grants in comprehensive health planning, and these grants were processed as a priority item even before planning grants were awarded to eligible states and regions.

<sup>7</sup> Excellent examples in the correctional sphere of technical assistance provided for state and local agencies by professional associations under the Law Enforcement Assistance Act are the American Correctional Association's self-administered study guide for measuring local achievement and needs against national correctional standards (LEAA Grant No. 306) and the National Council on Crime and Delinquency's correctional training information clearing house (LEAA Grant No. 224).

<sup>8</sup> See state planning committee grants listed in Appendix 2, *Third Annual Report to the President and the Congress on Activities under the Law Enforcement Assistance Act of 1965*, U.S. Department of Justice (April 1968).

<sup>9</sup> Urban Mass Transportation Act of 1964, 49 U.S.C. 1604(b).

<sup>10</sup> Highway Safety Act of 1965, 42 U.S.C., Sec. 402.

<sup>11</sup> Land and Water Conservation Fund Act of 1965, P.L. 88-578, Sec. 5.

<sup>12</sup> See *Plan Submission Requirements*, CDA Letter No. 1, Model Cities Administration, Department of Housing and Urban Development (October 1967). The "Statement of Problem Analysis, Goals, and Program Strategy" must be submitted by planning grantees midway through the planning period.

<sup>13</sup> See "Measures of Living Quality in Model Neighborhoods," Technical Assistance Bulletin No. 2, Department of Housing and Urban Development (April 1968).

<sup>14</sup> Address, Conference of State Planning Committees in Criminal Administration, University of Maryland, Oct. 15, 1966.

#### IMPROPER USE OF NATURAL RESOURCES—POEM BY H. FRANCIS ROSEN

#### HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. SCOTT. Mr. President, Mr. H. Francis Rosen, superintendent of the Palmerton Area School District of Pennsylvania, at the age of 15 wrote a poem expressing his disapproval of the improper use of natural resources. Mr. Rosen's youthful outcry of the thirties has been sounded in each decade since by others similarly impressed by man's mishandling of forest and stream.

I ask unanimous consent that Mr. Rosen's verses be printed in the RECORD.

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

#### EXTENSIONS OF REMARKS

##### METAMORPHOSIS

Sweet quiet wooded, sublime land,  
How are you cursed by man's rude hand.  
Thy wooded copse of grassy sheen,  
Is now so wracked by a factory's steam.

At the top of the hill the great white oak,  
For that there is now no more hope.  
A cottage built by the hands of man,  
Takes its place on the forest stand.

As the years go by, and time goes on,  
The pond is there, but the boys are gone.  
Here am I, a single one,  
To see what the hands of man hath done.  
He cut the forest, he dammed the stream,  
He ruined every school boy's dream.  
He calls it progress, I call it sin,  
To see my forest bleak and dim.

#### BANKS AND DROPOUTS, NOW GETTING ACQUAINTED, ARE FINDING THEY LIKE EACH OTHER

#### HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Friday, September 6, 1968

Mr. JAVITS. Mr. President, I invite the attention of Senators to a feature article published in the business and finance section of the New York Times of July 14, describing the Chase Manhattan Bank's pace-setting program for training unskilled high school dropouts. Chase Manhattan's program for training unemployables began last January and has proved so successful that several other banks in the New York City area have plans underway to sponsor similar programs of finding the unemployed and training them for jobs they are presently unqualified to hold. These programs are indicative of what the banking industry is doing across the Nation to provide meaningful employment opportunities for the hard-core unemployed.

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:

#### BANKS AND DROPOUTS, NOW GETTING ACQUAINTED, ARE FINDING THEY LIKE EACH OTHER

(By Leonard Sloane)

Last December, the Chase Manhattan Bank began a program for training unskilled high school dropouts. The initial results of its work with these "unemployables" have been so successful that the bank now says it will train 1,000 in the next three years.

In two weeks, the First National City Bank will open a training center in lower Manhattan, where it will provide remedial and technical skills for entry-level jobs for the hard-core unemployed. Some 700 young men and women will receive this instruction in the next 18 months under a contract between the bank and the United States Department of Labor.

And just last week, the American Institute of Banking began classes in basic education and banking terminology for ghetto residents who are employed by 34 commercial and savings banks in the New York area. Its goal is to provide this training for more than 700 members of minority groups over the next year.

These programs are indicative of what the banking industry is beginning to do across

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the nation to make the phrase "equal opportunity" in employment more meaningful. Other banks working through different means to achieve a greater rapport with the Negro community include the Bank of America in California, the nation's largest, and the Industrial National Bank in Rhode Island, the biggest in that state.

Why are banks, both locally and nationally, taking such an interest in finding the unemployed and training them for jobs they are presently unqualified for? For one thing, banks are highly visible institutions and their employment of Negroes and Puerto Ricans is usually obvious to the public, unlike the situation in most manufacturing industries whose factories are not normally visited by passers-by.

"Banks draw their employee and customer populations from the city," says a veteran banker. "You just can't pick up your bank and move it to the suburbs as some other companies can. So if you have to stay locked in with the city and its working class, you have to be aware of who the people are."

But why are banks going in for these various programs at this time when the population mix in the big cities has already been changing for many years? One banking official puts it this way:

"Training minorities for employment has just become respectable with the formation of the National Alliance of Businessmen and the leadership of such men as Henry Ford [chairman of Ford Motor Company] and J. Paul Austin [president of the Coca-Cola Company]. And since banks see themselves as the capstones of business anyway, they figured that this is the time to do something in that area."

One of Chase's "somethings" is its training program for young men between the ages of 17 and 22 who are unable to meet the bank's qualifications for white-collar employment. The men are referred by social agencies, bank liaison officers, employment interviewers and others and have in common a basic motivation to succeed as bank employees.

"We're looking for the young men who have some potential that can be tapped and who want to go to work," says Arthur J. Humphrey, a Chase assistant treasurer and director of the program. "We don't mind his being skeptical but we want that will to win."

##### PHASES DESCRIBED

There are three phases to the remedial program in reading, language skills and mathematics that Mr. Humphrey and other bank officials have worked out with the six teachers employed by Chase. The first encompasses a six-week, all-day session during which trainees receive a nontaxable training allowance of \$1.60 an hour.

During phase two, employees are placed in entry-level jobs at which they earn about \$75 a week but return to the 28th floor training center at 1 Chase Manhattan Plaza for up to two hours of remedial education a day. The final phase is geared to make the young men better qualified for promotions as they open up at the bank.

"I love it because it's a lot different from school," says Gilbert Rivera, 17 years old, who dropped out of high school in the 10th grade. You get more individual instruction here."

"We have more confidence in the teachers than we did at school," adds Rudy Martinez, 21, who has completed phase one and is now working as a tape feed clerk in the domestic money transfer department. "They're not like teachers, they're more like friends."

Venise Greene, an 18-year-old from Brooklyn who left high school last March, points out that "in school they didn't start at the root of things. Here they start at the root and go on up."

One reason for this unusual teacher-student relationship is the small class sizes of 10 to a group. Another is the informality that

prevails with teachers called by their first names and students able to walk out of the room at any time for personal reasons. And then there is the fact that students even help to organize the curriculum by selecting their own books to read.

For instance, one poem read by the students in the Chase program is "The Ballad of the Landlord," by Langston Hughes. Educational critic Jonathan Kozol was dismissed from the Boston school system in 1965 for reading this poem to his students because of its alleged antiwhite tone.

#### CENTER BEING SET UP

As Linda Kunz, a teacher of language arts, observes, "We have no set syllabus here. Content is geared in two directions, toward their own backgrounds and toward anything to do with banking. The students should not deny their own backgrounds nor should they only get into the banking area when they start their jobs."

At First National City, two floors are being outfitted at a building on Canal Street and Broadway for the first two 20-student classes in its training program for the unemployed and underemployed. Over a 16-to-22-week period, these young men and women will be given remedial skills and technical training for such jobs as general clerk, typist and check-processing machine operator.

While they are being trained by the bank—as part of the Federal Government's Job

Opportunities in the Business Sector program—the students are bank employees and are paid a salary of \$65 a week. Upon completion of their training, they receive an increase of at least \$10 a week and move into a beginner's job at the bank.

Robert W. Feagles, a City Bank senior vice president, emphasizes that "the entry-level position is not the end of the road. These men and women have career opportunities absolutely on a par with any other employees. Our whole purpose is to erase the hard-core stamp and make them nonidentifiable as anything but employees of the bank."

This will be accomplished even at the new training center through the immediate establishment of an employer-employee relationship, rather than a continuation of any government aid situation. The environment, moreover, will be that of work—with its 9-to-5 day, punctuality and dress requirements, etc.—instead of a high school for adolescents.

Funds for the students in the J.O.B.S. program were provided by the Government to the tune of more than \$1.5-million. However, the bank figures that more than \$150,000 of its own money is involved in providing administrative and other services not covered by the training contract.

According to Mr. Feagles, this money is well spent. "Social problems are only resolved in an atmosphere of economic equal-

ity and well-being. We have been aware of the need to do more as we re-examined our criteria for entry-level jobs. This is a major step toward the first requirement, economic equality.

#### ADDITIONAL SCHOOLING

The classes at the American Institute of Banking are providing, in effect, for a consortium of banks what giant institutions like Chase and City Bank are doing on their own. Students with average fifth to eighth-grade achievement levels will be given six weeks of training to lay the educational and career foundations for bank employment.

Afterwards the students will return to A.I.B. classrooms for nine hours a week of additional training. "This instruction plus departmental bank experience will point the successful trainee directly toward the mainstream of departmental promotability and a successful banking career," says the institute.

While the A.I.B. is providing its facilities at the Woolworth Building for the classes, the actual teaching and counseling will be done by the Board for Fundamental Education, a nonprofit organization that designs programs for the disadvantaged. Bankers from the participating institutions—such as the Morgan Guaranty Trust Company, the Bowery Savings Bank and Brown Brothers Harriman & Co.—will also conduct panel discussions with the trainees.

## HOUSE OF REPRESENTATIVES—Monday, September 9, 1968

The House met at 12 o'clock noon.

Dr. Philip W. Walker, chairman, Bible Department, North Texas State University, Denton, Tex., offered the following prayer:

*Isaiah 54: 2 Enlarge the place of thy tent—spare not, lengthen thy cords, and strengthen thy stakes.*

Eternal God, before whom civilizations have flowered and faded, lived and died, once again in history's course we have come to the crossroads; and, as did the men of old, we turn to Thee for wisdom and strength.

Overwhelmed by the newness of our world, its swiftness of change, complexity of events, strife of persons, ours is a search, earnest and immediate, for the true, the just, the rightful direction of American destiny.

Upon this House, summoned to creative leadership in this crisis hour, may Thy face shine, enabling each Representative to be bigger than little things, equal to the great, a true instrument now in forging the vision for which all the world waits.

This we ask in Thy name. Amen.

#### THE JOURNAL

The Journal of the proceedings of Thursday, September 5, 1968, 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. Leonard, one of his secretaries.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced

that the Senate had passed with amendments in which the concurrence of the House is requested a bill of the House of the following title:

**H.R. 18037.** An act 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 message also announced that the Senate insists upon its amendments to the bill (H.R. 18037) entitled "An act 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," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. JAVITS, and Mr. COTTON to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles in which the concurrence of the House is requested:

**S. 2687.** An act 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; and

**S. 3738.** An act 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.

The message also announced that Mr. JORDAN of Idaho and Mr. HANSEN were appointed conferees on the bill S. 827 entitled "An act to establish a nationwide system of trials, and for other purposes," and that Mr. KUCHEL and Mr. ALLOTT were excused.

The message also announced that the Presiding Officer of the Senate, pursuant

to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 69-1.

The message also announced that the Senate had passed the following resolution:

#### S. RES. 388

*Resolved,* That the Senate has heard with profound sorrow the announcement of the death of the 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.

#### DR. PHILIP W. WALKER

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

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

There was no objection.

Mr. WHITE. Mr. Speaker, it was my pleasure and honor today to introduce as the visiting chaplain, to offer a prayer for this House and for the Nation, my father-in-law, Dr. Philip W. Walker.

In his native Texas, Dr. Walker is widely known as a spiritual leader of the young, as a preacher of commanding eloquence in the pulpit and on the radio, as a philosopher, and as a man of boundless energy and wide experience.