

(7 U.S.C. 1516(a)); to the Committee on Agriculture.

1582. A letter from the Deputy Secretary of Defense, transmitting a report on special pay for duty subject to hostile fire, pursuant to the provisions of section 306 and section 310, title 37, United States Code; to the Committee on Armed Services.

1583. A letter from the Secretary of the Interior, transmitting a report regarding the progress and results obtained by the United States from participation in the desalting and electric power generation project, pursuant to the provisions of Public Law 90-18; to the Committee on Interior and Insular Affairs.

1584. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to arm his employees, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1585. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1586. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered in a certain case, pursuant to the provisions of section 13(c) of the act of September 11, 1957; to the Committee on the Judiciary.

1587. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in certain cases of aliens found admissible to the United States, pursuant to the provisions of section 212(a) (28) (1) (II) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1588. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases exercised in behalf of certain aliens, pursuant to the provisions of section 212(d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1589. A letter from the Director, Federal Bureau of Investigation, U.S. Department of Justice, transmitting a report with respect to positions in the Federal Bureau of Investigation in grades 16, 17, and 18 during calendar year 1967, pursuant to the provisions of title 5, United States Code Annotated, section 5114; to the Committee on Post Office and Civil Service.

1590. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the use of funds to provide additional research laboratory space in the Lunar Science Institute at Houston, Tex., pursuant to the provisions of 79 Stat. 192, 193; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Report entitled "Recreational Boating Safety (Interim Report)" (19th report by the committee) (Rept. No. 1141). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 15709. A bill to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes; to the Committee on the Judiciary.

By Mr. BURLESON:

H.R. 15710. A bill to amend title 5, United States Code, to make the exemption from the prohibition against participation in political activities applicable to the Commissioner of the District of Columbia and the members of the District of Columbia Council; to the Committee on House Administration.

By Mr. LENNON:

H.R. 15711. A bill to promote safety in the operation of submersible vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. O'HARA of Michigan:

H.R. 15712. A bill to permit the Secretary of the Treasury to fix for limited periods of time the value of imported merchandise to the Committee on Ways and Means.

By Mr. RUPPE:

H.R. 15713. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mrs. SULLIVAN (for herself, Mr. HECHLER of West Virginia, Mr. FULTON of Tennessee, Mr. HUNGATE, Mr. MOORHEAD, Mr. ABERNETHY, and Mr. SNYDER):

H.R. 15714. A bill to extend until June 30, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on the inland rivers and waterways; to the Committee on Merchant Marine and Fisheries.

By Mr. TEAGUE of Texas:

H.R. 15715. A bill to provide for the grading by the Department of Commerce of all softwood lumber and all plywood sold in interstate or foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALEN:

H.R. 15716. A bill to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities; to the Committee on Armed Services.

By Mr. WYATT:

H.R. 15717. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries, to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States, and to specify the exceptions applicable thereto, and to provide procedure under which Federal agencies may otherwise regulate the taking of fish and game on such lands; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H.R. 1146. Joint resolution authorizing and requesting the President to proclaim the period April 21-27, 1968, as Discover America Vacation Planning Time; to the Committee on the Judiciary.

By Mr. CONYERS:

H. Con. Res. 667. Concurrent resolution creating the Joint Select Committee on Government Program Analysis and Evaluation; to the Committee on Rules.

By Mr. ASHLEY:

H. Res. 1081. Resolution to create a Select Committee on Film Classification; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. COHELAN:

H.R. 15718. A bill for the relief of Italo Vittorio Marricchi; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 15719. A bill for the relief of Antonio Giacobbe; to the Committee on the Judiciary.

H.R. 15720. A bill for the relief of Franco and Ida Angelucci; to the Committee on the Judiciary.

H.R. 15721. A bill for the relief of Biagio Ciccarello; to the Committee on the Judiciary.

H.R. 15722. A bill for the relief of Carmine Nuzzo, nee Giambardella; to the Committee on the Judiciary.

H.R. 15723. A bill for the relief of Olga Vatalara; to the Committee on the Judiciary.

H.R. 15724. A bill for the relief of Francesco Vatalaro; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 15725. A bill for the relief of John Peccerillo; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 15726. A bill for the relief of Carmine Napolitano; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 15727. A bill for the relief of Miss Florence Logan; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 15728. A bill for the relief of Rosalina C. Sibayan; to the Committee on the Judiciary.

H.R. 15729. A bill for the relief of Julieta J. Urbano; to the Committee on the Judiciary.

H.R. 15730. A bill for the relief of Zosima P. Ramirez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

253. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to agricultural subsidies; to the Committee on Agriculture.

254. Also, Petition of the Common Council, City of Buffalo, N.Y., relative to the OEO ombudsman grant; to the Committee on Education and Labor.

SENATE—Monday, March 4, 1968

Almighty God, as we pause at this moment to invoke Your blessing, we realize the providential care that You have given our United States over years past and that You have singularly protected our country to this very moment. Divine

being, supreme over all, patron of order, fountain of justice, continue Your blessing on this Nation and the men responsible for its laws so that their acts may always be consistent with the ends of Your providence. Direct, O Lord, we ask

The Senate met at 11 a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Father David E. Foley, St. Francis Xavier Church, Washington, D.C., offered the following prayer:

You, all their acts by Your holy inspiration and carry them on by Your assistance that every work of theirs may always begin from You and, through You, be brought to completion. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Saturday, March 2, 1968, be dispensed with.

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

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Air and Water Pollution of the Committee on Public Works and the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

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

INTERFERENCE WITH CIVIL RIGHTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceeded to the consideration of the unfinished business.

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

The LEGISLATIVE CLERK. A bill (H.R. 2516) to prescribe the penalties for certain acts of violence or intimidation, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time be equally divided between the majority and minority leaders, or whomever they may designate.

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

Mr. MANSFIELD. Mr. President, it is my intention to give half of the time from this side to those who are opposed to the Dirksen substitute, if they ask for it. In the meantime, I yield 5 minutes to the distinguished Senator from Oklahoma [Mr. HARRIS].

Mr. HARRIS. Mr. President (Mr. MONTOYA in the chair), on July 25, 1967, joined by the distinguished Senator from Minnesota [Mr. MONDALE] and others, I introduced a resolution, Senate Joint Resolution 97, asking for the creation of a special Presidential appointed Commission to look into the causes of the riots which had occurred in the cities during the summer of 1967, and to recommend appropriate action.

Mr. President, I ask unanimous consent that the declaration of policy included in that resolution and contained in the CONGRESSIONAL RECORD, volume 113, part 15, page 20194, be printed at this point in the RECORD.

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

S.J. RES. 97

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. Riots and civil strife in many of the cities and urban centers of the United States constitute a domestic crisis which must be met and dealt with on an emergency basis.

SEC. 2. Lawlessness and violence cannot be tolerated or condoned in the American society, founded on law.

SEC. 3. Equality of social, economic, and political opportunity is the foundation of American society and must be made real, immediately, for all American citizens.

Mr. HARRIS. Thereafter, as is well known, the President of the United States, acting under his own authority, appointed a National Advisory Commission on Civil Disorders, made up of 11 members, of which I was one. We 11 Commissioners labored at our task for the next 7 months after we were appointed, keeping in our minds the President's request that each of us remain objective and work as hard as we could. As is also now well known, we issued our report this past Saturday, 4 months ahead of the schedule which originally had been set.

I can say, Mr. President, that it was no pleasant and enjoyable task that the President gave those of us who served on that Commission. It was no pleasure for any of us to have to write the alarming and depressing report we have issued. But the President had said, when he appointed this Commission, "Let your search be free. As best you can, find the truth and report it." That, Mr. President, is what we have tried to do.

I believe we would have been less honest had we reported to the country that anything less than we recommended would meet the kind of deep crisis that this country faces as a result of the violence and the lawlessness and rioting which occurred in this country last summer and in summers before that.

I rise now, Mr. President, to call special attention to a portion of the summary of our report which deals with fair housing. I ask unanimous consent that the excerpt, from page 75 of the summary of the report, be printed at this point in the RECORD.

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

The Commission recommends that the federal government:

Enact a comprehensive and enforceable federal open housing law to cover the sale or rental of all housing, including single family homes.

Mr. HARRIS. Mr. President, the National Advisory Commission on Civil Disorders, having become convinced of the great urgency of this matter, decided months ago by unanimous vote not to wait until July to issue its final report, but to do so by the self-imposed deadline of March 1. We did not know then that when that date would come, the Senate would be considering a fair housing measure. However, I believe it is very

important to make note of the fact that the Senate is now considering a fair housing measure just at the time when our report has been made public.

I agree with an editorial which appeared in the Washington Post on Sunday, March 3, 1968, entitled "The Senate's Opportunity," which calls for the passage of the present measure, now the pending business before the Senate. I ask unanimous consent that the editorial be printed at this point in the RECORD.

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

[From the Washington Post, Mar. 3, 1968]

THE SENATE'S OPPORTUNITY

An argument for open-housing legislation that is powerful, unanswerable, authoritative, factual and decisive has been delivered, fortuitously, in the very midst of the Senate debate on the issue. It is in one of the most specific and particular of the recommendations of the National Advisory Commission on Civil Disorders.

"The Federal Government should enact a comprehensive and enforceable open-occupancy law making it an offense to discriminate in the sale or rental of any housing—including single family homes—on the basis of race, creed, color, or national origin."

That is the unequivocal judgment of the Commission. It has decided that "there is no substitute for enactment of a Federal fair housing law." It rightly points out that the key to housing discrimination is "universal and uniform coverage, and such coverage is obtainable only through a Federal statute."

And so, the Commission concludes: "We urge that such a statute be enacted at the earliest possible date."

There are other recommendations and suggestions for halting the Nation's dangerous drift into two separate and unequal societies. Many of them involve billions of dollars in appropriations. Many of them require exertions and expenditures the sheer magnitude of which raise grave questions as to the Nation's ability to carry them out.

But here is a proposal that does not further burden the financial capacity of the Nation and that does not exceed any of the enforcement power and authority of the country. The Commission has made the clinching argument for open housing legislation. It has made it unmistakably clear that this would be a substantial contribution toward the avoidance of a destiny from which every patriotic American, black and white, must instinctively recoil. We must begin to take apart the discriminations, economic, political and social, that are separating the two major racial constituencies of the land into alien and irreconcilable factions.

This act alone will not solve all our problems or end all our troubles. But it can be an earnest of the Nation's good intentions, a promise of its further purpose and a symbol of its goodwill.

Seldom has a combination of circumstances put it into the hands of Senators to work, by one stroke, so much good for their country. Those who have honest scruples about the principle of unlimited debate must be respected for their high regard for what many might dismiss as a mere procedural matter. That principle will not stand or fall on this one vote to now put an end to an already long debate. Monday's vote will not be fatal to that cause. But another adverse vote well may be fatal for this happy chance to show that Congress means to take the country forward, as one nation and one people. Let this fair chance not be lost.

Mr. HARRIS. Mr. President, much has been said about the cost—the estimated or projected cost—of the recommenda-

tions of our Commission. The Senate is now presented with an opportunity to enact a very major recommendation of our Commission which will not cost one penny, but which I believe the country will regard as a very important symbolic act, and a helpful one as well. I am proud that the Senate of the United States, in its last votes, has very nearly reached the two-thirds vote necessary for the passage of an open housing measure.

I commend the distinguished Senator from Minnesota [Mr. MONDALE], the distinguished Senator from Michigan [Mr. HART], the distinguished Senator from Massachusetts [Mr. BROOK], and all the others who have played such an important part in this effort, for I believe that the pending business of the Senate goes to the very heart of the matters which our Commission had before it.

I sincerely hope that the Senate will now invoke cloture, so that we may have a vote on the merits of this important measure.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. KUCHEL. Mr. President, I yield 4 minutes from the minority to the distinguished Senator from Nebraska.

Mr. HRUSKA. Mr. President, it is my intention to again vote against the cloture motion, which is the pending business of the Senate. I feel my reasons for such a vote are sound.

I call the attention of Senators to the fact that every civil rights law enacted since 1957 has received my vote and my support. In two instances, in 1964 and 1965, as a member of the Committee on the Judiciary, I was instrumental in the formulation, the phraseology, and the composition of those laws, and I voted for cloture.

I have no argument with the gravity of the present situation or of the need for some effective, proper legislative action. But the Senate should pass legislation that will endure and be helpful. It is still my hope, my earnest hope, and my belief that such a measure can be written, processed, and enacted in a timely way. This, however, cannot be done by imposing upon the pending measure cloture and the parliamentary conditions it entails.

It is said that this bill will not solve the housing problem but that it is a symbol. It is said, "Let us expedite our action. Let us do something. Let us do it now."

Mr. President, shall we do so without reference to merit? Shall we do so without reference to the fashion in which the measure has been processed or, rather, without reference to the lack of processing?

The pending measure in large part ventures into a new field of Federal legislation. It seeks to create and impose new restrictions and limitations upon the rights of property owners—in a fashion and degree which would alter radically many rights which have developed and existed for centuries in Anglo-Saxon jurisprudence, and in our own country as well since long before the adoption of our Constitution and the founding of our Republic.

It seeks to confer on the Federal Government the power to regulate and control private dealing between private persons, relating to privately owned residential property.

It will deeply affect the homes, the fortunes, and the freedoms of tens of millions of Americans.

Clearly, this subject must be approached with great deliberation, study, and caution. If passed, this statute will govern in a vital, fundamental field the two hundred millions of citizens of the United States.

But action is sought on this bill without the benefit of proper study, inquiry, and deliberation. The normal and beneficial procedures to process legislation have been bypassed.

Consider, Mr. President, that the pending bill is not the one which has been before the Senate since January 17, and which has been discussed at length. The instant proposal contains much new material. It was introduced only late last Wednesday. It first reached the hands of the Senate on the following day in printed form. But on that day, it was changed by its introducer in four significant particulars, insofar as concerns the open housing title.

Few hearings were held on that title. There is no committee report.

There is no Senate or committee section-by-section analysis or description of its provisions.

It has had insufficient debate—probably about 3 hours at best.

There is not a sufficient understanding and awareness of its provisions and their impact.

All this relating to as far reaching a measure as the Senate has been called upon to act upon in a long time.

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

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from Nebraska.

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

Mr. HRUSKA. Mr. President, what has just been related is further and grievously complicated and burdened by the parliamentary situation which develops by reason of cloture which is now requested. Each Senator will be afforded not to exceed 1 hour of debate. With some 70 amendments pending, a travesty can readily come about since amendments may be approved which are in conflict with one another. With debate opportunity closed off, no corrective action can be taken by amendments newly devised, since none may be added to the present list.

Since the title on open housing was not in the bill approved by the other body, conference committee negotiations will be limited when the committee meets to consider any bill which might be approved by the Senate. With such limitations the form and substance of any conference bill are unknown now and will be of dubious quality.

Such a course should be most earnestly avoided. The cloture petition should be defeated.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I yield 3 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, a great deal of comment has been made upon the report of the President's Riot Commission. I invite the attention of the Senate to a newspaper article which appeared in the Raleigh News and Observer of March 2, 1968, which sets forth an interview with the evangelist, Billy Graham. In the interview Billy Graham pointed out that the report of the Riot Commission calls for a massive welfare state. He expresses serious doubt as to whether this recommendation, if implemented by Congress, would produce any substantial result. He points out that in England, which was once the earth's greatest empire, a welfare state was established and instead of solving the problems it made the problems worse.

Billy Graham also expresses the thought that we could spend \$100 billion in our cities in America and that would not solve all our problems because our basic need is spiritual and moral.

Mr. President, I ask unanimous consent that the article to which I have referred, which was published in the Raleigh News and Observer of March 2, 1968, be printed in the RECORD at this point.

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

EVANGELIST WILL WORK IN GHETTOS

MONTRÉAL.—Evangelist Billy Graham, worried about the "great failures of our national leadership to understand the basic causes of our problems," said Friday he will step up spiritual aid to America's ghettos this summer.

Graham made the announcement after reviewing the federal government's riot report released in Washington Thursday. He said he was "not sure" the recommendation for massive programs in the report would be "the answer."

"Of course I agree with the report that the need is critical and the hour is late," Graham said. "But I am not sure that a welfare state such as they seem to recommend is the answer. The British have already tried it and their problems are worse, not better."

He said, "To me the report illustrates the great failures of our national leadership to understand the basic cause of all our problems from Vietnam to racial tension."

"Our basic problems are not crime and war and poverty and racism, they are a diseased human nature filled with lust, hate, greed and pride. You could spend \$100 billion on our cities in America and that would not solve all our problems because our basic need is spiritual and moral," he said.

Graham, just back at his mountain home here after a doctor-ordered vacation to Florida to recover from a December respiratory illness, said he plans to concentrate his crusade schedule in the United States this summer so he can devote more time to the cities.

He also said Negro associate evangelist Jimmy McDonald would spend his summer in the ghettos and recruit youth groups to help him conduct evangelistic activities.

Graham revealed, "I have seen a plan to burn 17 American cities and I believe this came from very high officials in Washington who sent it to us. There is no doubt that this is serious."

"One of the things I think needs to be done is to stop these people who are inciting

people to riot. They are saying 'Let's kill the President. Let's burn down the White House.' They are wearing buttons saying 'Go to Hell Jesus' and all that and this is the type of thing that incites riots. The basic cause is spiritual," he said.

Mr. ERVIN. Mr. President, I also ask unanimous consent to have printed in the RECORD an editorial entitled "On Causes of Riots," which was published in the Wall Street Journal of today, March 4, 1968.

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

ON CAUSES OF RIOTS

So the President's riot commission report, long billed as "uncomfortable for the American people," merely tells us again it's all the fault of the white majority. Shucks. To face really uncomfortable truth, it could have reported that, in important respects, poverty programs cause riots.

It is grossly simplistic, after all, to argue that the rash of riots since 1964 was caused solely by poverty and racial prejudice. Those particular demons have been around somewhat longer than that. Indeed, a glance at history demonstrates they have never been less with us than in the past few years; ten, twenty or whatever years ago, poverty was greater and prejudice more blatant. Why then no riots a decade ago and lots of riots now?

Poverty and prejudice, while not the whole story, perform have played a critical part. Masses of poor Negroes were induced, in large part by Federal agriculture policies, to migrate to urban areas for which they were socially and educationally unprepared. They carried with them understandable racial and economic resentments. The concentration of these resentments into small geographical areas certainly created volatile tinder. Yet even that tinder lay for some years without flashing into riot.

Something in the temper of the times about 1964, obviously, struck spark to the tinder. The spark has grown stronger and hotter with each passing summer. No one thing, of course, sets the temper of the time. Still, we doubt that it is entirely coincidence that the first riots broke out in the midst of the hoopla selling the war on poverty.

Recall a few snippets of the rhetoric: That poverty, defined as any income below \$3,000 a year, is something a nation as rich as this one "cannot tolerate." That the problem is "our failure to give our fellow citizens a fair chance to develop their own capacities." That there exists "one fifth of our people . . . on whom the gates of opportunity have been closed." That the Federal Government declares "unconditional war on poverty" with the objective of "total victory." That "we shall not rest until that war is won."

Here is an invitation for anyone making less than \$3,000 a year to blame his fate simply on exploitation by the more fortunate; what could be more natural than an impulse to strike back? Here also is an invitation, since no Government program can conceivably abolish all poverty, to inevitable disillusionment and bitterness. Columbia University sociologist Amitai Etzioni put it perfectly:

"The closest you can come to sociological dynamite is to promise people a Great Society and then deliver small handouts. If you were waiting a hundred years, were told that the promised land were just around the corner and then were given a few pieces of candy, you would be in the streets too."

Yet curiously the commission rather abruptly dismissed its sociologists and other staff members equipped to plumb the rioting through social science rather than liberal dogma about "white racism."

Now, nothing above should be taken as an argument that the Government should

stop realistic efforts to aid the poor. Some Government programs, in particular those stressing education, can in the long run help overcome poverty. To the extent that these programs are effective, they can reduce the tinder for riots though they can never entirely eliminate it.

The riot potential of political rhetoric, by contrast, could be turned off quickly and fairly completely. To start, everyone—and most of all politicians of the stripe who served on the riot commission—needs to recognize that short-term Government programs to abolish poverty are at best marginally helpful. Then they could deescalate their rhetoric.

What political leaders ought to tell urban Negroes is this: The doors of opportunity have been closed on no one (which is far nearer the truth than the opposite). Statistics show that vast numbers of Negroes raise themselves from poverty every year. There is no reason others cannot do likewise. Doing it, while the Government may be able to assist in a few little ways, involves mostly individual effort. It's up to you, baby.

That is not cruel; that is merely the truth. And however dysfunctional such hardheaded talk may be in winning votes for liberal politicians, it is the best antidote for the kind of public temper that has proved so conducive to rioting over the last four years.

From the Presidential commission we get no such realistic talk, only new excesses of the social dynamite of which Professor Etzioni warns. The danger is that perhaps riot commissions can cause riots too.

Mr. ERVIN. Mr. President, I wish to add that the report of the Commission is what those who are familiar with the personnel who constituted the Commission predicted would be brought in when the Commission made the report. As one commentator stated, in substance, there was no reason why the Commission should take evidence and for that reason delay making its report because anyone familiar with its attitudes could anticipate what the report would be.

Mr. President, the report charges, in essence, that all people except the rioters are responsible for the riots. I deny that conclusion because everyone above the grade of an idiot knows it is wrong to burn the property of other people, that it is wrong to loot and steal, and that it is wrong to assault and kill people. It is ridiculous to say that those who committed the riots are innocent parties.

I think, from my reading of history and my observation of this Nation, that perhaps Abraham Lincoln was as disadvantaged a person as ever lived in America. His educational opportunities were far inferior to most of those who participated in the riots. He did not start riots. He improved his lot, and others can do the same.

Mr. President, many outstanding citizens of my State, such as Asa T. Spaulding and John H. Wheeler, illustrate by their achievements that the doors of opportunity are open to members of the minority race.

The PRESIDING OFFICER. Who yields time?

Mr. KUCHEL. I yield 1 minute to the Senator from Kentucky.

AMENDMENT NO. 595

Mr. COOPER. Mr. President, I send to the desk an amendment to the pending measure and I ask unanimous consent that it be considered as read and be eligible for consideration under rule XXII.

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

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, I shall, as in my former votes, vote against the cloture motion today. I think the need for time and reflection is even greater now than it was then.

We have just had the report of the distinguished Commission of which the Senator from Oklahoma [Mr. HARRIS] is a member. We do not have, however, the advantage of even having read the full report, much less having had the advantage of having read the record, and I understand it is a long record including thousands of pages of testimony, upon which the members of that Commission base their judgment and recommendations.

Mr. President, it seems to me that instead of urging a cloture and an immediate or almost immediate vote upon ill-considered amendments—and there are more than 80 of them at the desk—that we now have opportunity to review the hearing, which I am sure was conducted by earnest men and one earnest woman, and we would get much information from it if we had an opportunity to do so.

Mr. President, I make no criticism of the filing, at this last moment, of the Commission's written report, because I understand from my distinguished colleague that this was the date chosen in the past and it only happens that this measure is pending at this time. However, making available to us the record of testimony and the full report would give us an opportunity we have not had heretofore to advise ourselves about facts not within the knowledge of any of us except the Senator from Oklahoma. I think that is one good reason to vote against cloture on this occasion.

Mr. President, I think there is a second reason and I call attention to the analysis by the Attorney General which appears in the CONGRESSIONAL RECORD March 2 ending on page 4908.

The first of the questions which the Attorney General raises is one which has to be decided by majority vote because of the fact that the Senator from Minnesota and others were not satisfied with the substitute bill, and I shall read it:

The first is whether the exemption for single-family, owner-occupied housing is to be applicable to housing that is financed by the Federal Government, or through loans insured or guaranteed by the Federal Government.

I invite attention to the fact that those loans are the so-called FHA and VA loans.

So far as I am concerned, I do not believe that any Senator would ever admit that in making the rather generous provisions for veterans to get VA loans as a part of their compensation from a grateful Government, it was ever in the minds of any of us that the owner of such a home would have a more limited right to it than anyone else who had paid for his own home under more fortuitous circumstances applicable to himself, but whose home was no dearer to him than was the home of the veteran who obtained a veteran's loan.

Mr. President, if there is any case to be made at all for placing beneficiaries of VA loans or FHA loans under the provisions of this open housing act it would certainly, in order to be fair, have to be made applicable from the enactment of this law or from a brief time following that enactment, certainly not as against people who, in good faith, have got their loans or their insurance from the Government and have had their homes erected and are now occupying them, and whose homes are as dear to them as the home of any Senator or any other citizen of this country who has paid for it and who lives in it as the well-deserved fruit of his labor and industry.

Mr. President, I cannot conceive of any Senator voting for cloture which would force us to vote for or against, by majority vote, the provisions inserted here as an amendment by the Senator from Minnesota and others to the substitute bill, and which would undo that which would be done by the proposed substitute bill at the present time—that is, an exemption from coverage of VA loans and FHA loans.

Mr. President, I have mentioned two perfectly good reasons why cloture should not be voted. If I had the time, I would discuss others. Let me mention just one here, and that is the provision, again to be decided by majority vote, as to whether we will turn loose the Attorney General and the Department of Justice, at the expense of the whole Nation, to bring cases for any complainant regardless of who he may be or how poor his case if the Department of Justice thinks it should bring such case.

I much prefer the wording of the substitute amendment offered by the Senator from Illinois which confines intervention by the Attorney General to those cases where there is general application of a case applicable to a great class of people whom he finds are concerned with the bringing or nonbringing of a suit in a particular case.

I shall vote against cloture and hope that the Senate will do so.

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

Who yields time?

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIRKSEN. 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. DIRKSEN. Mr. President, in March of 1862, the Nation was in a panic over the report that a Confederate vessel, ironclad, had sunk a Union vessel and decommissioned two others. Everyone was in a panic except Gideon Welles, Secretary of the Navy, who had been working with John Ericsson, the Swedish inventor, and immediately produced a vessel referred to as a cheese box on a raft. It was the ironclad *Monitor*, with a revolving gun turret and heavy guns. In its encounter with the *Merrimac*, neither vessel could sink the other and the age of the iron and steel Navy was born.

The panic subsided but there were other things. There were battle reverses. There was disloyalty. There was the Emancipation Proclamation which Lincoln had written 6 months or more before it was announced.

Foreign nations were encouraged to take a position against the Union.

In this disturbing atmosphere, Lincoln sent his annual message to the 37th Congress on December 3, 1862.

In it he said:

Fellow citizens, we cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or the other of us. The fiery trial through which we pass will light us down in honor or dishonor of the last generation.

A few weeks later, he issued the Emancipation Proclamation. Eleven months later, he stood at Gettysburg and said:

It is for us the living rather to be dedicated here to the unfinished work, which they who fought here have thus far so nobly advanced.

One hundred and five years after Lincoln uttered those sentiments at Gettysburg, we still strive to advance the unfinished work. For when the slaves were freed and clothed with citizenship, it was but the first phase toward integrating these freed people into a free society.

There has been progress but there is also a long way to go. Discrimination because of race, creed, color, or national origin can be an ugly and tenacious passion. But we must go forward, even though the progress is slow.

The Presidential Commission on Civil Disorders has just presented its report. It is a disquieting document. In its very first basic conclusion, that report states:

Our nation is moving toward two societies, one black, one white—separate and unequal.

This is indeed a tragic indictment of our times and our unwillingness to face up to reality.

The substitute before us is our best effort. I admit its imperfections. How strange it would be if legislation, so complicated and involved, done under such pressure, would not have imperfections. But they can be corrected in another time. It is the start that counts.

I have nothing else to offer. I have tried, under difficult circumstances, to bring together a substitute bill on which the Senate could agree, if it would but gives it a chance.

Long years ago, Baron Rothschild went from Paris to London in an hour when there was a crisis in England. A friend encountered him on the street and said, "Baron, what of all things, brings you to London?" To which the baron replied, "I came to save England." The rejoinder was "one man cannot save England." The baron answered, "One man can try." And, Mr. President, before the cloture vote, all I have to say is, as one Senator, I have tried.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call be equally divided.

The PRESIDING OFFICER. Is there

objection? Without objection, it is so ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. KUCHEL. Mr. President, the minority yields 1 minute to the distinguished Senator from Iowa [Mr. MILLER].

AMENDMENTS NOS. 596 TO 599

Mr. MILLER. Mr. President, I send to the desk four amendments to the pending amendment No. 554, by the Senator from Illinois [Mr. DIRKSEN], and ask that they be received, printed, and regarded as having been read for the purpose of the pending cloture motion.

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

Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time taken for the quorum call to be equally divided.

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

The bill clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, does any Senator wish to speak at this time? If so, let his voice be heard.

The PRESIDING OFFICER. Who yields time?

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I yield 1 minute to the distinguished Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the disposition of the pending cloture motion, the Sergeant at Arms be directed to clear the Chamber and the Senate Lobby of all personnel except personnel on the staffs of the Sergeant at Arms, the Secretary of the Senate, the secretary for the majority, the secretary for the minority, and the two policy committees.

The PRESIDING OFFICER. Without objection, it is so ordered, and the Sergeant at Arms is so directed.

Who yields time?

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

Mr. JAVITS. Mr. President, I thank my colleagues.

It is evident that there are not many Senators who wish to speak. Normally that might be construed as evidence of a

lack of interest. I think this morning, however, it should be construed as indicating a depth of interest too profound for speech.

Mr. President, we have been working indefatigably to win this cloture vote. We feel that this is a vital issue, because it deals with an enormous crisis confronting our Nation. It is not simply a matter of a cloture vote and closing off debate on a civil rights bill. I do not think it would be conducive to the public interest to spread upon the RECORD the depth of our feelings in this matter, except to state it is an explanation to all our people of why, momentarily, there seems to be a dearth of speakers on the floor. The subject is too deep, too profound, and too serious in all of our hearts and minds for speeches.

I thank my colleague for yielding.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. How goes the time?

The PRESIDING OFFICER. The Senator from Montana has 5 minutes. The Senator from Illinois has 7 minutes.

Mr. MANSFIELD. I yield the remainder of the time on this side to the distinguished Senator from Utah.

Mr. MOSS. Mr. President, today, for the fourth time in this now not so young session of Congress, we will attempt to bring about what is clearly the majority will in the Senate, an end to the filibuster which has paralyzed other floor action this year.

Our previous votes have all indicated the majority will of the Senate, which I am confident reflects the majority will of the American people; but because of the Senate's outdated rule XXII, the will of majority may be subjected, as it has been subjected, to the will of the minority.

We in the Senate have had a weekend to anticipate this most important vote today, and the American people have had the same weekend to wait and see what our action will be.

During this weekend, we have also been able to contemplate the report of the President's National Advisory Commission of Civil Disorders. Seven hours of prime, nationwide television time were devoted yesterday to an examination of the Commission's report and what now should be done to curb the civil disorders that threaten our country.

It seems to me almost unbelievable that we could have gone through a summer of riots like we experienced last year and now a few months later that we should be so jolted by the Commission's report. Our memories are truly short in this country. For here in the Senate, we have been discussing the basic right of an American citizen—any American citi-

zen—to live where he would like to live, in the type of house he can afford to provide for his family.

And we as a body are refused the right to take action and to correct that wrong, not because the majority are against such action, but because the minority favors inaction and the minority have a strong ally in our out-dated rule XXII.

But now we have the Commission's report, and our memories are pulled back to Detroit, Newark, and Watts. And we are forced to remember that American citizens living in the ghettos of this country have legitimate complaints to voice. Most would rather voice those complaints through the legal means provided by the courts and the Congress. But when those legal means are closed to them, they then turn to the means employed last summer.

How can you explain to the young Negro that you want to help him, that most of the Senators want to help him, but because of something called a filibuster, you just cannot do it right now?

The Commission report left many things unanswered, such as how much their recommendations will cost. Obviously they will cost billions, but as Mayor John Lindsay said yesterday, the cost of inaction will far outweigh the cost of action. Still we should know what the cost will be so we can weigh priorities and take necessary action in the legislative field.

But regardless of the cost of implementing the Commission's recommendations, may I remind my fellow Senators that it costs nothing to enact open housing and worker protection legislation. But come this summer, the cost of inaction may be overwhelming.

I urge those Senators who have voted against this proposal to listen to the findings of the Commission, and to listen to the will of the American people. Let the Senate majority work its will so we can press on to the other work we must accomplish during this session.

Mr. President, it is my opinion that inaction today will be costly for years to come and may be overwhelming.

I urge that the vote taken in the Senate Chamber within the next 7 or 8 minutes be to terminate the debate on the matter before the Senate so that we can get on with the work pending before the Senate.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Minnesota.

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

Mr. MONDALE. Mr. President, in newspapers published throughout the land, appeared the remarks and statements of 14 business leaders who urge the Senate to invoke cloture today.

I ask unanimous consent to have printed in the RECORD an article entitled "Fourteen Business Chiefs Appeal to Senate for Open Housing," written by Marjorie Hunter, and published in the New York Times of today.

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

FOURTEEN BUSINESS CHIEFS APPEAL TO SENATE FOR OPEN HOUSING—ASSERT, ON EVE OF FOURTH VOTE ON CLOUTURE, THAT LAW IS URGENTLY NEEDED NOW—LONG NEGLECT IS CITED—LEADERS, ONE OF THEM ON RIOT PANEL, POINT TO CONCERN OVER CITIES' PROBLEMS

(By Marjorie Hunter)

WASHINGTON, March 3.—A group of the nation's business leaders urged Congress today to lower housing barriers for Negroes and minority groups.

Their urgent appeal came on the eve of a crucial Senate vote on halting a civil rights debate and clearing the way for action on legislation for open housing and protection of Negroes and civil rights workers.

The Senate has three times in recent weeks refused to halt the debate. A fourth attempt will come tomorrow.

In their statement, the business leaders said:

"As businessmen concerned with the grave problems facing American cities and towns today, we believe this legislation is urgently needed and now.

"We urge the Senate to permit a vote on this important measure. We urge the Congress to enact it."

RIOT COMMISSION MEMBER

Among those appealing for immediate action was Charles B. Thornton, chairman of Litton Industries. He was a member of the National Advisory Commission on Civil Disorders, which only last week warned that the United States must halt the movement toward "two societies—one black, one white—separate and unequal."

Joining him in asking for Senate approval of the open housing bill were 13 other business leaders.

Many of the nation's businessmen have become increasingly involved in recent months in efforts to wipe out slums and to provide employment for Negroes and others in minority groups.

The Senate showdown on open housing is scheduled for early afternoon. Just two days ago, the Senate failed by four votes to halt the civil rights debate.

Previous attempts to invoke closure—shutting off debate—failed by seven votes, and later by six votes. A two-thirds vote of those present is required for closure.

At issue in tomorrow's vote is ending debate on a far-reaching compromise, agreed upon in the middle of last week by Senate liberals and the Senate Republican leader, Everett McKinley Dirksen of Illinois.

The compromise would have barred discrimination in the sale and rental of about two-thirds of the nation's estimated total of 65 million housing units.

However, Senator Dirksen later weakened the compromise that bears his name. Without consulting the liberals, Senator Dirksen succeeded in excluding from the discrimination ban single-family dwellings with mortgages insured by the Federal Housing Administration.

The liberals will seek to remove this exclusion if the Senate finally invokes closure and moves toward action on the bill.

POTENTIAL 100 HOURS

Tomorrow's closure vote will be on the Dirksen compromise and on 80 to 90 pending amendments. If closure is approved, each of the 100 Senators will be limited to an hour of debate on the compromise and all amendments—with a potential total of 100 hours.

However, many of the Senators will probably use no part, or only a portion, of the allotted one hour apiece.

In their statement issued today, the 14 business leaders said that "the right of every family to live in a home or neighborhood of its choice has too long been denied to thousands of Americans."

The statement continued:

"Fair housing means more than lifting the barrier that has deprived minority groups of adequate housing for generations. It means making available new job opportunities, improved education and better community relations. It means improving the quality of life for all Americans by giving real meaning to a fundamental right—the right to buy or rent a home of one's choice."

OTHER SIGNERS

The other signers of the appeal, in addition to Mr. Thornton were:

James M. Roche, chairman, General Motors Corporation.

Edgar F. Kaiser, chairman, Kaiser Industries Corporation.

Ben W. Heineman, chairman, Chicago and North Western Railway.

Walker L. Cisler, chairman, Detroit Edison Company.

John T. Connor, president, Allied Chemical Corporation.

Donald C. Cook, chairman, American Electric Power Company.

David Kennedy, chairman, Continental Illinois National Bank and Trust Company.

Gaylor A. Freeman, vice chairman, First National Bank of Chicago.

James MacCormack, chairman, Communication Satellite Corporation.

Graham James Morgan, president, United States Gypsum Company.

J. Irwin Miller, chairman, Cummins Engine Company.

Herbert Silverman, chairman, James Talcott and Company.

Sidney J. Weinberg of Goldman, Sachs and Company.

Mr. MONDALE. Mr. President, the statement to which I have referred says, among other things:

As businessmen concerned with the grave problems facing American cities and towns today, we believe this legislation is urgently needed and now.

We urge the Senate to permit a vote on this important measure. We urge the Congress to enact it.

Mr. President, the statement refers to the fair housing measure.

The statement by these leading businessmen further states:

Fair housing means more than lifting the barrier that has deprived minority groups of adequate housing for generations. It means making available new job opportunities, improved education and better community relations. It means improving the quality of life for all Americans by giving real meaning to a fundamental right—the right to buy or rent a home of one's choice.

Mr. President, I shall not read the names of all the signers of this important statement. However, they include names of leaders of business throughout the country, including such distinguished leaders as Mr. James M. Roche, chairman of the General Motors Corp., and many others.

One of the most impressive things that have happened of late in this country has been a very deeper involvement by business in trying to solve the problems of exploding American cities and social deprival wherever it is found. It is equally encouraging to see these same business leaders turn to Government and ask Government to do its share as well.

One thing is certainly true. If we are going to solve this great social crisis in our land, there is not one single aspect of American life than can do it alone. We need the help of everyone.

I congratulate the business leaders for

their leadership and their appeal to the Senate.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Mr. President, I rather nurse the idea that if this measure were to go to conference, titles II and III might not actually be in conference. However, from an informal discussion with the Parliamentarian, I am advised otherwise. I think it might be well for the Chair to rule on my inquiry.

The PRESIDING OFFICER. If the titles were inserted by the Senate in the House bill, then the titles would be a matter for the conferees to handle in conference.

Mr. DIRKSEN. My further understanding is that if they were in conference, the conferees could shorten or modify, but could not expand those titles.

The PRESIDING OFFICER. Generally speaking, that is correct.

Mr. DIRKSEN. I thank the Chair.

Mr. President, I yield 3 minutes to the distinguished majority leader.

The VICE PRESIDENT. The Senator from Montana is recognized for 3 minutes.

Mr. MANSFIELD. Mr. President, the time has come for the Senate to face up to its responsibilities; as individuals and on a collective basis as well.

There has been more than enough debate on the subject matter now before the Senate; more than enough even without the Presidential Commission report released in full over this past weekend.

The issue is clear and on any future vote, I doubt whether any Senator will change his position from what it is at present.

This is no time for apprehension, but it is a time for understanding. It is a time to recognize that this Nation is a conglomerate of people—white, black, brown, red, and yellow.

It is time to realize that this Nation is in its most difficult period since the founding of the Republic, and I include the Civil War in that statement.

We face tremendous difficulties abroad, and we cannot see our way out of them. We face tremendous difficulties at home, and we have had the warnings summer after summer after summer.

Yes. These are very difficult times, and this Senate has a responsibility which I hope it will not shirk, a responsibility which, in spite of rule XXII, does indicate that a very clear majority of the Senate believes that something should be done. I think that it is time for something to be done. I think this is the moment of truth for the Senate. And I think that moment is long overdue.

I urge my colleagues to vote to limit the debate on the Dirksen substitute.

The VICE PRESIDENT. One minute remains.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CURTIS. If we vote for cloture,

what shall be included under the cloture rule?

The VICE PRESIDENT. There will be the application of time and other requirements under rule XXII on the substitute and all amendments pertaining thereto except for final passage.

Mr. CURTIS. Does that include amendments to the original bill?

The VICE PRESIDENT. Those amendments which are qualified.

Mr. CURTIS. Mr. President, I have a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CURTIS. How many amendments are at the desk that would be eligible to be called up if cloture is voted?

The VICE PRESIDENT. The Chair is advised that there are more than 80—the word is 83. That could be subject to change on a second count, but there are more than 80.

Mr. CURTIS. Is it correct that there are nine more amendments than when we voted on cloture the other day?

The VICE PRESIDENT. The Chair is unaware of the exact number, but the Chair is advised by the clerk that that is approximately correct.

Mr. CURTIS. A further parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. CURTIS. Could a motion to table any amendment be voted upon without debate, even if cloture were not invoked?

The VICE PRESIDENT. Will the Senator repeat his inquiry?

Mr. CURTIS. Could a motion to table any amendment be voted upon without debate, even though we did not invoke cloture?

The VICE PRESIDENT. A motion to table, as the Senator knows, is never debatable.

Mr. CURTIS. Then, it would be possible, Mr. President, to dispose of amendments, or at least some of them, without debate, without invoking cloture?

The VICE PRESIDENT. On the basis of a tabling of the amendment, yes.

Mr. CURTIS. Now may I ask, Mr. President, what the RECORD shows as to the number of hours that the Senate has debated this matter since the substitute has been printed.

The VICE PRESIDENT. If the Senator would have propounded that question earlier, the Chair could have given the Senator an accurate report. The Chair does not have the timetable as to the number of hours that have been directed precisely to the question before the Senate. The Chair believes that the Senator would have as good a judgment of that as the Chair.

Mr. CURTIS. Mr. President, it is not a question of whether or not I have good judgment. It is a question of what the RECORD shows, and I believe it is important that the RECORD does show it.

The VICE PRESIDENT. The Chair does not know how many hours have been spent on this debate, except that the Chair knows that many hours have been spent on it—on the substitute or on all items relating to the subject matter before the Senate. The Chair does not have that accounting. The Chair will be

more than happy to give the Senator such an accounting before the end of the day.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

The VICE PRESIDENT. The hour of 12 has arrived.

Mr. CURTIS. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The rule of the Senate prescribes that when the hour of 12 has arrived, all time having expired—and such time has expired—the Chair is compelled to lay before the Senate the pending motion, which will be stated by the clerk.

The legislative clerk read the motion, as follows:

MOTION FOR CLOUTURE

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the pending amendment to its adoption to H.R. 2516, an act to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

MIKE MANSFIELD, EVERETT M. DIRKSEN, JENNINGS RANDOLPH, THOMAS H. KUCHEL, PHILIP A. HART, WALTER F. MONDALE, J. K. JAVITS, GEORGE D. AIKEN, JOHN SHERMAN COOPER, HARRISON WILLIAMS, EDWARD W. BROOKE, CLIFFORD P. CASE, JOSEPH S. CLARK, STEPHEN M. YOUNG, FRANK E. MOSS, EDMUND S. MUSKIE, EDWARD KENNEDY, GAYLORD NELSON, EUGENE J. McCARTHY, THOMAS J. MCINTYRE, MARK O. HATFIELD, WAYNE MORSE, HIRAM L. FONG, DANIEL B. BREWSTER, CHARLES H. PERCY, JOSEPH D. TYDINGS, DANIEL K. INOUYE.

The VICE PRESIDENT. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 15 Leg.]

Aiken	Gruening	Montoya
Allott	Hansen	Morse
Anderson	Harris	Morton
Baker	Hart	Moss
Bartlett	Hartke	Mundt
Bayh	Hatfield	Murphy
Bennett	Hayden	Muskie
Bible	Hickenlooper	Nelson
Boggs	Hill	Pearson
Brewster	Holland	Pell
Brooke	Hollings	Percy
Burdick	Hruska	Prouty
Byrd, Va.	Inouye	Proxmire
Byrd, W. Va.	Jackson	Randolph
Cannon	Javits	Ribicoff
Carlson	Jordan, N.C.	Russell
Case	Jordan, Idaho	Scott
Church	Kennedy, Mass.	Smathers
Clark	Kennedy, N.Y.	Smith
Cooper	Kuchel	Sparkman
Cotton	Lausche	Spong
Curtis	Long, Mo.	Stennis
Dirksen	Long, La.	Symington
Dodd	Magnuson	Talmadge
Dominick	Mansfield	Thurmond
Eastland	McClellan	Tower
Ellender	McGee	Tydings
Ervin	McGovern	Yarborough
Fannin	McIntyre	Young, N. Dak.
Fong	Metcalf	Young, Ohio
Fulbright	Miller	
Gore	Mondale	
Griffin	Monroney	

The VICE PRESIDENT. A quorum is present.

The question is: Is it the sense of the Senate that debate shall be brought to a close? On this question the yeas and nays are required, and the clerk will now call the roll.

Mr. KUCHEL. Order, Mr. President.

The VICE PRESIDENT. Let the Senate be in order during the rollcall; then there will be no need to ask again for order.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Minnesota [Mr. McCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota [Mr. McCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from New Jersey [Mr. WILLIAMS], would each vote "yea."

The yeas and nays resulted—yeas 65, nays 32, as follows:

[No. 16 Leg.]

YEAS—65

Aiken	Griffin	Mondale
Allott	Gruening	Monroney
Anderson	Harris	Montoya
Baker	Hart	Morse
Bartlett	Hartke	Morton
Bayh	Hatfield	Moss
Boggs	Inouye	Muskie
Brewster	Jackson	Nelson
Brooke	Javits	Pearson
Burdick	Jordan, Idaho	Pell
Cannon	Kennedy, Mass.	Percy
Carlson	Kennedy, N.Y.	Prouty
Case	Kuchel	Proxmire
Church	Lausche	Randolph
Clark	Long, Mo.	Ribicoff
Cooper	Magnuson	Scott
Cotton	Mansfield	Smith
Dirksen	McGee	Symington
Dodd	McGovern	Tydings
Dominick	McIntyre	Yarborough
Fong	Metcalf	Young, Ohio
Gore	Miller	

NAYS—32

Bennett	Hayden	Russell
Bible	Hickenlooper	Smathers
Byrd, Va.	Hill	Sparkman
Byrd, W. Va.	Holland	Spong
Curtis	Hollings	Stennis
Eastland	Hruska	Talmadge
Ellender	Jordan, N.C.	Thurmond
Ervin	Long, La.	Tower
Fannin	McClellan	Williams, Del.
Fulbright	Mundt	Young, N. Dak.
Hansen	Murphy	

NOT VOTING—3

McCarthy	Pastore	Williams, N.J.
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The VICE PRESIDENT. On this vote, there are 65 yeas and 32 nays. Two-thirds of the Senators present and voting having voted in the affirmative, the motion is agreed to.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Law 90-206, the Chair appoints the following as members of the Commission on Executive, Legislative, and Judicial Salaries: Mr. Stephen K. Bailey, of New York, and Mr. Sidney J. Weinberg, of New York.

The Chair, under the provisions of Public Law 207 of the 81st Congress, appoints the following Senator to the Board of Visitors to the Coast Guard Academy: CLAIBORNE PELL.

Mr. BYRD of West Virginia. I announce that the Senator from Minnesota [Mr. McCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, with the time not charged to the allocation under rule XXII.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

CIVIL RIGHTS

Mr. CANNON. Mr. President, limiting debate in the Senate on any issue is one of the most serious decisions any Senator must make. It involves the question of protecting the rights of a minority—a minority in this body. This minority may exist in any State or region, and my own State is no exception.

I believe the question to be decided today qualifies in urgency and seriousness as an issue critical to the future of this country. We are being asked whether every American can exercise freedom of choice in the selection of his home.

The extremists, the black nationalists, the fomenters of discord and dissension are hoping that our answer will be no. They want to be able to tell the people who listen to them that they have no recourse but to take to the streets in violent protest. They want to say that the Government has turned its back upon them and that peaceful redress of ancient grievances is impossible under our system. I have searched my conscience and find that I cannot say I agree with those who believe that our democracy has failed; and certainly I cannot find it in my conscience to give this same answer to any American when he returns from Vietnam, having done his duty for his family and his country.

I have voted today to permit the Senate to reach this question upon the merits of the real question which is before us at this time and to permit each Senator to work his or her will on removing this remaining vestige of institutional discrimination in our society.

At no point has this issue been more clearly dramatized than by the report of the President's Commission on Civil Disorder, filed only a few days ago. Against a backdrop of the prospect of more rioting in American streets this summer we have the challenge of improving the quality of American life. Money and programs, in my view, are secondary to the far more urgent need to demonstrate in open and clear fashion that Americans have the will to meet these problems. The vote today offers an alternative to the present course of our national turmoil, and it is fitting that this course should be charted and set in the U.S. Senate.

The VICE PRESIDENT. The Senate is now under the time limitation as required by rule XXII.

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

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask

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

The VICE PRESIDENT. Without objection, it is so ordered.

REEXAMINATION OF GULF OF TONKIN INCIDENT

Mr. FULBRIGHT. Mr. President, an excellent summary of the findings of the Committee on Foreign Relations in its recent reexamination of the incidents of 1964 in the Gulf of Tonkin has been written by John W. Finney. The article is published in the New Republic of March 9, 1968.

I ask unanimous consent to have it printed in the RECORD.

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

THE TONKIN VERDICT

(By John W. Finney, a New York Times reporter who covers the Congress and foreign affairs)

It took three-and-one-half years for all the evidence to be presented on what happened that night of August 4, 1964, in the Gulf of Tonkin. Now, some 100,000 casualties and billions of dollars later, the most lenient verdict that can be reached on the evidence is that the Administration asked the Congress to go to war on the basis of incomplete, conflicting and even misleading information.

That might sound like a harsh indictment, and lest it be misunderstood, it should be pointed out that no suggestion is being made that the Administration fabricated the incident or that no engagement took place that night between North Vietnamese patrol boats and two American destroyers. Rather, the indictment being made is that the Administration reacted precipitately in ordering reprisal air strikes against North Vietnam and then misled Congress about the details of the North Vietnamese attack.

Back in August 1964, it will be remembered, the Administration described the North Vietnamese action as a case of deliberate and unprovoked attack on American destroyers that were on routine patrol in international waters. It was on the basis of this description of the incident that the Administration ordered the first bombing raids against North Vietnam and obtained congressional approval of the Tonkin resolution that was later to be described by the State Department as a "functional equivalent" of a declaration of war against North Vietnam.

The principal point to emerge from the Senate Foreign Relations Committee's reexamination of the incident is that the case of North Vietnamese attack was not as clear-cut as presented by the Administration in August 1964. By minimizing or glossing over the uncertainties in its case then, the Administration perhaps misled itself in those five fateful hours in which it reached a decision to attack North Vietnam. But more importantly, it misled the Congress and thus the American people.

Just how the Administration misinformed by uninformed Congress becomes apparent by comparing the testimony that Defense Secretary Robert S. McNamara presented the Senate Foreign Relations Committee on August 6, 1964 with the testimony he gave the committee last week. Out of the comparison emerge two major questions: Was the attack completely unprovoked or was there an element of American provocation? And, secondly, did the Administration have conclusive proof of North Vietnamese attack before ordering the retaliatory air raids?

Take first the question of provocation. The way Mr. McNamara described it back in 1964, the destroyers were on a "routine patrol" in international waters. That was an essential element in the Administration's

case, particularly since it raised the patriotic cry about an attack on the American flag on the high seas. Only last week did it come out that the destroyers were not just engaged in a "routine patrol" to show the flag. Rather they were also engaged in an intelligence-gathering mission, with an assignment, as Mr. McNamara put it, of conducting "visual and electronic surveillance" of the area. In fact, he acknowledged, one of their orders was to "stimulate" the radars and radio circuits of North Vietnam and Communist China. But it was still routine, Secretary McNamara insisted, since such patrols along the coastlines of communist countries in the Western Pacific have been going on since 1962.

Furthermore, Mr. McNamara said, they were "open" patrols in "international waters." But on this point Mr. McNamara introduced a significant and surprise modification of his 1964 testimony. The destroyers, he disclosed, were instructed to approach no closer than eight nautical miles to the North Vietnamese coast and no closer than four miles to any offshore island. After the August 2 attack, the *Maddox*, now joined by the *Turner Joy*, were instructed to remain at least 11 miles from the coast. But still, Mr. McNamara contended, the destroyers did not "leave the high seas" because it was not until some three weeks after the Tonkin incidents that Hanoi radio claimed a 12-mile territorial sea for North Vietnam. For the Administration this was a new argument, seemingly inconsistent with its past position. When the Tonkin resolution was being debated, Senator Fulbright, then defending the Administration's position, referred to the 12-mile limit claimed by North Vietnam. At that point, the Administration, which was supplying Fulbright with arguments, made no attempts to correct his statement. Similarly, in a 1966 hearing of the Foreign Relations Committee, the late John T. McNaughton, then Assistant Secretary of Defense for International Affairs, acquiesced to statements that North Vietnam had claimed a 12-mile limit. And finally, as Sen. Claiborne Pell brought out, North Vietnam radio protested after the August 2 attack that its territorial waters had been violated.

Last week's hearings also forced the Administration to discuss another possible element of provocation that was brushed aside in 1964. This was the question of whether there was any relationship—either in the minds of the U.S. Navy or Hanoi—between the patrol of the destroyers and the South Vietnamese naval operations at the time against North Vietnamese positions on the coast of the Tonkin Gulf. Under a US-supported operation, called "Op 34-A," South Vietnamese patrol boats had bombarded the North Vietnamese islands of Hon Nieu and Hon Me two days before the August 2 attack on the *Maddox*. On August 3—a day before the crucial August 4 incident—the South Vietnamese boats conducted another raid against North Vietnamese positions.

For some inexplicable reason, the usually well-informed Defense Secretary was not aware of the second South Vietnamese attack when he testified on August 6, 1964—a fact which by itself raises some disturbing questions as to how much high-level officials knew about what was going on in the Gulf of Tonkin during that crucial week. In any event, when the issue was raised back in 1964 by Sen. Wayne Morse, Mr. McNamara testified: "Our Navy played absolutely no part in it [Op 34-A], was not associated with it, was not aware of South Vietnamese actions, if there were any"—obviously an overstatement if not a purposefully misleading misstatement. As Senator Morse disclosed last week, the commander of the Pacific Fleet on August 3 had sent a message proposing a change in the course of the destroyers' patrol in order, among other things, to "possibly draw NVN [North Vietnamese] PGMS [patrol boats] to northward away from the area of the 34-ops." This proposal was never

approved by the Joint Chiefs of Staff, but nevertheless it does illustrate that the Navy was well aware of Op 34-A and more importantly was relating the South Vietnamese operation to the destroyer patrol.

When confronted with this evidence, Mr. McNamara, in one of his rare admissions of error, acknowledges there was "an ambiguity" in his 1964 statement. By "Navy," he said he meant that the *Maddox* and commander of the destroyer task group were not "aware of the details" of the Op 34-A operations. But again the Secretary was being ambiguous, for the messages show that the destroyers were aware of the concurrent 34-A operations in the Gulf of Tonkin. On August 3—15 hours before the second attack, for example, the task group commander sent a message to the 7th Fleet commander warning that North Vietnam apparently considered the destroyer patrol "directly involved with 34-A operations" and "considers US ships present as enemies because of these operations and have already indicated readiness to treat us in that category."

Why, Senator Fulbright asked, "did his superiors not order him to break it [the patrol] off in view of that cable if they did not wish to provoke an incident?"

"Because," Mr. McNamara answered, "we were on the high seas and operating legally and entirely within our rights. The President stated publicly that we would continue to carry out the patrol in international waters in a legal fashion."

None of the evidence suggests there was necessarily deliberate provocation on the part of the United States. As Mr. McNamara emphasized, the destroyers were separated by time and distance from the South Vietnamese operations. But that does not exclude the possibility of provocation, perhaps unintentional from the US point of view but intentional as seen by Hanoi. How was Hanoi to know that the movement of the destroyers was not related to those of the South Vietnamese patrol craft, which during the period were conducting their first bombardment raids against North Vietnam? How was Hanoi to know that the destroyers had no hostile intent when they were engaged in maneuvers designed to "stimulate" North Vietnamese radar? And finally, if there was no provocation, why did Hanoi order patrol boats, some armed only with 37 mm machine guns, out to tangle in the open seas with heavily armed destroyers—an unfair naval match, as any PT-boat officer can attest?

The second major question is whether the Administration had conclusive proof of the second attack at the time it ordered the reprisal air strikes. On this question there also is a significant contrast between the McNamara testimony in 1964 and last week. In 1964 Mr. McNamara never even hinted that there was the slightest doubt the destroyers had been attacked. But under questioning last week, Mr. McNamara acknowledged that there was considerable doubt for a while, both on the part of the Pentagon and the destroyers. The hearing brought out, for example, that at 1:30 p.m. (Washington time) as the engagement was ended, the destroyer task group commander sent a message: "Review of action makes many recorded contacts and torpedoes fired appear doubtful. Freak weather effects and overeager sonarman may have accounted for many reports. No actual visual sightings by *Maddox*. Suggest complete evaluation before any further action."

For the next five hours—before the "execute order" was issued for the air strikes—Mr. McNamara described how the Administration examined and reexamined the evidence. The delay may have reflected prudence; but it also reflected doubts as to whether the attack had taken place.

Before issuing the "execute order," Mr. McNamara insisted, the Administration had "conclusive" proof of the attack. But once again he indulged in one of his misleading

overstatements. In support of his contention he noted how the director of the Joint Staff had "analyzed the incoming information from message traffic" and "then gave his evaluation to the Secretary of Defense: 'The actuality of the attack is confirmed.' " Not mentioned by Mr. McNamara was that this evaluation was not given until three days after the decision.

Mr. McNamara acknowledged that some of the reports from the destroyers were ambiguous and conflicting, although he insisted they were sufficient to reach the decision of a North Vietnamese attack. But springing another surprise, Mr. McNamara said the incontrovertible proof came from intercepted North Vietnamese radio messages. These messages, he said, showed that the North Vietnamese boats had been ordered to attack the destroyers, that the boats reported they were attacking and then that they were breaking off the engagement with the loss of two craft. Unfortunately, for intelligence security reasons, the intercepted radio messages were censored from the testimony, so it is impossible to judge to what extent they support the Administration's case. But at least two senators who have read the messages—Senator Fulbright and Senator Gore—suggest they do not support the Secretary's conclusion that an attack was under way.

The basic point at issue, however, is not whether the second attack took place or not. Even such outspoken critics as Senator Morse are willing to acknowledge the attack. What is at issue is the whole decisionmaking process followed by the Administration, first in reacting to the incident and then in dealing with Congress. The evidence may have been conclusive to the Administration, but was the confused nighttime engagement, in which no damage was done to American destroyers, sufficient provocation for immediately launching 64 air strikes against North Vietnam and then going to Congress for what amounted to a declaration of war against Vietnam? The Administration can argue that the near-unanimous vote by which the Tonkin resolution was approved proves that the evidence was sufficient and its actions justified. But after the retrial it is apparent that the Senate Foreign Relations Committee—and Congress as a whole—would not have been so quick or unanimous in approving the resolution if they had known then about the mounting doubts about the attack, had been told about the intelligence mission of the destroyers, and had been aware of the concurrent South Vietnamese naval operations against North Vietnam.

The Administration comes out of the retrial in a peculiar position. It has probably proved that the second attack took place. But in proving its case, it has undermined its credibility three-and-one-half years ago and now. It has justified its actions in seeking the Tonkin resolution, but in the process compounded congressional doubts about the resolution. The new evidence has had the effect of making the committee feel it was misled about the resolution in the original instance. If nothing else, the retrial may have made a dead letter of the Tonkin resolution. Certainly the Administration is not going to be so ready in the future to cite the resolution as an expression of congressional support for the American involvement in the Vietnam war. And in the long run the retrial is likely to force a reexamination in Congress—and hopefully in the executive branch—of how the nation should go about declaring a "limited war."

VIETNAM AND DISSENT

Mr. FULBRIGHT. Mr. President, there is a great deal of emphasis these days on the fact that North Vietnam counts on dissent within the United States to help it win the war. Indeed, some of our generals and political strategists seem to

believe that any failures they have in South Vietnam are attributable to dissent within the United States.

In this connection, I refer to an article which was published in the New York Times of March 2, 1968, and written by Profs. David Mozingo and John W. Lewis, of Cornell University. The article concludes with a statement by North Vietnamese Foreign Minister Pham Van Dong reading as follows:

Our enemy pretends that we seek victory through United States peace movements. But we know that we must count mainly on ourselves and no one else. The war will be decided in Vietnam and nowhere else.

Mr. President, I ask unanimous consent to have the article written by Professors Mozingo and Lewis printed in the RECORD.

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

HANOI ISN'T COUNTING ON AMERICAN DISSENT (By David Mozingo and John W. Lewis¹)

Analysis of United States and North Vietnamese commentaries on the war shows how differently the two sides view the strategic development of the conflicts. The United States measures military success in terms of battles won and Communist casualty rates. Less impressed by battles and casualties, Hanoi's indices are the over-all "balance of forces," battlefield "initiative" and the status of Saigon's pacification program. Of the three, balance of forces is key.

Ho Chi Minh's strategy has had the fundamental objective of maintaining a favorable military balance of forces in the South. North Vietnamese leaders hold that this crucial objective can be achieved, despite America's formidable military might, because the United States entered the conflict with a crucial handicap.

The United States cannot respond to mounting Communist military pressure throughout the country and, at the same time, permanently station enough troops to provide security for Saigon's pacification effort—which will ultimately determine who wins. Such a protracted deadlock, Hanoi is confident, will further undermine Saigon's tenuous authority and demoralize those who depend on United States power, thereby enabling the Vietcong to expand its popular following.

According to Hanoi's calculation, if the United States cannot decisively change the balance of forces, then the Communist side is in a position to grasp the military initiative in the South. As one North Vietnamese document put it, for the Communist side to lose the strategic initiative would mean that the United States had "achieved a victory, after which it could end the war in terms of large-scale operations [and] enter into the phase of pacification."

NORTHERN INITIATIVE

Communist-launched strikes are designed to keep the powerful battalions off balance and unable to force the Communist armies to fight the war on American terms. As should now be obvious Hanoi welcomes large-unit battles—at places and times of its own choosing.

To retain strategic initiative the Communists only need to frustrate American power rather than defeat it in the conventional sense. In Hanoi's view, for the United States to win decisive victory she must break up the Communist main-force units and change the character of the conflict from large-scale insurgency to localized guerrilla warfare. The strategic objectives of their of-

¹ Professors Mozingo and Lewis of Cornell University are specialists on Chinese Communist affairs.

fensives are to maintain Communist initiative, force the allies to reassign mobile battalions to static defensive missions and weaken the South Vietnamese Army.

In order to sustain an offensive strategy the North has been compelled to minimize the destructive effects of United States bombings by reorganizing its whole society. Strategically viewed, North Vietnam is largely a human pipeline—rather than a supply depot—through which the critical Russian and Chinese weapons flow to the South. Bombing this kind of logistics system cannot shut off those supplies which enable the southern insurgents to maintain battlefield initiative.

Over the last eighteen months, moreover, infusions of Soviet heavy weapons have transformed the fighting capabilities of the Communist main forces. Having partially offset United States firepower, Communist manpower requirements are less than before, while the costs in casualties to the United States of attempts to change the balance of forces are greater.

Given this strategic assessment of the war, it follows that Hanoi's hope of final victory is not pinned on dissent in the United States. The North's leaders regard military factors as decisive and downgrade the significance of protest movements.

They naturally welcome all forms of external political support, but nevertheless believe that United States forces "will frenziedly attack the North, even though their war escalation acts are despised and condemned by the people of the world, including the progressive American people." The high-level documents captured in the Cedar Falls operation, for example, deal extensively with military strategy and tactics.

U.S. DISSENT DOWNGRADED

The role of the American peace movement is not even mentioned as a major factor in the war. Instead, Hanoi's generals bluntly say: "Our basic intention is to win militarily. . . . We want to end the war through military victories and not peace negotiations." Regarding the effectiveness of political strategies as dependent on which side dominates the battlefield, these generals declare, "We must multiply our military victories if we want to succeed diplomatically."

Pham Van Dong has put it this way: "Our enemy pretends that we seek victory through United States peace movements. But we know that we must count mainly on ourselves and no one else. The war will be decided in Vietnam and nowhere else." On one thing Washington and Hanoi seem to agree. Each now regards the battlefield as the other's best teacher.

AMERICA'S ROLE IN THE WORLD

Mr. FULBRIGHT. Mr. President, the Manchester Guardian weekly of Thursday, February 29, 1968, contains a very interesting article by David Marquand which discusses America's role in the world.

Mr. Marquand makes a point which is becoming increasingly clear to the American people and that is that our deep involvement in Vietnam where we are allegedly fighting Communist aggression, in fact is strengthening communism throughout the world. Every escalation there gives the Soviet Union political, economic, and military strength throughout the world.

Mr. Marquand compares our involvement in Vietnam to the misadventure of Napoleon III in Mexico. His key paragraph is as follows:

Indeed, the analogy is alarmingly close. The Mexican adventure brought no profit to France, but great profit to Prussia. The Vietnam adventure has brought no profit to any

of the combatants, least of all to the United States, but by tying down large numbers of American troops and pre-empting the growth of the American economy it has brought inestimable profit to the Soviet Union.

I ask unanimous consent to insert the full article in the Record at this point.

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

WHEN HONOUR IS LED ASTRAY

(By David Marquand)

The folly and bankruptcy of President Johnson's Vietnam policy are now so obvious that even the most sycophantic members of his entourage must be asking themselves whether there can be any other outcome than a humiliating American defeat. But although American policy in South-east Asia has been disastrously inept, there is something faintly nauseating about the self-righteous anti-Americanism which the spectacle of successive American blunders has evoked on this side of the Atlantic. The Vietnam war is a tragedy, not a melodrama. American policy has been made, not by wicked men pursuing wicked designs but by honourable men led astray by a fatally oversimplified picture of the world and of America's place in it. If similar tragedies are to be avoided in future, it is more profitable to analyse the reasons for their folly than to denounce them for evil intentions which they do not, in fact, possess.

The essence of their oversimplification is brilliantly described in Professor Draper's new book.¹ After pointing out that American policy in Vietnam cannot be understood in terms of Vietnam alone, but only in terms of the disproportionate military and political investment which has been made there, he goes on to ask why such an investment was decided upon in the first place.

His answer is as follows: "From the President down, leading officials have spread the glad tidings that power has given us global responsibilities which seem to be the functions not of our infinite wisdom or boundless altruism but mainly of our incomparable power. In his speech at Johns Hopkins in April, 1965, for example, President Johnson exhorted that we have the power and now the opportunity, for the first time in centuries, to make nations stop struggling with one another. That is such a large order; the struggle to end all struggles may also be the end of mankind.

"Not inappropriately, the former Assistant Secretary of State for International Organization Affairs, and present United States Permanent Representative to NATO, published a book in 1966 with the title 'The Obligations of Power.' In it he argued that the United States must be 'so very much involved in so many ugly grudge fights, in so many places, simply because it is so large and powerful . . .' He comforted us with the thought that we do not have to be the world's policeman if we and other nations can build international peacekeeping machinery. But no such machinery exists, and its future is more than doubtful. Thus this comfort proved to be cold indeed."

Years ago, George Kennan berated his fellow-countrymen for their excessive moralism in world affairs. Because of this, he argued, they were unwilling to accept limited aims and limited results; hence the disaster of unconditional surrender in the Second World War, and repeated follies after it. The first part of his message sank in; the second did not. Today few American policy-makers think in the moralistic terms of a Woodrow Wilson or a Franklin Roosevelt, even though the conventions of American public life still compel them to talk as though they did. But although the old moralism has

gone, the accompanying refusal to accept the limitations of power still remains. It is Bismarck, not Thomas Jefferson, whose spirit presides over the State Department today. But whereas the real Bismarck was, above all, a shrewd and cautious politician who knew exactly where to stop, his American successors combine his *realpolitik* with delusions of grandeur more appropriate to a Napoleonic III.

Hence the tragedy of their Vietnam adventure—the nearest equivalent in the modern world to the Mexican adventure which embroiled Napoleon III in a distant continent, where no French interests were at stake, and made it harder for him to concentrate on his real advisory in Europe. Indeed, the analogy is alarmingly close. The Mexican adventure brought no profit to France, but great profit to Prussia. The Vietnam adventure has brought no profit to any of the combatants, least of all to the United States, but by tying down large numbers of American troops and pre-empting the growth of the American economy it has brought inestimable profit to the Soviet Union.

Since the Cuba crisis of 1962 the Soviet Union and the US have had a healthy respect for each other's capacity to blow the world to pieces. Dulles' brinkmanship has been banished from the State Department as thoroughly as Khrushchev's from the Kremlin. In his relations with the Soviet Union, President Johnson has been at least as restrained as his predecessor. Then why the lack of restraint in Vietnam? Why the terrible series of miscalculations and failures so acidly recounted by Professor Draper?

The answer lies in the passage I quoted earlier. The official doctrine it sets out contains two elements. The first is the concept of the world's policeman: the notion that in the absence of a world peacekeeping machinery, the US must act as the trustee of humanity. The second is the concept of the struggle to end struggle: the notion that somewhere just beyond the horizon, to be reached with one last effort of will, there lies a happy ending of complete peace and security.

These notions are dangerous enough by themselves, and they are even more dangerous in combination. In a civilised society the police do not have unlimited power, and they are not allowed to make the laws they enforce. When they use their power without restraint, or make the law to suit themselves, it is a sure sign that ordered society is breaking down. But in the world community this cannot apply. The reason no world peacekeeping machinery exists is that there is no world authority to control it, and no world law for it to enforce. Thus, the US cannot be the world's policeman without at the same time being the world's magistrate. But no one in his right mind would entrust his destiny to a combination of policeman and magistrate rolled into one—and particularly not if the policeman concerned appeared to believe that he could one day stamp out crime altogether.

But if the US cannot be the world's policeman, then who can? This question is, of course, the nub of the argument; and it is a major weakness of Professor Draper's otherwise excellent book that he does not seriously try to answer it. In fact, there is an answer; but it is a good deal more uncomfortable than most opponents of American policy in Vietnam appear to realize. The answer is that until the United Nations has developed a degree of authority which we are unlikely to see in the foreseeable future, there can be no policeman at all; that the happy ending of complete peace and security is not within our reach, or even our grandchildren's. Even if the Americans could be brought to realise this, it would not guarantee them against a repetition of their original involvement in Vietnam. It would, however, make it a good deal easier for them to cut their losses now.

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

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. YOUNG of Ohio. Mr. President, I yield myself 10 minutes under the rule.

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

CHAIRMAN RICHARD B. RUSSELL
SPEAKING ON OUR MILITARY
STRATEGY IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, in the U.S. Senate, there are a considerable number of former military men who served with distinction in World War II and who are presently generals in the Active Reserve Forces of our country. Any one of them is well qualified for leadership in the field and in combat with our Armed Forces at the present time. I am confident that any of these generals would make an excellent record as a general officer on active duty with our Army overseas were he to be called on for such service.

Senator RICHARD B. RUSSELL of Georgia is regarded by his Senate colleagues as an exceedingly highly respected chairman of the Senate Armed Services Committee. In my considered opinion he is by far the most knowledgeable of all Senators on military matters. It is noteworthy, therefore, that the Washington Post reported that Senator RUSSELL is highly critical of our generals in South Vietnam for sticking to what the Senator termed "outmoded World War II tactics."

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

Mr. YOUNG of Ohio. I yield.

Mr. RUSSELL. I am greatly honored by the comments of the Senator, but may I say that while I have been critical of some of the tactics and policies pursued in Vietnam, I did not mention General Westmoreland. Of course, he is our commanding general there, and someone might draw that implication, but I was critical of some of the tactics pursued there.

Mr. YOUNG of Ohio. I am simply quoting, from the Atlanta Constitution, the distinguished senior Senator from Georgia, the Chairman of the Committee on Armed Services, whose judgment we all respect.

In an interview for the Atlanta Constitution, Senator RUSSELL stated that the United States has made a serious mistake by using conventional tactics in the Vietnam jungles. He said:

It is time we expanded our own Green Beret training. We need to make more use of guerrilla-type tactics in Vietnam.

He then went on to say, according to the Atlanta Constitution, that under General Westmoreland in Vietnam, "we Americans have very nearly followed the strategy of the French over there." He

¹ Theodore Draper: "Abuse of Power" (Secker and Warburg, 36s).

said this in criticizing our fighting over there using large battalion-sized fighting units.

I advert to this, Mr. President, because here is a voice of authority speaking out in a manner highly critical according to the newspaper account of General Westmoreland and other of our generals. The facts are evident that General Westmoreland and other of our generals were outgeneraled and outwitted by North Vietnamese Minister of Defense Giap and other generals commanding the forces of the Vietcong and North Vietnam. When in Southeast Asia, Thailand, Vietnam, and Laos, I vividly recall that on January 17 General Westmoreland and other generals in Vietnam confidently expressed their conclusion that the Vietcong intended to attack Khe Sanh 2 or 3 days before the start of the Tet lunar holiday, and that along about January 27, 28, or 29, there would be a massive attack on the Khe Sanh outpost. The Vietcong expected to overrun that outpost defended by some 5,000 marines, and General Westmoreland on the basis of the alleged massive Vietcong encirclement of Khe Sanh had ordered from the central highlands and other areas of Vietnam thousands of men of our Armed Forces who were poised and ready to encircle the Vietcong surrounding Khe Sanh and turn the expected mass attack on Khe Sanh to a mass destruction of the Vietcong and North Vietnamese troops. Well, we know now that the Vietcong struck everywhere in Vietnam except where they were expected by General Westmoreland and our generals who predicted in talks with my escort officer and me that the Vietcong would attack our Khe Sanh outposts and expected to celebrate their victory a few days later in the Tet lunar holiday. They even seized our Embassy in Saigon, freed 3,000 political and other prisoners in Saigon jails, jailed by the Saigon military junta without trials. They held a portion of the city of Saigon for many days as they held Hue for longer than a month, and they overran some 38 provincial capitals holding them for hours or days.

Mr. President, for many years General Westmoreland has been issuing optimistic statements on the progress of the war and how he finally had the Vietnamese on the run. Starting in 1964 with 27,000 American fighting men, he has consistently requested more troops until today he has more than 525,000 American GI's, marines and airmen fighting in this ugly civil war in Vietnam which President Johnson, largely on General Westmoreland's assurances of victory, has made into an American air and ground war. In addition, he has at his disposal more than 700,000 South Vietnamese soldiers and approximately 50,000 fine Korean fighting men who as fighting men are in my judgment superior to five or ten times their number in ARVN forces, so-called, of South Vietnam.

All we have to show for this enormous commitment of men and for the expenditure of more than \$70 billion of taxpayers' money, I report with sadness, is 20,000 young Americans killed in combat and more than 100,000 wounded young

Americans and more than 150,000 civilian Vietnamese casualties, for the most part women, children, and old men.

On July 13, 1967 General Westmoreland stated:

During the past year tremendous progress has been made . . . We have pushed the enemy farther and farther back into the jungle . . . The (south Vietnam) troops are fighting much better than they were a year ago . . . We have succeeded in obtaining our objectives . . .

The fact is that as a result of the recent Vietcong offensive it is evident they have not been driven deep into the jungles. Instead the fighting has now spread to the cities of South Vietnam. Indeed, the Vietcong held a part of the capital, Saigon, for some days, and a portion of the ancient capital city of Hue for more than a month. They attacked and for a time held 38 of the 44 provincial capitals. The Vietcong are attacking the perimeter of our bases including the huge Tansonnhat air base facility outside of Saigon. This morning's newspapers reported that the Vietcong shelled three U.S. airfields and six other American installation across South Vietnam. The South Vietnamese Army is not fighting better now than a year or more ago. It has demonstrated an increasing incapacity to deal with even standing guard over its own cities. The South Vietnamese Army and police could not even defend the American Embassy in Saigon.

Having made what he perceives as "tremendous progress," the general now contends he needs more troops, perhaps as many as 150,000 or more, and indications are that he will get them even if it means draining our strategic reserves to the limit and calling up Reserves and National Guard units. His request for more troops is the latest step in the futile policy that mires us ever more deeply in a land war in Southeast Asia which is directly contrary to the advice of American military leaders including Generals MacArthur and Ridgway made time and time again over the past 15 years.

It simply makes no sense to continue to pour American blood and treasures into a limitless war that is clearly not worth the price that it has already cost. Vietnam is not worth the life of one American boy, to quote Marine General Shoup. When will the administration wake up to the complete unreliability of any assessment by General Westmoreland of our really dismal predicament in Vietnam. It is crystal clear that this general has failed to evaluate correctly and realistically our situation and predicament in that conflict.

EXCHANGE OF CERTAIN PROPERTY AT ACADIA NATIONAL PARK, MAINE

Mrs. SMITH. Mr. President, I ask the Chair to lay before the Senate the message from the House of Representatives on S. 1821.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1821) to authorize the Secretary of the Interior to exchange certain property at Acadia National Park in Maine with the owner of certain property adjacent to the park

which was, strike out all after the enacting clause and insert:

That the Secretary of the Interior may convey to one Maurice Rich, Senior, a portion of the Acadia National Park, comprising approximately one and eight-tenths acres in the town of Southwest Harbor, Maine, and in exchange therefor the Secretary may accept from said Maurice Rich, Senior, any property which in the Secretary's judgment is suitable for addition to the park. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Any cash payment received by the Secretary shall be credited to the land and water conservation fund in the Treasury of the United States. A conveyance of the federally owned lot shall eliminate it from the park.

Mrs. SMITH. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I wish to announce at this time that it is anticipated that all Senators will be present throughout this week, and that if they have other engagements, they will give thought to perhaps canceling them.

I believe that the minority leader agrees with me on this point.

Mr. DIRKSEN. Indeed so.

COMPENSATION FOR COMMITTEE EMPLOYEES

Mr. MANSFIELD. Mr. President, on behalf of the minority leader and myself, I send to the desk a resolution, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 262

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay, from the contingent fund of the Senate, the compensation of employees of Senate committees which would be payable for Treasury 1968 if Senate resolutions presently on the Senate Calendar had been agreed to, such payments to be charged to the aforesaid resolutions, if and when agreed to by the Senate. If any such resolution fails to be agreed to, payments made to the employees under Senate Resolution 260, agreed to February 21, 1968, and this resolution shall be charged to this resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 262) was agreed to.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. RUSSELL. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Dirksen amendment, with all the amendments thereto that have been filed prior to the vote on cloture, is the pending business.

Mr. RUSSELL. It will be necessary, however, to call up the amendments to the so-called Dirksen or Javits amendment, will it not?

The PRESIDING OFFICER. Will the Senator repeat his inquiry?

Mr. RUSSELL. The question I wish to have determined is whether any of those amendments come up for consideration automatically, or whether it is necessary for Senators to offer the amendments.

The PRESIDING OFFICER. The particular amendments would have to be called up; otherwise the question would be on agreeing to the Dirksen amendment.

Mr. RUSSELL. I thank the Presiding Officer.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Is there objection?

Mr. RUSSELL. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will resume the call of the roll.

The bill clerk resumed the call of the roll.

Mr. RUSSELL. Mr. President, I withdraw my objection.

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

MESSAGE FROM THE HOUSE— ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1155. An act to amend the Export-Import Bank Act, as amended, to change the name of the Bank, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, to restrict the financing by the Bank of certain transactions, and for other purposes;

S. 1227. An act to provide that a judgment or decree of the U.S. District Court for the District of Columbia shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes; and

H.R. 12603. An act to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

AMENDMENT NO. 581

Mr. BYRD of West Virginia. Mr. President, I call up my amendment No. 581.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk proceeded to read the amendments.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Does the Senator also ask unanimous consent that they be considered en bloc?

Mr. BYRD of West Virginia. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendments will be printed in the RECORD.

The amendment is as follows:

On page 8, lines 4 and 5, strike out "subsection (b) and".

On page 9, line 7, strike out "subsection (b)" and substitute "section 207".

On page 9, beginning with line 8, strike out all through line 2, on page 11.

On page 11, line 5, strike out "sections 203 (b) and", and substitute "section".

On page 13, line 11, strike out the section heading "EXEMPTION" and substitute "EXEMPTIONS".

On page 13, line 12, after "SEC. 207.", insert "(a)".

On page 13, between lines 20 and 21, insert the following:

"(b) (1) None of the prohibitions contained in this title shall apply to (A) any private person with respect to the sale or rental of a dwelling owned or rented by such person or by such person and other private persons, or (B) any real estate broker, agent, salesman, or other person while he is acting in accordance with instructions by any private person with respect to the sale or rental of a dwelling owned or rented by such private person or by such private person and other private persons.

"(2) For purposes of this subsection the term 'private person' means an individual as distinguished from a corporation, partnership, company, or other legal entity created under the laws of any State or political subdivision of a State.

Mr. BYRD of West Virginia. Mr. President, the purpose of the pending amendment—which has several parts—to the Dirksen substitute for the committee amendment is to exempt from title II the so-called fair housing section—which term, in my judgment, constitutes nothing but sugar coating on a forced housing bill—any private person with respect to the sale or rental of a dwelling owned or rented by such person, or by such person and other private persons, and also to exempt from the application of title II of the Dirksen substitute for the committee substitute any real estate broker, agent, salesman, or other person while he is acting in accordance with instructions by any private person with respect to the sale or rental of a dwelling owned or rented by such private person, or by such private person and other private persons.

The term "private person" would be defined as meaning an individual as distinguished from a corporation, partnership, company, or other legal entity cre-

ated under the laws of any State or any political subdivision of that State.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of West Virginia. Mr. President, today we have witnessed the stampeding of the Senate into invoking the gag rule. The Dirksen substitute for the committee substitute has been before the Senate since 4:15 p.m. last Wednesday afternoon. There has been little debate on that substitute, and in that substitute, of course, is contained title II, the so-called fair housing title.

I have an amendment at the desk which would strike title II from the bill. I believe it should be stricken from the bill. But I seriously doubt, Mr. President, that there are enough Senators who would be willing to strike title II from the bill at this point. So I have called up this amendment, which does not strike title II but which does exempt from the application of title II the private individual who owns a dwelling and who wishes to lease or rent or sell that dwelling, and who may wish to instruct the real estate agent as to his desires in regard thereto.

Mr. President, under amendments to the original Constitution of the United States, amendment No. 5 and amendment No. 14, property is given equal status with life and liberty; in those amendments it is stated, in the one, that Congress shall not deprive and, in the other, that a State shall not deprive any person of life, liberty, or property without due process of law.

Property is a basic human right. There are those who say that property rights are not to be confused with human rights; but I maintain that the rights that are inherent in the ownership of property are basic human rights. They existed long before the Constitution of the United States was written. They constitute one of the natural rights of man. They were recognized in the Magna Carta. In several instances, property is alluded to in the Magna Carta, signed by King John in 1215 at Runnymede. The rights of property are recognized in the Eighth Commandment, which says, "Thou shalt not steal." Steal what? Property, of course.

Mr. President, we are witnessing an assault upon one of the most priceless of all human rights, the right to use, to manage, and to dispose of property according to one's own wishes and one's own good judgment. This right—for which those of us stood who have opposed cloture—is a right which is a priceless heritage not only of the white property owner but also of the nonwhite property owner.

We have heard a great deal in the last 2 or 3 days about the report of the President's Riot Commission. Undoubtedly, there are some good recommendations in that report. I read the summary of the report over the past weekend. That report recommends a Federal fair housing law. The phrase "fair housing" is a misnomer. There is nothing at all fair about any law which authorizes governmental invasion of the natural, legal, and constitutional rights that inhere in property ownership.

Mr. President, I stated on the floor of

the Senate only a few days after that Commission was appointed—after listening to Mr. Roy Wilkins and the mayor of Atlanta as they appeared on a television program—that one could then predict the contents of the report, without waiting for hearings or the presentation of a formal report. And we find now that it has recommended, as we thought at that time, the expenditure of untold billions of dollars and further governmental incursions into the rights of individuals. There is no price tag attached to the Riot Commission report and we have no estimate of the cost of implementation, but we are told that fair housing can be enacted by the Senate and the House of Representatives now without any cost in terms of dollars. Of course, the Riot Commission's report came at a timely moment when it could generate additional pressures to all of the manifold pressures that were being brought to bear upon various Senators in an effort to get them to vote to invoke cloture. I do not mean to say that the timing was thusly deliberately planned.

Mr. President, I am offering this amendment, hoping that reason will yet prevail in the Senate, at least with respect to the private individual who owns property, and hoping that Senators will vote to eliminate the private individual from the application of title II, the so-called Fair Housing Title.

Mr. President, I shall reserve the balance of my time.

Mr. MONDALE. Mr. President, the amendment proposed by the distinguished Senator from West Virginia is, in my opinion, unacceptable from the standpoint that if it were agreed to it would delete virtually all the substance of the pending Dirksen substitute. It would do so in two fundamental and sweeping respects.

First, it would drastically reduce coverage of the fair housing title of the Dirksen substitute, which, as we know, is in itself a compromise in terms of coverage. It would substitute for the limited exemption suggested in the Dirksen substitute, and found in section 203(b), an extremely broad exemption, in that the amendment would exempt the prohibitions against discrimination, with respect to any private person—that is, an individual—with respect to the sale or rental of a dwelling owned by him, and in section (B), any real estate broker, agent, salesman, or other person while acting in accordance with instructions of such private persons.

This exemption would even apply to federally aided housing covered by section 203(a)(1) where the owner is a private person.

Second, this amendment would give to individuals and agents acting in accordance with instructions a license to discriminate, and coverage would extend only to housing owned by corporations or other businesses.

Mr. President, if this amendment were adopted there would be little left of the Dirksen substitute.

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

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on March 1, 1968, the President had approved and signed the act (S. 1124) to amend the Organic Act of the National Bureau of Standards to authorize a fire research and safety program, and for other purposes.

Mr. MURPHY. Mr. President, I ask unanimous consent to make these remarks at this point in the RECORD.

Mr. HOLLAND. Mr. President, I object to the calling off of the quorum.

The PRESIDING OFFICER. The Chair informs the Senator from Florida that the quorum has already been called off.

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

Mr. JAVITS. Mr. President, a point of order. Has not the Senator from California been recognized?

The PRESIDING OFFICER. The Senator from California has been recognized.

USE OF MILITARY TRANSPORTATION BY MEMBERS OF CONGRESS

Mr. MURPHY. Mr. President, at this time, I should like to commend the distinguished majority leader for the remarks he made recently, as reported in the press, concerning the use of military aircraft by Members of Congress. I shall not discuss the specific incident which inspired his comments, since it is the overall principle that I wish to explore.

It is most definitely not my purpose to embarrass, directly or indirectly, any of my colleagues who have used or have been provided with military transportation.

On one occasion, I have used military transportation myself, when I went to Vietnam at the request of the President.

I have also been denied use of military aircraft when I requested it on one occasion for assistance in performing my duties as a Senator to visit an outlying military base in my State of California.

Therein, within the scope of my own personal experience, lies a good example of the problem involved in this issue.

What are the ground rules, Mr. President?

Frankly, I think they should be spelled out clearly and definitively. Then we would know who decides whether military transportation shall be made available to an individual Member of Congress, or to a group, under what conditions, and for what prescribed purposes. Then we would know how such decisions were made.

When congressional leadership requires the immediate presence of a Member who cannot obtain prompt com-

mercial transportation, must the request for military assistance be made by the joint leadership, or can it be submitted on some other basis?

Under what regulations can reservists in the armed services take advantage of military flights?

Mr. President, these are all obvious questions. I believe that they all deserve answers. More than that, I believe they deserve to be resolved with the issuance of a clear set of guidelines which can be applied quickly and impartially in any and all circumstances, so that there will be no question about this matter in the future, and so that it will not be necessary for the distinguished majority leader to speak about it again.

I believe that Members of this body, and of the House of Representatives, have a right to know. I think it would be good if the people of this country—the taxpayers—could know.

In fact, if it would not be out of line, I might even suggest it would be illuminating to Members of the Senate and the House of Representatives, and the taxpayers, to see a list of all the Members of Congress and the executive branch who have used military transportation during the past 12 months—and the reasons for the trips.

Are the personal preferences or desires of our colleagues given consideration, and if so, what weight do they have?

What criteria are used to judge whether use of military aircraft is necessary?

Does seniority play a role? Does a Member's committee membership? Does a Member's political affiliation?

Exactly what are the conditions?

Under what conditions can a department other than the Department of Defense commandeer military aircraft for inspection tours, good-will trips, and other activities not directly associated with the defense of the Nation?

Mr. President, I am told that a trip is presently being planned to take a reported 100 persons in one case, and 60 in another, around the world—or at least to the Far East.

Who these people are, it seems uncertain. They are recorded as being "farm leaders" or "public leaders." No one seems to know. But the trip has been reported twice now in the public press, and I should like to know the purpose and I think the people of this country have a right to know the purpose as well—who the people are, who issued the invitations, on what basis, how much will it cost, and how will it affect the Treasury.

Mr. President, in conclusion, I again commend the distinguished majority leader for his interest in this matter. I respectfully recommend that remedial action be taken at once, and that the ground rules be laid out and spelled out so that all will understand what the conditions will be in the future.

Mr. HOLLAND. Mr. President, I yield myself 1 minute.

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

Mr. HOLLAND. Mr. President, I think it is rather disgraceful that the Senate is not attending this very important debate now going on in the Chamber on this very important amendment which has to

do with whether individual homes, owned and occupied by individual citizens, shall or shall not be exempted from the proposed law.

I shall ask for a quorum, and it is going to be live. Mr. President, if we are going to have this kind of attendance, then I am going to ask for a good many live quorums during the remaining hours of this debate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll and the following Senators answered to their names:

[No. 17 Leg.]

Aiken	Gruening	Monroney
Allott	Hansen	Montoya
Anderson	Harris	Morse
Baker	Hart	Morton
Bartlett	Hartke	Moss
Bayh	Hatfield	Mundt
Bennett	Hayden	Murphy
Bible	Hickenlooper	Muskie
Boggs	Hill	Nelson
Brewster	Holland	Pearson
Brooke	Hollings	Pell
Burdick	Hruska	Percy
Byrd, Va.	Inouye	Prouty
Byrd, W. Va.	Jackson	Proxmire
Cannon	Javits	Randolph
Carlson	Jordan, N.C.	Ribicoff
Case	Jordan, Idaho	Russell
Church	Kennedy, Mass.	Scott
Clark	Kennedy, N.Y.	Smathers
Cooper	Kuchel	Smith
Cotton	Lausche	Sparkman
Curtis	Long, Mo.	Spong
Dirksen	Long, La.	Stennis
Dodd	Magnuson	Symington
Dominick	Mansfield	Talmadge
Eastland	McCarthy	Thurmond
Ellender	McClellan	Tower
Ervin	McGee	Tydings
Fannin	McGovern	Williams, N.J.
Fong	McIntyre	Williams, Del.
Fulbright	Metcalf	Yarborough
Gore	Miller	Young, N. Dak.
Griffin	Mondale	Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. BYRD of West Virginia. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia.

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

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

Mr. BYRD of West Virginia. I yield.

The PRESIDING OFFICER. Does the Senator withdraw his request for a quorum call?

Mr. BYRD of West Virginia. I withdraw it.

HEALTH RECOMMENDATIONS—A MESSAGE FROM THE PRESIDENT (H. DOC. NO. 270)

The PRESIDING OFFICER. The Chair lays before the Senate a message from the President of the United States on health organizations. Without objection, the message will be printed in the RECORD without being read, and referred to the appropriate committee.

The message from the President was referred to the Committee on Labor and Public Welfare, as follows:

To the Congress of the United States:

My health recommendations to the

Congress this year include five major new goals:

First, to reduce sharply the inexcusably high rate of infant mortality in the United States.

Second, to meet the urgent need for more doctors, nurses, and other health workers.

Third, to deal with the soaring cost of medical care and to assure the most efficient use of our health resources.

Fourth, to lower the shocking toll of deaths caused by accidents in America.

Fifth, to launch a nation-wide volunteer effort to improve the health of all Americans.

Each of these goals—and others which I will discuss in this message—will require an unprecedented national commitment. Each will take years to achieve. But every one of them must be reached if we are to guarantee to every citizen a full measure of safety; health and good medical care.

The first generation of Americans built their dream of a new nation on the conviction that life, liberty and the pursuit of happiness are the inalienable rights of every man.

For nearly two centuries, our Nation has sought to make those rights a reality for more and more of our people.

It has fallen to this generation to assure that those rights have real meaning for every citizen. And this generation of Americans has made a historic commitment to open new opportunities—for economic advance, for educational fulfillment, for equality—for every citizen:

—Through unprecedented economic growth during the last 83 months and the war against poverty, nearly 12 million Americans have been lifted out of the depths of want and despair.

—Through more than 18 landmark education measures in the last four years, a tripling of the Federal investment in education, and a doubling of all public and private expenditures on education in the last six years, the Nation is moving rapidly to give every American child a real chance for full growth and development.

—Through the landmark Civil Rights Acts of 1964 and 1965, we have moved closer to the day when equal justice and opportunity will become a reality for all Americans.

We have sought also to make these basic rights meaningful to the older person stricken with arthritis, to the poor child with rheumatic fever, to the infant who in an earlier day might have suffered the ravages of polio.

In the last three years, the Federal Government enacted nearly 30 new health measures. We have increased its investment from \$6 billion to nearly \$14 billion annually to assure that the benefits of modern medicine are available to all our people:

—To make medical care available to those who need it most, the elderly and the poor, expenditures have risen from \$1 billion to nearly \$8 billion. Another \$2.5 billion is spent each year to bring the finest health care to our servicemen and veterans.

—To build new laboratories, hospitals and health clinics, and to train the

men and women to work in them, expenditures have risen from \$2 billion to nearly \$3 billion annually.

—To prevent and control disease, expenditures have risen from \$450 million to nearly \$700 million.

The real meaning of these statistics is found in the lives of people who have been helped:

—19.5 million Americans, 65 and over, are now able to receive the medical care they need without suffering crushing economic burdens.

—20 million children who have been vaccinated against measles, and 323,000 fewer children suffer from measles each year.

—30 million have been protected against diphtheria, polio, tetanus and whooping cough, reducing by more than 50 percent the number of children who suffer from these diseases.

—43,000 retarded children can now look forward to more productive lives because of the 150 special clinics built to serve them.

—47 million Americans live in communities served by new mental health centers.

—The life expectancy of Americans continues to increase, promising millions a longer and fuller life. In 1920, it was 54.1 years, today it is over 70.

And the discoveries of modern science promise a better life for all citizens: the prevention of German measles, the advances in treating leukemia, the progress in understanding life's processes.

We must continue to build upon those proud achievements.

THE BIRTHRIGHT OF SOUND HEALTH

The American child is born into a land richer with promise than any nation in the history of the world.

But to share in that promise, he must survive the perils of birth and infancy. For too many American children, the hazards of survival are steep.

This great, wealthy, resourceful Nation—which should lead the world in saving its young—instead ranked 15th in infant mortality in 1965.

In that year, nearly 25 infants out of every 1,000 born in this country died before the age of one. Thousands more were handicapped for life because of inadequate health care in their first year.

The infant mortality rate among poor families was nearly double the national average. In certain city ghettos and pockets of rural poverty the rate was 7 times that in surrounding suburban areas.

Those figures shamed this enlightened Nation. And we acted to meet the problem.

Through the Maternal and Child Health program:

—300,000 women are now receiving family planning services.

—390,000 receive maternity care.

—680,000 infants are getting the attention so crucial to their later development.

Through the Crippled Children's program, 460,000 children will be treated for handicapping conditions each year.

Through Medicaid, thousands of needy

mothers and their infants are receiving the care vital to their health and well being.

The infant mortality rate in this country dropped from 25.2 deaths per thousand in 1963, to 22.1 per thousand in 1967—a 12% decline in four years.

The success of these programs in two cities demonstrates that the tragic rate of infant mortality can be reduced even faster. Last year, because of modern medicine and a concentrated effort, the rate in Washington, D.C. fell 8.5%; the rate in Chicago, in the first 10 months of the year, dropped 15%.

In 1963, 100,000 infants died. In 1967, that figure was reduced to 80,000. But this progress is not enough. For thousands more did not receive the medical care so vital to their future growth and development.

THE CHILD HEALTH IMPROVEMENT AND PROTECTION ACT OF 1968

This Nation must accelerate its efforts. The cost of future care rises every time a child's disease or handicap is left unattended. A man's potential is diminished every time an affliction that could be cured in childhood causes permanent damage. Most important of all, America's conscience is scarred and her future dimmed every time a child dies needlessly.

We must now attack the problem of infant mortality on a nation-wide basis by providing essential medical care to the 700,000 needy mothers who give birth each year and to their infants.

To launch this effort, *I recommend a \$58 million increase in appropriations for the maternal and child health care programs in fiscal 1969.* \$25 million of this increase will provide for the expansion of maternity and infant care centers and clinics.

Our goal is to assure every needy American family:

- Adequate prenatal and postnatal care for the mother.
- A safe delivery by trained health professionals.
- Competent examination of the child at birth, and expert treatment when needed.
- The best of modern medical care for the infant during his first year to prevent disease, cure illness, and correct handicaps.
- An opportunity, on a voluntary basis, to plan the number and spacing of children.

To fulfill this objective, *I propose the Child Health Act of 1968.*

With this authority, the Nation will be able to provide comprehensive medical care for every needy mother and her infant.

FOR AMERICA'S YOUNG

As we launch a major new effort to improve health care for the very young, we must not lose sight of our responsibility for all of America's children. We are encouraged by the gains made under our pioneering efforts:

- Head Start and other preschool programs, which have brought education and better health care to more than 2 million children.
- Medicaid, which will provide health care to more than 3 million children this year.

—137 new mental retardation clinics have been built to save over 40,000 retarded children.

Nevertheless, the dimensions of what remains to be done are seen in these grim statistics:

- 436,000 children are victims of cerebral palsy.
- 424,000 have epilepsy.
- 12.3 million have eye defects.
- 2.5 million have hearing impairments.
- 3.2 million have speech defects.
- 2.3 million have orthopedic handicaps.
- 4.8 million are emotionally disturbed.

To continue our efforts to meet the needs of America's children, *I recommend that the Congress provide \$1.4 billion in fiscal 1969—an increase of \$215 million—for child health services under Medicaid and other Federal health programs.* These funds will provide:

- 3.5 million poor children with health services under Medicaid.
- More than 1 million children with comprehensive health services at 56 Children and Youth Centers.
- 500,000 Head Start children with medical examinations and follow-up treatment.
- 460,000 children with treatment for handicapping conditions.
- 200,000 children with family services at Neighborhood Health Centers.

THE BENEFITS OF RESEARCH

The history of our times is not solely a study in crisis. It is also one of hope: when polio was conquered; when other infectious diseases that had plagued man for centuries fell one after another; when breakthroughs in genetics brought a better understanding of the process of life.

These are the quiet successes achieved in countless laboratories, leaving their mark forever on the future of man.

1967 was a breakthrough year which brought many rich dividends:

1. Measles can now be completely prevented.
2. The creation of life in a California test tube startled the world.
3. The Minnesota-trained doctor's first heart transplant was a historical milestone.

But none of these achievements were the result of a single year's research. They came from the careful work of many years. They were made possible by the Federal Government's continuing support to scientists who seek to expand our store of fundamental knowledge. That support has grown from \$1 billion in 1963, to nearly \$1.5 billion today, and comprises 65 percent of the Nation's total expenditures for biomedical research.

Yet we have only begun to unlock the secrets of better health and a richer life.

Our understanding of disease and human development is woefully incomplete. We can control some types of cancer, but do not yet know their exact causes.

We are still groping to understand the causes and the cures of mental illness. We have only begun to discover the reasons for mental retardation.

The relentless search for knowledge must go on. To assure the breakthroughs of next year, and the years after, *I rec-*

ommend that the Congress provide \$1.5 billion for health research in fiscal 1969.

POPULATION AND HUMAN REPRODUCTION

Two vital fields long neglected by research are population and human reproduction. Thousands of parents want help in determining how to plan their families. Thousands of others are unable to have the children they desire.

Our lack of knowledge impedes our effort to provide the help they need.

- Far too little is known about the physiology of reproduction and its effect on all aspects of human life.
- Searching studies are needed to determine the complex emotional, sociological, physiological and economic factors involved.

A wide range of scientists must bring to these problems their specialized disciplines—biologists, behavioral scientists, biochemists, pharmacologists, demographers, experts in population dynamics.

To launch this effort, *I have directed the Secretary of Health, Education, and Welfare to establish a Center for Population Studies and Human Reproduction in the National Institute of Child Health and Human Development.* The Center will serve to give new energy and direction to the research activities of all Federal Departments and Agencies in these fields.

I am asking the Congress to appropriate \$12 million to support the research activities of the Center during its first year of operation.

As we move to expand our knowledge of population and human reproduction, we must make that knowledge available to those who want it. Last year, the Federal Government helped to bring information and counseling on a voluntary basis to more than 500,000 women. But there are millions more who want help.

I recommend that the Congress provide for an increase in funds from \$25 million in fiscal 1968 to \$61 million in fiscal 1969 so that three million women can have access to family planning help if they so desire.

HEALTH MANPOWER

Several years ago, this Nation set out to encourage the training of more doctors, nurses, and medical technicians.

As a result of the imaginative programs recommended by the administration and approved by the Congress over the last 5 years,

—An additional 100,000 doctors, nurses, dentists, laboratory technicians, and other health workers are being trained this year to meet the health needs of our growing population.

—More than 850 medical, dental and nursing schools have enlarged their capacity or improved their instruction.

This rate of progress is encouraging. But our increasing population and the demand for more and better health care swell the need for doctors, health professionals and other medical workers.

Yet we lack the capacity to train today those who must serve us tomorrow.

To train more health workers and to train them better and faster, *I propose the Health Manpower Act of 1968.*

This Act will extend and strengthen

five vital measures which are due to expire in June 1969:

(1) The Health Educational Act of 1963 will be reinforced to:

- Provide new classrooms, laboratories and libraries needed to train more doctors and other health professionals.

- Authorize new operating and project grants which will encourage the schools to expand their enrollment, improve their curricula, and reduce the length of their training.

- Extend financial aid to thousands of students each year.

- Simplify procedures so that schools can obtain funds for joint research-teaching-library projects through one application.

(2) *The Nurse Training Act of 1964* will be improved to:

- Strengthen the loan, scholarship, and traineeship program so that nearly 50,000 nursing students can be helped through school in the first year of the program.

- Encourage nursing schools to expand enrollment and overcome high attrition rates by revamping their curricula and tailoring their courses to the needs of the students.

(3) *The Health Personnel Training Act of 1966* will be continued to speed the training of paramedical personnel and other health workers by

- Constructing new classrooms.
- Improving the quality of instruction.
- Developing new curricula and methods of training.

(4) *The Health Research Act of 1965* will be amended to permit greater emphasis on the development of research facilities meeting critical regional or national needs.

(5) *The Graduate Health Training Act of 1964* will be extended to increase the number of skilled administrators and public health workers.

I urge the Congress to appropriate \$290 million in fiscal 1969 to carry forward our vital health manpower programs.

This effort will be bolstered by the Veterans in Public Service Act, which I recently proposed to the Congress. Under that Act, the talents of the veteran will be enlisted for service to his community. For those who return to meet critical health manpower shortages, there will be special benefits while they are in training and on the job.

I urge the Congress to launch this program promptly so that we can bring the skills and experience of the veteran to bear on our pressing health needs.

PARTNERSHIP FOR HEALTH

In 1966 we launched the Partnership for Health. Its purpose was to support State and local efforts to:

- Identify the health needs of each State and city.

- Mobilize the resources of the State to meet those needs.

- Determine what additional resources, facilities, equipment and manpower are required.

In the brief period since its enactment, this great Partnership has pioneered in the expansion of State and local responsibility for the health of our citizens.

Every State and many communities

have now created health planning agencies which are at work developing and implementing bold new health strategies. This planning, tailored to the special needs of each State, will forge Federal, State and local efforts into an effective instrument to bring better health care to the people.

This important work must continue—and it must be expanded.

I recommend that the Congress appropriate \$195 million for the Partnership for Health in fiscal 1969, an increase of \$35 million over fiscal 1968—an increase of 22 percent.

THE REGIONAL MEDICAL PROGRAM

In 1966, we began the Regional Medical Program to reduce the toll of death and disability from heart disease, cancer, stroke and related illnesses. Its purpose is to translate research into action, so all the people of our Nation can benefit as rapidly as possible from the achievements of modern medicine.

Fifty-four regions, spanning the nation, have begun planning. Eight regions have already begun action programs. Most of the others will start by the end of the year.

These programs are concentrating regional resources and developing more effective ways to attack the three chief killers in this country. Thousands of Americans stricken by heart disease, cancer or stroke are already receiving better care.

But these threats to our health and vitality remain stubborn and unyielding.

I recommend that the Congress extend the Regional Medical Program and increase—by almost 100 percent—to \$100 million the funds available for the program in fiscal 1969.

CONTROLLING COSTS OF HEALTH CARE

Virtually every family feels the burden of rising costs of medical care.

Thousands of Americans today are not getting urgently needed medical care because they cannot afford it.

Others pay for it only by giving up necessities, postponing a long-held dream, or mortgaging their futures.

The outlook is sobering. It has been estimated that between 1965 and 1975, the cost of living will increase by more than 20 percent. But the cost of health care will increase by nearly 140 percent by 1975:

- Average payments per person will nearly double, from about \$200 a year to some \$400 a year.
- Drug payments will rise by 65 percent.
- Dental bills will increase 100 percent.
- Doctors' bills will climb 160 percent.
- Payments for general hospital services will jump 250 percent.

Part of these increases will be for expanded and improved health services. But a large part of the increase will be unnecessary—a rise which can be prevented.

Last year I appointed a Commission of distinguished citizens—physicians, hospital officials, teachers, business executives, and other leaders—to make a comprehensive study of health manpower and medical care.

The Commission, which reported in November, cited three major deficiencies

in present practices which contribute to unacceptable increases in medical costs:

- Most health insurance plans encourage doctors and patients to choose hospitalization even when other, less costly, forms of care would be equally effective.

- Health professions are generally paid in proportion to the amount of service they render. There are no strong economic incentives to encourage them to avoid providing care that is unnecessary.

- Hospitals charge on a cost basis, which places no penalty on inefficient operations. Moreover, present systems of hospital management make it very difficult to maintain effective control over hospital costs.

The Commission concluded:

If the needs for health care are to be met, the health care system must be organized to employ its resources with more wisdom and effectiveness. The two areas which appear to offer the greatest potential for improvement are (1) reducing unnecessary (or unnecessarily expensive) medical care and (2) increasing efficiency in the provision of hospital care.

It will not be easy to carry out this recommendation.

But unless we do—unless we act now—health care will not improve as fast as it should.

Congress has recognized this problem of rising medical costs. Late last year it authorized the Secretary of Health, Education, and Welfare to test different types of payment systems under Medicare, Medicaid, and the Maternal and Child Health programs.

I have directed the Secretary of Health, Education, and Welfare to begin immediately extensive tests of incentives designed to reduce the cost of medical care.

First, we must explore ways to prevent unnecessary hospitalization. Our experience in Medicare can serve as a guideline. Under that plan, hospital stays are limited to periods which are clearly necessary, and payments are provided for other less expensive types of care which serve the patient equally well: outpatient clinic service, home treatment, nursing home care. We can also draw on the experience of new private prepaid comprehensive plans featuring incentives designed to reduce unnecessary hospitalization.

Second, we must test incentives designed to control the cost of hospital care itself. The Health Manpower Commission reported that costs among some of the Nation's best hospitals vary by as much as 100%, without significant differences in quality or scope of services. This shows that savings in hospital costs can be achieved. We must find ways to encourage efficiency and penalize waste.

These tests will call for the cooperation of doctors, hospitals and insurance companies.

They will be the pioneer efforts. If they are successful—and if they can be applied on a broad basis—they will hold much promise for the American people.

I recommend that the Congress authorize the Secretary of Health, Education, and Welfare, under Medicare, Medicaid, and the Maternal and Child Health programs, to employ new meth-

ods of payment as they prove effective in providing high quality medical care more efficiently and at lower cost.

It is appropriate that the Government—which pays more than 20% of the nation's medical bill—take the lead in stemming soaring medical care costs.

But this can be only part of the effort. Ultimate success will depend on the ingenuity of our health profession and institutions, and the insurance systems allied with them.

The rewards of success—and the penalties of inaction—demand a dedicated effort by all. Unless the cost spiral is stopped, the Nation's health bill could reach a staggering \$100 billion by 1975. The cost of providing adequate medical care to a family could double.

THE COST OF DRUGS

Beyond this, we must make certain that the American taxpayer does not pay needlessly high and exorbitant prices for prescription drugs used in Federally-supported programs.

Recent surveys have shown, for instance, that 12 drugs of the same type range in retail price from \$1.25 to \$11 for 30 tablets. The taxpayer should not be forced to pay \$11 if the \$1.25 drug is equally effective. To do this would permit robbery of private citizens with public approval.

I recommend that the Congress authorize the Secretary of Health, Education, and Welfare to establish a reasonable cost range to govern reimbursement for drugs now provided under Medicare, Medicaid and the Maternal and Child Health programs.

This payment method will apply in all parts of these programs, except in those cases where hospitals and other health care institutions have established effective and reliable systems for cost and quality control.

The physician will be free to select more expensive drugs of the same quality and effectiveness, if he chooses, but reimbursement will be limited to the payment range established by the Secretary.

TO PROTECT THE AMERICAN PATIENT

The wide array of medication available to the American patient is a tribute to modern science.

But the very abundance of drugs creates problems.

In our society, we normally demand that the consumer be given sufficient information to make choice between products. But when the consumer is a patient, he must rely exclusively on his doctor's choice of the drug that can best treat his condition.

Yet the doctor is not always in a position to make a fully informed judgment. He has no complete, readily available source of information about the thousands of drugs now available.

He must nonetheless make a decision affecting the health, and perhaps the life, of his patient.

To make sure that doctors have accurate, reliable, and complete information on the drugs which are available. *I recommend that the Congress authorize this year publication of a United States Compendium of Drugs.*

This Compendium would be prepared by the Secretary of Health, Education, and Welfare, in cooperation with phar-

maceutical manufacturers, who would bear the cost of its publication, and with physicians and pharmacists.

It will give every doctor, pharmacy, hospital, and other health care institution complete and accurate information about prescription drugs—use and dosage, warnings, manufacturer, generic and brand names, and facts about their safety and effectiveness.

THE TRAGEDY OF ACCIDENTS

More than 630,000 Americans died in accidents in the last six years.

This is a tragedy heightened by the fact that much of it is senseless and unnecessary.

Thousands of deaths will be prevented under the Highway and Traffic Safety laws passed by the Congress in 1966. Thousands more can be prevented by prompt medical attention.

The needed medical services are often available. But because of an inadequate rescue system, the victim dies before he reaches the hospital.

The compelling need is for modern, effective rescue systems to give immediate attention to accident victims—on the spot and while they are being speeded to the hospitals.

We have proven excellent rescue systems in action, saving fighting men injured in battle. First in Korea, and now in Vietnam, the military has shown the speed and effectiveness of helicopter crews, paramedical personnel and communications experts mobilized to save the lives of wounded men.

Few States and communities have drawn upon that experience. In many areas, ambulance crews are not even trained in first aid. Ambulances themselves are rarely well-equipped. Communications systems are inadequate, if they exist at all.

I have directed the Secretaries of Transportation, Health, Education, and Welfare, and Defense to devise a test program to help our States and communities develop effective rescue systems to fit their own needs.

In a previous message to the Congress this year, I proposed the Occupational Safety and Health Act of 1968, to safeguard 75 million American workers on the job.

Through this Act we can attack the conditions which cause nearly 15,000 deaths and 2.2 million injuries each year.

With these measures, we can move far toward reducing the tragic toll of accidental death and injury in America.

PHYSICAL FITNESS

For more than a decade the Federal government has taken a direct interest in improving the physical fitness of Americans.

President Eisenhower, President Kennedy and I have taken steps to encourage our citizens—particularly the young—to pursue the active life.

Through these efforts, boys and girls across America have discovered the joys of exercise and sports competition.

But here—as in our health programs—we must look not only at the progress that has been made, but at the problems that remain.

—In tests of physical strength and stamina, American children still

score substantially lower than children in other countries.

—32 million children get less than the recommended physical fitness program in school; seven million get none at all.

—Only 50 percent of all college students meet accepted physical fitness standards.

Physical fitness activities and sports contribute to more than health. They teach self-discipline and teamwork. They offer excitement and a wholesome alternative to idleness. They combat delinquency. They permanently enrich the individual and his society by developing qualities of leadership and fair play.

To expand opportunities to engage in exercise, active recreation, and sports, I am establishing the President's Council on Physical Fitness and Sports, to be chaired by the Vice President.

The Council will be a Cabinet-level group, with an Advisory Committee of distinguished citizens, to develop national goals and programs to promote sports and fitness in America.

As a first step, the Council will call a national conference to explore the long-term requirements of physical fitness and sports in the nation.

LEADERSHIP AND EFFICIENT MANAGEMENT

Health expenditures in the United States are now nearly \$50 billion a year. The Federal Government pays \$14 billion of that amount, up from \$5 billion four years ago to \$16 billion in fiscal 1969.

The expanding Federal programs must be managed efficiently, with the most careful attention to the most urgent needs of the American people. *To that end, I am today directing the Secretary of Health, Education, and Welfare to submit to me a modern plan of organization to achieve the most efficient and economical operation of the health programs of the Federal Government.*

But better organization and leadership will be wasted if we cannot find and hold the quality of people essential for these great tasks.

I recommend the Health Personnel Act of 1968 to modernize the health personnel system within the Department of Health, Education, and Welfare. This Act will provide:

—Pay increases and a flexible personnel to attract and retain professionals of the highest caliber.

—A new promotion system based upon quality of performance.

MOBILIZATION FOR HEALTH

In our drive toward a healthier America, Federal programs and Federal dollars have an important role to play. But they cannot do the job alone.

An even larger role belongs to State and local government, and to the private enterprise system of our Nation. The medical and hospital associations, the health care institutions, the health insurance industry, the communication media, voluntary civic associations, employers and labor unions, charities and church groups must join this effort. I call upon them to join in a 12-point volunteer effort to build a healthier America:

(1) To examine every child under the age of five to identify potentially crip-

pling ailments and provide early and effective treatment.

(2) To use the public airways for public profit by offering regular health programs on television and radio to help every American preserve his cherished birthright of good health.

(3) To give prominent magazine and newspaper coverage to good health practices for our children and older Americans.

(4) To identify and reward new approaches by medical societies, group practice organizations and hospitals for delivering better health care at lower cost.

(5) To expand voluntary health insurance to those not now covered and include services not now included.

(6) To establish local systems of new incentives to recruit, train, retrain, license and effectively use nurses and medical corpsmen leaving the Armed Services, and other vital members of the health team.

(7) To make home health care part of the education of every young girl in all the schools of America.

(8) To encourage the opening of health centers to provide complete care in every community.

(9) To make physical fitness programs and recreational facilities available to people of all ages and in all walks of life.

(10) To alert teenagers and their parents to the danger of drug abuse.

(11) To develop better programs for health services for the one-third of the working poor who suffer from chronic illness.

(12) To mobilize a new spirit of public concern and private action to meet and master our health problems.

Great changes have taken place in the financing of medical care in this country. The Federal Government will invest some \$16 billion in the health field in fiscal 1969. We should now expect our Nation's great private resources, through volunteer and cooperative action, to step up their efforts to bring better health to all our citizens.

HEALTH CARE FOR ALL AMERICANS

In the medical research laboratories of the world, a quiet revolution is changing the condition of man. Enemies which have held man in hostage throughout history are conquered each year. Hope turns daily to promise, and promise to practical achievement.

But progress cannot be measured in the laboratory alone. Triumph in a test tube is not triumph enough—if it remains there.

Success in a laboratory, however brilliant, is not complete if barriers of poverty, ignorance or prejudice block it from reaching the man who needs it, or the child who wastes away without it.

With the program I have outlined in this message, I believe we can move closer to our goal of decent health care for every American.

This is a program to assure that American medicine will continue to build on its great record, and that its benefits will enrich and improve the life of every citizen.

I urge the Congress to act promptly on this program.

LYNDON B. JOHNSON.
THE WHITE HOUSE, March 4, 1968.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. HOLLAND. Mr. President, I yield myself 2 minutes.

I want all Senators who are present to know that the Senator from West Virginia [Mr. BYRD] has already argued his amendment No. 581, which was drawn by legislative counsel under instructions to make it provide for the exemption from this bill of any private dwelling owned and occupied by a private individual—a person as distinguished from a corporation, partnership, or any other entity—and to make it possible for such person to list his property with a real estate broker with instructions as to what type of purchaser he desires.

So far as I am concerned, I think this is one of the vital issues in this debate. I believe that, the yeas and nays now having been ordered, Senators ought to realize they now have a chance to say whether they favor the retention of the right of a private citizen, homeowner, and occupant, which has never been questioned heretofore, to sell to whom he wishes to sell.

That is what this amendment would do, and I hope the amendment will be agreed to.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 18 Leg.]

Aiken	Holland	Monroney
Anderson	Hollings	Montoya
Byrd, W. Va.	Hruska	Moss
Cooper	Inouye	Muskie
Cotton	Javits	Prouty
Dominick	Kennedy, Mass.	Russell
Ervin	Kennedy, N.Y.	Spong
Gore	Kuchel	Stennis
Gruening	Long, La.	Talmadge
Hansen	Magnuson	Williams, N.J.
Hart	Mansfield	Williams, Del.
Hayden	McCarthy	Yarborough
Hickenlooper	Mondale	

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott	Bennett	Brooke
Baker	Bible	Burdick
Bartlett	Boggs	Byrd, Va.
Bayh	Brewster	Cannon

Carlson	Jackson	Pell
Case	Jordan, N.C.	Percy
Church	Jordan, Idaho	Proxmire
Clark	Lausche	Randolph
Curtis	Long, Mo.	Ribicoff
Dirksen	McClellan	Scott
Dodd	McGee	Smathers
Eastland	McGovern	Smith
Ellender	McIntyre	Sparkman
Fannin	Metcalf	Symington
Fong	Miller	Thurmond
Fulbright	Morse	Tower
Griffin	Morton	Tydings
Harris	Mundt	Young, N. Dak.
Hartke	Murphy	Young, Ohio
Hatfield	Nelson	
Hill	Pearson	

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). A quorum is present.

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

Mr. MANSFIELD. This is on my time, Mr. President.

For the information of the Senate, I believe it is worth noting that there will be a number of live quorum calls as well as record votes from now on. It seems to me that at least the 65 Members who voted for cloture should make it a point to be on the floor. Otherwise, the consideration of this measure could go on forever and ever. Quorum calls and the time consumed in voting are not taken out of the hour which is allocated to each Senator. So if Senators desire to get on with the business and dispose of the matter, they should be on the floor or nearby at all times. If they do not, if they want to lolligag and delay the matter they need only do what some have been doing by not remaining in the Chamber.

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

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I wish to thank the Senator for making that statement, and I want it clearly understood that this has nothing to do with voting for cloture or not voting for cloture. This has to do with the question of hearing important amendments which cannot be debated but for a very few minutes under the situation now existing.

I agree with the distinguished majority leader that the 65 Senators should be here, and I believe that the other 35, or whatever the number was, should be here, also. I believe all Senators should be here, because the pending amendment, for instance, strikes at the very root of a right that has been inherent under our system of Government ever since the days of the common law. I believe Senators would want to hear the debate.

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

Mr. MANSFIELD. I yield on my own time.

Mr. SCOTT. Mr. President, I am glad the Senator said what he has said. To avoid any misunderstanding on the part of the press or the public, I believe that most Senators fully expect to be available and in the vicinity. But I believe that their absence from the floor between quorums and between votes can often be attributed, as we all know, to the fact that we have constituents and problems of constituents.

I expect to be available. I will make a solid effort to do so. In fairness to all

Senators, I know the Senator will agree with me that being available is one thing and being on the floor is another. It will not be possible for me to sit here all day long, much as I would enjoy listening to my colleagues.

Mr. MANSFIELD. Mr. President, may I say that the parliamentary explanations of the distinguished Senators from Florida and Pennsylvania are in order, and both of them have explained the reasons why we would like to have at least a quorum of Senators if not on the floor, somewhere close in the vicinity.

Mr. BYRD of West Virginia. Mr. President, how much time do I have remaining in my 1 hour under the rule?

The PRESIDING OFFICER. The Chair advises the Senator that he has 49 minutes remaining.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Sergeant at Arms be directed to clear the Senate Chamber and the Senate lobby of all staff personnel except the personnel on the staff of the Secretary of the Senate, the Sergeant at Arms, the secretary for the majority, the secretary for the minority, and the two policy committees.

Mr. JAVITS. Mr. President, reserving the right to object, I will never do anything consciously to disturb the leadership, but I believe we should understand each other.

We have 80 amendments, and we need assistants on the floor. Would the Senator be kind enough to modify his request so that when the majority leader and the minority leader agree upon certain assistants being on the floor to help working Members deal with every amendment, they may do so? Otherwise, we would find it very difficult to function.

Mr. BYRD of West Virginia. Mr. President, I modify my unanimous-consent request to this extent: That the Chamber be cleared and the lobby be cleared until the pending amendment is disposed of.

Mr. COOPER. Mr. President, reserving the right to object, I should like to say this: Cloture was voted, and now we have before us 80 amendments. I do not know whether all of them will be voted upon. Many of them will be brought up on short notice. I believe it is impossible for everyone here to know exactly what is in every amendment and what its implications will be. I know that a request has been made to allow the associates and staff members of those in charge of the bill to remain on the floor, and I believe that is proper. What about the rest of us? We have to vote, also.

I may say that on Saturday and Sunday I went over each of these amendments, more than 80 of them, with one of my assistants, and I tried to list and make notes on what was contained in the amendments and what was meant.

Mr. BYRD of West Virginia. Mr. President, I assume that the Senator is speaking on his own time.

Mr. COOPER. So I believe that we should have that right. If we have an assistant who has worked on this matter, he will help us to understand what the amendment is about.

Mr. MANSFIELD. Mr. President, I approve of the proposal made by the distinguished Senator from West Virginia [Mr. BYRD], because he wishes to have

the floor cleared during a vote, rather than, as was formerly the case, have the walls lined with attachés.

So far as the Senator from Kentucky is concerned, if he needs an assistant here, he can make a unanimous consent and this will be allowed.

Mr. COOPER. Will it be allowed?

Mr. MANSFIELD. Yes. Any Senator can do that.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. How may a Senator ascertain in advance that a unanimous-consent request made of a future time will be allowed?

The PRESIDING OFFICER. The Chair informs the Senator, as he already knows, there is no way of telling.

Mr. CURTIS. I understood that that assurance was just given to Senators.

The PRESIDING OFFICER. The Chair did not so understand it.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of West Virginia. Mr. President—

The PRESIDING OFFICER. Is there objection?

Mr. BYRD of West Virginia. Mr. President, what about my unanimous-consent request?

The PRESIDING OFFICER. Is there objection to the unanimous-consent request, as modified?

The Chair hears no objection, and it is so ordered.

The Chair desires to ask the Senator from West Virginia, is it included in his unanimous-consent request that the Presiding Officer be notified of those attachés who are permitted to be on the floor? How would the Chair be able to enforce the rule otherwise?

Mr. BYRD of West Virginia. Mr. President, let the time begin running against my time.

Earlier this year, in our Democratic conference—

Mr. COOPER. Mr. President, will the Senator yield for just a moment?

Mr. BYRD of West Virginia. No; I do not yield at this moment. Later I shall be glad to yield.

Mr. COOPER. Mr. President, I ask unanimous consent—

The PRESIDING OFFICER. The Senator from West Virginia has the floor and he declines to yield.

Mr. BYRD of West Virginia. Mr. President, earlier this year in our Democratic conference we discussed the matter of attachés running all over the Chamber, standing all around the walls, running up and down the aisles, and standing in the well of the Chamber. We decided, on motions to be presented from time to time, to bring about a clearing of the Chamber. That is the way I have attempted to use the motion and have consistently confined it within a certain time frame.

I think that every time I have made the motion, I have asked that it apply only during the disposition of whatever matter was before the Senate, so that upon the conclusion of that particular

subject, attachés could return to the Chamber.

Of course, after this sweeping motion is agreed to, any Senator who feels his aide must be on the floor can ask unanimous consent to have that aide on the floor. Nobody is going to object to that.

I am attempting to speak on what I think is one of the most important amendments that will be offered here, and I want as much quiet in the Chamber as I can have.

I am going to renew my unanimous-consent request. I want the Chamber cleared. If unanimous consent is not granted, I shall move and then find out where Senators stand. This matter was discussed in conference; now let Senators stand behind the decision agreed upon in conference.

The PRESIDING OFFICER. Is there objection to the request?

Mr. COOPER. Mr. President, I do not object—

Mr. MANSFIELD. The Senator may make the request later.

Mr. COOPER. I understand, but I want to make it clear, so that Senators will not be misled, that I do intend to make the request. I shall do it not only to protect myself but also because I think any of us has that right and I intend to assert it.

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

Mr. BYRD of West Virginia. Mr. President, what is the Sergeant at Arms directed to do?

The PRESIDING OFFICER. The Sergeant at Arms will clear the Chamber of all attachés not specified by their Senators who desire them to be present. That will be done immediately.

The question is on the amendment of the Senator from West Virginia [Mr. BYRD].

The yeas and nays have been ordered.

Mr. BYRD of West Virginia. Mr. President, I have the floor. Let the time run against me until the Chamber is cleared.

The PRESIDING OFFICER. The Senate Chamber will be cleared of all attachés unless Senators request that they be present.

Mr. BYRD of West Virginia. Mr. President, I yield to the distinguished Senator from Michigan and the Senator from New York, and to others to make whatever request they wish concerning attachés needed on the floor.

Mr. HART. This will be charged to my time.

Mr. President, I ask unanimous consent that Terry Segal of my staff; Miss Connell of the staff of the Senator from New York [Mr. JAVITS]; Clyde Flynn, Philip B. Byrne, of the staff of the Senator from Minnesota [Mr. MONDALE]; and James Flug, of the staff of the Senator from Massachusetts [Mr. KENNEDY] be permitted to be on the floor during the consideration of these 80 amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. COOPER. Mr. President, I ask unanimous consent that William Haley, of my staff, be permitted to remain on the floor.

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

Mr. GRIFFIN. Mr. President, I ask

unanimous consent that Lawrence Meyer, of my staff, be allowed to be on the floor.

Mr. MANSFIELD. Mr. President, a Senator cannot yield to another Senator. Each Senator has 1 hour. I hope Senators will not go to extremes to permit attachés, aides, assistants, and interns to be present. This matter was discussed in the policy committee and passed onto the distinguished minority leader. We thought we had worked out a good procedure. I hope that the Senate will act responsibly.

Mr. COOPER. Mr. President, I had made my request.

The PRESIDING OFFICER. The Senator will repeat it.

Mr. COOPER. Mr. President, I ask unanimous consent that William Haley, of my staff, be permitted to remain on the floor.

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

Mr. SCOTT. Mr. President, on my time, I ask unanimous consent that Richard Murphy, my legislative assistant, may be on the floor during this consideration.

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

Mr. BAKER. Mr. President, on my time, I ask unanimous consent that Lamar Alexander, of my staff, be permitted to remain on the floor.

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

Mr. GRIFFIN. Mr. President, on my time, I ask unanimous consent that Lawrence Meyer, of my staff, be allowed to remain on the floor.

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

Mr. HANSEN. Mr. President, I ask unanimous consent that David Dominick, of my staff, be allowed on the floor.

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

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Mr. President, how many exceptions have been made to the general request?

The PRESIDING OFFICER. The Chair is advised that nine exceptions have been made.

Mr. McCLELLAN. Only nine?

The PRESIDING OFFICER. Nine, and each on a Senator's own time.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order so that we may hear the Senator.

Mr. BYRD of West Virginia. Mr. President, the amendment which I have called up this afternoon would exempt any private individual from the application of title II, the so-called fair housing title of the bill.

If my amendment is agreed to, a private individual may use, manage, or dispose of his property whether or not it is his home, without regard to the application of title II.

Mr. President, I am appealing to reason on the part of Senators, and I express the hope that they will not vote against my amendment. I am expressing

the hope that Senators will want to retain that age-old property right which has come down to us from the earliest days of the common law: The right to manage, to use, to dispose of one's property whether or not the individual lives in the dwelling, according to the dictates of his own conscience and his own good judgment. When property rights are gone, liberty will have fled; when property rights are gone, freedom in this country will have gone. That includes the liberty and freedom of the nonwhite property owner as well as the white property owner.

I do not believe that Senators want to legalize governmental invasion of the right of any individual to sell or to refuse to sell, to rent or to refuse to rent, to lease or to refuse to lease his property as he sees fit.

I happen to believe that I, as the owner of property, have a right to rent or dispose of it as I want to rent or dispose of it. If I want to sell it to a non-white individual, that is my business. I pay the taxes on the property. It was out of my sweat and industry that the property was acquired. I paid the fire insurance on it. I maintain it. I keep a new roof over it. I paint it every 2 or 3 years. It is my property. I feel that I can sell that property to a Negro if I want to sell it to a Negro. I can also sell it to a Jew. I can sell it to a gentile. I can sell it to a Democrat. I can sell it to a Republican. Or, I can refuse to sell it to anyone in those categories. It is no one's business but my own. I am under no obligation to explain my reasons if I wish to refuse to rent, to sell, or to lease my property to any individual. That property is mine.

Does any Senator wish to propel the Federal Government into my business, to tell me that I cannot refuse to sell or rent my property, for whatever reason I may desire to refuse?

That is what the pending amendment adds up to, the right to use property, the right to manage it, and the right to dispose of it as one wishes. This right is as much a part of property as are the physical characteristics of the property itself.

Mr. President, if we erode and take away the right to use, to manage, or to dispose of property, to that degree we take away a man's property.

There are those who say that we must give a man the right to buy wherever he wishes. He has that right at the present time. Any individual can buy property where he wishes. He can buy my property, if I wish to sell it to him. But, I maintain that the owner of property has rights which are superior to the rights of a would-be buyer.

Any man can buy wherever he wishes now. I maintain that the owner of property has rights, too. Unless we eliminate the housing provisions, we will give to a would-be purchaser rights which will be superior to those of the man who already owns the property.

Mr. President, I cannot understand how anyone would urge that a would-be purchaser should have any legal claim, any constitutional claim, any moral claim, or any natural claim on that which he does not possess.

I hope that the Senate does not intend

to give to a prospective buyer that to which he has never had any claim since the earliest days of common law.

I should like to see every individual in this country obtain decent housing. I believe that we can so act that individuals will have the opportunity to rent, to lease, or to purchase decent housing.

But, that in itself will not be satisfactory to the forces behind the bill. They maintain that housing can only be decent housing if it is integrated housing or only when it can be situated in an inter-racial neighborhood.

When, Mr. President, will this country come to its senses?

We are legislating here under the threat of riots.

Day after day and hour after hour, I have sat in this Chamber and listened to Senator after Senator cite as the reason for appropriating millions or billions of dollars, or the reason for authorizing this or that new program, that we will have riots if we do not so act.

We heard that same argument in 1964, that if we did not pass the 1964 Civil Rights act, the mobs would not get out of the streets.

I had clergymen come to my office and say, "Senator, vote for this bill."

I said, "Why?"

They said, "Because we have got to get the mobs out of the streets."

Mr. President, I said then, and I say now, that the mobs will not get out of the streets. They will be back. We know that in 1965 they were back, in spite of passage of the 1964 Civil Rights Act.

Mr. President, we hear that if we do not pass a Federal fair housing bill, we will have riots.

Mr. President, we are going to have riots, in any event, because there has been too much encouragement of riots by those in high places, for one thing.

Every time a public official stands on his feet and says, "If we do not do this or that, or if we do not pass appropriations for this or that, we will have more riots," that is nothing but an incitement and an encouragement to riot.

Edmund Burke said:

I do not know the method of drawing up an indictment against a whole people.

Yet the Riots Commission, over the past weekend, indicted a whole people—the white race—for the riots that have occurred in the Nation's cities in recent months.

What has it said about the responsibilities of nonwhites? Placing the sole blame for riots upon white people is an encouragement toward further riots.

Mr. President, I do not believe that Congress should legislate out of fear of riots. If it passes a fair housing bill, there will still be riots. As long as criminals want to riot, as long as individuals want something for nothing, as long as hoodlums want to take by force that which does not belong to them and for which they do not want to expend sweat and toil, as long as they are motivated by a passion to "get whitey" there will be riots. If Congress passes forced housing legislation, what laws will we then be urged to enact in order to placate would-be rioters?

I suppose it will then be recommended that we pass laws providing for an

equalization of property. They will say: "Divvy up your property. Let everyone have an equal share," in order to prevent riots.

Mr. President, today the pressure groups are in the saddle. This country has gone on an emotional binge, and the pressure is on. The little individual property owner is not being heard.

But, there will come a day when there will be a real riot in this country, and it will be at the ballot box. That is where the little property owner will be heard. That is where the great, unorganized majority in this country will begin to move. It will at last be heard.

Mr. President, I implore Senators to take a stand today for the rights which have been the rights of free men since time immemorial—the right to use property, the right to manage property, and the right to dispose of it as one wishes, without governmental interference, without governmental dictation, and without governmental compulsion.

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

Mr. BYRD of West Virginia. Not just at this moment. I shall be glad to do so a little later.

Mr. President, this message is going to be heard over this country. It may not consist of my words—and that does not matter—but there is going to come a day of reckoning. The people of this country are going to ask their representatives for an accounting. I for one am not going to be charged with having whittled away their rights—their property rights. That is the last—when property rights go, freedom will have gone.

The elder Pitt said:

The poorest man may, in his cottage, bid defiance to all the force of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storm may enter, the rain may enter, but the King of England cannot enter; all his force dares not cross the threshold of the ruined tenement!

Mr. President, let us keep America free. Let us keep the "king and all his forces" from crossing over the threshold of that ruined tenement no matter how frail it may be, no matter how humble it may be; let it be safe from the king.

I urge Senators to vote for my amendment. By so doing they will cast a vote for individual liberty and freedom in this Nation.

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

Mr. BYRD of West Virginia. I yield.

Mr. CURTIS. Will the Senator yield for the purpose of my making a point of no quorum?

Mr. BYRD of West Virginia. No, I do not.

Mr. COTTON. Mr. President, will the Senator yield for a question, on my time?

Mr. BYRD of West Virginia. I yield.

Mr. COTTON. I want to get it clear in my mind. The Senator has said that his amendment applied not only to private dwellings but also to private property. If his amendment were adopted, and a person owned an apartment house with 100 apartments in it, could he discriminate in the renting of those apartments?

Mr. BYRD of West Virginia. It was the intention of the author of the amendment to make it so apply. Now, it is my

understanding, in further explanation, that the great majority of apartments in this country are not owned by private individuals; but my amendment would apply to that private individual who may happen to own a number of apartments. For example, I believe the Buckingham Apartments in Arlington are owned by a widow. I am not sure of that; I have only heard it. If my amendment were adopted, it is my understanding that it would apply there and that she would be free to sell, rent, or lease her apartments to whomever she so desired, without Government invasion or interference or compulsion. She would also be permitted to instruct any real estate broker, agent, salesman, or other person accordingly with respect to the sale or rental of her apartments.

Mr. COTTON. I thoroughly agree and wish to exempt a person's use of his own home, but would not the Senator's amendment, if adopted, strike at the whole public occupancy part of this bill, making it ineffective?

Mr. BYRD of West Virginia. I am sorry. I did not hear the Senator.

Mr. COTTON. Would not the Senator's amendment, if adopted, in essence strike out the public occupancy portion of this bill?

Mr. BYRD of West Virginia. No; I do not think it would. It would apply only to the private individual as opposed to a partnership or as opposed to a corporation, et cetera, and that was my intent. If the amendment has been faultily drawn, I would like to see it technically corrected. I asked the legislative counsel to draw it and to draw it with the intent of excluding the private owner of dwellings.

Mr. COTTON. I thank the Senator.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. YOUNG of North Dakota. I have a home in a good neighborhood, a white neighborhood. Suppose I wanted to sell that home. Would I be required to sell it to a white man who might have a long criminal record and a bad reputation as a neighbor, under the proposed bill?

Mr. BYRD of West Virginia. I think I can answer that question to this extent: The white individual would not have any recourse if the Senator discriminated against him, but a person of a different color would have recourse, under the bill, if he could show that the Senator discriminated against him on the basis of race or color.

Mr. YOUNG of North Dakota. Then I would take it the bill discriminates against the white race.

Will the sponsor of the bill answer that question, on my time?

Mr. MONDALE. Mr. President, the proposal before us, in the form of the Dirksen substitute, prohibits any discrimination on account of race, whether it is black, white, or whatever color it is. It would be equally applicable to a white man.

Mr. YOUNG of North Dakota. It would be equally applicable to members of the white race? I would not be able to discriminate against a white man?

Mr. MONDALE. On the basis of his color.

Mr. HOLLAND. Mr. President, I yield

myself one minute. I differ very strongly with the Senator from Minnesota. Technically, he is correct, but he has not answered the Senator from North Dakota. The Senator from North Dakota is a white man. He wants to know whether he would be precluded from selling his home in his neighborhood to a white man. The answer is "No." What he means is that if the distinguished Senator from North Dakota were a Negro, he would be precluded from selling to a white man for racial or color reasons—which is quite a different thing from the question addressed to him by the Senator from North Dakota.

Mr. MONDALE. Mr. President, on my own time, the proposal of the distinguished Senator from West Virginia is not a modest amendment. If adopted, there would be little, if anything, left in the Dirksen amendment. This amendment exempts from the pending proposal houses, duplexes, fourplexes, apartments of any size, even if they are assisted by funds made available through FHA or VA financing, if owned by a private person. All that would have to be done would be to make a technical change in ownership from partnerships or corporations to that of a private person. If this amendment were adopted, little, if anything, would be left of the Dirksen substitute.

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

Mr. BYRD of West Virginia. I yield.

Mr. MAGNUSON. Is there anything in the Dirksen amendment which would prohibit me, if I owned a house and for some reason I was transferred and I wanted to sell it and I knew the Senator was looking for that type of home, from calling him up and saying, "I want to sell my house. I would like you to buy it. We have not agreed on the price yet." Is there anything to prohibit that?

Mr. MONDALE. No.

Mr. MAGNUSON. The only prohibition is if I sought the Senator out to prevent someone else from buying it and discriminating against him. If that happened, that would be a violation of the law?

Mr. MONDALE. Yes. The bill simply reaches the point where there is an offering to the public and the prospective seller refuses to sell to someone solely on the basis of race.

Mr. MAGNUSON. And he would have to prove discrimination.

Mr. MONDALE. Yes; and the burden is on the complainant. The case the Senator is citing is that of a purely private sale to someone. That is exempt.

Mr. MAGNUSON. In other words, if I offer it on the public market—

Mr. MONDALE. If the Senator used a broker, under the Dirksen substitute, after January 1, 1970, the sale would have to be under the rules of nondiscrimination. Under the Dirksen substitute there is no prohibition if the Senator sells his house without the use of a broker. It is exempt.

Mr. MAGNUSON. In other words, so that you could sell your home from private person to private person?

Mr. MONDALE. And not come within the act at all, that is correct.

Mr. MAGNUSON. That is what I wanted to know.

Mr. ERVIN. Mr. President, I challenge

that interpretation. If the Senator from Washington called up the Senator from Minnesota to sell his private home, because he knew he was a white man, this act would be violated.

Mr. MONDALE. No, if I may say so, this amendment unarguably and by its clear terms does not apply to the situation where an individual sells his home and does not use a broker.

Mr. MAGNUSON. Speaking on my own time, I can think of many instances where one might want to sell his home for one reason or another, and have a relative, a nephew, a brother, or a sister whom he wanted to buy the home, and he would call them up and not go to a broker. That situation is not covered by this bill?

Mr. MONDALE. No, not at all. If I may read the language, on the Senator's time—

Mr. MAGNUSON. On my time.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Can a Senator explain anything on another Senator's time, under the rules?

The PRESIDING OFFICER. Not if objection is made.

Mr. MAGNUSON. There being no objection, the Senator may proceed.

Mr. MONDALE. The Dirksen amendment in the nature of a substitute provides, on page 9, starting at line 8:

Nothing in section 204 * * * shall apply to—

(1) any single-family house sold or rented by an owner residing in such house at the time of such sale or rental, or who was the most recent resident of such house prior to such sale or rental—

Mr. MURPHY. Mr. President, will the Senator yield for 1 minute, for a question on my time?

Mr. MONDALE. On the Senator's time.

Mr. MURPHY. I believe the Senator made reference to a public offer. What does that mean?

Mr. MONDALE. The distinction in the Dirksen substitute is based upon whether the owner-occupant of a single-family dwelling does or does not use a broker. If you use a broker, you are covered after January 1, 1970. If you do not use a broker, you are exempted from the provisions of the amendment.

Mr. MURPHY. In other words, the reference the Senator made to a public offer means the use of a broker?

Mr. MAGNUSON. That is correct, or if you put an ad in the paper.

Mr. MURPHY. Is this on the Senator's time?

Mr. MAGNUSON. Yes, on my time.

Mr. MURPHY. I have one other question with regard to the Dirksen amendment, on my time. I have reference to the last two lines on page 6. Would the Senator from Minnesota do me the great favor of reading the last two lines, where it says "provide for fair housing throughout the United States"?

Mr. MONDALE. In the Dirksen substitute?

Mr. MURPHY. Here it is. I wonder what meaning the Senator would put on that exact language.

Mr. MONDALE. The statement to which the Senator from California makes reference reads as follows:

It is the policy of the United States to provide for fair housing throughout the United States.

Obviously, this is to be read in context with the entire bill, the objective being to eliminate discrimination in the sale or rental of housing, for the housing described and under the circumstances provided in the Dirksen substitute.

Mr. MURPHY. Is there not a possibility of misconception of what the word "provide" means?

Mr. MONDALE. Not at all.

Mr. MURPHY. Based on my experience in the short space of 3 years that I have been here, I would think there could be a great chance that the word "provide" could be read to mean almost anything, including "give."

Mr. MONDALE. This is a declaration of purpose. The phrase to be construed includes the words "to provide for." I see no possibility of confusion on that point at all.

Mr. MURPHY. If the Senator will forgive me, it says "provide fair housing." Does that mean to give the housing, to make it available?

Mr. MONDALE. Without doubt, it means to provide for what is provided in the bill. It means the elimination of discrimination in the sale or rental of housing. That is all it could possibly mean.

Mr. BYRD of West Virginia. Mr. President, notwithstanding the fact that the yeas and nays have been ordered, I ask unanimous consent that I may modify my amendment.

I should like to state in what particulars I wish to modify, before I seek to make the modification.

Mr. President, as a result of questions that have been raised, I should like to modify my amendment on page 2, line 7, to insert the words "one family" before the word "dwelling"; and again on line 11 on page 2, to insert the words "one family" between the word "rental" and the word "of"; so that it would apply only to one-family dwellings.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

Mr. HOLLAND. In both cases, before the word "dwelling"?

Mr. BYRD of West Virginia. Yes.

The PRESIDING OFFICER. Without objection, the modification may be made.

The question is on agreeing to the amendment of the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 13 minutes remaining.

Mr. BYRD of West Virginia. I yield myself one-half minute.

Mr. President, I want Senators to understand that the modification—

Mr. TALMADGE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator will be in order.

Mr. BYRD of West Virginia. I think, Mr. President, that without my glasses

I did not correctly state just where the words "one family" should go.

On line 7 on page 2, the words "one family" would precede the word "dwelling"; and again on line 11, the words "one family" would precede the word "dwelling."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia, as modified.

Mr. ALLOTT. Mr. President, I yield myself such time as I may use, reserving the remainder.

Mr. President, many of us now in the Senate, over a period of years, have supported civil rights acts of many kinds and natures. I remember when I first came here, and the distinguished Senator from Mississippi [Mr. EASTLAND] was chairman of the Committee on the Judiciary.

So my interest in civil rights goes back as far, I believe, as that of any Senator now in the Chamber, barring no one from that statement. I have either authored or cosponsored some 57 acts or amendments for the purpose of expanding civil rights since I came to the Senate. I have, in every instance, voted for cloture in an attempt to bring civil rights matters to a vote. So I believe I have earned the right, as a Senator interested in civil rights, to speak, and to speak my mind.

We have now come to a place that I have been foreseeing for a long time, and that is the place where, in attempting to guarantee rights to some people, we are circumscribing or attempting to circumscribe and diminish the basic rights of others. It was inevitable that some day, in the United States, we would come to this place, where each one of us would have to decide whether or not, in giving additional rights, or guaranteeing them by law, to those who we know have long been discriminated against in the past, we would also, by the same process, diminish and lessen the rights of others in our society.

The essence of freedom in this country consists of a great many things. But the quintessence of freedom is the right to own property. Certainly, there are some limitations on the ownership of property. There is the obligation to pay taxes. In addition, all private property is owned subject to the power of condemnation by the Federal Government or by the State government or by an other part of governmental authority which may be so constituted by law.

Private property is also sometimes owned under the zoning limitations. However, according to our Supreme Court decision—at least, the last guess of our Supreme Court—we cannot diminish a man's original ownership. So he may be in a nonconforming use, but that ownership may not be diminished.

I am sure that all of us here are interested in seeing that the rights of homeowners are protected. And, believe me, we are not merely talking about Negroes, but we are also talking in the West about Spanish-Americans and Indians. We are all interested in seeing that these people have expanded rights of ownership and opportunities of ownership.

I am, however, compelled to believe in

my own mind that the basic discrimination is not one of race or religion, but is rather a discrimination of ethics. And it is in this area of training people and providing jobs and helping people that we should perhaps wage our major battle. I am, however, not unmindful of the fact that there can be discrimination as to a person's race.

The question occurs: How do I, as an American, as a lawyer, as a man who studied the common law, the law of his own State and of Western States, as a man who was for several years a member of the State board of bar examiners, appointed by a democratic supreme court in my own State, determine what my course of action will be in this particular matter?

Mr. President, it seems to me—and I hope that my colleagues in the Senate will feel the same way—that we have reached a place where we may not go further.

I could not have voted for the Byrd amendment before the Senator modified it, because if I, as an individual, were to own an apartment house with 20 or 50 or 100 apartments, the mere fact that the ownership rests in an individual rather than in a corporation is no reason why I should be free from the proscription in the law against discrimination.

Mr. President, it seems to me that, with the modification made by the Senator from West Virginia to his own amendment, thus limiting it to one-family dwellings, that we would be taking a great step in the future, with the so-called Dirksen substitute, a step to which every minority citizen in this country should ascribe.

What otherwise are the results? In the first place, the Dirksen amendment, if I may say so, completely misunderstands the law of agency. It throws the complete law of agency out of the window. It makes the broker not an agent of the seller, but an agent of the U.S. Government. If a man is going to be an agent, he cannot be an agent for the seller and also for the U.S. Government at the same time. However, that is what the Dirksen amendment would do.

So, I propose—and I think it is proper and is commonsense—not to tear up and rewrite all of the law of agency in this country, but to leave it where it is. And the Byrd amendment would do that.

Second, I think the amendment has come a long way, and I am pleased with some changes in it.

In looking at the entire matter, I think we have to realize that what we are doing here is avoid taking any seller of his own home anywhere, at anytime, and make him a defendant in court, and require him to say why he sold to one individual and not to another, or put him under the burden of extreme legal expense either before administrative bodies or courts as to why he sold to one person or another. If we do this, we have diminished that man's ownership, and we have in effect destroyed private ownership in the United States of America as far as that man's homeownership is concerned.

Mr. President, I intend to vote for the Byrd amendment. I do not believe in doing so that I am abandoning in any respect my lifelong wish and desire to see

these minority groups in our country have greater opportunity for jobs, for education, for homes. The greater opportunity for homeownership will come mainly from jobs and education, rather than from anything we do with the pending bill.

I hope that my colleagues will support the pending amendment as modified because, to me, we have reached the crossroads where not to support the modified amendment would mean that we are diminishing the right of our free citizens.

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

Mr. HART. Mr. President, a long time before our country became free, the owner of a cottage was restrained in its disposition. Indeed, the early common law, about which mention has been made, provided against an owner so arranging the disposition of his property, even when he intended that it remain in his own bloodline.

I was not a member of the board of law examiners, and even when I wrote my examination, I was very unsure about the rule of perpetuities and the restraint on alienation, but it is there.

A long time ago, we recognized that the public was best served by applying a restraint on an individual in the disposition of his home even when all he wanted to do was to keep it within the family.

We are suggesting in the Dirksen amendment that public policy calls for some restraint with regard to freedom to discriminate when one goes out to sell his home. The Dirksen amendment protects the homeowner who wants to be discriminatory. Such a homeowner would be free to go ahead and discriminate.

I think it is tragic that we have to say so, but there it is. However, that would not be so if one were to engage a broker. And there is nothing destructive of the law of agency in establishing restraints on what one can do with his broker.

Mr. ALLOTT. Mr. President, will the Senator yield on my time?

Mr. HART. I yield.

Mr. ALLOTT. Mr. President, is the Senator not destroying the law of agency if he provides that an individual cannot employ an agent to sell his home, but can sell it himself?

Mr. HART. A restraint on the employment of an agent is required. An individual cannot engage someone who has a sign proclaiming that he furnishes burglar protection and ask him to shoot somebody. It is a restraint order, but public policy demands it.

We heard much about economic discrimination. We heard much about the fact that really the way to open homes for minority groups was to give them jobs.

Think with me about the case that I cited earlier. I cited the case of a Negro who works hard and does all of the things we tell him to do if he wants to advance. The man rears a family. He does save his money, and one day he goes out to buy a home in a better neighborhood. And then he has to come home that night and explain to his children why he could not make the purchase. Think of the reaction that has in that home. And perhaps that is what the President's Riot Commission was talking about. That is something that

we should finally say shall not be the test you run. When you go to a property that is publicly offered, let us not run the litmus test of how I spell my name, or where I went to church on Sunday or Saturday, or what color God gave me. We will be a better Nation when we put that on the books.

Mr. JAVITS. Mr. President, I yield myself 1 minute.

The pending amendment has one fatal flaw, notwithstanding its amendment by the sponsor. It includes developments. So a man might own 5,000 homes, and if they are single-family dwellings, he can discriminate all he wishes. I cannot conceive of anybody in this Chamber going for that—not Senator DIRKSEN, not Senator BAKER, not perhaps even Senator BYRD. So, Mr. President, that, to me, seems to be absolutely fatal.

Second, there is no discretion whatever as to the buyer. Suppose the buyer is a veteran of Vietnam? Are you going to tell him, "I'm sorry, son, but I reserve my sovereign right to discriminate against you," notwithstanding that I may employ a broker who only lives because he is licensed by the State, as Senator HART has said?

This is a key amendment. Senator BYRD is absolutely right. It is a very key amendment. And because it is a key amendment and destroys everything we are trying to construct, it should be rejected, and I hope the Senate will do so.

Mr. MURPHY. Mr. President, may I have 3 minutes on my time?

The point made by the Senator from New York is well taken. We make a division between a private dwelling and a multiple dwelling. What the Senator from New York has pointed out is a weakness. A man may own 50 houses or 100 or 1,000, none of which actually is his private dwelling.

I would suggest that the Senator change the amendment to make it read the private dwelling used by the owner, not a series of houses, which, for all intents and purposes, would be the same as owning an apartment house or many multiple dwellings owned only for investment purposes rather than a dwelling used by the owner.

I thank the Senator.

I would like to support the amendment, but on this basis.

The PRESIDING OFFICER (Mr. SPONG in the chair). The question is on agreeing to the amendment as modified. The yeas and nays have been ordered.

Mr. BYRD of West Virginia. Mr. President, mention has been made a number of times about the veteran who seeks to buy or to rent property and who is told that he cannot do so because of his color. It seems to me that this overlooks the rights of the property owner. His rights are superior, again I say, to the rights of the prospective purchaser.

A man who is a veteran would also like to feel that his Government cannot compel him to dispose of his own property or to rent his own property or to lease his own property in a way which does not comport with his own wishes and his own good judgment.

The property owner, himself, may be a Medal of Honor winner. We do not want to whittle away his freedom, his rights.

He may be a Negro property owner. He may be a Negro Medal of Honor winner. He may, for some reason that he does not wish to state, not want to rent to a white prospective tenant. I maintain that that is his business; that is his right. This is his freedom; this is his liberty; this is something he fought for. I hope that Senators, by their votes, will not whittle away that right.

I have no objection to those individuals who wish to rent or lease or sell to a person of a different color or of a different religion or of a different race. I only maintain that they have a right to sell and use and rent their property as they see fit. I believe that we, as Senators, want to protect that right today.

I hope that Senators will vote for my amendment.

Mr. CASE. Mr. President, on my time, I rise in opposition to the amendment.

It is incredible that anybody would think that there is anything sacred about the right of a person, when he decides to dispose of his property, to keep a dead hand on it, and that is exactly what we are doing here. So long as he owns it, that is one thing; it is his. When he decides to dispose of it, it is gone. The law, as the Senator from Michigan and other Senators have pointed out, long ago made it very clear that a man may not keep his dead hand on his property after he goes.

In this small way, because this is a very little thing, a small approach to decency in this country, if the Senate fails to come through on the decent side, I shall be deeply disappointed.

Mr. HANSEN. Mr. President, on my own time, I rise to say that I will support the amendment proposed by the distinguished Senator from West Virginia. I do so, in contrast to the expressions that were just voiced by the distinguished Senator from New Jersey, because I do not agree at all that the dead hand—the mortmain—is going to apply. All this amendment provides is that so long as I own a one-family dwelling, I can sell it to whomever I choose; and once that sale has been consummated, I have no further right of interest in it. All the rights I had at that time pass to the person to whom I have sold the home. I do not see anything un-American about that. I do not see anything undemocratic about that.

Mr. President, I appreciate that some Senators do not agree with me, but I would hope that they would do me the courtesy of listening, because I have listened very closely and I intend to continue to do so when they speak.

I will support the amendment, because I believe there is something almost sacred about the right of ownership of property. One of the Ten Commandments refers to it. The Eighth admonishes "Thou shalt not steal." We are talking about the right to own and sell individual homes, and I will support the amendment, because I believe this is a very basic, fundamental, American freedom. I believe we will do a disservice to the citizens of this great Nation and to freedom generally if we rule out the right that people now have, the right that I believe should be continued, to sell one's home to whom he wishes.

Mr. COOPER. Mr. President, on my

own time, I ask the Senator from West Virginia a question.

One of the distinctions between the Dirksen substitute and the amendment of the Senator from West Virginia is that the Dirksen substitute applies and restricts the right of a property owner to the disposition of a single-family house in which the owner resides. Does the Senator's amendment extend only to the single-family house in which the owner resides, or does it extend to other single-family dwellings owned by him in which he does not reside?

Mr. BYRD of West Virginia. In answer to the question, I would think it would apply to the latter.

Mr. COOPER. In other words—

Mr. BYRD of West Virginia. It would apply to both.

Mr. COOPER. A person owning 100 single-family dwellings?

Mr. BYRD of West Virginia. Yes.

Mr. COOPER. Under the Senator's amendment, they would be included?

Mr. BYRD of West Virginia. They would. Yes, they would, because they are one-family dwellings owned or rented by a private person, not by a corporation, company, or partnership.

Mr. COOPER. If we take this step, it is a very large step.

Without going into detail, many of us have supported all civil rights bills throughout the years.

Admittedly, this housing bill is a major step. If it is to be taken—and I, myself, am going to vote to take it—then, I do not see any distinction between making the bill applicable to housing beyond the ownership of single-family homes, whether owned by one person, a number of persons, or otherwise, because, basically, what we are attempting to do in this bill is to open up housing to as large an extent as possible, to all people without discrimination. The family home is and should be protected, but the amendment of the Senator basically changes the bill.

If we are to approve this bill I do not see any point in including the disposition of houses not lived in by the owner.

Mr. BYRD of West Virginia. Mr. President, in reply to the Senator I can only say that the right of ownership should be sacred whether a man owns one house, two houses, or three houses. That is precisely what my amendment strives to do: To protect private ownership, not ownership by a corporation, partnership, or company, but the private ownership of a dwelling or dwellings as long as they are one-family dwellings, and to give that owner the right to instruct a real estate agent as to how he would like his property disposed of and to define those individuals to whom he would wish to rent it, or wish not to rent it.

Mr. President, I close my case by saying once again I trust Senators will support this amendment. I think it is basic to one of the greatest of human rights: The right to use, manage, and dispose of property as one wishes and according to one's own good judgment.

Mr. BROOKE. Mr. President, I yield myself 30 seconds.

I ask unanimous consent that Leon Panetta, of the staff of the Senator from California [Mr. KUCHEL], and Alton

Frye, of my staff, be permitted to remain in the Chamber.

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

The question is on agreeing to the amendment—No. 581—of the Senator from West Virginia [Mr. BYRD], as modified. 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 Ohio [Mr. LAUSCHE], the Senator from Minnesota, [Mr. McCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mr. MORSE], and the Senator from Rhode Island [Mr. PASTORE] are necessarily absent.

I further announce that, if present and voting, the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mr. MORSE], and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent.

The result was announced—yeas 38, nays 56, as follows:

[No. 19 Leg.]

YEAS—38

Allott	Gore	Mundt
Bennett	Hansen	Murphy
Bible	Hayden	Russell
Byrd, Va.	Hickenlooper	Smathers
Byrd, W. Va.	Hill	Sparkman
Cannon	Holland	Spong
Carlson	Hollings	Stennis
Curtis	Hruska	Talmadge
Eastland	Jordan, N.C.	Thurmond
Ellender	Jordan, Idaho	Tower
Ervin	Long, La.	Williams, Del.
Fannin	McClellan	Young, N. Dak.
Fulbright	Monroney	

NAYS—56

Aiken	Gruening	Montoya
Anderson	Harris	Moss
Baker	Hart	Muskie
Bartlett	Hartke	Nelson
Bayh	Hatfield	Pearson
Boggs	Inouye	Pell
Brewster	Jackson	Percy
Brooke	Javits	Prouty
Burdick	Kennedy, Mass.	Proxmire
Case	Kennedy, N.Y.	Randolph
Church	Kuchel	Ribicoff
Clark	Long, Mo.	Scott
Cooper	Magnuson	Smith
Cotton	Mansfield	Symington
Dirksen	McGee	Tydings
Dodd	McGovern	Williams, N.J.
Dominick	McIntyre	Yarborough
Fong	Miller	Young, Ohio
Griffin	Mondale	

NOT VOTING—6

Lausche	Metcalf	Morton
McCarthy	Morse	Pastore

So the amendment of Mr. BYRD of West Virginia was rejected.

Mr. JAVITS. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. KUCHEL. Mr. President, I move that the motion to reconsider be laid 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. 560

Mr. ERVIN. Mr. President, I modify my amendment No. 560 by changing "line 8" to the figures "9 and 10"—

Mr. MONDALE. Mr. President, reserving the right to object—

THE PRESIDING OFFICER. Will the Senator from North Carolina please send his modification to the desk.

The amendment will be stated.

THE ASSISTANT LEGISLATIVE CLERK. On page 20, line 10, after the word "investigation" and before the period insert the following: " ; provided, however, the Secretary first complies with the provisions of the fourth amendment relating to unreasonable searches and seizures."

MR. YARBOROUGH. Mr. President, a parliamentary inquiry.

THE PRESIDING OFFICER. The Senator from Texas will state it.

MR. YARBOROUGH. Mr. President, the Appropriation Committee is meeting in executive session on the supplemental appropriation bill. I ask unanimous consent that my legislative aide, Reed Martin, may remain on the floor of the Senate to guide me and help me later, inasmuch as I have to attend that session.

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

MR. AIKEN. Mr. President, I make the same request with respect to Vincent Wilbur, my legislative aide.

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

MR. TOWER. Mr. President, I make the same request with regard to my legislative assistant, Tom Cole, and ask that he may be present in the Chamber for the deliberations.

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

MR. FONG. Mr. President, I ask unanimous consent that my legislative aide, Donald M. Chang, be allowed the privilege of the floor during these deliberations.

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

MR. ERVIN. Mr. President, I yield myself such time as I may need.

MR. TALMADGE. Mr. President, may we have order in the Senate? I cannot hear the Senator and I am sitting right next to him.

THE PRESIDING OFFICER. The Senate will be in order. The Senator from North Carolina will suspend until we do have order and everyone has left the Chamber who is going to leave.

The Senator from North Carolina may proceed.

MR. ERVIN. Mr. President, on page 20, section 211 of the star print of the Dirksen substitute appears the following:

In conducting an investigation the Secretary shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation.

That provision violates the fourth amendment; and all my proviso does is to assure that the Secretary must, before he has access to anybody's premises or anybody's records, comply with the fourth amendment of the Constitution, which says:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly de-

scribing the place to be searched, and the persons or things to be seized.

I do not think it takes any argument to persuade members of a body who have taken a solemn oath to uphold the Constitution to vote for this amendment. I hope it will be accepted.

MR. HART. Mr. President, it would be my hope that we would not accept the amendment, and I wish to comment briefly on the reasons. It is our feeling that the amendment is not necessary. Under the Dirksen substitute bill, when a person refuses to permit the Secretary access to premises or records, the Secretary is authorized to issue subpoenas.

Anyone subject to subpoena may petition the Secretary to revoke or modify it. The Secretary is required to grant the petition if the subpoena is unreasonable or if any good reason for revocation or modification is shown.

In the event of refusal to obey the subpoena, the Secretary may petition for its enforcement in the U.S. district court. The other party may then appear in court in order to support his position.

These procedural safeguards and review provisions are adequate to protect the rights of all concerned. The subpoena power is not like the search and seizure power of a law-enforcement officer. It is our judgment that there is no need for incorporating in the Dirksen bill this reference to the fourth amendment.

MR. ERVIN. Mr. President, in reply, let me say this amendment is necessary because it relates to access to premises. You cannot bring premises to a court by subpoena.

I ask for the yeas and nays on my amendment, and I ask all Senators who believe in upholding the Constitution to vote for my amendment.

THE PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

The yeas and nays were not ordered.

MR. ERVIN. Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

MR. HART. 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. HART. Mr. President, with reference to the amendment offered by the Senator from North Carolina, notwithstanding the very learned argument I made, based on a nice memorandum furnished by an equally able official from the Justice Department, it fails to persuade me, too; and I think it would make pretty good sense for us to accept the amendment. So, if there is no objection, I would move that we agree to the amendment offered by the Senator from North Carolina.

THE PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina.

The amendment was agreed to.

THE PRESIDING OFFICER. The Dirksen substitute is open to further amendment.

MR. FANNIN. Mr. President, I ask

unanimous consent that my legislative assistant, Mr. John Stringer, may be permitted to be on the floor during the debate on the bill.

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

MR. HRUSKA. Mr. President, I ask unanimous consent that my legislative assistant, Mr. Richard Nelson, be permitted the privilege of the floor during the debate on the pending measure.

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

MR. MILLER. Mr. President, I ask unanimous consent that my legislative counsel, Mr. Robert Franks, be permitted to be on the floor during the consideration of the pending measure.

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

MR. THURMOND. Mr. President, I ask unanimous consent that my legislative assistant, Mr. Hastings Wyman, be allowed to be on the floor during the consideration of the bill.

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

MR. COTTON. Mr. President, I make the same request for my administrative assistant, Mr. Chester Wiggin.

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

The Dirksen substitute is open to further amendment.

MR. ERVIN. Mr. President, I call up my amendment No. 561 and ask that the clerk state it.

THE PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment (No. 561) as follows:

On page 19, line 21, strike the period and add the following: " ; provided, however, the court shall not take any action which will impair in any respect any title to or interest in the property involved acquired by any purchaser or encumbrancer under the registration or recording statutes of the State in which such property is located."

MR. ERVIN. Mr. President, I ask unanimous consent that line 21 be changed to line 20, to make it correspond with the star print of the Dirksen substitute.

THE PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MR. ERVIN. Mr. President, every State in this Union has enacted what are called registration or recording statutes to enable those participating in land transactions to determine the title to land by the public records of the counties in which the land lies.

The Dirksen substitute would make the title to land, depend on oral offers to convey or even on oral refusals to convey real estate enforceable in the Federal courts. Under the amendment no person seeking to buy property from the owner or to loan money to him on it would be protected on account of any purchase of property or any mortgage taken on the property by relying on the public records of the county in which the land lies.

This amendment should be adopted. Otherwise innocent parties would have no way in the world of protecting themselves by looking at recorded titles under State law. They would have no way of protecting themselves. But persons avail themselves of the Dirksen substitute, could protect themselves by filing his

pends or notices of suits in the counties where the property is located. Without this amendment, there would be chaos in titles to land throughout the United States.

The PRESIDING OFFICER. Will the Senator from North Carolina send his modification to the desk?

Mr. ERVIN. Yes.

Mr. MONDALE. Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ERVIN. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. A quorum call being in progress; the Senator's request is out of order.

The clerk will resume the call of the roll.

The bill clerk resumed the call of the roll, and the following Senators answered to their names:

[No. 20 Leg.]

Aiken	Griffin	Montoya
Allott	Gruening	Moss
Anderson	Hansen	Mundt
Baker	Harris	Murphy
Bartlett	Hart	Muskie
Bayh	Hartke	Nelson
Bennett	Hatfield	Pearson
Bible	Hayden	Pell
Boggs	Hickenlooper	Percy
Brewster	Hill	Prouty
Brooke	Holland	Proxmire
Burdick	Hollings	Randolph
Byrd, Va.	Hruska	Ribicoff
Byrd, W. Va.	Inouye	Russell
Cannon	Jackson	Scott
Carlson	Javits	Smathers
Case	Jordan, N.C.	Smith
Church	Jordan, Idaho	Sparkman
Clark	Kennedy, Mass.	Spong
Cooper	Kennedy, N.Y.	Stennis
Cotton	Kuchel	Symington
Curtis	Long, Mo.	Talmadge
Dirksen	Long, La.	Thurmond
Dodd	Magnuson	Tower
Dominick	Mansfield	Tydings
Eastland	McClellan	Williams, N.J.
Ellender	McGee	Williams, Del.
Ervin	McGovern	Yarborough
Fannin	McIntyre	Young, N. Dak.
Fong	Miller	Young, Ohio
Fulbright	Mondale	
Gore	Monroney	

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment of the Senator from North Carolina.

Mr. ERVIN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. ALLOTT. Mr. President, I yield myself such time as I may require and shall reserve the remainder of my time.

I would like to have the attention of the distinguished Senator from North Carolina.

The amendment offered by the Senator from North Carolina [Mr. ERVIN], amendment No. 561, states: "provided, however, the court shall not take any action which will impair in any respect any title to or interest in the property in-

volved acquired by any purchaser or encumbrancer under the registration or recording statutes of the State in which such property is located."

I call the attention of the Senate to my amendment No. 543 which contains this provision: "but any sale or rental consummated prior to the issuance of a temporary order and involving a bona fide purchaser or tenant without actual notice of the existence of the filing of a formal charge of discrimination filed under the provisions of this Act shall not be affected".

Mr. President, I was unfortunately attending an Appropriations Committee meeting and did not know that the pending amendment had been called up. I feel that the Ervin amendment goes further than I would like to go.

I believe that my amendment is a better amendment. I had it drawn by legislative counsel after informing them of the problem.

If the Ervin amendment should be withdrawn for any reason—and even whether or not it is—I shall offer my amendment.

I inquire of the manager of the bill, the Senator from Minnesota [Mr. MONDALE], on my time, concerning his disposition and attitude toward the so-called Allott amendment.

Mr. MONDALE. Mr. President, I think the Allott amendment is a very sound amendment. I would like to see it agreed to.

I fear that the proposal presented by the Senator from North Carolina goes clear beyond the bona fide purchaser restriction which the Senator from Colorado wisely incorporates in his amendment.

We would welcome the amendment of the Senator from Colorado.

Mr. ALLOTT. I thank the Senator.

Mr. President, I reserve the remainder of my time. I shall call up my amendment at the appropriate time.

Mr. ERVIN. Mr. President, the Allott amendment offers little protection. It only protects a man prior to the time a temporary order is issued. A temporary order is issued at the request of the counsel for the party, who can travel, like Nicodemus, by night, to the court and get a temporary restraining order.

If the Senate does not wish to introduce chaos in titles in real estate throughout the United States, it had better vote for my amendment. There is no trick in it. My amendment, like most State laws, makes the title depend upon the record. The individual who is seeking to enforce a right based upon discrimination has protection. He can file a notice lis pendens in the county where the property is located.

Unfortunately, the Federal courts have held that one is required to take judicial notice of actions in Federal courts, notwithstanding he may be a thousand miles away from where the land lies.

My amendment is a protection for those who purchase or take mortgages on land after an oral refusal to sell or rent or after an oral offer to sell or rent is made. The Allott amendment would not protect anybody very long.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The question is

on agreeing to the amendment of the Senator from North Carolina. On this question, 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 Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. McCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I also announce that, if present and voting, the Senators from Montana [Mr. MANSFIELD and Mr. METCALF], the Senator from Oregon [Mr. MORSE], and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent.

The Senator from Illinois [Mr. DIXON], is detained on official business, and, if present and voting, he would vote "nay."

The result was announced—yeas 33, nays 58, as follows:

[No. 21 Leg.]

YEAS—33

Bennett	Gore	Murphy
Byrd, Va.	Hansen	Prouty
Byrd, W. Va.	Hickenlooper	Sparksman
Carlson	Hill	Spong
Cooper	Holland	Stennis
Curtis	Hollings	Talmadge
Eastland	Hruska	Thurmond
Ellender	Jordan, N.C.	Tower
Ervin	Long, La.	Williams, Del.
Fannin	McClellan	Yarborough
Fulbright	Mundt	Young, N. Dak.

NAYS—58

Aiken	Gruening	Mondale
Allott	Harris	Monroney
Anderson	Hart	Montoya
Baker	Hartke	Moss
Bartlett	Hatfield	Muskie
Bayh	Hayden	Nelson
Bible	Inouye	Pearson
Boggs	Jackson	Pell
Brewster	Javits	Percy
Brooke	Jordan, Idaho	Proxmire
Burdick	Kennedy, Mass.	Randolph
Cannon	Kennedy, N.Y.	Ribicoff
Case	Kuchel	Scott
Church	Lausche	Smith
Clark	Magnuson	Symington
Cotton	McGee	Tydings
Dodd	McGovern	Williams, N.J.
Dominick	McIntyre	Young, Ohio
Fong	Miller	

NOT VOTING—9

Dirksen	Metcalfe	Pastore
Mansfield	Morse	Russell
McCarthy	Morton	Smathers

So Mr. ERVIN's amendment (No. 561) was rejected.

Mr. HART. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MONDALE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ANDERSON. Mr. President, there will be a matter dealing with irrigation problems before the Senate shortly.

I ask unanimous consent that Jerry Verkler, clerk of the committee, be granted the privilege of the floor.

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

Mr. ERVIN. Mr. President, in order that the people of the United States may

understand that the Senate has just voted to refuse to continue the protection given subsequent purchasers or encumbrancers under the registration or recording statutes of the 50 States, I ask unanimous consent that the amendment which has just been voted on be printed in full at this point in the RECORD.

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

On page 19, line 20, strike the period and add the following: " ; provided, however, the court shall not take any action which will impair in any respect any title to or interest in the property involved acquired by any purchaser or encumbrancer under the registration or recording statutes of the State in which such property is located."

AMENDMENT NO. 559

Mr. TALMADGE. Mr. President, I call up my amendment No. 559 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 5, line 22, strike out the quotation marks.

On page 5, between lines 22 and 23, insert a new subsection, as follows:

"(d) Nothing in this section shall be construed so as to deter any law enforcement officer from carrying out the duties of his office; and no law enforcement officer shall be considered to be in violation of this section for carrying out the duties of his office or enforcing ordinances and laws of the United States, and the District of Columbia, any of the several States, or any political subdivision of a State. For purposes of the preceding sentence, the term 'law enforcement officer' means any officer of the United States, the District of Columbia, a State, or political subdivision of a State, who is empowered by law to conduct investigations of, or make arrests because of, offenses against the United States, the District of Columbia, a State, or a political subdivision of a State."

Mr. TALMADGE. Mr. President, the amendment just presented is designed to protect law enforcement officers in carrying out the duties of their office.

And theirs is the most important duty of government—that is, to protect the life, liberty, and property of American citizens.

Law as the ruling force in American society is being violated as never before by a vast and growing army of immorality and criminality.

Crime is increasing in America eight times as fast as our population, and in recent years we have witnessed mob rule in American cities, with the threat of more to come this summer.

Untold numbers of American citizens in many areas live in fear for their lives and the safety of their families, their homes, and their businesses. The cause of their fear is crime. That crime and lawlessness have become the Nation's No. 1 domestic problem was confirmed only this week by the Gallup poll.

On the one hand we have crime and mob violence in the streets increasing at alarming rates, and on the other we have law enforcement officers who have been virtually handcuffed by court decisions and apathy by a large part of the public.

Now we are confronted with a bill that would make law enforcement even more difficult. And not only that, this bill would subject policemen to harsh penal-

ties for merely attempting to do their jobs.

I submit that our primary concern today should be in the prosecution and conviction of criminals, rather than in the restriction and persecution of law enforcement officers.

Yet, the Dirksen substitute, while adding nothing to the effectiveness of law enforcement, not only would further frustrate enforcement of the law, it could very well result in the prosecution and imprisonment of police officers.

This legislation would apply to anyone, as the law states, "whether or not acting under color of law" who allegedly interferes with the would-be rights of others as spelled out in this bill.

This phrase would remove any protection that policemen now have in pursuance of their duties as officers of the law.

For example, consider this situation that occurs daily in cities such as Washington. Suppose a white policeman in Washington, D.C., sees what he thinks is a fight developing between two Negroes in a bar.

He hears loud threats being passed, and other indications that they intend to do violence to each other.

Suppose that they are actually good friends engaged in a minor argument, with a lot of loud talk thrown in just to impress bystanders.

The men resent the intrusion and, having gained courage from their drink, they try to shove the officer around. Trying to defend himself, the policeman draws his billy club and whacks one of them on the head, causing a minor injury.

If a court should determine months later that the two Negroes supposedly engaged in the argument were lawfully enjoying the bar, one of the public accommodations covered by this bill, the policeman would then be subject to prosecution. Because he was white and the others were Negro, it could be claimed that he acted because of race.

A jury might find that the officer had knowingly injured, intimidated, and interfered with a minority group in their right to enjoy a public accommodation. For using his billy club, the police officer could be fined \$10,000 or sentenced to 10 years in prison. If the man died because of the blow on the head, the officer could be put in jail for life.

Of course, we are told that such situations as this will never arise because people have to be "lawfully" engaged in enjoying these rights and privileges before being protected by the law.

This presents the crux of the problem. Just what is lawful?

At what point does a citizen's use of a public accommodation cease to be lawful and become disorderly conduct?

At what point does Stokely Carmichael's harangue to a mob exceed his right of free speech, and become inciting to riot?

At what point does a gang of people parading up and down the street cease to be a lawful demonstration and become a threat to peace and good order?

At what point does a peacenik's interference with the draft cease to be an exercise of his right to dissent and be-

come unlawful obstruction of the recruiting or enlistment service of the United States?

A 21-year-old policeman may have to make a snap decision in a situation that the courts may take weeks and even months to resolve. Are we going to ask the policeman on the beat to assume the role of constitutional lawyer, at the risk of being put in jail should he happen to be wrong?

I submit that policemen should be given freedom to act on the merits of a case as he sees it as it is taking place.

He should not be hampered by the ominous threat of being indicted by a Federal grand jury and perhaps even convicted and confined to prison.

The policeman has a hard enough row to hoe as it is. The physical danger that confronts them daily is only one of the factors that has demoralized police officers across the land.

Police have been demoralized by trumped up charges of brutality when most often it is the police themselves who have been brutalized.

Police are demoralized by Supreme Court decisions which have freed criminals on highly technical grounds even when there is no question of guilt.

Police have been demoralized by a penal system which sometimes allows hardened criminals to beat the arresting officer back to the scene of the crime to do the same thing all over again.

It should come as no surprise that the ranks of policemen have grown very thin indeed. Capable and experienced men are resigning in droves from the seemingly hopeless job of controlling crime in today's society.

Mr. President, this bill would further aggravate the demoralization of the police forces of America.

This bill would create situations in which policemen would rather look the other way when they see a crime in the making, than risk subjecting themselves to fines and imprisonment.

We would have a situation where police officers would be extremely hesitant to accost anyone in a restaurant, hotel, lunchroom, soda fountain, theater, concert hall, sports arena, stadium, or any other public accommodation, for fear of infringing upon someone's alleged civil rights.

We would have policemen and National Guardsmen afraid to act to put down a riot for fear of being prosecuted themselves.

I regret very much that a limitation of debate has been imposed upon the Senate, for I believe that this bill deserves close examination in order to apprise the Nation's law enforcement officers of how this legislation will affect them, and how it will affect the American people at a time when there is an overpowering need for stronger—and not weaker—law enforcement.

Mr. President, it is for these reasons that I believe my amendment is vital to the continued effectiveness of law enforcement in our Nation.

My amendment grants no special rights or privileges to anyone. It takes away no rights or privileges. It simply provides that nothing in this bill shall be construed to deter any law enforce-

ment officer from carrying out the duties of his office.

It simply enables the policemen to do the best job that he can in enforcing the law and protecting the lives and property of our people.

I hope that it will not be said that this Congress, in its zeal to protect rights, will put a law on the books to hamstring law enforcement officers.

I hope that this Congress is not more interested in legislating special protection for the few, than it is in providing equal protection for all of our law-abiding citizens.

I say in this time of increasing crime and mob violence, the Congress should give our law enforcement officers an unqualified vote of confidence.

Mr. President, if there are a sufficient number of Senators now in the Chamber I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

PRESIDENT JOHNSON'S 1969 BUDGET

Mr. WILLIAMS of Delaware. Mr. President, on January 31, as appears in the CONGRESSIONAL RECORD on pages 1689 to 1708, I discussed and introduced two bills, the purpose of which was to—

First. Make a mandatory reduction in expenditures—other than those representing the cost of the Vietnam war—of at least \$8 billion.

Second. Increase taxes by \$6.5 billion annually—6 percent on individuals effective April 1, and an 8-percent increase on corporations effective January 1, 1968.

Third. Extend for 1 year the excise taxes on automobiles and telephones, which otherwise would expire April 1, 1968.

Fourth. Reduce expenditures by writing into law the provisions of President Johnson's Executive order of September 20, 1966, wherein he would freeze Federal civilian employment at the July 1, 1966, level.

Fifth. Place a moratorium on all new projects and programs until such time as the war in Vietnam is over or our budget is balanced. Exceptions are made where such programs or projects are certified as essential to our national interest.

Instead of taxing foreign travel, these bills offered an alternative whereby Government officials would be required to set the example.

The Treasury Department has taken a position against all sections in these bills which propose to reduce expenditures.

The Treasury Department endorses only those sections which would increase taxes, and thus provide more spending money for the Great Society.

The Treasury Department dodges the question of reducing oil depletion by asking for further delay awaiting a report

from a study which was initiated 5 years ago. It is apparent that the Johnson administration is still not ready to face up to the basic problem of reducing expenditures.

However, notwithstanding their opposition, I serve notice again that the provisions of these bills will be pushed to a vote in the Senate. The American taxpayer has a right to know what, if anything, Congress will do.

I ask unanimous consent that the comments by the Treasury Department on these two bills be printed at this point in the RECORD, along with attachments.

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

THE SECRETARY OF THE TREASURY,

Washington, March 4, 1968.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: This letter is in reply to your request for the views of the Treasury Department on your bills, S. 2902 "A Bill to improve the balance of payments and protect the domestic economy of the United States", and S. 2903 "A Bill to amend the Internal Revenue Code of 1954 to limit the maximum rate of percentage depletion to a rate of 20 percent."

Sections 3, 4, 5 and 10 of S. 2902 are within the direct purview of the Director of the Budget, dealing as they do with the number of civilian employees, the initiation of public works projects, budget expenditures generally, and foreign travel by Government officers and employees. I am therefore attaching a copy of a statement by Director Zwick commenting on these sections. As that statement indicates, the Administration strongly opposes the provisions of these sections.

The remaining provisions in these bills relate to matters within my area of responsibility, and I am commenting upon them in a statement attached to this letter. In addition to that statement, I would like to make a few overall observations on S. 2902.

The sections of S. 2902 within my area of responsibility cover matters which are the subject of proposals of the Administration presently before the Congress. The principal thrust of those sections is in the same direction as those proposals, and I therefore welcome your support of our objectives. Moreover, for the most part the provisions of your bill dealing with these matters are substantially quite close to our own recommendations, so that in a number of instances the difference becomes one of detail. Thus, your recommendation in Section 2 of the bill for a continuation of existing automobile and communications excise taxes is quite close to our proposal in this area and to what has been already adopted by the House. Your recommendation in Section 8 of the bill relating to reductions in existing Customs exemptions is likewise close to the proposals I presented to the Committee on Ways and Means on February 5, and which have been the subject of recent hearings before that Committee. Your recommendation in Section 11 of the bill to repeal the gold reserve requirements for Federal Reserve Notes parallels legislation now before the Senate which we strongly support. The recommendation in Section 6 of the bill for a temporary surcharge on individuals and corporations adopts the same form for a temporary tax increase that we have been steadily and strongly urging.

Your recommendations in these sections thus deal directly with the basic objectives of our fiscal program—the reduction of the budgetary deficits that would otherwise prevail in fiscal 1968 and 1969 to more manageable and acceptable levels, and a reduction

in our balance of payments deficit. In these substantive areas I welcome and appreciate your support.

As respects Section 6 of your bill, where you recommend a temporary 8 percent surcharge on corporations and a 6 percent surcharge on individuals, I would of course strongly urge that we achieve the temporary surcharge at the 10 percent level recommended in the Budget. A surcharge at that level will add over \$1/2 billion in fiscal 1968 and over \$3 billion in fiscal 1969 to the revenues that would be obtained under the rates you suggest. I feel that this additional revenue is needed to achieve the reductions in the budget deficits that are desired.

The paramount need is that of achieving legislative enactment of the requisite revenue-producing measures. We should also secure that enactment as promptly as possible, so that delay does not cause us to see revenues keep draining away that a prompt enactment would have put into the coffers of the Government. I must leave to the Congress the question of Congressional procedure involved in obtaining the desired legislation. Presumably that procedure is a matter to be worked out between the leaders of both Houses and the leaders of their Tax Committees.

Although we have major reservations with respect to the sections of your bill dealt with in Director Zwick's statement, again let me express my appreciation for your encouraging support of our tax balance of payments objectives.

Sincerely yours,

HENRY H. FOWLER.

BUREAU OF THE BUDGET COMMENTS ON S. 2902

S. 2902, "Balance of Payments and Domestic Economy Act of 1968," contains a combination of tax measures and expenditure provisions "to improve the balance of payments and protect the domestic economy of the United States." Some sections of the bill are similar to proposals made or actions already underway by the Administration with the same objectives in mind. Other sections, however, represent unwise, inefficient, or impractical methods of accomplishing the desired purposes. In total they are a prescription for inefficient government.

The Bureau of the Budget is primarily concerned with Sections 3, 4, 5, and 10 of the bill; analyses of each of these sections are presented below. Sections 3, 4, and 5 are, in our view, particularly troublesome. These sections, taken together, are designed to accomplish an expenditure reduction of \$8 billion in fiscal year 1969. Section 3 calls for a freeze on civilian officers and employees in the executive branch at the September 20, 1966 level. Section 4 requires a moratorium on public works. Section 5 imposes an expenditure limit of \$178 billion in fiscal year 1969.

These sections are undesirable, from the point of view of both policy and administration. To summarize briefly, they would—

Require an arbitrary, meat-axe approach to Government programs and services instead of careful and deliberate program-by-program review;

Fall inequitably upon the activities which are relatively controllable, requiring, in many cases, crippling reductions;

Cause considerable uncertainty since, if, as the year progressed, expenditures for uncontrollable programs were to increase over the estimates, the limited controllable portion of the budget would have to be cut more and more deeply to keep within the statutory ceiling on total expenditures;

Transfer from the Congress to the Executive virtually all decision-making as to which programs to fund and staff, regardless of congressional action through the appropriations process.

Orderly, efficient Government requires explicit decisions—program by program—after consideration of needs and priorities by both the Executive and the Congress. Moreover, to be effective in these rapidly changing

times, Government must have a degree of flexibility. A statutory expenditure limit, combined with a retroactive freeze on civilian employment and an across-the-board moratorium on public works, runs counter to both of these requirements.

ANALYSIS OF SECTIONS 3, 4, 5, AND 10

Section 3. Reduction in Executive Branch Employment

Summary.—During any period in which employment in the executive branch exceeds the level of employment of September 20, 1966, no more than 25% of total vacancies occurring may be filled.

The Director of the Bureau of the Budget is required to determine which vacancies may be filled, reserve from expenditure the savings in salaries and wages and other categories of expense resulting from this action, and make quarterly reports to the Congress of his activities.

The section would not apply to employees in the Department of Defense, the postal field service, the Federal Bureau of Investigation, offices filled by appointment by the President with the advice and consent of the Senate, or to positions filled by transfer from the same or another agency. However, all such employees and offices would be counted in the aggregate number of employees employed September 20, 1966 and the number employed at any particular time.

The section would take effect April 1, 1968.

Comments.—Total Federal civilian employment in the executive branch at the end of September 1966 was 2,762,000. The Post Office and the Defense Department accounted for 1,834,000 and all other agencies 928,000. The 1969 budget estimates of employment were based on careful review and determination of the minimum numbers of employees essential to support the proposed program levels. The estimates indicate an increase of 315,000 in June 1969 above the September 1966 level. Post Office and Defense will account for 207,000 of this increase and all other agencies will account for the balance of 108,000.

Since the provisions of section 5 about not filling 3 out of 4 vacancies do not apply to the Post Office and the Defense Department, but their numbers are included in the totals, employment in the rest of the Government agencies would have to be reduced *below* the level of September 20, 1966 to the extent that the Defense Department, the Post Office and the Federal Bureau of Investigation *exceed* their September 20, 1966 level. Therefore, the other Government agencies would have to reduce employment not only by the 108,000 by which they are estimated to increase, but also by the 207,000 that the Post Office and Defense Department are estimated to increase.

A reduction of some 315,000 employees in those agencies is in excess of 30% from the estimated June 1969 level and more than 200,000 below the September 1966 employment level which section 3 is designed to maintain! This would completely disrupt the functions of Government.

Section 3 appears to give discretion to the Director of the Bureau of the Budget as to which vacancies should be filled, but in reality the Director would have little or no discretion. Neither the President, the Congress, nor the public would want air safety jeopardized, for example. The choice would then be to limit air travel or to increase employment in the Federal Aviation Administration. The effect of section 3 would be that for each person added by the Federal Aviation Administration, four vacancies elsewhere would have to go unfilled. If employment were to be merely held level at FAA, all vacancies in FAA would be filled, and for each vacancy that occurred and was filled at FAA three vacancies must be left unfilled elsewhere.

Similarly, programs such as social security or Medicare must handle all of those who are eligible. Accordingly, maintaining or increasing employment in the Social Security Ad-

ministration to cope with rising workloads would mean that four times the number of increases and three times the number of vacancies filled at the Social Security Administration would have to be left unfilled elsewhere in the Government.

Long before the Director could satisfy requirements of the Federal Aviation Administration, social security, and other important activities, such as law enforcement, veterans' hospital care, and civilian agency support for Vietnam operations, the number of vacancies that legally could be filled would undoubtedly be exhausted. The result would be that a large number of agencies would be forced to drastically curtail or eliminate services to the public.

Section 3 completely disregards the fact that demands for Government services are increasing and that there must be additional employees to handle the resulting increased workloads.

For example, it is estimated that the number of establishments requiring Federal meat inspectors will increase by 78% in 1969. The only alternative to permitting uninspected and perhaps unwholesome meat to pass to the consumer is to increase the number of inspectors. Similarly, additional employees are necessary for projected increased services in 1969 such as:

Loans to small business—up 21%.

New Federal manpower programs aimed at both the urban and rural disadvantaged—a 20% increase in program level.

Maintenance of air travel safety while air traffic significantly increases—landings and takeoffs at airports with FAA towers will increase 15%.

Processing of mortgage insurance applications to the Federal Housing Administration by prospective homeowners—expected to increase by 100,000.

Disposition of 4% more patent applications in the Commerce Department.

Handling of complaint applications concerning monopolistic and unfair trade practices—up 7%.

Disposition of electric rate filings to the Federal Power Commission—up 4.4%.

Adjudication of air carrier rate and fare cases—up 16%.

Disposition of applications for motor carrier operating authority—up 8%.

Mediation of unfair labor practice cases—up 7.5%.

Handling of 112 million tax returns by the Internal Revenue Service—up almost 3 million.

In the face of these workload increases, it is apparent that appropriate action with regard to Federal employment is not to impose arbitrary and disruptive decreases, but to limit increases to what is essential. This was the policy pursued by the President in his 1969 budget.

The selection of the month of September for the base period in section 3 would cripple the regular and special summer activities of the Government. These include programs to accommodate visitors to the national forests and parks, construction activities in agencies such as the Corps of Engineers and Tennessee Valley Authority, the President's summer program for disadvantaged youth, etc. Most temporary summer employees have left the rolls by September.

Section 3 requires the Director of the Bureau of the Budget to decide which vacancies should be filled. The number of vacancies occurring each year, apart from Defense and Post Office, is about 250,000. For the Director to carry out this function on any but a generalized basis would require a considerable increase in staff.

Employees of the executive branch of the Federal Government are hired to carry out the laws enacted by the Congress and at levels of activity determined by the Congress. The effect of section 3 would be to require the Director of the Bureau of the Budget to decide which of those laws should be ignored or only partially carried out. It would

be more appropriate for the Congress itself to make those specific determinations through normal legislative processes.

Section 4. Moratorium on public works projects

Summary.—This section has four principal provisions:

From the date of enactment and during the time in which a tax surcharge is in effect, no Federal agency shall initiate the planning or construction of any public works project (excluding highway projects), or make any grant to any State or local government agency for initiating planning or construction of any such projects.

Planning or construction of new projects may proceed only when the Director of the Office of Emergency Planning, after investigation, determines that a delay in planning or constructing such projects would cause irreparable damage to the "public health or welfare."

The Director of OEP is required to investigate all public works projects (except highway projects) being planned or constructed on the date of enactment to determine which projects can be temporarily halted without causing irreparable damage to the public health or welfare.

No Federal agency shall continue the planning or construction of Federal projects or make any grant for continuing planning or construction of State and local projects if the Director of OEP determines that such projects can be temporarily halted.

Comments.—The proposed moratorium on public works projects would be costly and difficult to administer. It would require uneconomic actions to stop many worthwhile projects already underway if large reductions in expenditures were to be achieved.

The intent of S. 2902 in restricting new public works construction starts may be only slightly more limiting than the President's recommendations in the 1969 budget. The budget proposes very few new direct Federal projects other than those essential to the national defense and health and welfare of the public, and holds going work to a minimum level.

The principal difference from the President's recommendations is the intent to halt going projects. In this respect, the bill goes far beyond actions taken in the Korean crisis, when contracts were generally allowed to be completed on less essential projects before placing the projects on a standby basis. The present bill would require cancellation of existing contracts.

More specifically, section 4 would create the following difficulties:

First, the proposal to stop projects under construction would be economically wasteful and costly to the Federal Government and to State and local governments. It would require additional costs to place projects on a standby basis and would subject the Federal agencies to damage claims for cancellation of construction contracts. The economic waste would apply also to Federal grant programs whenever additional grants would be necessary to complete a project already underway.

Second, the proposal to stop planning on projects (even though construction is not yet underway) would severely damage Federal and State and local construction programs with very little saving in Federal expenditures. Halting of planning work would result in the loss of highly skilled agency staff who could not easily be replaced when the Federal construction program was resumed. In addition, deferral of planning could impair later effectiveness and timing of resumption of Federal public works construction if this were deemed desirable to facilitate postwar adjustments.

Third, determination of which projects could be undertaken within the phrase "essential to the public health or welfare" would be controversial and time-consuming. With-

out clear definitions, the bill would be difficult to administer fairly and efficiently.

Fourth, investigation of the projects being planned or under construction before a determination to stop a project would require a time-consuming investigation period. The application of the moratorium to all going projects could well take several years, by which time some of these projects would already be completed. If an investigation of going projects were to be required, it is questionable whether OEP is the proper agency to review the agencies' proposals and make the final determination as to what is "essential to the public health and welfare."

Fifth, there is no clear reason why the Federal highway construction program should be excluded from the moratorium, since in many cases highways could as well be delayed as public buildings, educational facilities, water resources projects, and other projects beneficial to the domestic economy. Moreover, the provisions of section 4 appear to limit the exclusion to direct Federal highway projects and do not mention the exclusion with reference to grants to States or local governments. Most of the highway program is, of course, financed through grants from the Highway Trust Fund.

Finally, section 4 has a number of other technical difficulties which would complicate its administration and in some cases raise serious questions as to equity in its application to Federal programs. For example, there is no definition of the word "project," although this term can be applied with considerably different effects in different construction programs. It also affects the determination of what is "new work" or "work underway." No mention is made of Federal loans to State or local governments, although projects similar to, or complementary to, projects financed by grants are also financed by Federal loans. Private or quasi-public institutions (e.g., educational and health) receive construction assistance through Federal grant programs, but the bill limits the moratorium to grants to State and local government agencies.

Section 5. Expenditure limitation

Summary.—This section of the bill would limit expenditures in fiscal year 1969 (using the new budget concept) to \$178 billion. This limit would not apply to expenditures in excess of \$25 billion for our military effort in Southeast Asia, if the President determines greater expenditures to be necessary for that purpose in 1969.

The limit on expenditures is to be accomplished by reserving amounts of obligational authority heretofore or hereafter made available.

Comments.—The Bureau of the Budget opposes attempting to hold budget expenditures to a legally set limit. Such an attempt presents many serious difficulties, both for the executive branch and the Congress.

First, the Congress provides appropriations which grant the Administration power to enter into contracts or obligate money. Expenditures are simply the process of paying off those contracts and honoring those obligations. Expenditures alone cannot be controlled; the initial contracts or obligations must be controlled. An expenditure ceiling does not face this fact—it is like locking the barn door after the horse has gone.

Second, an expenditure limitation makes no allowance for uncontrollable changes in expenditures. The President would, of course, have to make an initial round of program reductions. However, later in the fiscal year, expenditures could increase—and the Administration would be powerless to stop this—in such locked-in programs as interest on the public debt, CCC price supports, veterans' pensions, and Medicaid, for example. These increases would immediately require even further cuts in other programs which could be controlled—aid to

education, airway safety, and health research, for example. As a matter of fact, if substantial uncontrollable expenditure increases took place late enough in the fiscal year, some vital programs might be crippled or might well have to shut down completely to offset the increases and stay within the legal ceiling.

Third, an expenditure limitation would require a whole new and cumbersome set of controls. The entire Federal accounting system is set up to control at the point where contracts or commitments are made. Expenditures are simply an *estimate* of how rapidly checks will be written as work progresses, plans are delivered, States draw their grant authorizations, and so forth. But with a *legal* limit on expenditures, all the agencies would have to set up a whole new and wasteful management system to control those expenditures.

Along with these very practical problems associated with a statutory expenditure limit, there are fundamental considerations involving the separation of powers and congressional processes.

An absolute ceiling on expenditures, as provided in section 5, would, in effect, transfer most of Congress' powers of the purse to the President by giving him carte blanche authority to reserve funds made available by the Congress. The President, not the Congress, would thereby have almost complete authority to decide whether new or old programs should be funded, and at what levels.

An absolute ceiling on expenditures, as provided in section 5, would also completely undercut the congressional appropriations process. The Appropriations Committees make a careful examination of individual programs. Agency witnesses are questioned closely and at length on each budget request. The specific appropriations are considered by the House and Senate as a whole, and normally by conference committees as well, before final action is taken. Section 5 would undo the results of this process before most appropriations for fiscal 1969 are even enacted, and would substitute a sweeping meat-axe approach—enacting obligating authority, on the one hand, while disregarding it on the other.

There can be no question that a reduction of \$8 billion from the estimated level of expenditures in fiscal 1969 would mean sweeping reductions in programs. To achieve a reduction of that magnitude would require cutting program levels by roughly double that amount—around \$16 billion. Where could reductions of that amount realistically or desirably be made?

As noted earlier, there are some programs which are relatively uncontrollable, under which payments are virtually fixed by statutory formula in the short term. These include social security, Medicare, and other social insurance trust funds; veterans' pensions; interest on the Federal debt; and public assistance grants. The Government is both legally and morally obliged to make the payments required for these types of programs, unless the authorizing legislation is changed. And these payments are often difficult to estimate, since they involve factors largely outside of Government actions.

Our defense needs outside of Southeast Asia were examined with great care in formulating the 1969 budget. It would not be possible to effect large cuts in national defense at this point in time without damage to our national security.

This leaves \$39.5 billion of relatively controllable civilian programs, *including* outlays from prior year contracts and obligations, to bear the full brunt of the reduction—which could require crippling and destructive cuts in elementary and secondary education; research on cancer, heart disease, mental illness, and other health problems; loans for rural electrification, telephones, and housing; veterans' medical care; activities to com-

bat crime; Internal Revenue Service audits of tax returns; grants for maternal and child health and welfare; school lunch, special milk, and food stamp programs; operation of airways by the Federal Aviation Administration; programs for Model Cities and urban transportation; and air and water pollution control.

This list could be extended, but the issue is clear. If we want reductions in these programs of the magnitudes involved in section 5, the Congress should say so in terms of the specific activities to be reduced.

The President's 1969 budget calls for tight controls on all programs—with selective expansions in some areas almost entirely offset by reductions in other controllable programs. The expenditure program in the budget is based on a strict review of national needs and objectives. Coupled with the President's tax program, it represents a responsible way of meeting our economic, fiscal, and program requirements.

Section 10. Limitation on foreign travel by Government employees

Summary.—Section 10 provides that no civilian officer or employee of any of the three branches of Government may travel in a foreign country unless the travel is certified as essential by a proper certifying officer.

The term "proper certifying officer" is defined as:

(1) The President, for the heads of departments and agencies in the executive branch, the President pro tempore of the Senate, the Speaker of the House, the Chief Justice of the United States, the Justices and Judges of the Courts of the United States, and officers and employees in the judicial branch.

(2) Department and agency heads, for their officers and employees.

(3) The President pro tempore of the Senate, for Members, officers, and employees of the Senate.

(4) The Speaker of the House, for Members, officers, and employees of the House.

The section does not apply to travel in a foreign country by employees whose principal place of duty is in that foreign country.

The section would remain in effect until termination of the interest equalization tax.

Comments.—The provisions of section 10 are unnecessary for reducing foreign travel in view of the measures already undertaken in the executive branch. In a memorandum of January 18, 1968, the President directed the heads of departments and agencies to reduce official travel overseas to the minimum consistent with the orderly conduct of the Government's business abroad. On February 14, the Bureau of the Budget issued further instructions in Bulletin No. 68-8. Each agency head was asked to take as his objective a reduction of 25% in all overseas travel to and from places outside the United States except travel inherent in permanently assigned personnel overseas.

Each agency is required to report to the President a plan covering all of its overseas travel through fiscal year 1969 including a statement describing the actions taken by the agency head to reduce overseas travel, the amount that travel is expected to be reduced by such actions, and recommendations as to any additional measures that might be taken.

In addition, agencies will make quarterly reports comparing actual overseas travel costs with the plan previously submitted.

The designations of "proper certifying officer" in section 10 present certain difficulties. It would be most improper, if not unconstitutional, for the President to determine whether or not foreign travel could be performed by the President pro tempore of the Senate, the Speaker of the House or all of the Justices, Judges, and officers and employees in the Judicial branch.

Moreover, the administrative burden required for some agency heads to certify per-

sonally the essentiality of foreign travel of all employees of their agencies could seriously interfere with their primary duties.

**VIEW OF TREASURY DEPARTMENT ON S. 2902
(SECTIONS 2, 6, 7, 8, 9, 11) AND S. 2903 (INTRODUCED BY SENATOR WILLIAMS)**

This memorandum sets forth the analysis and views of the Treasury Department on sections 2, 6, 7, 8, 9, and 11 of S. 2902, "A BILL To improve the balance of payments and protect the domestic economy of the United States", and on S. 2903, "A BILL To amend the Internal Revenue Code of 1954 to limit the maximum rate of percentage depletion to a rate of 20 percent," both introduced by Senator Williams. S. 2902.

Section 2 of S. 2902 provides a one year postponement of the scheduled rate reductions for the automobile and communications excise taxes. Thus, the reduction from 7 percent to 2 percent of the excise tax on automobiles, now scheduled for April 1, 1968, would be postponed until April 1, 1969, after which the rate would drop to a permanent 1 percent. The tax on communications, now scheduled to drop from 10 percent to 1 percent on April 1, 1968, would be continued at a 10 percent rate until April 1, 1969, after which the tax would be repealed.

The Treasury, of course, favors postponement of the excise tax rate reductions now scheduled for April 1, 1969. We believe, however, that the provisions of H.R. 15414, "The Tax Adjustment Act of 1968," in this regard are more aptly suited to our revenue needs for fiscal year 1969 than the procedure adopted in S. 2902. Under this bill, which has been passed by the House, the scheduled excise tax reductions are postponed until December 31, 1969, after which date a schedule of gradual reductions eliminates these taxes by 1973. The continuance of the excise taxes in this manner produces an estimated \$2.7 billion of additional revenue in fiscal year 1969 over the revenue from these excise taxes if the reductions take effect as presently scheduled. Under section 2 of S. 2902, this revenue yield would be reduced by an estimated \$360 million.

In addition, a sudden large drop in the excise tax rate on automobiles, such as would occur under section 2, produces problems for the industry. H.R. 15414 provides for more gradual rate reductions in order to avoid a significant deferral of automobile purchases that might take place in the months immediately preceding a reduction date.

Section 6 of the bill imposes a 6 percent surcharge on individuals and an 8 percent surcharge on corporations. The surcharge would be effective April 1, 1968, for individuals (thus producing a 4.5 percent surcharge for calendar year taxpayers for 1968), and January 1, 1968, for corporations. The tax would terminate on July 1, 1969, for both corporations and individuals.

The Administration strongly supports a temporary surcharge. For the reasons indicated and more fully set forth in my statements before the House Ways and Means Committee, we believe that the surcharge rate should be set at 10 percent as proposed by the President. Reduction of the surcharge rate to 6 percent for individuals reduces the revenue yield from the Administration's proposal by \$370 million for fiscal year 1968 and by \$2.770 billion for fiscal year 1969. Reducing the corporate surcharge rate to 8 percent yields \$190 million less than the Administration proposal for fiscal year 1968, and \$580 million less for fiscal year 1969. Thus, the rates proposed in S. 2902 reduce the revenue yield from the proposed 10 percent surcharge by a total of \$560 million in fiscal year 1968 and \$3.350 billion in fiscal year 1969.

Section 7 of the bill provides for the removal of interest limitations on Government bonds. In 1967, the Treasury Department asked the Congress to redefine Treasury

notes, which are not subject to the interest rate ceiling, to include maturities of up to 10 years, and to allow issuance of as much as \$2 billion of longer term bonds without regard to the ceiling. The Congress amended this request by restricting the term of notes to seven years and did not give the Treasury the authority to issue bonds without regard to the ceiling. We would naturally like to see the recommendations we made last year enacted into the law. While the Treasury would not want to issue a substantial amount of long-term bonds in the foreseeable future because of the current high level of interest rates and the problem of competing in the market for long-term mortgage funds, we would have no objection to removing the ceiling as proposed in section 7.

Section 8 of the bill would reduce temporarily the exemption from customs duty accorded to returning residents from the \$100 and \$200 provided in item 813.31 of the Tariff Schedules of the United States to \$25.

On February 5, 1968, I appeared before the Committee on Ways and Means to present certain legislative aspects to the President's balance of payments program. That program includes a recommendation that the tourist exemption of \$100 be reduced to \$10 for U.S. residents returning from countries other than Canada, and Mexico, and the Caribbean area. The \$10 duty-free gift privilege for articles arriving in the mails would be reduced to \$1. These changes (as well as that provided in section 8) would impose a heavy administrative burden with substantial increased costs on the Customs Service. It is therefore important to alleviate such problems by imposing a schedule of flat rates of duty. Thus, under the Treasury proposal, a flat 25 percent rate of duty plus any tax due would be assessed on all dutiable articles valued at \$500 or less imported by travelers for non-commercial purposes. Non-commercial mail parcels (and non-commercial shipments arriving by other means) valued at \$250 or less and more than \$10 would be assessed a flat 25 percent duty rate plus any tax due. A \$2 charge would be imposed on all dutiable non-commercial parcels arriving by mail which are valued at \$10 or less retail. Articles valued at \$1 or less arriving in the mails or otherwise would continue to be duty free. These steps would achieve a balance of payments savings of about \$100 million. The Treasury, thus, supports the objective of section 8, but believes that the Administration proposals deal with the problem in a more comprehensive manner.

Section 9 would encourage the use of excess foreign currencies by offering them to American travelers at a 10 percent discount. However, this would not be available to a traveler who visited another foreign country unless such travel was reasonably necessary to reach the country in which the excess currency was available.

We are opposed to this provision for several reasons. It would do little to aid the problem since travel to excess currency countries is not significant, and the amounts of currency available are limited by prior agreement. The United States is bound to obey the currency control laws and official practices of each country with respect to its own currency. The offering of a "bonus" upon conversion by a traveler would constitute unilateral devaluation of that country's

¹ The U.S. on June 30, 1967, owned excess currencies in only ten countries: Burma, Ceylon, Guinea, India, Israel, Pakistan, Poland, Tunisia, the UAR, and Yugoslavia. Ninety percent of the total U.S. holdings of foreign currency of \$2.18 billion is in these ten countries, and sales are presently being made in seven of these. (See table attached.) While our currency holdings are large in these ten countries, only a proportionately small number of American tourists visit these countries.

currency with all the incident results to its economy. This would constitute a violation of our IMF obligations with respect to another IMF member country. Further, it is likely that many of these countries would hesitate to enter into the P.L. 480 agreements if they were forced to agree to the discount arrangement for U.S. travelers. The resultant effects on our agricultural export program would be much more serious than any possible gain from the slight increase in the use of excess foreign currency.

Section 11 of the bill would repeal the gold reserve requirements for Federal Reserve Notes, United States Notes and Treasury Notes of 1890. The Administration supports the objective of this section. On January 22, 1968, the Treasury Department submitted to the Congress draft legislation to repeal the gold cover requirement which was introduced as S. 2857 and H.R. 14743. The House has passed H.R. 14743, with amendments, and the Senate Banking and Currency Committee has reported S. 2857.

S. 2903

S. 2903 provides that the rate for percentage depletion for oil and gas would be reduced from 27½ percent to 20 percent over a 3-year period beginning in 1968. The present depletion allowance of 23 percent applicable to uranium, sulphur and other minerals would be reduced to 20 percent over a 2-year period beginning in 1969.

The depletion allowance is a part of this nation's overall energy policy. In his Message last year on Protecting Our Natural Heritage, the President directed the President's Science Advisor and his Office of Science and Technology to sponsor a study of our energy resources and to coordinate our energy policy on a government-wide basis. This study is underway and will include an examination of the tax rules regarding natural resources, including those covered by this bill. It would, I believe, be premature to comment directly on S. 2903 until the results of that study are completed and its recommendations have been considered.

MR. MONDALE. Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

MR. TALMADGE. Mr. President, I have conferred with the distinguished floor manager of the bill, the Senator from Michigan, and he is prepared to accept the amendment I have offered, with three modifications, as follows:

On line 5, after the words "officer from" and prior to the words "carrying out", insert the word "lawfully".

On line 7, after the words "section for" and prior to the words "carrying out", insert the word "lawfully".

On line 8, after the words "duties of his office or" insert the word "lawfully".

I ask unanimous consent that the modifications be made as I have read them, by inserting the word "lawfully" in the three places provided.

MR. COOPER. Mr. President, will the Senator yield, on my time?

Mr. HART. Mr. President, I think the Senator from Kentucky is reserving the right to object.

Mr. COOPER. I am not reserving the right. I want to speak briefly, for about half a minute. I will ask the Senator from Georgia.

Mr. TALMADGE. Mr. President, I am delighted to yield to the Senator from Kentucky.

Mr. COOPER. With the modifications, is the amendment identical to the amendment which was adopted in the House?

Mr. TALMADGE. The amendment protecting officers in carrying out their duties was agreed to in the House. I do not know that this is verbatim what the House adopted, particularly in view of the modifications, but the House did, by a substantial majority, when it was before the House last year, adopt an amendment to protect law officers.

Mr. President, in view of the agreement by the floor manager of the bill to accept the amendments with the modifications, I am prepared to ask unanimous consent that the order for the yeas and nays be withdrawn and that the amendment be agreed to by voice vote.

The PRESIDING OFFICER. Is there objection to the modifications? The Chair hears none, and they are agreed to.

Now is there objection to withdrawal of the order for the yeas and nays? The Chair hears none, and the order for the yeas and nays is withdrawn.

Mr. LONG of Louisiana. Mr. President, if I may ask the Senator, what difference does this modification make? I should like to have a better understanding of it.

Mr. TALMADGE. Mr. President, I do not think it makes any substantial difference. I do not think one could expect an officer of the law to be carrying out his duties at the same time he may be burglarizing a store. The Senator from Michigan requested this change in the language, I understand, at the behest of the Department of Justice. I do not think it makes any material difference, and that is why I was willing to accept the modification.

Mr. LONG of Louisiana. I ask the Senator from Michigan for clarification.

Mr. HART. Mr. President, those of us supporting the Dirksen amendment in the nature of a substitute believe that the law-enforcement officer acting within the scope of his office would not be in violation of any of the protective features of the statute, even without the recital now proposed to be added by the Senator from Georgia.

However, it is clear that with the addition of the word "lawfully," at three points in the amendment offered by the Senator from Georgia, there could be no misunderstanding of the intention; namely, that certain rights are created and protected by the statute, but that a police officer properly exercising police authority within the scope of his office, reacting to any incidents which are within the scope of the protected activities, would nonetheless not be affected by the bill.

It is clear, however, that we wanted to insure that we were not, by oversight, endorsing the proposition that a law enforcement official could enforce a law in an unlawful way. That is the reason

that, with the additions of the word "lawfully" in the three places indicated, we are satisfied that the Senator from Georgia has made a constructive suggestion, and we believe that the bill would be improved by its adoption.

Mr. LONG of Louisiana. The reason I asked the question is that in some instances there may be a statute which is subsequently declared unconstitutional, which the law officer, in enforcing it, is doing his duty and is following his orders. After all, a policeman is usually not a lawyer himself. He is obeying his orders and doing his duty as he understands it.

I wonder if the Senator feels that, in any event, whether the word "lawful" is in there or not, or even without the amendment, the policeman would be protected if he is acting to enforce a statute which, as far as he knows, is valid and has never been declared unconstitutional.

Mr. HART. Mr. President, it is my impression that a law enforcement official, acting under a statute or ordinance which has not theretofore been held unconstitutional, would be protected against a subsequent charge if it were later held to be unconstitutional. There is some question in the minds of some Senators about that; but I make the point that in the case before us—namely, the worker-protection features—several specific motives must be established to exist in the mind of the officer or of anyone else who is charged with violation, and I am sure that the policeman, unless he was improperly motivated, would be protected by that feature of the statute, whatever the legal answer is to the question of whether a law enforcement official who enforces an act on its face valid, which later is held unconstitutional, is in jeopardy.

Mr. ERVIN. Mr. President, I am constrained to disagree with my good friend from Michigan on this point. In support of my position, I refer to a statement attributed to Dean Mordecai, of the Duke University Law School.

He said that the law required different things of different men; that it required the layman to know every bit of the law and the lawyer to know a reasonable amount of the law, but it did not require a judge to know a damn thing.

Mr. HART. I will restrain my temptation to suggest that we Senators also fall in that category.

Mr. President, I support the amendment of the Senator from Georgia, as modified.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Georgia.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute of the Senator from Illinois, as amended.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the prayer tomorrow, there be a period for the transaction of routine morning business not to exceed 15 minutes, and that a time limitation of 3 minutes on statements made therein apply.

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

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. MILLER. Mr. President, I call up my amendment No. 573, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The BILL CLERK. The Senator from Iowa [Mr. MILLER] proposes an amendment as follows:

On page 6, line 20, insert the following after the word "provide": "within constitutional limitations."

Mr. MILLER. Mr. President, pursuant to the order, I ask unanimous consent that my amendment be modified to change the figure "20" on line 1 of my amendment to read "21".

The PRESIDING OFFICER. The amendment will be so modified.

Mr. MILLER. Mr. President, this amendment is designed to state explicitly what I am sure we all intend by making it clear that the provision for fair housing must be within constitutional limitations upon Congress in so providing.

It would merely change the policy statement on page 6, under title II, to read:

It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States.

I have discussed my amendment with the manager of the bill, and I understand that it is acceptable to him.

Mr. HART. Mr. President, as indicated by the Senator from Iowa, his suggestion has great appeal. I think it ought not to be construed as an acknowledgment that we consciously intend to legislate beyond the reach of the Constitution; but when read against the background of the explanation just given us by the Senator from Iowa, I think his suggestion a most worthwhile one, and hope his amendment will be agreed to.

I certainly join in the motion of the Senator from Iowa.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Iowa.

The amendment, as modified (No. 573) was agreed to.

AMENDMENT NO. 572

Mr. MILLER. Mr. President, I call up my amendment No. 572, which is in several parts, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 5, strike all after (F) in line 11 and insert in lieu thereof the following: "or".

Strike lines 12 through 15.

On line 16 change "(C)" to "(B)".

On line 17, strike "participate—" and insert in lieu thereof "participate; or".

Between lines 17 and 18 on page 5, add the following.

"(4) any citizen because he is or has been, or in order to discourage such citizen from lawfully aiding or encouraging others to participate, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1) (A) through (1) (E) or subparagraphs (2) (A) through (2) (F), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate—".

The PRESIDING OFFICER. Does the Senator ask unanimous consent that his amendments be considered en bloc?

Mr. MILLER. Mr. President, I ask unanimous consent that my amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. MILLER. Mr. President, my amendment is designed to limit the protection under title I which is afforded civil rights workers to citizens rather than to all persons as provided in the amendment of the Senator from Illinois in the nature of a substitute.

The reason for the amendment is that the activity of assisting or aiding others in the exercise of their constitutional rights is properly one of a citizen rather than one of a noncitizen.

In order to clarify the amendment so that the protection of citizen civil rights workers relate to other persons in the exercise of their constitutional rights, I modify my amendment in line 10 by changing the word "others" to "other persons."

The PRESIDING OFFICER. The amendment is accordingly so modified.

Mr. MILLER. Mr. President, I have discussed my amendment with the manager of the bill, and I understand it is acceptable to him as modified.

Mr. HART. Mr. President, the Senator from Iowa is, of course, correct in his statement.

The senior Senator from Illinois, whose amendment in the nature of a substitute to the committee bill we are actually discussing here, is in agreement with the suggestion made by the Senator from Iowa.

I think the suggestion advanced by the Senator from Iowa is very worthwhile. I support him in his request that we agree to the amendment.

Mr. COOPER. Mr. President, I certainly understand the purpose of the

amendment of the junior Senator from Iowa. But I do not think it constitutional.

I point out that days and hours have been spent in argument by the sponsors and opponents of this bill with respect to its constitutionality.

Some very dramatic changes regarding the constitutionality of such legislation have been made since the 1964 civil rights bill was passed.

For example, in 1964 the Department of Justice opposed the argument that I made at the time that the constitutionality of the public accommodation section could be based on the 14th amendment.

I raise the point to emphasize that a proper insistence should be made on the development of the constitutionality of the bill. I will vote against the amendment, because I think that the amendment which you are accepting is wholly unconstitutional.

We know that the 14th amendment to the Constitution protects not only citizens of this country, but also every person physically present in this country. All such persons are entitled to due process of law.

We should recall the case of the German spies who were captured during World War II. Questions arose about whether they should be accorded due process, since they were not citizens. The courts finally determined that due process did not apply in terms of the 14th amendment because they were captured in an area of the land which was properly under military jurisdiction.

In spite of all the debate on constitutionality—and by my beloved friends, the sponsors of the measure—if they now agree to an amendment which is patently unconstitutional, I believe the action takes away some of the serious aspects of the debate.

Mr. MILLER. Mr. President—

The PRESIDING OFFICER. The question is on agreeing to the amendments, as modified, of the Senator from Iowa.

The amendment, as modified (No. 572), was agreed to.

AMENDMENT NO. 594

Mr. MILLER. Mr. President, I call up amendment No. 594, which is in several parts, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 27, strike all after "(a)" in line 6 and insert in lieu thereof the following: "or".

Strike lines 8 through 10.

On line 11 change "(3)" to "(2)".

On line 12, strike "participate—" and insert in lieu thereof "participate; or".

Between lines 12 and 13 on page 27, add the following:

"(c) any citizen because he is or has been, or in order to discourage such citizen from lawfully aiding or encouraging others to participate, without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 301(a), or participating lawfully in speech or peaceful assembly opposing and denial of the opportunity to so participate—".

The PRESIDING OFFICER. Does the Senator ask unanimous consent that his amendments be considered en bloc?

Mr. MILLER. Yes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa? The Chair hears none, and it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

Mr. MILLER. Mr. President, I ask unanimous consent that my amendment, which is in several parts, may be further modified in line 9 on page 1 by inserting after the word "citizen" the phrase "or any other citizen."

I should like to say, in explaining this modification, that this really does not change the meaning of the amendment at all. It just conforms it to language that appears elsewhere in the section.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, this amendment is identical in its content to the previous amendment, except that it relates to civil rights workers under title III. In order to clarify the amendment, I have already obtained unanimous consent for modification of the amendment; and I understand that, as modified, the amendment is acceptable to the manager of the bill.

Mr. HART. That is correct, Mr. President.

Mr. MILLER. If there are no further questions, I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment (No. 594), as modified, was agreed to.

Mr. MILLER. Mr. President, the language in the modification of the amendment which was just adopted should also have been in the previous amendment. In order for the amendments to be consistent, I now move that the vote by which amendment No. 572 was adopted by the Senate be reconsidered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Iowa.

The motion was agreed to.

Mr. MILLER. Mr. President, I now ask unanimous consent that my amendment No. 572 be modified in line 9 by inserting after the word "citizen" the phrase "or any other citizen."

May I say, in explanation of this, that it is needed to conform this amendment to other parts of the section. It is a technical matter.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. I now move the adoption of my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Iowa.

The amendment (No. 572), as modified, was agreed to.

AMENDMENT NO. 586

Mr. MILLER. Mr. President, I now call up my amendment (No. 586) and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 18, strike the word "for" in line 23 and all of lines 24 and 25, and lines 1, 2, and 3 on page 19, and substitute in lieu thereof the following: "If the appropriate State or local law enforcement official has, within thirty days from the date the alleged offense has been brought to his attention, commenced proceedings in the matter, or, having done so, fails to carry forward such proceedings with reasonable promptness. In no event shall the Secretary take further action unless he certifies that in his judgment, under the circumstances of the particular case, the protection of the rights of the parties or the interests of justice require such action."

On page 19, insert the following after the period in line 12: "Provided, That no such civil action may be brought in any United States district court if the person aggrieved has a judicial remedy under a State or local fair housing law which provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title."

Mr. MILLER. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

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

Mr. MILLER. Mr. President, if Senators will refer to page 18, line 16, they will find that there is a provision in the pending Dirksen substitute covering a situation in which a State or local fair housing law provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title. However, I regret to say that the way the substitute reads, after 30 days, the Secretary can, in his own discretion, intervene and take over.

It seems to me that if a State or local fair housing law provides substantially equivalent rights and remedies, if we are going to let the local agencies of government carry out their responsibilities, they should be given the opportunity to do so. That is why the first part of my amendment provides that if the appropriate State or local enforcement official has, within 30 days from the date the alleged offense has been brought to his attention, commenced proceedings in the matter, or, having done so, failed to carry forward such proceedings with reasonable promptness, then and only then can the Secretary enter the matter.

The amendment provides, further:

In no event shall the Secretary take further action unless he certifies that in his judgment, under the circumstances of the particular case, the protection of the right of the parties or the interests of justice require such action.

There is a second part to my amendment which is in several parts. It will be noted that on page 19, line 12, of the Dirksen substitute is a provision that actions may be brought in the U.S. district court by one who is allegedly discriminated against.

I wish to repeat that, if we are dealing with a State or local fair housing law

which provides equivalent remedies, why do we not require the one who has allegedly been discriminated against to go through the remedies so provided?

That is why I provide in the second part of my amendment that no civil action may be brought in any U.S. district court if the person aggrieved has a judicial remedy under a State or local fair housing law which provides substantially equivalent rights and remedies to this act.

I believe it is a matter of letting the State and local courts have jurisdiction. We in the Senate know that our Federal district court calendars are crowded enough, without adding to that load if there is a good remedy under State law.

Mr. President, that is what the amendment is all about. I have discussed it at some length with the manager of the bill and I understand it is acceptable to him.

Mr. HART. Mr. President, the Senator from Iowa, in making this suggestion, may very well have improved the bill. It certainly recognizes the desire all of us share that the State remedies, where adequate, be availed of and that unnecessary burdening litigation not further clog the court calendars.

The Senator from Iowa in developing this approach has made the bill much more acceptable. The senior Senator from Illinois [Mr. DIRKSEN], whose substitute we are actually discussing, shares this opinion.

I support the request of the Senator from Iowa that we agree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Iowa. [Putting the question.]

The amendments were agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 543

Mr. ALLOTT. Mr. President, I call up my amendment No. 543, which I have sent to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 23, line 7, strike the period and add the following: ", and *Provided, however*, that any sale, encumbrance, or rental consummated prior to the issuance of any court order issued under the authority of this Act, and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the existence of the filing of a complaint or civil action under the provisions of this Act shall not be affected."

Mr. ALLOTT. Mr. President, I ask unanimous consent that the original amendment may be modified in accordance with the amendment as read.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment will be modified.

Mr. ALLOTT. Mr. President, I yield myself such time as I may need.

Mr. President, I think everyone recognizes what this amendment is intended to do.

In a situation where a bona fide purchaser has bought a property or has taken an encumbrance on property, or leased property, without knowledge of a complaint or civil action, and is actually in possession as a bona fide holder or purchaser, that he will not be thereafter injured by reason of any court order or court authority. This is stating the situation about as simply and plainly as I think it can be stated.

I have discussed this proposal with the manager of the bill and I believe that it is in a form acceptable to him.

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

Mr. ALLOTT. I yield.

Mr. MONDALE. I thank the Senator from Colorado for identifying this problem in the pending substitute and for developing a responsible amendment which, first of all, protects the sanctity of our recordation procedures, which is indispensable to the handling of real estate, and second, distinguishes between that situation and the non bona fide purchaser without knowledge.

The amendment of the Senator from Colorado clearly does so. We not only have no objection but we are glad to accept the amendment, and I think it strengthens the bill.

Mr. ALLOTT. I thank the Senator and I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 543, as modified, of the Senator from Colorado [Mr. ALLOTT].

The amendment, as modified, was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS-CONSENT REQUEST

Mr. HART. Mr. President, I am going to ask unanimous consent, but first let me explain the suggestion I wish to make.

Amendments have been agreed to in the course of the day. It would seem helpful to all of us if we could obtain unanimous consent that the Dirksen substitute, as amended by the several actions of the day, be printed in the RECORD in order that tomorrow there will be available to all Senators the Dirksen substitute as it has evolved.

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

Mr. HART. I yield.

Mr. JAVITS. And that the same thing be done every day until the Dirksen substitute is voted upon.

Mr. HART. Yes.

Mr. ALLOTT. Mr. President, reserving the right to object—and I shall not object—but did the Senator mean to say printed in the RECORD, or having a clean print made?

MR. JAVITS. Printed in the RECORD.

MR. HART. We want it to be printed in the RECORD. I ask unanimous consent that this be done.

THE PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

The substitute amendment, as amended, is as follows:

TITLE I—INTERFERENCE WITH FEDERALLY PROTECTED ACTIVITIES

SEC. 101. That chapter 13, civil rights, title 18, United States Code, is amended by inserting immediately at the end thereof the following new section, to read as follows:

§ 245. Federally protected activities

"(a) (1) Nothing in this section shall be construed as indicating an intent on the part of Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of this section, nor shall anything in this section be construed as depriving State and local law enforcement authorities of responsibility for prosecuting acts that may be violations of this section and that are violations of State and local law. No prosecution of any offense described in this section shall be undertaken by the United States except upon the certification in writing of the Attorney General or the Deputy Attorney General that in his judgment a prosecution by the United States is in the public interest and necessary to secure substantial justice, which function of certification may not be delegated.

"(2) Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

"(b) Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with,

"(1) any person because he is or has been, or in order to discourage such person or any other person or any class of persons from—

"(A) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special or general election;

"(B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States;

"(C) applying for or enjoying employment, or any perquisite thereof, by any agency of the United States;

"(D) serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States;

"(E) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; or

"(2) any person because of his race, color, religion or national origin and because he is or has been—

"(A) enrolling in or attending any public school or public college;

"(B) participating in or enjoying any benefit, service, privilege, program, facility or activity provided or administered by any State or subdivision thereof;

"(C) applying for or enjoying employment, or any perquisite thereof, by any private employer or any agency of any State or subdivision thereof, or joining or using the services or advantages of any labor organization, hiring hall, or employment agency;

"(D) serving, or attending upon any court of any State in connection with possible service, as a grand or petit juror;

"(E) travelling in or using any facility of

interstate commerce, or using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

"(F) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests, or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food or beverages for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and (i) which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments, and (ii) which holds itself out as serving patrons of such establishments; or

"(3) any person because he is or has been, or in order to discourage such person or any other person or any class of persons from—

"(A) participating, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1) (A) through (1) (E) or subparagraphs (2) (A) through (2) (F); or

"(B) affording another person or class of persons opportunity or protection to so participate; or

"(4) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1) (A) through (1) (E) or subparagraphs (2) (A) through (2) (F), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate—

shall be fined not more than \$1,000, or imprisoned more than one year, or both; and if bodily injury results shall be fined not more than \$10,000, or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

"(d) Nothing in this section shall be construed so as to deter any law enforcement officer from lawfully carrying out the duties of his office; and no law enforcement officer shall be considered to be in violation of this section for lawfully carrying out the duties of his office or lawfully enforcing ordinances and laws of the United States, the District of Columbia, any of the several States, or any political subdivision of a State. For purposes of the preceding sentence, the term 'law enforcement officer' means any officer of the United States, the District of Columbia, a State, or political subdivision of a State, who is empowered by law to conduct investigations of, or make arrests because of, offenses against the United States, the District of Columbia, a State, or a political subdivision of a State."

"(c) Nothing contained in this section shall apply to or affect activities under title II of this Act.

SEC. 102. The analysis of chapter 13 of title 18 of the United States Code is amended by adding at the end thereof the following: "245. Federally protected activities."

SEC. 103. (a) Section 241 of title 18, United States Code, is amended by striking out the final paragraph thereof and substituting the following:

"They shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life."

(b) Section 242 of title 18, United States Code, is amended by striking out the period

at the end thereof and adding the following: " ; and if death results shall be subject to imprisonment for any term of years or for life."

(c) Subsections (a) and (c) of section 12 of the Voting Rights Act of 1965 (79 Stat. 443, 444) are amended by striking out the words "or (b)" following the words "11 (a)".

TITLE II—FAIR HOUSING POLICY

SEC. 201. It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States.

DEFINITIONS

SEC. 202. As used in this title—

(a) "Secretary" means the Secretary of Housing and Urban Development.

(b) "Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

(c) "Family" includes a single individual.

(d) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

(e) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

(f) "Discriminatory housing practice" means an act that is unlawful under section 204, 205, or 206.

(g) "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any of the territories and possessions of the United States.

EFFECTIVE DATES OF CERTAIN PROHIBITIONS

SEC. 203. (a) Subject to the provisions of subsection (b) and section 207, the prohibitions against discrimination in the sale or rental of housing set forth in section 204 shall apply:

(1) Upon enactment of this title, to—

(A) dwellings owned or operated by the Federal Government;

(B) dwellings provided in whole or in part with the aid of loans, advances, grants, or contributions made by the Federal Government, under agreements entered into after November 20, 1962, unless payment due thereon has been made in full prior to the date of enactment of this title;

(C) dwellings provided in whole or in part by loans insured, guaranteed, or otherwise secured by the credit of the Federal Government, under agreements entered into after November 20, 1962, unless payment thereon has been made in full prior to the date of enactment of this title; and

(D) dwellings provided by the development or the redevelopment of real property purchased, rented, or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal with respect to such real property under loan or grant contracts entered into after November 20, 1962.

(2) After December 31, 1968, to all dwellings covered by paragraph (1) and to all other dwellings except as exempted by subsection (b).

(b) Nothing in section 204 (other than paragraph (c)) shall apply to—

(1) any single-family house sold or rented by an owner residing in such house at the time of such sale or rental, or who was the most recent resident of such house prior to such sale or rental; *Provided*, That after December 31, 1969, the sale or rental of any such single-family house shall be exempted

from the application of this title only if such house is sold or rented (A) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person and (B) without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of section 204(c) of this title; but nothing in this proviso shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, or

(2) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if—

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING

SEC. 204. As made applicable by section 203 and except as exempted by sections 203 (b) and 207, it shall be unlawful—

(a) To refuse to sell or rent, to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, or national origin.

DISCRIMINATION IN THE FINANCING OF HOUSING

SEC. 205. After December 31, 1968, it shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, or national origin of such

person or of any person associated with him in connection with such loan or other financial assistance or the purpose of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given, provided that nothing contained in this section shall impair the scope or effectiveness of the exception contained in section 203(b).

DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES

SEC. 206. After December 31, 1968, it shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms of conditions of such access, membership, or participation, on account of race, color, religion, or national origin.

EXEMPTION

SEC. 207. Nothing in this title shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin. Nor shall anything in this title prohibit a bona fide private club from limiting the sale, rental, or occupancy of dwellings which it owns or operates for other than a commercial purpose to members of the club or from giving preference to such members.

ADMINISTRATION

SEC. 208. (a) The authority and responsibility for administering this Act shall be in the Secretary of Housing and Urban Development.

(b) The Department of Housing and Urban Development shall be provided an additional Assistant Secretary. The Department of Housing and Urban Development Act (Public Law 89-174, 79 Stat. 667) is hereby amended by—

(1) striking the word "four," in section 4(a) of said Act (79 Stat. 668; 5 U.S.C. 624b (a)) and substituting therefor "five"; and
(2) striking the word "six," in section 7 of said Act (79 Stat. 669; 5 U.S.C. 624(c)) and substituting therefor "seven."

(c) The Secretary may delegate any of his functions, duties, and powers to employees of the Department of Housing and Urban Development or to boards of such employees, including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter under this title. The persons to whom such delegations are made with respect to hearing functions, duties, and powers shall be appointed and shall serve in the Department of Housing and Urban Development in compliance with sections 3105, 3344, 5362, and 7521 of title 5 of the United States Code. Insofar as possible, conciliation meetings shall be held in the cities or other localities where the discriminatory housing practices allegedly occurred. The Secretary shall by rule prescribe such rights of appeal from the decisions of his hearing examiners to other hearing examiners or to other officers in the Department, to boards of officers or to himself, as shall be appropriate and in accordance with law.

(d) All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this title and shall cooperate with the Secretary to further such purposes.

(e) The Secretary of Housing and Urban Development shall—

(1) make studies with respect to the nature and extent of discriminatory housing practices in representative communities, urban, suburban, and rural, throughout the United States;

(2) publish and disseminate reports, recommendations, and information derived from such studies;

(3) cooperate with and render technical assistance to Federal, State, local, and other public or private agencies, organizations, and institutions which are formulating or carrying on programs to prevent or eliminate discriminatory housing practices;

(4) cooperate with and render such technical and other assistance to the Community Relations Service as may be appropriate to further its activities in preventing or eliminating discriminatory housing practices; and

(5) administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of this title.

EDUCATION AND CONCILIATION

SEC. 209. Immediately after the enactment of this title the Secretary shall commence such educational and conciliatory activities as in his judgment will further the purposes of this title. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this title and his suggested means of implementing it, and shall endeavor with their advice to work out programs of voluntary compliance and of enforcement. He may pay per diem, travel, and transportation expenses for persons attending such conferences as provided in section 5703 of title 5 of the United States Code. He shall consult with State and local officials and other interested parties to learn the extent, if any, to which housing discrimination exists in their State or locality, and whether and how State or local enforcement programs might be utilized to combat such discrimination in connection with or in place of, the Secretary's enforcement of this title. The Secretary shall issue reports on such conferences and consultations as he deems appropriate.

ENFORCEMENT

SEC. 210. (a) Any person who claims to have been injured by a discriminatory housing practice or who believes that he will be irreversibly injured by a discriminatory housing practice that is about to occur (hereafter "person aggrieved") may file a complaint with the Secretary. Complaints shall be in writing and shall contain such information and be in such form as the Secretary requires. Within thirty days after receiving a complaint, or within thirty days after the expiration of any period of reference under subsection (c), the Secretary shall investigate the complaint and give notice in writing to the person aggrieved whether he intends to resolve it. If the Secretary decides to resolve the complaint, he shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion. Nothing said or done in the course of such informal endeavors may be made public or used as evidence in a subsequent proceeding under this title without the written consent of the persons concerned. Any employee of the Secretary who shall make public any information in violation of this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or imprisoned not more than one year.

(b) A complaint under subsection (a) shall be filed within one hundred and eighty days after the alleged discriminatory housing practice occurred. Complaints shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. Complaints may be reasonably and fairly amended at any time. A

respondent may file an answer to the complaint against him and with the leave of the Secretary, which shall be granted whenever it would be reasonable and fair to do so, may amend his answer at any time. Both complaints and answers shall be verified.

(c) Wherever a State or local fair housing law provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title, the Secretary shall notify the appropriate State or local agency of any complaint filed under this title which appears to constitute a violation of such State or local fair housing law, and the Secretary shall take no further action with respect to such complaint if the appropriate State or local law enforcement official has, within thirty days from the date the alleged offense has been brought to his attention, commenced proceedings in the matter, or, having done so, fails to carry forward such proceedings with reasonable promptness. In no event shall the Secretary take further action unless he certifies that in his judgment, under the circumstances of the particular case, the protection of the rights of the parties or the interests of justice require such action.

(d) If within thirty days after a complaint is filed with the Secretary or within thirty days after expiration of any period of reference under subsection (c), the Secretary has been unable to obtain voluntary compliance with this title, the person aggrieved may, within thirty days thereafter, commence a civil action in any appropriate United States district court, against the respondent named in the complaint, to enforce the rights granted or protected by this title, insofar as such rights relate to the subject of the complaint: *Provided*, That no such civil action may be brought in any United States district court if the person aggrieved has a judicial remedy under a State or local fair housing law which provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title. Such actions may be brought in any United States district court for the district in which the discriminatory housing practice is alleged to have occurred or be about to occur or in which the respondent resides or transacts business. If the court finds that a discriminatory housing practice has occurred or is about to occur, the court may, subject to the provisions of section 212, enjoin the respondent from engaging in such practice or order such affirmative action as may be appropriate.

(e) In any proceeding brought pursuant to this section, the burden of proof shall be on the complainant.

(f) Whenever an action filed by an individual, in either Federal or State court, pursuant to this section or section 212, shall come to trial the Secretary shall immediately terminate all efforts to obtain voluntary compliance.

INVESTIGATIONS; SUBPENAS; GIVING OF EVIDENCE
SEC. 211. (a) In conducting an investigation the Secretary shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation: *Provided, however*, The Secretary first complies with the provisions of the Fourth Amendment relating to unreasonable searches and seizures. The Secretary may issue subpensas to compel his access to or the production of such materials, or the appearance of such persons, and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpensas or interrogatories were issued or served in aid of a civil action in the United States district court for

the district in which the investigation is taking place. The Secretary may administer oaths.

(b) Upon written application to the Secretary, a respondent shall be entitled to the issuance of a reasonable number of subpensas by and in the name of the Secretary to the same extent and subject to the same limitations as subpensas issued by the Secretary himself. Subpensas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

(c) Witnesses summoned by subpensas of the Secretary shall be entitled to the same witness and mileage fees as are witnesses in proceedings in United States district courts. Fees payable to a witness summoned by a subpensas issued at the request of a respondent shall be paid by him.

(d) Within five days after service of a subpensas upon any person, such person may petition the Secretary to revoke or modify the subpensas. The Secretary shall grant the petition if he finds that the subpensas requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.

(e) In case of contumacy or refusal to obey a subpensas, the Secretary or other person at whose request it was issued may petition for its enforcement in the United States district court for the district in which the person to whom the subpensas was addressed resides, was served, or transacts business.

(f) Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents, or other evidence, if in his power to do so in obedience to the subpensas or lawful order of the Secretary, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. Any person who, with intent thereby to mislead the Secretary, shall make or cause to be made any false entry or statement of fact in any report, account, record, or other document submitted to the Secretary pursuant to his subpensas or other order, or shall willfully neglect or fail to make or cause to be made full, true, and correct entries in such reports, accounts, records, or other documents, or shall willfully mutilate, alter, or by any other means falsify any documentary evidence, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(g) The Attorney General shall conduct all litigation in which the Secretary participates as a party or as amicus pursuant to this Act.

ENFORCEMENT BY PRIVATE PERSONS

SEC. 212. (a) The rights granted by sections 203, 204, 205, and 206 may be enforced by civil actions in appropriate United States district courts without regard to the amount in controversy and in appropriate State or local courts of general jurisdiction. A civil action shall be commenced within one hundred and eighty days after the alleged discriminatory housing practice occurred: *Provided, however*, That the court shall continue such civil case brought pursuant to this section or section 210D from time to time before bringing it to trial if the court believes that the conciliation efforts of the Secretary or a State or local agency are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the Secretary or to the local or State agency and which practice forms the basis for the action in court: *And provided, however*, That any sale, encumbrance, or rental consummated prior to the issuance of any court order issued under the authority of this Act, and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the existence of

the filing of a complaint or civil action under the provisions of this Act shall not be affected.

(b) Upon application by the plaintiff and in such circumstances as the court may deem just, a court of the United States in which a civil action under this section has been brought may appoint an attorney for the plaintiff and may authorize the commencement of a civil action upon proper showing without the payment of fees, costs, or security. A court of a State or subdivision thereof may do likewise to the extent not inconsistent with the law or procedures of the State or subdivision.

(c) The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual damages and not more than \$1,000 punitive damages, together with court costs and reasonable attorney fees in the case of a prevailing plaintiff.

ENFORCEMENT BY THE ATTORNEY GENERAL

SEC. 213. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this title, or that any group of persons has been denied any of the rights granted by this title and such denial raises an issue of general public importance, he may bring a civil action in any appropriate United States district court by filing with it a complaint setting forth the facts and requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the person or persons responsible for such pattern or practice or denial of rights, as he deems necessary to insure the full enjoyment of the rights granted by this title.

EXPEDITION OF PROCEEDINGS

SEC. 214. Any court in which a proceeding is instituted under section 212 or 213 of this title shall assign the case for hearing at the earliest practicable date and cause the case to be in every way expedited.

EFFECT ON STATE LAWS

SEC. 215. Nothing in this title shall be construed to invalidate or limit any law of a State or political subdivision of a State, or of any other jurisdiction in which this title shall be effective, that grants, guarantees, or protects the same rights as are granted by this title; but any law of a State, a political subdivision, or other such jurisdiction that purports to require or permit any action that would be a discriminatory housing practice under this title shall to that extent be invalid.

COOPERATION WITH STATE AND LOCAL AGENCIES ADMINISTERING FAIR HOUSING LAWS

SEC. 216. The Secretary may cooperate with State and local agencies charged with the administration of State and local fair housing laws and, with the consent of such agencies, utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may reimburse such agencies and their employees for services rendered to assist him in carrying out this title. In furtherance of such cooperative efforts, the Secretary may enter into written agreements with such State or local agencies. All agreements and terminations thereof shall be published in the Federal Register.

INTERFERENCE, COERCION, OR INTIMIDATION

SEC. 217. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by section 203, 204, 205, or 206. This section may be enforced by appropriate civil action.

APPROPRIATION

SEC. 218. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this title.

SEPARABILITY OF PROVISIONS

SEC. 219. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

TITLE III

PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES

SEC. 301. Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with—

(a) any person because of his race, color, religion or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to discourage such person or any other person or any class of persons from—

(1) participating without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 301(a); or encouraging others to so participate; or

(2) participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate; or

(3) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging others to participate, without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 301(a), or participating lawfully in speech or peaceful assembly opposing and denial of the opportunity to so participate—

shall be fined not more than \$1,000, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000, or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1727) to authorize the consolidation and use of funds arising from judgments in favor of the Apache Tribe of the Mescalero Reservation and of each of its constituent groups.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT ON FACILITIES AND GRANTS OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report on

the use of \$580,000 of funds of the Agency to provide additional research space in a Lunar Science Institute at Houston, Tex. (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

PROPOSED AMENDMENT OF FEDERAL CROP INSURANCE ACT

A letter from the Secretary, Department of Agriculture, transmitting a draft of proposed legislation to amend section 515(a) of the Federal Crop Insurance Act, as amended (7 U.S.C. 1516(a)) (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON SPECIAL PAY FOR DUTY SUBJECT TO HOSTILE FIRE

A letter from the Deputy Secretary, Department of Defense; reporting, pursuant to law, the number of members of the U.S. Armed Forces entitled to special pay for duty subject to hostile fire, along with the amount of the special pay, for the calendar year 1967 (with an accompanying paper); to the Committee on Armed Services.

REPORT OF AIR FORCE OFFICERS ABOVE THE GRADE OF MAJOR ON FLYING STATUS

A letter from the Secretary, Department of the Air Force, transmitting, pursuant to law, a report of Air Force officers above the grade of major on flying status, dated August 31, 1967 (with an accompanying report); to the Committee on Armed Services.

PROPOSED AUTHORIZATION OF SECRETARY OF TRANSPORTATION TO ARM HIS EMPLOYEES

A letter from the Secretary, Department of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to arm his employees, and for other purposes (with an accompanying paper); to the Committee on Commerce.

REPORT OF FINANCIAL CONDITION AND RESULTS OF OPERATIONS OF HIGHWAY TRUST FUND

A letter from the Secretary, Department of the Treasury, transmitting, pursuant to law, the twelfth annual report on the financial condition and results of the operations of the highway trust fund (with an accompanying report); to the Committee on Finance.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. HILL, from the Committee on Appropriations, with amendments:

H.R. 15399. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 1012).

BILLS INTRODUCED

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

By Mr. HOLLAND:

S. 3079. A bill for the relief of the Cuban Truck & Equipment Co., its heirs and assigns; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 3080. A bill for the relief of Mr. Ernesto Julio D'Escoubet Blanco;

S. 3081. A bill for the relief of Mr. Eduardo Raul Fernandez Santalla;

S. 3082. A bill for the relief of Dr. Narciso A. Lores;

S. 3083. A bill for the relief of Dr. Juan M. Ortiz;

S. 3084. A bill for the relief of Mr. Jose G. Boleda;

S. 3085. A bill for the relief of Mr. Manuel Hector Mere Hidalgo;

S. 3086. A bill for the relief of Mrs. Irma G. A. Boleda; and

S. 3087. A bill to amend title 18 of the United States Code to prohibit the manufacture for sale, offer for sale, sale and transportation in or affecting commerce of machineguns, and sawed-off shotguns, or rifles, and for other purposes; to the Committee on the Judiciary.

S. 3088. A bill to provide certain essential technical and marketing assistance to the U.S. fishing industry; to the Committee on Commerce.

By Mr. HARTKE:

S. 3089. A bill to amend title 38, United States Code, in order to increase the maximum amount of servicemen's group life insurance which a member of the Armed Forces may purchase, and to authorize the granting of national service life insurance to Vietnam era veterans; to the Committee on Finance.

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

S. 3089—INTRODUCTION OF BILL FOR IMPROVING SERVICEMEN'S LIFE INSURANCE

Mr. HARTKE. Mr. President, I introduce today a bill to improve the life insurance program for those who are so rapidly increasing the rolls of the so-called Vietnam era veteran. The bill I offer increases the maximum amount of servicemen's group life insurance available under the servicemen's group life insurance program established in 1965, and rejuvenates and improves the national service life insurance program, which under the bill would become open to these newer veterans as well as to the past World War II and Korean servicemen. I might add that it is a pleasure for me to note that this bill has the approval of the Veterans of Foreign Wars already, and I trust that it will gain the support of both servicemen and veterans in general.

First, the bill would modify the provisions now existing for the Vietnam era servicemen by improving the servicemen's group life insurance—SGLI—program now in effect.

The SGLI program, which became effective September 29, 1965, provides the entering serviceman with an automatic \$10,000 of term of protection, for which the present premium is \$3 per month by the man and \$3 per month by the Government in a 50-50 split of the costs. But unlike the earlier programs, when the serviceman separates from his service he cannot continue his insurance on a term basis with the NSLI, the older national servicemen's life insurance program, nor is he eligible for any other form of NSLI insurance. He can convert to the same amount he holds now—that is, the automatic \$10,000, or \$5,000 if he has reduced it to that by written request. He may also, in writing, request to have no coverage. His conversion under SGLI is now to a commercial group policy, with the Veterans' Administration Insurance Service supervising the program. But the top

limit he can get under the program is \$10,000.

This limitation should be lifted, and my bill does so. President Johnson asked for this improvement in his 1967 veterans message of January 31, when he proposed as the fourth of six legislative points "to increase the amount of servicemen's group life insurance."

The President noted that the program adopted by the 89th Congress "with the outstanding cooperation of the Nation's insurance firms has worked smoothly and effectively." But he went on to say:

We should now raise the limits of coverage. This will provide a further career incentive for the men and women of the Armed Forces as well as added protection for their loved ones.

This year he repeated the request.

However, his proposal, for which no legislation has been introduced, would have raised the \$10,000 only to \$12,000, but would make further increments available proportionally to the serviceman's military pay to a limit of \$30,000. My bill still provides for a top of \$30,000 upon written election, the 10,000 automatic coverage and old provisions continuing. The additional increments would be in \$5,000 steps and there would be no limitation of any amount to a particular officer class because of their pay. In other words, any serviceman, even a lowly private first class, could choose up to \$30,000 in term insurance, for which he would pay while in service \$9 per month to be matched by the Government, a simple trebling of the present program open to any member. I see no reason why a frontline Marine in Khe Sanh should not have the same opportunity for insurance for his family that is given to a rear-echelon captain, colonel, or even general. He and his family run the greater risk and under my bill every man who wishes can elect up to the full \$30,000 recommended by the President. In commenting on the President's proposal, and thereby supporting the principle of this bill, the VFW Legislative Newsletter for February 1968 said:

Main objection is that entitlement to the low-cost group insurance would be based on rank.

The other major portion of my bill is that which would enlarge and strengthen the present slowly dying but in the past highly successful NSLI program. It would do so by giving the separating veterans a choice. Within 120 days he could choose, as presently provided, the commercially provided group life insurance as offered by participating companies, of whom there are 522 acting as reinsurers and converters as the program is operated under the Prudential Insurance Co. of America as its administrator, under VA supervision. But he could choose instead, if he preferred, within the same 120 days to convert to a national service life insurance policy under ordinary life, 20-pay life, 30-pay life, 20-year endowment, endowment at age 60, or endowment at age 65. The amount would be that for which he has carried the term insurance while in service, but he could not continue to carry term insurance—experience shows that in later years, as at present for many World War II veterans, the rising term rates become a great

hardship. Any Vietnam veteran discharged prior to passage of the bill would also have 120 days to get into the NSLI program by applying to do so.

I would like to emphasize that while this program, now consisting of \$34 billion worth of insurance in force under the 1965 act, would allow the use of the old NSLI instrument to grant comparable insurance in a direct Government program under VA, for which the machinery already exists and the experience as well, it does not take the private insurance industry out of the business. Any veteran may still, if this bill is enacted, choose to be insured by the commercial firms. Both the Government and the commercial companies use the same actuarial statistics. However, the past proves that with a very large group such as NSLI provides, and with the facilities of the Veterans' Administration to operate it, there are economies which make the premium costs in the long run less. The size of dividends and rebates under the NSLI confirms that probability.

Mr. President, I ask unanimous consent that the text of my bill may appear at the close of these remarks.

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

The bill, S. 3089, to amend title 38, United States Code, in order to increase the maximum amount of servicemen's group life insurance which a member of the Armed Forces may purchase, and to authorize the granting of national service life insurance to Vietnam era veterans, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the S. 3089 RECORD, as follows:

S. 3089

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 767 of title 38, United States Code, is amended by striking out "(2) to be insured in the amount of \$5,000.", and inserting in lieu thereof "(2) to be insured in an amount greater than \$10,000. Any member who elects to be insured in an amount greater than \$10,000 may be insured up to a maximum of \$30,000 in any multiple of \$5,000."

(b) Subsection (b) of such section is amended to read as follows:

"(b) If any member elects not to be insured under this subchapter or to be insured in any amount less than \$30,000, he may thereafter be insured under this subchapter or may increase the amount of his insurance to an amount not in excess of \$30,000 under this subchapter (in multiples of \$5,000), as the case may be, upon written application, proof of good health, and compliance with such other terms and conditions as may be prescribed by the Administrator."

Sec. 2. Section 768 of title 38, United States Code, is amended by (1) striking out "Each" at the beginning of such section and inserting in lieu thereof "(a) Each"; and (2) adding a new subsection as follows:

"(b) (1) Any eligible veteran who makes application therefor within one hundred and twenty days after being separated or released from active duty and upon payment of the required premiums, shall be granted national service life insurance, as provided in this subsection, without a medical examination. Such insurance shall provide for the payment of a sum equal to the sum payable under the policy of servicemen's group

life insurance in effect at the time of the veteran's separation or release from active duty.

(2) Insurance may be issued under this subsection on the following plans: Ordinary life, twenty-payment life, thirty-payment life, twenty-year endowment, endowment at age sixty, and endowment at age sixty-five. Premium rates and policy values shall be prescribed as provided in section 702 of this chapter. No person may carry a total amount of national service life insurance in excess of \$30,000.

(3) Except as otherwise provided in this subsection and except as may be otherwise provided in regulations promulgated by the Administrator, national service life insurance issued under this subsection shall be subject to the same terms and conditions as policies issued under section 602(c)(2) of the National Service Life Insurance Act of 1940 prior to the repeal of such Act.

(4) Notwithstanding any other provision of this subsection, any eligible veteran who was discharged prior to the date of enactment of this paragraph shall have one hundred and twenty days after such date to make application for national service life insurance under this subsection in an amount not in excess of \$10,000.

(5) As used in this subsection the term 'eligible veteran' means any person who served on active duty for a period of more than ninety days any part of which occurred during the Vietnam era and who was discharged or released therefrom under conditions other than dishonorable."

Sec. 3. The second sentence of section 703 of title 38, United States Code, is amended by striking out "No" and inserting in lieu thereof "Except as provided in section 768 (b) of this title, no".

ADDITIONAL COSPONSORS OF BILL

Mr. MONTOYA. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Minnesota [Mr. MONDALE], the Senator from Illinois [Mr. PERCY], and the Senator from Pennsylvania [Mr. CLARK] be added as cosponsors of the bill, S. 2871, to amend the National School Lunch Act, to strengthen and expand food service programs for children, and for other purposes.

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

RESOLUTION

TO PROVIDE COMPENSATION FOR INVESTIGATING SUBCOMMITTEE EMPLOYEES

Mr. MANSFIELD (for himself and Mr. DIRKSEN) submitted a resolution (S. Res. 262) providing for compensation for investigating subcommittee employees, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

PENALTIES FOR CERTAIN ACTS OF VIOLENCE OR INTIMIDATION—AMENDMENTS

AMENDMENT NO. 595

Mr. COOPER submitted an amendment, intended to be proposed by him, to the amendment in the nature of a substitute (No. 554) proposed by Mr. DIRKSEN to the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes,

which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. COOPER, which appears under a separate heading.)

AMENDMENTS NOS. 596 THROUGH 599

Mr. MILLER submitted four amendments, intended to be proposed by him to the amendment in the nature of a substitute (No. 554) proposed by Mr. DIRKSEN to House bill 2516, *supra*, which were ordered to lie on the table and to be printed.

(See reference to the above amendments when submitted by Mr. MILLER, which appears under a separate heading.)

THE INTERSTATE LAND SALES FULL DISCLOSURE ACT—AMENDMENT

AMENDMENT NO. 600

Mr. WILLIAMS of New Jersey submitted an amendment, intended to be proposed by him, to the bill (S. 3029) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development, which was referred to the Committee on Banking and Currency and ordered to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 4, 1968, he presented to the President of the United States the following enrolled bills:

S. 1155. An Act to amend the Export-Import Bank Act, as amended, to change the name of the Bank, to extend for five years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, to restrict the financing by the Bank of certain transactions, and for other purposes; and

S. 1227. An Act to provide that a judgment or decree of the United States District Court for the District of Columbia shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes.

NOTICE OF HEARING

Mr. RIBICOFF. Mr. President, the Subcommittee on Executive Reorganization will resume hearings on S. 2865 on Thursday, March 7, 1968, in room 3302, New Senate Office Building at 10 a.m. At that time we will hear testimony from representatives of General Motors Corp., Ford Motor Co., Chrysler Corp., and American Motors Corp.

MONTANA UNIVERSITIES CELEBRATE DIAMOND JUBILEE

Mr. MANSFIELD. Mr. President, the University of Montana, at Missoula, and Montana State University, at Bozeman, this year celebrate their diamond jubilee—75 years of providing quality higher education to the young people of Montana and the Nation. Each is located in a city of tremendous natural beauty, surrounded by mountains and fertile valleys. The physical appearance of the campuses has changed considerably since the days when I was able to

spend more of my time in the State. Each has become a sprawling campus dotted with many new classrooms and dormitories.

The University at Missoula and the State University at Bozeman have been friendly rivals from the very beginning, especially in sports and student affairs. Academically, both universities have strong liberal arts programs. Montana State University has concentrated on agriculture and the sciences. The University of Montana has a number of fine professional schools—business administration, pharmacy, journalism, forestry, fine arts, and education.

Recently, each of the universities celebrated its 75th birthday anniversary with appropriate ceremonies and special events. The major address at the University of Montana ceremonies was given by President James A. McCain, of Kansas State University.

President McCain is well known in Montana as president of our university from 1945 to 1950. Jim McCain is an old friend and is one of the finest of our university presidents. His Charter Day address was quite meaningful and timely. I was especially impressed by his warning to the student body and faculty that man is threatened by a technical society. I commend the text of this speech to Senators.

I ask unanimous consent to have printed at this point in the CONGRESSIONAL RECORD a feature story and editorial published in the Missoulian of February 16, 1968; a news story published in the February 17 edition of the same newspaper; and the text of President McCain's speech on Charter Day.

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

[From the Missoula (Mont.) Missoulian, Feb. 16, 1968]

AFTER 75 YEARS "WE'RE JUST GETTING STARTED"

(By Dennis Curran)

As the University of Montana pauses to commemorate its first 75 years of existence, plans are already being made for the continued growth and improvement of the University's facilities.

Starting with two buildings completed in 1899, the University today is a sprawling giant by comparison with over 40 buildings on the main campus and more than 6,000 students, yet University officials envision even greater growth in the future.

Huge construction cranes are a common site on the campus today, and University planners think that they will become almost permanent fixtures as UM attempts to cope with the increasing influx of new students.

University president Robert T. Pantzer said, however, that the growth of the University of Montana involves more than construction of new buildings.

Engaging in some cautious speculation, the president said that it is hard for anyone to say definitely what will happen in the future and that anything said would only be speculation and musing.

BROAD TRENDS

However, Pantzer outlined some broad trends that he thinks the University of Montana and other universities throughout the country will follow in the future.

One of the major trends, he said, is to update and expand graduate and undergraduate programs. Educators all over the country are saying that graduate work is almost a ne-

cessity because of the complex nature of modern society, and some say that the bachelor degree of today is more like the high school diploma of yesteryear, he said.

"The growth of our graduate programs in future years is one of our missions that has been approved by the state Board of Regents, and we'll develop existing masters degree programs to strengthen them and develop new specialties," he said.

An example of a new specialty is the University's masters program in urban studies, which includes studies in sociology, economics and political science.

URBAN PROBLEMS

"The problems facing urban areas are great throughout the country, but a few years ago we would not have even talked about a program in urban affairs because it wasn't recognized as an important field," Pantzer said.

But he warned that there is just as much need for improving and updating of existing graduate study programs because of the large influx of graduate students in the last several years.

"Graduate study is expensive, but if we are to maintain our position of a multi-purpose state university, we must meet these expenses," he added.

Undergraduate programs are also being studied constantly so that changes can be made to meet the complex problems of the modern age as they become evident, he said. While there is often no physical evidence of change, it is constantly occurring, he said.

Some of the types of curriculum changes to which the president was referring can be seen in the definition of the phrase by the Board of Regents: New and different types of degrees; course changes which alter the basic purposes of programs; changes in major or minor offerings; and course changes leading to new degrees.

Another major problem facing colleges and universities all over the U.S. is simply the sheer numbers of high school students that are going on to college, he said.

Whereas only a small percentage of high school graduates went on to college 50 years ago—and even 25 years ago—it is now almost commonplace for the high school graduate to go on to an institution of higher learning, he said.

MORE EXPENSES

President Pantzer added that the increases of numbers has led to another problem—increased expenses. "The tremendous, astronomical costs of higher education are increasing, and all colleges are facing a most difficult financial problem," he said.

Institutions of higher learning include advanced vocational and technical training, too, and although such instruction does not fall into the province of the university system, the University of Montana is cooperating because of the need for technical training in society, he said.

Pantzer cited the rising personnel costs for qualified teachers, and he also said that the need for modern facilities such as buildings, specialized laboratories and elaborate equipment is a vital factor.

"Most schools have produced the necessary number of classrooms, but many are using old buildings that are not adapted to modern needs—and that includes the University of Montana," he said.

QUICKLY OBSOLETE

And not only is elaborate special equipment expensive, it rapidly becomes obsolete because of the rapid changes in technology, he said. The former business administration professor cited the computer as an example, but he added that computer training is necessary in all fields because "everybody has to face computers."

And so planning continues to provide the increasing number of students with classroom space, special equipment and rooms in which to live during their stay at the University. Almost all of the available space on

the main campus has been used, and the University envisions expansion into nearby areas—perhaps some day reaching the married student housing area south of the main campus.

With over 6,000 students under his charge now, Pantzer said there is no ceiling placed on the University of Montana's enrollment, and he hopes that there never is a limit placed on the number of students. "However, if we have the projected 9,000-10,000 students by 1975 or 1980, we might have to take a long, hard look at the situation," he added.

Presently all graduates of accredited Montana high schools are admitted to the university, and there is no numerical limit on out-of-state students, although they do have to pay about three times the tuition costs of in-staters, he said.

Students in general are the sole reason for a university's existence and as such are a school's greatest asset, and Pantzer said that he and the faculty want to continue close, personal relations with them.

"As we get larger numbers of students, we have a little less possibility of personal contact, but we don't have a grave problem although I hear that some students are concerned over communications with faculty members," he said.

PERSONAL TOUCH

The University of Montana still has reasonably small classes, and there is no mass television teaching because "we still believe that a human professor in front of the students is important," he said.

The University does have some classes of several hundred students but nothing on the order of some universities that have classes with enrollments of 500 or 1,000 students.

However, the faculty members are concerned with what could develop into a major problem, and students are invited to staff meetings by several departments.

According to Pantzer, students are also given an increasing voice in running the school with appointments to student-faculty committees. "The faculty has to plan for the real direction of the school because students are largely transients, but the students can help with their young, fresh insight," he said.

And so with lofty goals for serving the people and youth of Montana, the University of Montana is off and running on its second 75 years.

[From the Missoula (Mont.) Missoulian, Feb. 16, 1968]

MANY HAPPY RETURNS, UNIVERSITY OF MONTANA

Tomorrow is Charter Day at the University of Montana, and Missoula and the rest of the state extend their best wishes on this 75th anniversary and hope for many happy returns.

From 50 students with five faculty members in 1895, the University has grown to more than 6,000 students and 300 faculty members.

And within the next 17 years, the campus will have 13,500 students and over 600 faculty members.

Missoula can take immense pride in the University. It lends the entire community a diversity and tone it otherwise would sadly lack.

Without the University, Missoula's cultural programs would be without much of their vital stimulus and direction.

Without the University, Missoula's students would find it harder and more expensive to obtain a higher education.

Without the University, the city's economy would be far less well developed.

Without the University, the city's growth prospects would not be nearly as bright.

Without the University, Missoula would be without that intellectual element which

makes this a stimulating, interesting place in which to live.

The University of Montana is a grown-up institution. Over the years it more and more has acquired independence and self-respect, defending those principles of academic freedom and intellectual ferment on which alone a great institution can be constructed. Now its freedom and authority are undisputed and the University, consequently, is respected.

We are proud of you, University of Montana. The interplay between you and Missoula and the rest of the state is fruitful to us all. We celebrate this 75th anniversary with you.

To wish you well now is to wish well for the future of all Montana.

[From the Missoula (Mont.) Missoulian, Feb. 17, 1968]

MCCAIN WARNS MAN'S IDENTITY IN DANGER

"State universities like the University of Montana must help to maintain the primacy of man," Dr. James A. McCain, president of Kansas State University, said Friday.

Dr. McCain, who was president of the University of Montana from 1945-1950, told 400 persons gathered for the University of Montana Charter Day convocation that man is threatened by a technical society.

Citing not only crowded campuses and crowded cities, McCain said that man's identity is threatened by the new advances in science.

"Computers are doing his thinking for him; numbers are replacing his name—zip codes, bank account numbers, service numbers, Social Security numbers; his stature is dwarfed by the vastness of explored space, and now surgeons threaten to reassemble him from used organs," he said.

Although he did not disparage the wonders of space and modern medicine, McCain stressed that man's identity could only be protected by greater achievement in the arts and those fields that have been bypassed by science.

"Our universities will have more reason than ever to lay stress on those fields of endeavor where man will remain supreme and reach his highest pinnacles of achievements," he said.

Dr. McCain also said that western state universities have emerged as an important part of American education with departures from university traditions without abandoning the traditions.

He cited three major developments: That state universities have accepted a responsibility for mass education without relinquishing a commitment to the highest standards of academic excellence; that they have broadened their horizons to encompass a variety of international programs while sharpening their services to their states and the nation; and that they have intensified their professional curriculums while clinging tenaciously to the ideal of a broad liberal education.

"Without detracting from this commitment to spiritual values, the state universities have taken the high learning from the ivory tower to the market place, the halls of government and wherever else they can foster the progress of man and society," he said.

DEMOCRATIC

McCain, who received his doctorate from Stanford University, told the Charter Day crowd that state universities are a democratic institution, and he pointed to the fact that 40 per cent of American youths attend college in contrast to 6 or 7 per cent in most nations.

"For the past half century the state universities have made great progress toward redeeming America's commitment to a democratic system of higher education," he said.

UM President Robert T. Pantzer and Loren Haarr, Two Dot, president of the associated

Students at the University, spoke before Dr. McCain gave his address.

"One cannot help but marvel at a school such as this," Pantzer said, "especially when one realizes it is only 75 years old."

He said the University "is a young institution" compared with many other institutions of higher learning throughout the nation, yet the Missoula school, Pantzer added, has made great strides educationally during its relatively brief existence.

Haarr said that anyone who had been around the Missoula campus 75 years ago "would be pleasantly surprised" at the advancements made by the University.

Haarr added that the value of an institution such as the University of Montana can be appreciated more when one realizes that "99 per cent of the men who run this country are college graduates."

THE MAINSTREAM OF AMERICAN HIGHER EDUCATION

(Address by President James A. McCain Kansas State University, Manhattan, Kans. on the occasion of the 75th anniversary of the University of Montana)

As your guest on this happy occasion, it is my privilege to congratulate the University of Montana on your 75th birthday. Such an anniversary obviously calls for a review of past achievements. Those which can be claimed for this University—the education of some 65,000 students, and three quarters of a century of devotion to scholarship, to a zealous search for new knowledge, and to public service—have earned the gratitude and the pride of every citizen of Montana.

I am profoundly grateful for the opportunity to have shared in five years of this record. I still recollect vividly a first impression after I planted my feet comfortably under the President's desk in 1945 and began to take stock: that in a state like other of the Rocky Mountain area not noted for its generous support of higher education, Montana could boast a faculty of remarkable attainments. Such men as Bill Leaphart in law, Dick Jesse in the sciences, Paul Phillips in history, Nels Lennes in mathematics, and Harold Merriam in the humanities were truly giants in their respective disciplines and would have been ornaments to the faculties of any university in the land. To borrow a phrase, they were men to match your mountains and testify to the commitment to academic excellence which has been a hallmark of this University.

Another impression on a new president was that of a faculty fierce in its defense and assertion of its rights and privileges as embedded in the university tradition of the western world. However, if Montana once achieved notoriety as less than a tranquil center of learning, one need only to take stock of the turmoil which is now the order of the day in Academe to appreciate that you were just ahead of your time!

I was asked to discuss today the role of the western state university during the 20th century. This is not only a theme to suit the occasion but one of absorbing personal interest. For recently I characterized the state universities of the West (by which I mean those west of the Alleghenies) as the "mainstream of American higher education," and was promptly challenged to document this assertion. This I now propose to do.

To a considerable extent I can rest my case on numbers. The public colleges and universities, which enrolled only 40 percent of all students before World War II, today enroll 70 percent. Although state universities represent only five percent of all higher institutions, public and private, they enroll half of that 70 percent, or 1,700,000 students. Of the 15 largest state universities, 14 are located west of the Alleghenies. The exception, the State University of New York, is a "Johnnie Come Lately" founded in 1948 and modeled after her sisters to the west.

The more generous support they receive

from taxes is an indication of the relatively greater status enjoyed by state universities in the West. The 21 states making the largest appropriations on a per capita basis to universities in 1966-67 were all west of the Alleghenies; 12 of the 13 making the smallest appropriations were eastern states where private colleges and universities command greatest prestige.

The state universities now award 30 percent of the bachelors degrees earned in the Nation, 40 percent of the masters, and 60 percent of the doctorates. They enroll 36 percent of all graduate students and lead the field in most major disciplines, producing, for example, well over half of our scientists and mathematicians, 40 percent of our social scientists and over a third of our teachers.

State universities conduct more than half of the 2 billion dollars worth of research undertaken on the Nation's campuses annually.

But such figures tell only part of the story and the less significant part at that. The emergency at midcentury of the western state universities as the dominant sector of American higher education was a product of three significant and exciting developments, all of them abundantly in evidence in the history of the University of Montana.

In each instance, these developments represented a departure from university tradition without an abandonment of the tradition and therein lie these paradoxes:

The state universities have frankly accepted a responsibility for mass education without relinquishing a commitment to the highest standards of academic excellence.

They have intensified their professional curriculums while clinging tenaciously to the ideal of a broad liberal education.

They have broadened their horizons to encompass a variety of international programs while sharpening their services to their respective states and to the Nation.

For the past half century, the state universities have made great progress towards redeeming America's commitment to a democratic system of higher education. We hold that every qualified youth is entitled to an opportunity to attend college. That some 40 percent of our youth now attend in contrast to 6 or 7 percent in most other nations is testimony to this progress.

Far and away the most striking gains have been achieved west of the Alleghenies, notably in the Rocky Mountain and North Central states. Montana, for example, with only half the population of a New England state I recently surveyed has twice the number of your youth attending college, and the great majority of these are in your two state universities. New York and Pennsylvania, for example, where the emphasis has been decidedly on private colleges and universities, have been notoriously near the bottom of the 50 states in percentage of youth going to college.

It is greatly to their credit that the state universities have accepted this responsibility for mass education (not an altogether complimentary label) without diminishing their zeal for academic excellence. Such distinguished European scholars and educators as Sir Richard Livingstone and C. P. Snow while questioning our open-door policy have focused their criticism on our high student attrition and, in fact, found the quality of our graduates to be first rate. And these graduates numerically represent four times the proportion of youth earning diplomas in the universities of Western Europe.

Surprisingly, the growth of the state universities has been accompanied by improvements in quality. Impressive evidence can be cited. Their alumni, for example, include over half the living American Nobel Prize winners, almost half the members of the National Academy of Sciences. Their students win a disproportionately large share of such prestige awards as National Science Foundation fellowships (54 percent), NDEA modern language fellowships (48 percent),

and Woodrow Wilson fellowships (27 percent).

As a source of public leadership, the Ivy League is clearly giving way to the state universities. The majority of the cabinet members in the Eisenhower administration were products of western state universities, probably the first cabinet in history so constituted. Harvard slipped back into Washington during the Kennedy administration but the trend towards the selection of state university alumni for positions of major responsibility has now been resumed.

Or, looking briefly at industry, more than half of the top executives of the Nation's largest private corporations are products of state universities.

The University of Montana has obviously redeemed her responsibility for both mass and class. Today's unprecedented and expanding student population leaves no doubt that the door is open wide and no one can gainsay the excellence of an academic environment which produced a Bill Allen in industry, a Bud Guthrie in literature, a Harold Urey in science, a Russell Niles in education, and a Mike Mansfield in statecraft.

The state universities have rendered yeomen service in the fields of professional and specialized scientific education. They were the first institutions to offer academic degrees in the newer curriculums such as forestry, chemistry, home economics, agriculture and civil engineering and they have contributed substantially to the refinement and development of such traditional disciplines as law and medicine.

In the process they have risked and no doubt earned censure for undue emphasis on the vocational. The stress the Morrill Act placed on "practical education", for example, postponed the evolving of the original land grant colleges into comprehensive universities with appropriate respect for the liberal subjects.

But today the state universities are inalterably committed to the whole man, to his spiritual, aesthetic, and political life as well as his professional competence, to his imagination as well as his mind. Students specializing in the most demanding of professional fields must devote a respectable portion of their curricula to liberal subjects; majors in the sciences or humanities are per force exposed to education in the "other culture." In fact, Professor C. P. Snow, who made us so conscious that there are two cultures, expresses approval that American college education is "much more diffuse and less professional" than the British (his phrase, not mine).

The state universities have led the way in experimenting with academic arrangements and developing systematic procedures for insuring each student a liberal education regardless of his field of specialization. Although it was Harvard that produced the land-mark volume, *General Education in a Free Society*, the first experiments in basic colleges and formalized general education took place much earlier at Wisconsin, Minnesota and other western state universities. Montana, for example, pioneered in the development of comprehensive courses.

In their superb libraries and presses, distinguished poets and artists and composers in residence, theatrical and operatic productions, and symphony orchestras, the state universities are a major source of cultural enrichment in contemporary America. The magnificent art collection at U.C.L.A., the annual production of Wagner's *Parsifal* at Indiana, the edition of *Doctor Zhivago* in its original Russian published by Michigan, the multi-million dollar collection of English literature at Texas are examples along with Montana's widely acclaimed School of Music and recently established Repertory Theater.

For many years Paul Bunyan, the legendary lumberjack whose prodigious accomplishments included the Mississippi River, Grand

Canyon, and Rocky Mountains was, as a man of action, the patron saint of the western state universities. With due deference to Montana's famed School of Forestry, I fear that he has outlived his usefulness. Our beau ideal today is the Man of the Renaissance, versatile but thoughtful, competent professionally but with a mind enriched by the arts and the humanities.

Without detracting from this commitment to spiritual values, the state universities have taken the high learning from the ivory tower to the market place, the home, the halls of government, and wherever else they can foster the progress of man and society. Through their programs of research, extension, and public service, they have expanded the campus to encompass the state. The University of Wisconsin, for example, despite distinguished faculties in such academic disciplines as economics, physics, psychology, and political science, is not dismayed by the label "service station" but prides itself on contributions to its state's economy through dairy and wood products research.

Montana is typical of this response of the state university to the needs of its state. Your Bureau of Business and Economic Research conducts investigations to aid not only private industry but state and local government. Your scientists study the grizzly bear and your social scientists are actively assisting your Indian population, the conservation and development of your natural resources are a paramount concern of your School of Forestry.

Until very recent years, the state universities were alone among the world's higher institutions in providing such regional services. Yet today they are simultaneously in the vanguard of institutions embracing the new international dimension of higher education.

The rapid expansion of international activities could well be the most significant change on the American campus since midcentury. Striking evidence of this trend is the surge in the numbers of foreign students attending our colleges and universities, 100,262 this year with more than 40,000 of these attending state universities.

This unprecedented enrollment represents a triumph for the United States appreciated by far too few. It means that Oxford and Cambridge and the ecoles of Paris, intellectual meccas for young scholars all over the world during the past 100 years, have been replaced by American universities, that we are outdrawing the Soviet Union at the ratio of some 5 to 1 in spite of the more generous financial aid offered by the Russians.

Almost 11,000 foreign professors are teaching and studying in America this year, 57 percent of them in state universities.

In sponsoring programs of technical assistance to developing countries, a major facet of American foreign policy, our national government has drawn heavily on the resources of the state universities, especially those of the West. In this crucial area where self-interest coincides with our humanitarian commitments, it is not uncommon for such universities as Indiana and Michigan State to be maintaining faculties of a dozen or more teachers and scientists simultaneously six or seven different nations on three separate continents.

Your special provisions for accommodating foreign students, the opportunities you afford your students to study abroad, and the exciting Mike Mansfield Lectures on International Relations are examples of Montana's involvement in this important new international dimension.

But of course on such an anniversary as this it behooves us all to look forward as well as backward, to chart the course of the future—and what a future it promises to be! The timeworn story has a place here of the Washington, D.C., cabbie who explained to his fare that the motto inscribed across the front of the National Archives Building, "The

past is the prologue," really meant, "You ain't seen nothing yet!"

In closing I'd like to examine briefly several challenging developments that lie ahead.

Enrollments will continue to rise at a rapid rate and it is generally agreed that 8 out of every 10 additional students will attend public colleges and universities. The majority of those starting out in junior and community colleges will eventually arrive at state universities. It is safe to predict that well within the tenure of younger members of the present faculty, the University of Montana will have 20,000 students.

Graduate students will increase more rapidly than undergraduate. Thirty years ago graduate enrollments represented only 5 percent of all students, today they represent 12 percent, before the end of the century they may constitute 50 percent.

Problems that now plague us will be intensified: how to increase financial support to accommodate more students, where to find the additional teachers even if we have the money to hire them, how to adapt the curriculum to a wider variety of student abilities, how to insure each student the opportunity for a richly personal educational experience despite the size of the student population.

In view of their superlative record of innovation and resourcefulness, the state universities can be expected not only to maintain but to improve quality in the face of such difficulties. For some years now through honors programs the highest ability students in even our most crowded state universities have received instruction which in intimacy and quality compares with the best offered in the Ivy League universities and the most exclusive liberal arts colleges. To improve even this instruction and develop equally effective programs for students at other levels of ability, the state universities are conducting promising experiments involving independent study, tutorials, undergraduate research fellowships, residential colleges, and even "super" honors programs.

The future should find interdisciplinary curricula replacing the more specialized studies in many undergraduate fields as the new knowledge we discover increasingly cuts across the lines separating the traditional academic departments. For the more talented students, better integration of upper division and graduate courses should make for more efficient instruction and simultaneously reduce the time required to earn an advanced degree.

Such developments will reshape the state universities into more effective agencies for the education of their larger and more diverse student population.

Inevitably our state universities will become more international. In fact, Samuel Gould, Chancellor of the State University of New York, anticipates an age of global universities with far more exchanges of professors and students.

Certainly, if the state universities continue to keep step with the times they will embrace enthusiastically this widened concept of their responsibilities. The marvels of transportation and communications continue to shrink the globe and intensify the interdependence of peoples. A tribal revolution in Nigeria or a drought in India can now have an impact on residents of the Rocky Mountain states.

Once the basic problem of hunger has been solved for the peoples of Asia, Africa, and Latin America, we can anticipate an era of rapidly expanding international trade, resource development, and cultural exchange. To prepare students for the attractive career opportunities thus created will require new emphasis in state university curriculums. Instruction in language, including the exotic languages, must be more widespread and intensive; I foresee the time when mastery

of one and perhaps even two modern languages will be considered basic in the curricula of such professional fields as business administration, forestry, and engineering. Many more students will receive instruction in the history, political institutions, culture and economic resources of foreign peoples. It is high time we recognized civilizations other than Western and set about more effectively informing our students about the people and culture of Asia, Africa, and the Middle East.

Fortunately, Federal support will be available for such international programs. The International Education Act passed by the 89th Congress is designed to strengthen and expand foreign area and language studies in American universities. Foreign scholars will be brought to the United States to aid in this process. The Agency for International Development is making plans to support doctoral programs in selected state universities in order to prepare scientists and technicians for future assignments in developing countries. Under these programs, the doctoral candidate will spend one year in a developing country writing his dissertation.

Finally, the state universities can be expected to accomplish more effectively in the future what historian Allan Nevins labels their most vital task, "the fortification and enrichment of democracy."

We have, for example, an opportunity without precedent to prepare for enlightened, responsible citizenship. Never before have we seen anything like the concern of today's student with the world off the campus. What with sit-ins and speak-outs, pickets and placards, riots and vigils, protest marches, free universities, and underground newspapers, faculty and administrators can be forgiven if occasionally they yearn for the good old days of the "silent generation."

With all its intellectual promise, this ferment could breed a new wave of anti-intellectualism if it is taken over by extremists who would physically throttle the expression of views contrary to their own and substitute name calling and sloganizing for a logical discussion of issues.

Universities must channel this student concern constructively by providing abundant opportunities for students to acquire the knowledge and understanding that are the requisites of political wisdom. The Mike Mansfield lectures should make just such a contribution. More frequent convocations and regularly scheduled forum discussions can absorb much of the time students have hitherto devoted to aimless organized activities. Most important of all, students should have access through their electives to formal instruction on contemporary issues, on a pass-fail basis if you will!

By wisely exploiting this newly-found student concern, the state universities will be well on their way towards producing a cadre of future citizen commensurate with the baffling problems he must solve.

Above all, the state universities must help maintain the primacy of man!

Man's identity is threatened today not only by crowded campuses and crowded cities: computers are doing his thinking for him, numbers are replacing his name (zip codes, bank account numbers, service numbers, social security numbers), his stature is dwarfed by the vastness of explored space, and now surgeons threaten to reassemble him from used organs.

Our universities will have more reason than ever to lay stress on those fields of endeavor where man will remain supreme and reach his highest pinnacles of achievements, not the conquest of space or probing the secrets of DNA, but art, literature, philosophy, and music, and not merely to benefit Arnold Bennett's passionate few but to uplift and inspire the entire student population entrusted to our care.

"EDUCATION FOR WHAT?"—ADDRESS BY DR. PHILIP M. CRANE

Mr. DIRKSEN. Mr. President, on September 20, 1967, Dr. Philip M. Crane addressed the Clarendon Hills, Ill., Women's Republican Club on the subject "Education for What?" Dr. Crane raises some very important points with reference to our educational system. I feel that his speech merits wider attention; therefore, I ask unanimous consent that it and a brief sketch of Dr. Crane's background be printed in the RECORD.

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

EDUCATION FOR WHAT?

(Address by Dr. Philip M. Crane, at a meeting sponsored by the Clarendon Hills, Ill., Women's Republican Club on September 20, 1967)

(NOTE.—Dr. Crane earned his M.A. and Ph. D. degrees at Indiana University, where his academic record has never been excelled in the history of that institution. He was a Professor of History at Indiana University and, more recently, at Bradley University. He is now Director of Schools, Westminster Academy, a private school in Northbrook, Illinois. Listed in Who's Who in American Education, he is a lecturer for the Intercollegiate Studies Institute; is on the advisory boards of several college youth organizations; is President of the American Public Affairs Educational Fund; is a contributor to scholarly and popular journals and the author of the book, "The Democrat's Dilemma".)

I am happy to have the chance to talk with you about something which is very dear to my heart—namely, education. Education is one of those subjects that extends vastly beyond the classroom; we are in the process of being educated on a daily basis in our lives.

The subject matter which I would like to discuss today—education for what?—is one that has political relevance, unfortunately, at this particular moment in history. I say unfortunately because I think ideally the subject of education should be divorced from politics, but it is becoming increasingly a political issue such as most other aspects of our lives are becoming politicalized today.

We're all familiar with the term "The Great Society". Our national government has set for itself the goal of creating in America a "Great Society". This is a laudable objective, yet we have not precisely defined what we comprehend by the term "Great". By now, most of us have become familiar with the general content of the proposals. I don't think any of us would take serious issue with the objectives, as stated; that is, trying to alleviate poverty, trying to remove or at least isolate organized crime, and improving the general quality of our lives. However, on the basis of performance and promise, it would appear that the "Great Society" places emphasis upon qualitative and quantitative improvement in the material aspects of our life (and at the sacrifice of some of the moral and spiritual aspects of our life). Now I don't say there's no merit in this by any means because this material well-being that we enjoy today is a highly desirable thing; if we had our "druthers" and were capable of doing it, we would want to wish this same kind of material well-being upon the rest of the people throughout the world.

But I don't think it is significant in the field of education because such an emphasis is the logical outgrowth of our educational emphasis. For it is incontestable that the educational emphasis in a nation's schools will be presently translated into the values of society, and, in a highly politicalized age such as our own, this will mean the realiza-

tion of those values through the legislative process.

This is why I think the "Great Society", as articulated by our president and various others, is rather meaningful and, at the same time, in one respect, just a little alarming.

I say alarming because I searched rather exhaustively to find an emphasis in the "Great Society" proposals that in my judgement would fall in the category of creating not so much a great society from a material point of view, but as to creating a *good* society—and I mean in a spiritual and moral view. This good society—or Godly society—however you might want to put it—is, I think, the proper emphasis. One of the by-products of a good society is a great material society. That is why in these United States, after almost 200 years of a general emphasis on a good society, we are in a position to talk meaningfully about extending some of the material blessings that so many Americans enjoy to some of those who are less fortunate than ourselves.

EDUCATIONAL THEORY

This leads me to the basis behind this materialistic emphasis, and the basis can be found in educational theory. The educational theory in any society finally rests upon a basic assumption about the nature of truth.

The educational theory of this country can be broken down into two schools of thought, today described as "conservative" vs. "progressive," generally. But the concepts of conservative and progressive education are not new concepts by any means. In ancient Greece the respective positions were advanced by Pythagoras and Protagoras, men with similar sounding names but diametrically opposing views on the nature of truth.

Pythagoras took a view about the question of truth which has vitally influenced a whole school of educators since his time. This was that truth was an objective thing; it was eternal and abiding, a view held in common with the Judeo-Christian heritage of western civilization. The emphasis of the educational system then should be to try to arrive at a better understanding of what truth is. Once that is perceived (that is, the basic truths of society and human relationship), then to seek to inculcate those basic fundamental truths in oncoming generations.

By contrast, Protagoras took the view that truth was a subjective matter, to be determined on an individual basis, and one could not make any broad generalizations about absolutes. Man, in effect, was the measure of all things. If this particular point of view was correct then, quite obviously, the emphasis of an educational system should not be on inculcating an appreciation of basic fundamental truths because these were protean. They changed in our own lives on a day to day basis—or, conceivably, from hour to hour. What is true for you today may not be true for you tomorrow. What is true for one of you may not be true for any other person in this room or any other person in society.

Consequently, the former system, that embraced by Pythagoras, put a great emphasis on the *ends* of education. The approach that was the result of the view held by Protagoras put a great emphasis on the *means* of education.

We incline to continuing dialogue from the days of Pythagoras and Protagoras on down to 1967, September 20, because this issue is still being debated in our society. It is one, moreover, that in my judgment will be debated thousands of years hence. I'm not sure that we are ever going to get any broad consensus on the point. We'll probably have the dialogue continuing, and I'm not sure there isn't some merit in periodically being forced to reexamine our point of view and having some Devil's Advocate, whether I happen to be the Devil's Advocate today (and I think that's the category in which I find myself in this day and age)—or rather those who take a Protagorean point of view playing a Devil's

Advocate role in another day, as they did in days past when my point of view was one that was prevalent.

My point is this: that going back through the history of our educational system in the United States, up through World War I, the general point of view held by the overwhelming majority of Americans was that one embraced by Pythagoras.

I might also add that not only was it held by most Americans, but it is a bedrock of Christian belief, as it was also for orthodox Hebrews—this belief in absolutes. The Ten Commandments and the teachings of Jesus, of course, comprise the essential body, from the Christian point of view, of some of those important absolutes; those important truths that are as true today as they were when Moses descended from Mount Sinai and will hold true, say, 5000 or 10,000 years hence.

By contrast, there came to develop a school that certainly was rather widespread in the post World War I era, generally described as "progressive", owing much of its historical background to the influence of John Dewey, his writings and his philosophy. It was a re-emergence on a more widespread basis than at previous times in American history of many of the points of view that were generally subscribed to by Protagoras and others in ancient Greece.

It is important for us to compare the two schools and try to make some assessment on the basis of the products of these differing educational emphases to determine where we are headed; whether, in fact, we should have objections to our educational system; whether there was merit in an earlier system that can be resurrected; or whether, perhaps, there is no correlation or no relationship at all between certain developments in our society today and our educational system.

BEGINNING OF STATE-SUPPORTED EDUCATION

The man probably most identified with state-supported education in America was Horace Mann. He started his work in the state of Massachusetts. He got a state law passed for compulsory education in that state in the pre-Civil War era. He also got tax-supported schools widely accepted in Massachusetts and devoted the greater part of his life to extending our system of public education.

Horace Mann was one who did believe in the philosophy which in regard to truth was embraced by Pythagoras. It was Horace Mann who said that the purpose of the educational system should be to educate young people to an appreciation of those great and eternal truths that undergird the length and breadth of human history. We find this theme being constantly reiterated in the writings of Mann; you can find it recaptured in the textbooks of the 19th Century, most specifically in those written by William Holmes McGuffey.

McGuffey Readers, as you know, put a great premium on inculcating an appreciation and love for those values which most Americans, at least at that time, insisted were an integral part of the foundation of this Republic and those liberties that we have come to enjoy here. Consequently, this emphasis prevailed, and the reflections of it, in my judgement, are not found simply in the school emphasis that came after the day of Horace Mann because this was the educational emphasis which preceded Horace Mann. The educator prior to the public school system in the state of Massachusetts put an emphasis upon precisely the same things that Mann felt to be important. One of the reasons why public education was so quick to catch on in this country was, I believe, the fact that Mann was reflecting values and ideals that were so widely held by other Americans.

DARWIN AND DEWEY

Mann died in 1859, on the eve of the Industrial Revolution in America. This was a significant date in history. It was the same

year in which two important events occurred: one was the publication of Darwin's "Origin of the Species"; the second was the birth of John Dewey.

John Dewey was born into the age of a great transformation of our society. It was an evolutionary, almost revolutionary, age in many respects because it was during the latter half of the 19th Century that we witnessed the great growth of technology and industrial productivity of this country. There were many people who were influenced not just by changes brought about by the Industrial Revolution, but also by the writings of Charles Darwin.

Charles Darwin, publishing his "Origin of the Species", saw an evolutionary development . . . since the beginning of time in this world; man, succeeding first from a one-cell amoeba, evolving into the condition in which he finds himself today. This was an evolutionary process; man was in a process of change.

Dewey could look at his society and could concur that society was being refashioned and remade on such a prodigious scale as a result of the Industrial Revolution that this seemed to correlate at least to some of the theses that were advanced by Charles Darwin about man's changing nature. Now if man and society were both in this constant state of change and were evolving, as Dewey was disposed to believe, toward some level of moral and ethical practicality, then one could no longer generalize about those absolute truths—those truths of antiquity which should be passed on to the next generation.

Consequently, Dewey, influenced by his surroundings and by the writings of other men, came to accept this point of view wholeheartedly and to write in such a way as to influence our educational system to put an emphasis on the *means* rather than the *ends* of education. This was perfectly logical if one accepted his basic premises. Because if man's basic nature was in fact changing, to be sure you could not put a stress upon ends because the ends were not constant things—the ends were going through this state of change as well. And so if you were going to seek to develop an appreciation of the Ten Commandments in the young people—the Ten Commandments that had a relevancy 5000 years before—what use or what service could those teachings be to a young person growing up in a time undergoing such a prodigious change, and when man's nature itself was also changing? So Dewey came to place great stress upon the means of education.

Teaching methods certainly became an important part of the emphasis growing out of John Dewey's writings. In addition to that, the emphasis of the educational system was primarily to teach the child to *adjust*, to adjust to a changing world. A world where you could not formulate judgments about certain absolutes that existed in times past and would exist in the future.

Many people agreed with Dewey. In fact, undoubtedly a majority of people came to agree implicitly in Dewey's concepts because our educational system has indeed come to reflect to a vastly greater degree the approach and attitude of John Dewey than it has the attitude of Horace Mann. Not totally. No system is totally and completely accepted in any age. Just as Horace Mann had his day in the sun, so too John Dewey has his day in the sun at the present time—or really, more so in times past, because I think there is evidence today indicating that increasing numbers of people are reexamining premises subscribed to by John Dewey. I see it in the educational system. I see it in some of the questions raised by an increasing body of educators in this country who are prone to disagree rather profoundly with some of those views that were so widely held by Americans of 25 years ago.

CHANGING VALUES

The emphasis that John Dewey held we can find reflected in our school system in

such books as one written by Philip Jacobs, "Changing College Values". Jacobs obviously subscribes to the premises of John Dewey. In this book, which was published about ten years ago, Jacobs was despairing over the fact that our school system was not doing enough to "liberate" youngsters coming through that system from the "superstitions" and those "parochial" viewpoints held by their parents that the parents had somehow inculcated in them during those formative years before they went off to college.

Jacobs could despair over this because the purpose of the educational system, from his point of view, essentially is to do just exactly that: to *free* those youngsters from those "outmoded" and "archaic" values and ideals that are held by previous generations because this still smacks of the earlier 19th Century approach to education—that is, to perpetuate and pass on what are, from Jacobs' point of view, "bad" ideas.

It is in this area that parental concern has been greatest, for after conscientiously endeavoring to instill in their children an appreciation of the basic virtues, the parents find that the schools have been guilty of eroding the child's commitment to those virtues. Overturning the home-bred values of the student is theoretically calculated to enable the young person to adjust to a life where those old-fashioned virtues no longer have a place. The purpose of the educational system is then to "liberate" youngsters from "bad" ideas, those "outmoded" ideals, those "archaic" institutions that were held by our generation and the ones that went before it.

I think that, carried to its logical extreme, you can see the direction in which Jacobs is moving and that is to remove control, to remove the authority over the education of young people from that basis of fundamental responsibility—namely, the parent—and transfer it over into the hands of the professionals.

THE CONTEST FOR AUTHORITY

This contest is three-cornered; there are three elements that I can see at work here. One is the parents, who are still trying to retain control and exercise responsibility over their children. The second is the state—there are those who have already come out and made the point that it should be the exclusive responsibility of the state to educate the young on essentially the same grounds that Jacobs is talking about and because of the same problems that Jacobs attempted to analyze. Thirdly, there is kind of an independent group—the professional educators. They have certain insights that are at times antagonistic with the objectives of the state because, to be sure, here we're dealing frequently with political personalities rather than people who have devoted their professional lives to the field of education. So there is kind of a three-way tug on the child.

Too frequently, at least on the basis of what I have seen evidence of, there has been a tendency on the part of many professional educators to team up with some of the politicians temporarily in order to wage their battle against parents for the control of that child with the ultimate expectation, I presume, that the educators themselves will finally emerge victorious—because they certainly qualify more for the label "philosopher-king" than do the professional politicians on the whole.

I think both the emphases are wrong, but you can see how they came about, certainly, because if one holds to this point of view, then you can pursue such emphases in your educational system. Emphases that would seek to insulate that child against what a little UNESCO publication that came out in 1947, entitled "Toward World Understanding", referred to as those "superstitions that the children pick up in the home" . . . and that the purpose of the teacher at the kindergarten level, according to this publica-

tion, is to "free that child from the poisonous sentiments of nationalism".

Nationalism, of course, has been much decried since Hitler's National Socialism. At the same time, if you'll look in Webster's for a definition of nationalism, it is equated with patriotism. There is yet a third thing, referred to in governmental and academic circles as ethnocentrism.

Ethnocentrism is neither nationalism nor patriotism, but it is the point of view that all of that which is a part of your own national experience is good and all that which is alien to it is bad—that's ethnocentrism. I don't think any one of us would take the point of view that everything in our society is universally good—everything outside of our society is universally bad; this is an irrational point of view. We have the attitude—on the whole—that Americans would agree that what we have is superior to what most other people have. I think that this accounts for the fact that so many millions of people historically have been beating a path to our door, rather than the reverse; that's the best testimonial right there—just as our ancestors did. At the same time, I don't think any reasonable American would take the position that is generally described as ethnocentric.

Yet, in this UNESCO publication there was the tendency to equate nationalism, which is simply defined by Webster as "love of country", with ethnocentrism, and then to insist that the purpose of the teacher in educating "for world understanding" is to "free that child from the poisonous influence of nationalism".

This is a classic illustration of that point of view that I remarked on earlier—that view that is held, unfortunately, by too many educators in America. And it is a point of view that you can find reflected in politics by that individual who is determined to run other people's lives according to the dictates of his *own* conscience because he doesn't trust the capabilities of that individual.

You can find this same thing, of course, in every totalitarian state. Certainly, it exists in the Soviet Union. Certainly, it existed in Hitler's Germany. Certainly, it existed in Mussolini's Italy, in Peron's Argentina. Every totalitarian state is predicated on the notion that there is in fact some philosopher-king who has been ordained to control.

James Madison, writing on the question of monarchy, made the observation that there is nothing inherently wrong with monarchy as a system (and you can equate dictatorship with monarchy as it was used at that time), "provided we get an angel for a king". The same thing holds true in consolidating the power and control in the hands of any individual.

A parent, at least from the Christian point of view, is the author (and this goes back to the Latin word: *auctor*) of his children and, consequently, he is the authority over those children. As the authority over the children, then, the parent has a tremendous responsibility imposed upon him (which too many parents have not fully exercised), and there is *no one* who can make any claim to that authority, unless, of course, the parent is deranged or confined for violation of the law and the child thus comes under custody of the state. But otherwise, any responsible parent is the authority for his child.

As the authority, the parent contracts or hires someone to perform an agency function for him, and this is the educator. In the case of state-supported education, he does this through an intermediary—namely, his elected representative down in Springfield, Illinois, who is to supervise the educational system.

The educational system then should be a reflection of the person who is hiring to have this service performed.

Now in independent, private schools, this is still the relationship; the parent is hiring to have a service performed and it is on a more direct basis. There is no coercion involved, of course, and the parent can with-

draw the child if he feels that the school is not performing according to their expectation or according to their contractual agreement.

Unfortunately, this is *not* the case when you have a school system that depends upon compulsion or a coercive factor. At the same time, I do think that behind the concept of state-supported education there was the notion that the parent was still the authority for the child and that he would simply now work through intermediaries to fulfill the function which the parent himself felt he could not as effectively handle—or which he did not have the time to do and simultaneously earn a livelihood to provide food and shelter for his family. We have gravitated away from this.

I had the occasion to debate with Senator Paul Douglas a couple of years ago on the question of federal aid to education. In the course of the debate, I pulled out a booklet that was put out by Commissioner Howe's office (at that time it was Mr. Keppel who was behind the publication of this booklet), and it was an explanation of the "blueprint" held by the Commissioner of Education for the United States government for the "educational system of the future" in this country.

Senator Douglas, when I read excerpts from it, dramatically threw it on the floor and stepped on it and said "That's what we'd do with this program if anyone tried to introduce it on the floor of Congress". The fact of the matter was that in that session of Congress, they had already implemented a portion of it.

What it called for was establishing national norms; national norms for education because of the inequities in our state-supported educational system—and this seems to be a legitimate concern. Certainly, ideally we would have the same quality of education in Alabama and Arkansas as we have in Illinois or New York. And yet the solution to the inequities (and here you're getting into a value judgment as to why exactly one system is superior to another) was to turn over control of the curriculum, to turn over control of teacher certification, to turn over control of selection of textbooks, and to turn over control of the *content* of the textbooks . . . to the U.S. Office of Education in Washington, D.C.

It is—or should be—a source of mounting concern of parents because we find that there is an increasing tendency in our educational system today to hold to a point of view—and to insist upon it rather dogmatically in many instances—that in fact parents *do not* have the responsibility for the education of the young; that in fact parents are rather ignorant people; that there is a body of secular priests in our society today who shall interpret what is best for the child and that once you have turned him over to the system, this man shall assume full control and responsibility for it.

This man, moreover, is disposed to take the point of view that he has some kind of monopoly of truth and, consequently, he is going to insulate the child from that pernicious family environment. He is going to pursue the recommendations set forth by Philip Jacobs in his book, "Changing College Values", and he is going to "free" that child from those "superstitious beliefs" that are still held in our rather provincial and parochial homes in America.

ADJUST TO MADNESS?

I think there could conceivably be merit in the idea that man's nature is changing. We may in fact be moving on an evolutionary basis in some directions—although looking at it from an historian's point of view, looking at the 20th Century, there is a better case for devolution than evolution.

As Max Rafferty, Superintendent of Public Instruction for the State of California, said: "To teach any child to adjust to the 20th

Century is to teach him to adjust to madness".

Moreover, I do not think that the desire of any individual is "life-adjustment". On the contrary, I had an opportunity to debate the point when I was in college, and I was making a case for *maladjustment*. Because it strikes me that the ideal educational system does *maladjust*—because it creates a greater sensitivity to certain things that we know to be wrong or to be unsatisfactory in our society, and it gives us that motivation to try to make them right.

Consequently, an educational system that has such an emphasis is one that puts a tremendous stress upon the creation of a *good* society because that Godly society—perhaps Utopian—is an ideal which has not been realized since the time of Jesus Christ, certainly, notwithstanding the fact that he told us how it *could* be realized. Man's nature is such that he appears incapable of creating that completely Godly society, but that individual who recognizes what that Godly society is will constantly be striving to create it.

So we should be *maladjusted* in the process—but it would be a *healthy* maladjustment, in my judgment. It is a kind of healthy maladjustment that keeps us constantly pursuing the ideal. And the ideal is the Godly society.

PRESERVING FREE CHOICE

One of the important prerequisites of what Godly society is (and this is the dilemma of any free society)—how we come to grips with the situation of handling free-will action in areas of choice in our lives.

To be a free society, by definition, we must preserve freedom of choice. To have a moral society, we must preserve freedom of choice. In other words, the citizen must have the option of doing the wrong thing as well as the right thing but, because conscience pricks him, he does the right thing more times than not.

Now if a majority of citizens do the wrong thing consistently, we've lost a free society. If, as a means of guarding against that, we try pulling a bar against every individual test in every one of these areas where he is free to make important decisions in life, and try pulling a gun against his head to insure that he does the right thing—then again, by definition, we've lost our free society.

How do you resolve the dilemma? It seems to me you go back to a stress on that earlier concept that there are important rules which govern human relationships and that these are as true today as they were back in the days of Moses. You go back to those fundamental rules governing moral conduct and you *stress* these so that when citizens come up with that situation of making a free-will choice, they opt to do the right thing more consistently than they opt to do the wrong thing.

This does in fact mean the inculcation of certain ideas, of certain moral values in the young.

THE TEST

Some say: "How do you know that these are true? How do you know these are *not* relative truths instead of absolutes?" I think the test is not whether one citizen or one individual you know has managed to break every one of the Ten Commandments, seemingly without any retribution. I don't think that is the test of the validity of laws governing human relationships. On the contrary, I think the test is if you contemplate a society that totally *ignores* the Ten Commandments.

Can you imagine a society that could survive that did not put a stress upon "Thou shalt not steal"? "Thou shalt not kill"? "Thou shalt not covet thy neighbor's goods"? "Thou shalt honor thy father and thy mother"? These are fundamental values; they are so fundamental in our society that, while the emphasis on them has been passing, they still govern our day to day activities. And certainly everyone of the Ten

Commandments has been written into the statutes of law of this land.

The First Commandment, of course, is "Thou shall have no other Gods before me", and this is the basis of our system of government, in contrast to that of totalitarian states. Every totalitarian state has perverted the First Commandment.

Back in ancient Egypt, the Pharaohs pretended to be divine—they were in fact God; consequently, we had, as Madison said, angels for kings, in theory. As long as the people subscribed to that, the subject was designed to serve that divinity; man was designed to serve the state.

While the 20th Century totalitarians have not necessarily made the argument that they are God, most, like the Soviet Union, have moved God out altogether and the state has usurped all the power and prerogatives of God Almighty.

No citizen of the Soviet Union can maintain that he is created in God's image and, as such, endowed with inalienable rights of life, liberty and property. No, these are to be prescribed by the state, as they were in Hitler's Germany. No Jew in Germany had inalienable rights, God-given rights. He had rights that were determined by whoever the gangsters were who were in control of the country at any given time. Because this was a power of God Almighty and the state had usurped it, and it had, in the process, perverted it—that vital First Commandment.

By contrast, in our own society, as you know, man was the precious thing—he was created by God in God's image—*this* was the inalienable right. Why did he create government? He created government to make him *secure* in the possession of that which God gave him which, as an individual, he could not effectively do against a mob, against a group of bandits, the gangsters of society. He structured a government, gave it the police power to make sure that God's law was served, that there were not trespassers and transgressors of society. And he made that government the *servant* of man instead of the other way around. He had the right order of priorities.

There are other Commandments, however, all of which are still part of our state law. "Honor thy father and thy mother" is the basis of our minors laws. "Remember the Sabbath day to keep it holy" is historically the basis of our Sunday closing laws, and still many communities observe this.

The Commandment against taking the Lord's name in vain—if you violate that Commandment, you can still get a prison sentence because, as you know, if you're called into court to testify you raise your right hand and swear to tell the whole truth and nothing but the truth so *help you God*. And taking the Lord's name in vain is called perjury in that instance.

The Commandment against bearing false witness is the basis of our laws protecting us against false arrest. Of course, the ones against murder and theft are obvious.

So our lives are still powerfully governed by these fundamental laws. One can go back historically and find even in primitive societies a general recognition over a period of time—as they grew more civilized—of the validity of God's law.

I for a while taught Latin American History, and the thing that struck me about this was that the pre-conquest civilization up in the Andes, the Inca civilization, had come to an understanding of the Commandment of "honor thy father and thy mother"; the Commandment against adultery, which carried a death sentence in their society; the Commandment against murder carried a death sentence. They were moving toward the concept, the recognition, of the one true God. They had already separated from their pantheon of deities toward one all-important creator-God. So you find even in primitive societies, as they grow increasingly sophisticated, the gradual discovery of the validity

of these vital laws governing human relationships.

By contrast, you can go back and look at Moses' injunction against eating pork. That I would put into the category of a *relative* truth. Moses, you remember, had all the advantages of a graduate school education; he was reared by the Pharaoh's tutor. He was a brilliant man, in addition. Moses, quite obviously being an intelligent man, was able to make a correlation between eating pork and death. Now that was true in Moses' age; the correlation between death and eating pork was true. But it was a relative truth—relevant to the time and the circumstances before we developed an understanding of how you can eat pork safely.

You can contrast that with the Ten Commandments because the Ten Commandments have as much validity today as they had in earlier times.

CAUSE AND EFFECT

In comparing the two systems, harking again back to scripture—"By their fruits ye shall know them."

Here I'd like to make a couple of comments on certain distressing events we have all witnessed within the course of the last several years—certain events which, in my judgment, can be traced rather directly to this *deemphasis* upon the ends of education and the elevation of the *means* of education which puts a priority on adventure and experimentation. A child under this system which is so widespread today is encouraged to go out and adventure in order to arrive at an understanding of what is true for himself.

I think there is a correlation between this and this generation of so-called hippies, which is oriented toward psychedelic experiences. They want to experiment to arrive at an understanding of what is true for them. Dr. Leary, as you know, has tried to make a religion out of it. They are in quest of certain answers, to be sure, and they cannot accept the answers of antiquity because they do not have the groundwork for appreciating those answers of earlier times.

Ideally, I'm sure, if they lived long enough—if they lived as long as the span of recorded history—they would ultimately, as the Incas were doing, come to a reappreciation of the Ten Commandments. But the fact of the matter is: man does not live long enough to commit all the follies of human history . . . in this process of adventuring and experimenting to find out for ourselves what is true, we simply are not going to be around long enough to fully appreciate what is true, and we do have to draw upon that pool of wisdom of past experience.

It is the intelligent man who learns vicariously rather than having to go through the experience himself and having to relearn all over again.

The hippie generation is simply a part of the reflection of this.

I'm sure you all remember the professor, Mr. Van Doren, who was on that quiz program. We sat and marveled at what a wizard he was—that encyclopedic memory he had. As you recall, after the event we discovered that it was a rigged TV show; he was being exposed to the questions in advance. This was bad enough, but something was vastly more disturbing. A survey was subsequently conducted at Queen's College which revealed that 86% of the students saw him as a "tragic hero". A "tragic hero". And 26% of those students saw absolutely nothing wrong in what he had done. *Absolutely nothing wrong*.

This is simply one symptom of it.

Some years ago in Chicago a group of teenage boys shocked the nation with the senseless bludgeoning to death of an innocent Negro boy. Restless and idle one evening, they pulled up to a bus stop where the Negro boy was standing and jumped upon him and then beat him over the head with a mechanic's hammer. The awful thing about this incli-

dent was the fact that the boys who committed this atrocity had no guilty feelings over what they had done. They were not immoral, but *amoral*. Social Frankensteins who could not distinguish between right and wrong.

Another symptom: a few years ago a survey was made at Harvard University amongst male students as to how many thought there was anything worth dying for. About 25% of those surveyed concluded there was nothing—not God—not man—not country—nothing worth dying for.

There was a study made at Vassar College to contrast the changing values after four years of a high-powered Vassar experience. They found that after four years the young ladies of Vassar concluded that in contrast to those "provincial" attitudes—those "superstitions" they carried out of their home environment when they started college—such as a belief in chastity before marriage—such as a belief that honesty is a virtue—such as a belief that cheating is morally wrong—they had been "liberated" from those "superstitions" by their senior year. . . . Now they thought there was nothing necessarily morally wrong about abortion. They thought that what was good for men was good for women, too—that immoral conduct, pre-marital sexual relations were not necessarily such a bad thing; that if they could cheat and get away with it, there was nothing necessarily bad about that; that if they could sneak into a movie without paying, they thought they'd do that, too.

There was one girl who was attending the course—a freshman. In this course the teacher obviously held to the view that part of the purpose of the educational system should be to change the values of parochialism that the students brought to school with them. The students were asked to write an essay in the Fall, explaining what their values were. They were told that they would be asked to do the same thing again in the Spring. The presumption was that, after a sophisticated course, their values would change. This young lady wrote: "I believe in God. I believe in the United States of America and I believe in human dignity. Moreover, next Spring I shall believe in God, I shall believe in the United States of America and I shall believe in human dignity."

She went on to defend herself in the student newspaper on campus and she was called to task for this by her teacher. The teacher told her that she obviously had no reticence about "breaking into print" with her "dangerous ideas". That if this young girl continued to remain that inflexible in her point of view, that it could jeopardize her grade. In fact, it did. She failed the course. The student newspaper jumped upon this action because, in the view of the students, this girl had "shut her mind to change".

It's that concept of philosophical relativism applied to some of these important areas where I think we have not made the proper distinction between intellectual relativism and religious toleration. Toleration is one thing, but relativism is a wholly different thing. And I think it is a by-product (I'm not sure which came first, the chicken or the egg) of a particular point of view which is too widespread in America today.

A WARNING

Certainly we're all familiar with the slogan, "Better Red than dead." Moreover, we are increasingly aware, with the Viet Nam war, that there are some students—and professors—who are wishing a victory for the enemy in Viet Nam over our American boys. There are others who in their misguided way—in their theoretical opposition to war—are giving comfort and aid to the enemy. There are others who are criticizing everything in American life as fundamentally evil and wicked, while being able to somehow blindly shut out the wickedness of certain individuals or certain governments which fall into the category of arch enemies of every value

and every ideal which gives these people the opportunity to sound off as they're doing. Many of us are quite probably condemning them. Our feeling is that "Goodness—something should be done with these people—they should be put away—thrown in jail—or exported to the Soviet Union if they love it so much". There are all sorts of solutions we can think of immediately.

And yet, perhaps we ought to view this instead in a slightly different context and see these actions, this behavior, as kind of a toxin or a warning bell. A warning bell that there has been an emphasis in our educational system that has lost sight of some very fundamental, vital thing: namely, the inculcation of the values and ideals which, placed upon nations, *made* for the greatness of this country and can *still* provide for continuing greatness if we go back and resurrect some of those spiritual and moral values which provided the foundation, the basis, for the formation of this country; for the foundation of what I would maintain is still, on the basis of a *good* society, approximately the best society that this tired old world has seen to date, for all its shortcomings; that our great material blessings are a direct by-product of this emphasis of preserving free choice, of preserving that moral condition where citizens can still, in vast areas, make decisions for themselves rather than having them forced or imposed upon them from without.

We must acknowledge the fact that there are morally right and wrong ways of behaving, that the Ten Commandments have as much validity today as in the days of Moses. These are the eternal and abiding truths about which Horace Mann spoke.

If we ignore these truths we shall create a rootless, valueless, neurotic race of highly trained Frankenstein monsters.

The responsibility of all Americans who recognize or accept the idea that there is a cause and effect relationship between some of the emphases which are prevalent in our educational system and some of the tragic and unhappy events that have been occurring in our land for the last several years—these individuals shall have to take action and shall have to fight to rectify what are some of the fundamental deficiencies.

This is our responsibility. An overwhelming responsibility. It goes back to where the responsibility should be appropriately placed, and that is on the backs of the parents. Parents *should* stand up and be counted.

There's an old saying: "If you want to be seen, stand up. If you want to be heard, speak up. If you want to be appreciated, shut up." I think too many Americans have taken the view that they want to be appreciated.

It is not a case of being appreciated. There are certain positions that *all* concerned parents have the responsibility of taking. I think of *restoring* a balance as to where the authority lies governing control of the children and the kind of educational emphasis those children are going to get. That authority lies with the parents.

Alexander Hamilton once made the observation that we get the kind of government we deserve. I think that this is true in the educational system, too. We get the kind of educational system we deserve.

If some parents have in fact been bulldozed a little bit by some of the professional educators on the charge that they lack the proper credentials to make value judgments and proper assessments as to what should or should not go into the curriculum, then I think it is the responsibility of those parents to open their eyes.

They must recognize that if they *abdicate* their responsibility in this important area, they have given up *not* just their children, but very conceivably they have given up all that we cherish and hold dear in our society. Conceivably, we have given up not just our nation, but that part of the world that still stands outside the pale of that dismal and despairing thrall of the totalitarian states.

the free world—we have given up those people, too.

It's not too late. We stand at an important crossroads, but certainly it's not too late to start righting wrongs. And the best time to start, of course, is right now.

Question. I'm sure you have some thoughts on the teachers throughout the country who are going out on strike?

Dr. CRANE. Absolutely. I don't classify them as teachers, first of all. (Applause.) I think what's taking place is that we're getting tradesmen in school professions and there's a fundamental distinction between a trade and a profession. I, for example, taught history, and I wandered into it by accident. I had a double major as an undergraduate. I was a psychology major by intent when I started my graduate work. After coming out of the army, I concluded that I didn't know what I wanted to do but I was sure of what I didn't want to do.

When I examined my undergraduate record, I discovered that I had a major in History too. So I came back to school with some trepidation as a major in History, concluded that I'd picked up all those hours obviously because I must have loved history. That turned out to be correct, and I wasn't back more than half a semester before I was totally convinced I'd never made a wiser decision. Moreover, once I got into teaching, I was completely convinced of this. It's been a source of such joy and such satisfaction to me personally that even in my present job, which is primarily administrative, I still hope to continue teaching on a part-time basis, even if nowhere else than at Westminster Academy.

I read a paper on this very subject before the Illinois Association of Professions. In it I was trying to make the point that what I was doing was earning a livelihood at what I loved to do and what I would do as a hobby. In other words, if I were not being paid to teach History at that time, I still would have continued something that caused me great joy, an avocation that I was able to convert into a vocation.

Not everyone, of course, is that lucky. Some people have to earn a livelihood doing that which is basically a drudgery. These people, then, engage in a trade. They relinquish so many hours out of their lives in exchange for so much compensation so that they can then divert that money toward the pursuit of things that they like to do. A profession, as I see it, differs from this in that when one goes into a profession his primary consideration is *not* remuneration. (A colleague of mine made this distinction and went on to say that remuneration was totally inconsequential—I disagree with him there—with six children, it has to be a factor, but it is not the paramount factor.)

The good teacher is the person who looks forward with despair to retirement. No good teacher wants to retire. All the great teachers I ever had—the sorriest and saddest days of their lives were those days when they were forced to go into retirement because a good teacher will continue teaching until he dies in the profession. You end up doing on your summer vacations and on your periods off from teaching the same thing you do during the school year (with the exception of grading papers, which I confess isn't a pleasant task—most of the papers, anyway). But at the same time, you're doing constantly what you love to do and you're being paid for it.

I kept asking myself the question, when I started teaching, how lucky can a person be to be able to do what he loves to do passionately and be able to provide for his family in so doing? This is the great worth of any profession, whether it's going into medicine because of a love for medicine, going into law, going into teaching—those areas that we used to refer to as representing a "calling" to a person.

By contrast, if you're simply selling a number of hours of your life on a daily basis, you have a legitimate right to be concerned

about how much you are going to be paid on an hourly basis, how soon you can retire from this drudgery, how long your vacations will be, and how many fringe benefits you are going to receive, and so forth. That should be the paramount concern of that person who is simply going through a painful experience in expectation of a return that frees him to do certain other things.

Now, this, historically, is not teaching, but this is what we are getting in teaching. I think that any teacher who would contemplate walking in a picket line—going out on strike—makes a mockery of the profession that is still, in my judgment, a dignified profession, and still represents a "calling." Are they so arrogant that they shall look with disdain upon that man who earns his daily bread as a plumber, or as an electrician, or as a carpenter (because these people make more than college professors do)? If they are just concerned about fringe benefits and working hours and how much they are going to make—for goodness sake, let them go into one of those fields where they can perform a trade where they are not going to be inflicting an injury, which I think they are doing when they walk out of a classroom, upon youngsters in that classroom. (Applause.)

This is one of the unfortunate things that is destroying what was once a very fine and esteemed profession. They (the teachers) are losing great stature in the eyes of the people because of it.

Question. Would you tell us something about Westminster Academy and how it differs from public schools?

Dr. CRANE. That would be another talk all its own, but let me just read you something of the philosophy of the school and make a comment or two about the curriculum and how it helps to implement the philosophy:

"Accepting the idea that there are eternal and abiding truths undergirding the length and breadth of human history, Westminster Academy seeks to develop in the minds of its students a keener perception of these truths.

"Foremost of these is our belief in an omniscient and omnipotent God. Secondly, we believe that the Decalogue and the teachings of Jesus contain the laws best calculated to produce the good society.

"Since a moral condition is precluded in the absence of choice, we recognize the essentiality of preserving individual liberty. Since liberty depends upon the preservation of a man's righteous claim to exercise control over the fruits of his labor, we seek a better understanding of the economic system which rests upon free and willing exchange between individuals.

"We recognize as well that man is an imperfect creature. We would seek, therefore, to discover how these imperfect mortals might be restrained—without the resort to coercion—from committing trespasses against their neighbors; and the corollary to this, how men might develop that sense of personal responsibility which makes possible a free society for the glorification of God."

One could amplify at great length on any part of the statement I just read to you. We put a stress on inculcating these moral values which the statement clearly implies here and, in addition, we equip the youngsters with those tools that are so basic to coming to grips with any problem situation in life. How, for example, to make the correct decisions when confronted with those moral choices by the stress on morality but, in addition, providing those youngsters with skills for greater justifying and understanding.

Something that we've found there is that there has been a great breakdown in teaching youngsters to read. Fortunately, this is going out in most of the public school—that silly "sight-reading" system which was generally designed to facilitate reading by teaching the child to recognize the general configuration of the word. Of course, the danger in this is that many words look alike: zoology; philosophy; psychiatry; physiology;

psychology. I've been grading blue-book examinations for the last seven years and can confess to you that we have produced an illiterate generation in America. They are coming through the colleges today.

You may have seen the report in "U.S. News and World Report" a couple of months ago, "Why Johnny Still Can't Read". An employer's business today is to deal with illiterate college graduates—and we've got them—I can absolutely guarantee you. They can't spell either, because they don't know the component parts of a word. They were not taught phonics. The schools are generally putting back the phonics, but there is still a kind of a synthesis, kind of a blend of phonics with sight-reading. Many of the schools have not totally recognized the great tragedy that was brought upon a generation of Americans.

I recently spoke at a coffee up on the North Shore, and I told the parents that perhaps they didn't fully appreciate the magnitude of the problem because they were about my age or a little older. I said, "You people were never exposed to 'Dick and Jane'". There was a little ripple of laughter but some quizzical looks, and I said, "... because you were about the last of the phonics generation before sight-reading and 'Dick and Jane' fully took over." Afterwards, one of the women said to me, "You don't realize it, but this is where it all started, up here on the North Shore." When she asked where I went to school, I told her that I grew up on the South side of Chicago and, of course, we were underprivileged youngsters out there, so, because we were under-privileged, we were taught on phonics. Now Phonics is back "in" and sight-reading is "out."

To give you an idea of what can be done in this area and what was done in an earlier time. . . . This is a publication called "The New National Spelling Book". It was published in 1833. The man who published it was a principal at Adams Grammar School in Boston. The book was widely adopted in the lower primary grades in the Boston public school system. To give you an idea of some of the content, let me read a little selection out of it to you which I think should help to illustrate my point as to what can be done—and what was done in an earlier day—in contrast to what is being done today. I'll first read one of the selections in here and then I'll read a little excerpt from my favorite "Fun With Dick and Jane".

Mind you, this was used in the lower primary grades—with up to five-syllable words. To give you an idea of some of the lessons in here: criminology; generosity; liberality; personality; principality; reciprocity; similarity; credibility; eccentricity; flexibility; indivisible; inexpressible, etc.—this for the primary grades; and this one selection, an example of how the whole book is punctuated with little essays—

"Come and I will show you what is beautiful. It is a rose fully blown. See how she sits upon her mossy stem like a queen of all the flowers. Her leaves glow like fire. The air is filled with her sweet odor. She is the delight of every eye. She is beautiful, but there is a fairer than she. He that made the rose is fairer than the rose. He is all-loving. He is the delight of every heart.

"I will show you what is strong. The lion is strong. When he runs across his lair and he shaketh his mane, when the voice of his roar is heard, the cattle of the field fly and the wild beasts of the desert hide themselves. For he is very terrible. The lion is strong. But He that made the lion is stronger than he.

"I will show you what is glorious. The sun is glorious. When he shineth in the clear sky, when he sitteth on his bright throne in the heavens, the warmth of his glow over all the earth, he is the most excellent and glorious object the eye can behold. The sun is glorious. But He that made the sun is more glorious than he.

"The eye beholds Him not, for His bright-

ness is more dazzling than we could bear. He seeth in all dark places, by night as well as by day. And the light from His love is His worth. Who is this great name and what is He called by them that praise Him?

"This great name is God. He made all things. But He is himself more excellent than all that He has made.

"They are beautiful, but He is Beauty. They are strong, but He is Strength. They are perfect, but He is Perfection."

Now I'd like to contrast this with "Fun With Dick and Jane". The title of this selection is called, "Look Up"—

"Dick said, 'Look. Look. Look up. Up. Up. Up.' Jane said, 'Run. Run. Run. Dick. Run.' 'Look, look,' said Dick. 'See Sally? See funny Sally and Spot?' See, see,' said Sally. 'Sally is up, up, up.'"

Don't laugh—because Dick and Jane have not found their way out of the school system yet. And if you think that that is innocuous simply because it is one of the earlier selections, you can go to the later part of the book—

"'Look, Dick', said Jane. 'Do you see what I see? Is this a hen? Is it Spot? Is it Puff?'

"'No,' said Dick. 'It is not a hen. This is not Spot. This is not our little kitten.'

"'Is it a black cat?' said Jane. 'A mother cat and baby kittens? One. Two. Three. Four. Four baby kittens. A cat and four kittens.'"

... and this goes on . . .

I have a copy of "McGuffey's Fourth Eclectic Reader" here. There were several virtues to McGuffey's Readers, not the least of which was the fact that they put a great stress upon morality. In addition to this, the vocabulary level is vastly beyond what youngsters are getting today.

Schools such as Westminster Academy have found that you can start building vocabulary with youngsters with phonics because they are able to break a word into its component parts; you can get them reading rather effectively by even kindergarten level when you teach them phonics. They can then read fables and various other greatly more interesting and entertaining selections.

Regarding vocabulary—and this is from the Fourth Reader (and last year our First grade class advanced into the Third Reader) and at the end of the poems and essays, they have definitions of new terms—I'd like to read some of them to you: cataract; overthrown; exquisite; loyal; Godless; nectar; intrusively; revert, and so on. I can guarantee you personally that I would be willing to take a vocabulary list out of "The Fourth Eclectic Reader" and give that to any class of college freshmen in the United States today and the majority would fail.

They can't define their terms. They can't because of this improper reading instruction. Now if you cannot read, you cannot learn. We think in words. That means that if one has an imprecise understanding of the meaning of words—or, if in addition, one has a limited vocabulary, then his capacity for independent thought is circumscribed just that much.

You can't stress basic reading skills enough. If you go back historically, you will find that all Abraham Lincoln got from his mother was phonics; his mother taught him phonics and he started in the Bible. His education then was obviously encouraged, but he also had the motivation himself—and he had the basic tool.

So at Westminster Academy we put a great stress on these basic tools, but we also teach other things. We do teach Bible—not Religion. We leave the denominational interpretation up to the parents at home. Consequently, we have virtually all the Protestant denominations and about twenty percent Catholic enrollment. We also have a Jewish student enrolled. I explained to his parents that we stress basic Christian education and there was no deviation from this. They told me they understood this fully before

they enrolled their son and they were quite willing to have their son get basic Christian education in the classroom because what they liked about Westminster Academy was, fundamentally, the stress on morality and, secondly, the curriculum.

We've divided the Social Sciences into their independent disciplines instead of teaching what Max Rafferty calls "social stew". We teach Economics as Economics, History as History, Geography as Geography, and so forth. You can start teaching basic principles in all these disciplines to youngsters at the first grade level.

Perhaps some of you are familiar with some of the work of the American Economic Foundation. In an exhibit they had at the New York World's Fair, there was an illustration: "MMW = HE + NR \times T". What this formula means in economics is: Man's Material Welfare equals Human Energy plus Natural Resources times Tools. Now you can teach this concept to a first-grader. You won't think so at first, but it can be illustrated, and it is, in a little textbook entitled, "How We Live".

There is a log cabin = a man standing there + Christmas trees \times an axe.

It illustrates a very profound concept. The great multiplier in the equation is tools. You can't have tools without savings. Someone has to provide capital. So you have started on the basic principles of our economic system.

From Kindergarten through eighth grade the child is led through a carefully developed program aimed at a thorough understanding of the free market and its antithesis, the managed economy. Mathematics is taught as an exact discipline. Conservational German is begun in Junior Kindergarten and instruction in German continues throughout the school. German was chosen as the second language because the majority of the greatest writings in the world have been in German; i.e., philosophy, economics, religion, science. German also has always been required for the granting of a Ph. D. degree. Since Latin, more than any other tongue, has influenced the language of Europe and the Americas, an elementary knowledge of Latin leads to making the student more secure in his use of English. Furthermore, the learning of Latin serves as a training ground in accuracy, application, memory and reasoning.

In the reading curriculum, we use the "Open Court" series, which uses the phonetic approach. With this series and supplementary material, reading skills are mastered by the third grade—and "remedial reading" is not necessary. In addition, time is spent each day studying the McGuffey Eclectic Readers which contain excerpts from the best classical literature and, as I mentioned, stress high ethical values. Grammar as a necessary tool of learning is taught beginning in Second grade.

For those who are interested, I will leave some brochures which will more fully describe the complete curriculum of Westminster Academy.

Thank you for your kind attention—I've enjoyed being with you. I might add—those of you who would like to visit the school are welcome if you will contact me at the school beforehand. Since we have a full enrollment, we aren't able to accept additional students at this time, but we welcome your interest.

PRESIDENT JOHNSON'S RURAL AMERICA MESSAGE TO CONGRESS

Mr. MONRONEY. Mr. President, I join Senators in praise of the President's farm and rural America message. The President has shown great depth of understanding and compassion in defining the problems of the farmer and the non-farm rural resident. His statement shows

his sympathy and compassion for the poor and the boxed-in families living in our countryside.

The President has shown very clearly that these citizens are in a situation not of their making, and not of their control. He has ably demonstrated in his message the great need for substantial and immediate relief. He has also shown that continuation and expansion of present programs must be immediately implemented or the Nation will suffer irremediable damage.

To these aims and principles I add my wholehearted support.

I also want to say at this point and I believe the problems stated by the President and the solutions he has proposed should be considered regardless of party lines and no matter from what part of the country my colleagues may come. The problems we face must be dealt with realistically, wholeheartedly, and with a deep concern for the continuing progress of our Nation.

As the President stated, his proposals to place American commercial agriculture on a sounder and stronger footing constitute only half the battle we face in our rural areas. The other half of the problem is made up of combating the problems of our rural people who are ill housed, unemployed, underemployed, undereducated, and lacking in full health facilities. It is appalling to me that in this time of abundance across our country, so many of our citizens lack the basic facilities of water and sewer systems.

In my own State of Oklahoma, Mr. President, Federal water and sewer loan and grant programs helped finance 78 such systems to the benefit of more than 12,000 rural people in 1967.

In fiscal year 1966, these basic facilities were provided for more than 40 Oklahoma communities.

But the problem is by no means solved, or even being touched in hundreds of other communities in Oklahoma and thousands of similar rural areas otherwise scattered throughout America. These programs constitute the best and most prudent way of giving these communities assistance at a minimum cost to the taxpayer. To me the relatively small amount of grant money necessary to carry out the program represents a wise investment in the future of rural America—an investment that will be repaid manyfold in the economically developing years to come.

Mr. President, I was particularly delighted to note that the President urges the creation of a National Food Bank—a security reserve of wheat, feed grain, and soybeans—to protect the consumer against food scarcity and the producer against falling prices. I have introduced a bill to fill this need, and several other Senators have done likewise. My bill provides for the establishment of reserves of wheat, feed grains, and soybeans by the purchase through the Commodity Credit Corporation of 200 million bushels of wheat, 15 million tons of feed grains, and 30 million bushels of soybeans. This reserve is to fill the need stated by the President to meet demands of emergency situations and is to be insulated from the marketplace for times of emergency.

In addition to the amounts held by the Department of Agriculture, my bill provides for an additional 200 million bushels of wheat, 15 million tons of feed grains, and 30 million bushels of soybeans to be held by the producer under the Department of Agriculture's extended resale program. In addition to the firm reserve held by the Commodity Credit Corporation, these additional quantities are insulated from the market and held as a reserve and controlled by the producers.

I sincerely believe that the provisions of this measure fulfill the requirements laid down by the President for a national food bank. The bill fulfills the needs stated by the President when he said:

A National Food Bank can provide important protection for all Americans.

The farmer will not have to bear the burden of depressed prices when production exceeds needs.

The consumer will be protected from unanticipated food scarcity.

The Government will have a reserve stock "cushion" in making acreage allotment decisions and in responding to international emergencies.

My colleagues and I are hopeful that these measures urged by the President not only in the farm and rural America message, but also in his state of the Union address will receive early consideration and approval by Congress.

If we get this bill through Congress this spring, we will be in a position to take immediate action for the crops which will develop this year, and I believe that this represents the spearhead of implementation of the President's policy.

My colleague from Oklahoma [Mr. HARRIS] and I have also cosponsored legislation to assist industry in locating in rural areas. The President's message likewise gave support to this principle. His message clearly shows the depth of understanding and the multitude of complex problems surrounding this need, and I am quite happy to work with the President in this area.

Mr. President, our great President has presented a strong, broad program which, if fully implemented, will mean a change in the economic regression now being suffered by our nonurban areas. I believe the President has stated it well when he said that this program will help the American farmer gain his place and privilege in the life of the Nation. I sincerely urge the Senate and the House of Representatives to give immediate attention to these proposals so that these deplorable needs can be met without unreasonable hindrance and delay.

NATIONAL CIVIL DEFENSE PROGRAMS

Mr. INOUE. Mr. President, all of us are aware that our national civil defense programs have not enjoyed a high priority in recent years.

Walter Cronkite, the distinguished television commentator, calls this fact to our attention in an introduction to a forthcoming book to be published by Charles Scribner's Sons, entitled "Who Speaks for Civil Defense?" The introduction was published in the February 1968, issue of the National Association of State Civil Defense Directors report.

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

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

CRONKITE ON "WHO SPEAKS FOR CIVIL DEFENSE?"

There probably is no one—in low place or high—who does not believe in civil defense. That is, there is no one who does not respond to the primary animal urge for self-survival. But there are many who attempt to computerize this instinct, either consciously or subconsciously, or unconsciously.

In the "high" places of government, civil defense is rationalized and given low priority—a conscious act of pigeonholing one set of considerations in favor of immediate action on others.

Among millions of our citizens there is momentary concern about civil defense when a world crisis threatens to boil over—but subconsciously these busy citizens also pigeon-hole the matter when their attention no longer is focused on the immediate possibility of nonsurvival.

Among millions of others there is a mistaken belief that there is nothing they can do about the problem anyway, combined with a blind faith that somehow the government will protect them—an unconscious rejection of the whole complicated, unpleasant issue.

It is to all of these groups that this book is addressed. What can be hoped is that it will renew much wider discussion of the problem and public and government contemplation of this pressing issue, and perhaps even inspire action.

It seems ridiculous to have to "sell" civil defense. And yet there are reasons for the lack of attention devoted to it, and they are clearly outlined in the following pages.

In government it is partly a problem of cost priorities and partly a problem of politics. There are many needs demanding a share in the national income. We can see immediately before us the specter of our deteriorating cities and of our underprivileged millions. We can see the filth in our streams and our air. We can see the paralysis overtaking our transportation systems. Fortunately there is no evidence on our streets or on our rural horizons of the horror of nuclear attack. So in the competition for the tax dollar, Washington directs attention to correcting the evils about which the nation has daily reminders. Thus political expediency rules over political statesmanship.

There may be another political reason for the lack of attention to civil defense. Even as one might suspect that the long delay in developing anti-ballistic missiles was dictated by the military's unwillingness to admit that ballistic missiles could be knocked down because we had an arsenal full of them, it might be that our government leaders are reluctant to face the public with the fact that we should prepare for a failure of the policy of deterrence on which the whole nuclear bomb race has been predicated. Aggressive and defensive weapons have been emphasized on the theory that through such strength the enemy will be deterred from attack. To appropriate the billions needed for an adequate civil defense as well is to admit that deterrence is only a theory on which millions of American lives are being gambled. Is it too harsh to say that the international poker players are bluffing with our lives?

In addition, there is a very real problem in public relations that perhaps none of our leaders will admit. This is the question of how the public would react to the constant reminders, necessary to sustain the fund drive for adequate civil defense, of the horrors of atomic conflict. Perhaps such a campaign would encourage popular pressure for new approaches to foreign policy. A demand for radical change might be an unintended

result of the campaign to give our people shelter in the case of war, and professional diplomats are traditionally cold to amateur incursions. They believe they are doing best that which must be done and any mass movement for change is not welcome.

The speculations on political motivations for inaction, however, are interesting only as a social study of the nature of intransigence at the seat of power. What is more important is the impact of our failure to have an adequate civil defense.

There is the potential for atomic blackmail. We know that the Soviet Union is far ahead of us in providing shelters. We know the Red Chinese leadership has made brutal statements about the millions of Chinese it is prepared to lose in war. Neither thus seems to be as susceptible as are we, who have no shelters and no callous disregard for our lives, to the threat of a nuclear exchange. This matter is the subject of examination in the following pages, so let it be sufficient here to simply state the inescapable conclusion that such openness to blackmail mocks the whole policy of deterrence.

There would be many morale problems for a nation under nuclear attack. Examination is included here of some of the major ones. A nation that faces as we do now the possibility of nuclear war must look beyond the immediate dislocation to the very continuation of its governmental system.

Thus we must not merely prepare for the survival of individuals but also for the survival of our democratic system. To insure that, the pre-war government has an obligation of highest priority to be certain that everything is done to preserve the post-war population's confidence in government. It is obvious that in case of nuclear war, confidence would be shaken to the point of anarchy if no, or inadequate, provision has been made for civilian defense.

If this book sets off a chain reaction of discussion, examination and, finally, action, on civil defense, a nation will have cause for gratitude. The course of such action is not predictable. Nor is much in life—except perhaps one thing. If there are enough of us left after a nuclear war to carry on our government, one can safely forecast that the first order of business of the first post-war Congress will be the gosh-darndest investigation this nation has ever witnessed. Subject? What Ever Happened to Civil Defense?

BARNEY OLD COYOTE HONORED AT MONTANA STATE UNIVERSITY

Mr. MANSFIELD. Mr. President, at Bozeman, Montana State University presented four honorary degrees on Founder's Day—to Bertha C. Olsen, chief of the technical services branch of the school lunch division, Consumer Marketing Service, Department of Agriculture; to John H. Morrison, Sr., one of Montana's foremost engineers; to Coit A. Suneson, a research agronomist with the Cereals Research Division, ARS, Department of Agriculture; and to Barney Old Coyote, a Crow Indian, now Coordinator of the Office of Job Corps Coordination in the Department of the Interior. The first three are MSU alumni, and Barney Old Coyote is a graduate of Morningside College, in Iowa. Barney is doing a fine job with the Job Corps program. He was the featured speaker on Founder's Day. His speech is most enlightening in that it represents the thinking of an American Indian on the problems that confront his brothers in the 1960's. The diamond jubilee at Montana State University also was the occasion for the release of "A History of Montana State University," by Merrill Burlingame, Ph. D., professor

emeritus of history. This story of 75 years of investment in people is informative and exciting reading.

I ask unanimous consent to have printed in the RECORD the foreword to the Burlingame History of Montana State University; and a news story of Barney Old Coyote's address at Bozeman and an editorial, both from the February 22, 1968, edition of the Hardin Tribune, and printed in Crow Indian country.

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

HISTORY, MONTANA STATE HISTORY FOREWORD

This is a short history. In fact it is a short, short history. But this is the longest history which the institution has had.

The 25th anniversary occurred during World War I without any formal recognition or recording of events. The 50th birthday was similarly observed without fanfare during World War II.

The history of Montana State College and since 1965, Montana State University, is sketched with a broad brush. It is designed to portray only the outlines of the 75 years of productive experience of a cooperative Montana enterprise—of 75 years of investment in people.

Almost everyone thinks first of the University's teaching function. The growth from 46 students enrolled in degree courses in 1893 to 6,819 in the autumn of 1967 has been encouraging. Almost 60,000 have enrolled in degree courses during the school's 75 years, and 17,711 have received degrees.

But numbers are not the measure. There has been space in this history to mention the accomplishments of only a few of the hundreds of students who have made immeasurable contributions to their fellow men. The loyalty, dedication and harmony with which both students and staff have worked has also been barely touched upon.

Montana State has included from its beginning the Agricultural Experiment Station. Only a few colorful examples of its work have been included here; they help illustrate the tremendous accomplishment of the skilled men and women who have worked quietly on applied and pure research. This work has gone far beyond the scope of agricultural research in a restricted sense. Many of these scientists have won world renown. And many of their discoveries have approached a dollar value equal to the entire cost of operating the institution during its 75 years.

Since 1914 the valiant staff of the Cooperative Extension Service has fanned out over the state. County agents, home demonstration agents, 4-H leaders, and other specialists have worked closely, as has the staff at the Experiment Station, with Montana's farmers and ranchers, as well as with the citizens on main street.

Many wise observers make the point that, physically, Montana is just about what it has always been. The average mean temperature varies little; rainfall is still light and variable; some soils are rich, some poor. It is what Montanans have been able to do with their resources, human and otherwise, that has made the difference in 75 years.

Particularly during the last two decades, progress has snowballed. Community organization has made possible better government, better schools and better roads. Greater security has been provided in many areas by dams, both large and small, and irrigation ditches. Rural electrification has progressed. The soils have responded magnificently to fertilizers, and the new breeds of animals prospered on the new grains and forage.

No longer is the watchword "to trap it, to shoot it, to mine it, and get out." The people have developed a confidence and a maturity which contains rich promise for the future.

Montana State University is proud to have played a small part in this 75 years of progress.

BARNEY OLD COYOTE GETS DOCTORATE

A Crow Indian who went from the Bureau of Indian Affairs to an important job in Washington has acquired a new title. He is Dr. Barney Old Coyote now.

He was awarded an honorary degree last Friday at Montana State University, as that institution began its celebration of its diamond anniversary.

More than a dozen friends and relatives from the Crow Reservation came to witness the event. A Pawnee friend, Alex Matthews, flew to Bozeman from Washington. Ben Pease, Jr., another Crow who has built a successful off-reservation life, came from Moses Lake, Wash. Other Indian tribes in Montana were represented at the ceremonies.

Dr. Old Coyote and his friends attended a dinner Thursday night and a luncheon Friday at the University. Miss Harriette Cushman entertained faculty members and other guests in his honor at a dinner Friday.

In his speech at the convocation Friday morning, when four honorary doctorates were granted to Montanans and ex-Montanans, Old Coyote challenged the University—and Dr. Leon Johnson, its president, promptly accepted the challenge.

The speaker said in his address, "this anniversary should present a challenge . . . particularly to those of you who will make it possible for Montana State University to be an outstanding example when it comes to meeting the needs of the nation, the state and our people."

Old Coyote went on to outline these needs. "It is essential," he said, "to strive for a perfect work of engineering, but such perfection has little meaning if it does not serve mankind and make this world a better place for people."

He emphasized rural poverty as a Montana problem, and cited Indian population as one deprived group. He pointed out that rural poverty is the breeding place of urban poverty, and urged that poverty problems be fought where they begin.

"We know that no single agency nor a single approach will solve the plight of the poor for long. . . . We also know that we must change attitudes to succeed in our efforts."

A large portion of the speech was devoted to Indian problems. Old Coyote disagreed with those who say too much has already been done for the Indian, and also with those who feel "we can never do enough for Indians," and that the American Indian will never attain a level that will make him a useful citizen to himself and his nation.

"To be a good American I believe we need to be a living part of this country every moment of our lives—not necessarily agreeing with everything being done, but being a living part of it," he said. He does not believe that the American Indian is "the only American or the real American," but is confident that Indians can live up to his definition of citizenship, given the proper opportunity.

He described Indian life and tradition and traced Indian history to explain the plight in which Indians find themselves today. Statistics on educational levels, employment and income among Indian people supported his contention that Indians do have a problem.

"I suggest to you," he went on, "that the Indian problem is a mental attitude—a state of mind—and it remains for Indians to learn not only to live another way but to learn to use the tools of the dominant society."

"We as Indians, need to go more than half way when we enlist the aid of that part of the American community that can enable us to become a living part of our country," he said. He suggested that advice of experts in money management and management of real estate be consulted, as well as those in the field of education, welfare, etc.

"It is true that we want to be understood as a race and as individuals, and we should help you understand us—but it also remains for us to understand you better, and you can help us do that," Old Coyote continued.

In outlining his challenge, the Crow leader pointed out that the poor who live in rural communities have been shortchanged when it comes to educational facilities.

In laying down his challenge to MSU, Old Coyote used these words:

"There is no simple solution for poverty, but for the first time in our history it is feasible to eliminate it, and only the will to do this is lacking. . . . Large sums of money to aid the poverty stricken rural population have been appropriated, but too frequently such measures have not helped those farms and those communities where production is small. . . .

"Those of us that are here and our State institutions can begin to work toward effective government at all levels in order that we may begin to eradicate rural poverty in our own back yard. Changes in attitudes and approaches will be needed to do this.

"We can provide leadership toward a concerted effort for systematic and orderly planning for the development of our national resources. . . . This leadership should extend into redirecting of energies and attitudes of our citizens in a manner that embraces all segments of our society."

This is the challenge that Dr. Johnson accepted for Montana State University.

STRICTLY BIASED

(By H. M. P.)

Dr. Leon Johnson, president of Montana State University, is a quick-witted gentleman, expert at the art of repartee.

Members of his faculty commented last week that it looked as though he met his match—twice. The brothers Old Coyote, Henry and Barney, are as fast with the comeback as is Dr. Johnson, and I wish I could remember all the rapid replies that were bandied among the three of them.

Even if I hadn't been most eager to see Barney become Dr. Old Coyote, the conversation would have been worth the trip!

Friends of Barneys' couldn't help wondering. Does his honorary degree entitle him to be called a medicine man now?

Degree or not, Dr. Old Coyote has been making good medicine for his own people for a good many years now. When he says he considers his education and his other accomplishments a "license" to do more for others, he means just that.

In his present position, he's working for underprivileged youth of all races and creeds. Always he is an example to the rest of the nation of the very best type of American Indian, who takes pride in his race and joy in the traditions of his people.

All of Barney's family and friends were entertained very graciously by Montana State University. The number of graduate degrees that surrounded us was somewhat overwhelming.

Henry was not in the least nonplussed. At one point he announced that he was entitled to use some letters after his name, too. They are F. B. I. he said, and went on to explain that this stands for full-blooded Indian.

One story Barney told during his speech last Friday morning is worth repeating. He prefaced it by saying that Dr. Johnson's Norwegian ancestry and that MSU's head came originally from Minnesota reminded him of this yarn.

It seems that a religious group offered to present Bibles to all the pupils in a Minneapolis school district. School Board members were undecided about this gift. Finally one of them, Lars by name, offered to read the book carefully and report at the next meeting.

He returned the next month to say he'd been through the Bible from cover to cover. It's a pretty good book," he announced, "but I don't think I can recommend it for the children in our school district. The first part was all right, but along in the last part I noticed there was an awful lot about St. Paul—but not a word about Minneapolis!"

Looks like last week's editorial and last week's column stirred up a lot of comment, much of which has come back to me.

Most remarks on the editorial made in my hearing were complimentary, but I think it may have been misunderstood by some people. I didn't say the City Council was right in its action. On the basis of rather incomplete knowledge, I am inclined to disagree with the Council's action.

All I was really saying was that, right or wrong, our elected officials should make decisions free of financial pressure of any kind.

As for the column, I've defended, complimented and praised Hardin schools and Hardin teachers many times in this newspaper, and will continue to do so.

This newspaper has been criticized often, and will, I am sure, be panned again and again—sometimes justifiably.

But when I hear of any criticism which I feel is misinformed or unfair, I have a perfect right to defend the Tribune-Herald, and I'm not about to stop.

One phrase—"He's nuts"—in a rapidly written column, was probably unjustified. So I'll apologize for that.

Some statements credited to teachers have been denied. And perhaps they were overstated to me—or by me. I am still unconvinced, however, that everything I've been hearing from a variety of sources over the last few months is completely untrue.

ESTONIAN INDEPENDENCE

Mr. CASE. Mr. President, Americans of Estonian descent recently observed the 50th anniversary of the Declaration of the Independence of the Estonian Republic. Their deep attachment to the spirit of freedom that animates all Americans and that makes so repugnant the suppression of freedom in their homeland was most effectively stated in resolution adopted on this occasion by the Estonian Association of Lakewood, N.J. I ask unanimous consent that the text of this resolution be printed at this point in the RECORD.

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

RESOLUTION, LAKEWOOD ESTONIAN ASSOCIATION

We, Americans of Estonian ancestry, gathered on this 24th day of February 1968 at the Estonian House in Jackson, New Jersey to observe the 50th anniversary of the Proclamation of Independence of Estonia, and mindful of the fact that the homeland of our forefathers is still oppressed and suffering under the totalitarian rule of Soviet Russia, declare the following:

"Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

"Whereas the peoples of Estonia and the other Baltic countries of Latvia and Lithuania have been forcibly deprived of these rights by the Soviet Union; and

"Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of the Baltic peoples for self-determination and national independence:

"Now, therefore be it—

"Resolved, That we Americans of Estonian descent reaffirm our adherence to the prin-

ciples for which the United States stands and pledge our support to the President and the Congress to achieve lasting peace, freedom, and justice in the world; also be it

"Resolved, That we urge the President of the United States, in fulfillment of the provisions of House Concurrent Resolution 416 unanimously adopted by the Eighty-Ninth Congress, to direct the attention of world opinion at the United Nations and at other appropriate international forums to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania; also be it

"Resolved, That we urge the House of Representatives of the United States Congress to establish a permanent Special Committee on the Captive Nations; also be it

"Resolved, That we urge the Postmaster General and the Citizens' Stamp Advisory Committee to act favorably on the proposal calling for the issuance, in 1968, of a U.S. commemorative stamp to mark the 50th anniversary of the proclamations of independence of the Baltic States of Estonia, Latvia, and Lithuania; also be it

"Resolved, That we express our support to the President of the United States for his determined policy of resisting Communist aggression in South Vietnam and that we declare our solidarity with the American servicemen in Southeast Asia, among whom are our sons and brothers; and be it finally

"Resolved, That copies of this resolution be forwarded to the President of the United States, the Secretary of State, the U.S. Ambassador to the United Nations, the Governor of New Jersey, the U.S. Senators of New Jersey, the Representatives of the Third and Sixth Congressional Districts of New Jersey, the Postmaster General, the Citizens' Stamp Advisory Committee, and the press."

Unanimously adopted on the 24th day of February 1968.

JULIUS KANGUR,
President.
EDA TREUMUTH,
Secretary.
JUHAN SIMONSON,
Chairman, *Resolutions Committee*.

RURAL DEVELOPMENT INCENTIVES

Mr. HARRIS. Mr. President, the distinguished Senator from Kansas [Mr. PEARSON] spoke on February 28 at the annual meeting of the National Rural Electric Cooperative Association in Dallas, Tex. In his remarks, Senator PEARSON discussed the need to redevelop rural America through the creation of better job opportunities, better educational facilities, and better housing and health facilities. One approach to the redevelopment which he emphasized is the enactment of S. 2134, the Rural Job Development Act, which he and I cosponsored last year. Because I feel that his remarks on this subject are timely, I ask unanimous consent that his statement be printed in the RECORD.

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

RURAL DEVELOPMENT INCENTIVES

I have discussed the general subject of rural development before a number of different audiences, but in all frankness I must say that I can think of no other place where a discussion of this subject is more appropriate than at a gathering of the National Rural Electric Cooperative Association. For in modern times, few other efforts have made a more positive contribution to the economic development and social improvement of rural America than the work of the REA Co-ops. And I fully anticipate that this positive con-

tribution will continue into the future and, indeed, will grow in importance.

Let me begin my remarks by pointing to a paradox: Almost every economic indicator would suggest that rural America is better off today than in 1935 when the Rural Electrification Administration was established. One such indicator is the fact that only 10 percent of the farms were electrified in 1935, but today that figure is 98 percent. Yet despite the record of apparent progress it is no exaggeration to say that rural America is in deep and serious trouble today.

Let me cite some statistics to demonstrate this paradox. In 1935 the per capita income of farmers was only 40 percent of the per capita income of non farmers. In 1966 farmers still trailed, but the gap had been narrowed; the average farmer's income being 72 percent of the average non farmer's income. Now we would all agree that there shouldn't be any gap, but on the other hand, no one can deny that these particular statistics do show progress.

However, we have to probe deeper to understand what's happening in agriculture. And I think the most significant fact we have to take note of is that while individual farmer income has gone up gradually over the past few decades, the actual number of farmers has gone down dramatically. In 1935 the farm population was 32 million, today the farm population numbers only 11 million; a decline of 70 percent!

Thus whereas the total income earned by agricultural as a whole is less today than in the late 1940's and early 1950's, individual farm income has shown some increase simply because there are so far fewer people left on the farm to divide up the agriculture income pie.

Now I have used farm statistics simply to demonstrate a point. But I don't want to limit my comments to agriculture. I want to talk about the total rural community and I would include here, in addition to farms, most rural orientated towns and cities, even many which have populations as high as thirty or forty thousand.

Somewhat the same thing that is happening on the farm is occurring in many of our rural towns. In many areas the out migration of people has been so great that hundreds of the smaller towns are literally dying. And thousands of other towns have ceased to grow and are just barely holding their own.

Now as all of you know, this condition of rural America isn't new. It is several decades old, but within the past year there has been a great deal of talk in Washington and across the country about the necessity of an economic and social revitalization of rural America.

Thus we have another paradox.

While rural America has been plagued with problems for many years it is the great trouble in the cities which has finally caused the nation as a whole to more clearly see and understand the difficulties of the countryside and small towns.

The headlines of the past two or three years have made all of us painfully aware of the gigantic social and economic problems of urban America. And the term, "crisis of the cities" has come into common usage—a crisis described in terms of festering slums, rising crime rates, disintegrating families, chronic unemployment, racial tension, congested streets, polluted air and contaminated water.

We have now begun to recognize that many of these problems can be traced to the over-crowding of people and the excessive concentration of industry into a few great metropolitan centers.

We are now beginning to realize that one of the most sensible and effective approaches to dealing with the crisis of the cities is to devise programs which will have the effect, hopefully, of slowing down or at least better

controlling the great rural to urban migration.

The long, hot urban summer of 1967 has proven to be something of a catalyst, and we have begun to accept the idea that as we attempt to deal with the crisis of the cities the challenge is not simply to make the cities more efficient and more livable for more and more people, but how to keep more and more people from crowding into them.

Faith in the old assumption that the migration of the rural poor to the city represents the first step up the ladder of economic opportunity and social advancement has been shattered. Instead of economic salvation, the rural poor too often find tenements, unemployment and welfare. And ill-equipped to resist the depersonalizing forces of the city, their sense of responsibility is dulled and they are demoralized by the contagion of the slum environment.

The rural exodus is not, of course, composed only of the poor and unskilled. It catches up in its movement the talented young, the highly educated. The bright, the young, the ambitious turn to the city for the economic and social opportunities lacking in their home communities. Thus, rural communities are being bled of their best human talent and most productive economic resources, in a cycle that continually feeds upon itself. The loss of productive people means a loss of productive income, and, equally important, the loss of the initiative and leadership so necessary to the prevention of further community stagnation. Ironically, the rural areas are subsidizing the cities by the continuing export of their educated youth.

As a result, thousands of rural communities are in deep trouble and many are facing the prospect of virtual extinction. And when a rural community dies, a valuable and irreplaceable part of the nation dies.

The forces which underlie the massive urbanization of this country are indeed symbols of progress. But the festering slums, polluted air and monotonous suburbs, on the one hand and the deserted farms and rural ghost towns on the other are damning testimony of our failure to diffuse this progress throughout the entire population.

Thus the whole question of our rural-urban balance has come to be seen in a new light. And because more and more people are not satisfied with what they see, a great national debate has begun centering on the question of how we can better control and moderate the rural migration to the cities. And I think it is accurate to say that a national consensus of a need for an economic and social revitalization of America has developed.

This growing national debate is most encouraging. But at the same time, I think all of us here today must recognize that there is a real danger that we won't get past the talking stage, that we won't take the really hard firm actions that are necessary.

I recognize, of course, that because the problems are so great, more study and debate are necessary. But we must do more than talk. We must begin to act. We can and should take these steps now:

First, we must shore up farm prices and prepare to rewrite our present farm programs, when they expire next year to better assure the preservation of the family farm system of agriculture.

Second, we must improve rural education, expand rural housing and provide additional and improved public services and facilities needed to support new industries.

Third, we must write into law a bill passed by the Senate last year to create a Commission on Balanced Economic Development.

Fourth, I would urge speedy enactment of the Rural Job Development Act introduced last year by Senator Harris and me. Unless

we can actually create upwards of 500,000 new jobs each year in our rural communities, nothing else we do will have any meaningful or lasting effect.

I believe the Rural Job Development Act would serve as a good beginning. The bill would provide a series of tax incentives, including a tax credit on building and machinery and an accelerated depreciation allowance to new businesses and industries locating in rural areas.

I want to emphasize that the bill would apply to almost all rural areas. And not just the really poverty stricken areas. And I think this is extremely important because so many of the existing rural development programs are concentrated in but a few restricted geographical areas. But there are many rural areas which need help even though they don't fit the poverty stricken category. In fact it is in these areas that you find the greatest potential for economic development and the proper incentives are available.

Another great advantage of the bill is that it does not involve a direct cash subsidy. And this is an extremely important factor in today's tight budget situation. Moreover, if the bill really works as we believe it will, the new wages and income created will generate a new flow of tax revenue to the Treasury that will more than offset the revenue lost through the tax incentives.

Now I would be the first to say, and I am sure Senator Harris would agree, that this bill certainly won't solve all the problems of rural America.

But I believe its enactment would be a solid, constructive beginning in our efforts to strengthen our rural communities. And to strengthen our rural communities will truly be a strengthening of the country as a whole.

In closing I want to pay tribute to the great contribution that the leadership of the NRECA has made in helping to call to the nation's attention the urgent necessity for revitalizing rural America. Clyde Ellis in particular has performed a most valuable service in this respect.

Now as I have said, meeting the challenge that faces us will not be easy and the effort to revitalize rural America will necessarily involve many approaches and many groups. But surely the REA cooperatives will be making one of the most valuable contributions.

Because of your intimate knowledge of rural America you are eminently qualified to exercise effective leadership.

In addition as all of you well know, electrical service is an absolutely basic component of economic development. And in many areas the REA cooperatives are best qualified to provide this vital service. Thus I believe that the REA cooperation not only can but must play an expanded role in the strengthening of rural America.

FARMERS HOME ADMINISTRATION LOAN AND GRANT APPLICATIONS FOR WATER AND SEWER PROJ- ECTS IN ARKANSAS

Mr. FULBRIGHT. Mr. President, the Farmers Home Administration State director in Arkansas has sent me information on the status of loan and grant applications for water and sewer projects in my State. He states that because the

volume of applications on hand is so large in relation to funds available, the agency has established a processing schedule to apportion an inadequate supply of funds. According to the State director, this processing schedule has been developed in order that first, the best use may be made of available loan and grant funds; second, applications for which funds are available may be processed in the most expeditious manner; and third, applicants for whom there are no funds available at this time may be so informed.

Applications have been assigned to three categories:

First. Projects which have been authorized for approval but cannot be approved until additional loan and grant funds are made available. The total amounts for this category are: Grants, \$1,322,410; loans, \$3,595,540.

Second. Projects that have been "scheduled for processing" include additional applications, which together with those projects already authorized, will not exceed 200 percent of the loan and grant funds available in this fiscal year. Totals for this category are: Grants, \$684,200; loans, \$6,311,170.

Third. Projects "not scheduled for processing." This category includes applications which cannot be scheduled for processing due to lack of funds. Totals for this category are: Grants, \$6,998,766; loans, \$13,932,099.

The total amount of funds involved in all three of these categories is \$32,844,185, over half of which comes from the third category, those projects "not scheduled for processing."

Mr. President, the Farmers Home Administration does an excellent job in my State. Its State director, Mr. Herman Hankins, is most cooperative. Without the help of this agency many small towns and communities in Arkansas would be without adequate water and sewer systems, and such facilities are basic to the economic development of any region or community.

Arkansas has a great need for economic development. Its per capita income is well below the national average. There are many economically depressed areas in the State. All but six counties of the State have qualified for and have become part of seven newly organized economic development districts assisted by the Department of Commerce. Half of the State is eligible for the program of the Ozarks Regional Development Commission.

The immediate need of the people of my State for economic development assistance is being delayed because of a war halfway around the globe, which is costing the American taxpayers over \$30 billion a year and with little prospect for success.

The backlog of FHA water and sewer applications indicated by the second and third categories above is a result of unavailability of funds, and is just one more example of how the Vietnam war is hindering the implementation of worthwhile domestic programs. It is significant to note that the total amounts for all of these FHA projects in Arkansas, including the more than half that are "not scheduled for processing" would require less money than it is currently taking to finance the war in Vietnam for 10 hours—and more than 72 percent is for loans which would be repaid with interest.

And, Mr. President, that is not taking into account what I would consider to be the real cost of the war in Vietnam, the national sacrifices over and above the tax money paid out—the tragic loss of thousands of young American lives, the sidelining of other urgent domestic programs, including the incalculable cost to our educational system.

Congress has been attentive to the needs of economically depressed areas and has expressed its desires in many recent legislative enactments such as the Public Works and Economic Development Act, the Economic Opportunity Act, and amendments to the Farmers Home Administration Act; but the implementation of these laws has been frustrated by the staggering cost of the Vietnam war.

The Arkansas State Legislature, likewise aware of this diversion of Federal resources for the war, a year ago passed a resolution—House Resolution 12—asking Congress to reconsider the reason for U.S. participation in the Vietnam war.

I have stated repeatedly that I think we should revise our national priorities. We must weigh the costs and benefits of involvement in foreign wars against the costs and benefits of strengthening our domestic economy and solving domestic problems. We must weigh the costs and benefits of going to the moon against the costs and benefits of rehabilitating our cities. We must weigh the costs and benefits of the supersonic transport, which will propel a fortunate few across the Atlantic in 2 or 3 hours, against the costs and benefits of economic development, slum clearance, and school construction.

We must weigh the benefits and consider the awesome disparity between the \$904 billion we have spent on military power since World War II and the \$96 billion we have invested in education, health, welfare, housing, and community development.

Mr. President, I ask unanimous consent that the data received by me from the FHA State Director be printed in the RECORD.

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

STATUS OF ASSOCIATION LOAN AND GRANT APPLICATIONS, WATER AND SEWER, AS OF JAN. 1, 1968—ARKANSAS

County and name of project	Facility	Grant	Loan	Comment
Ashley:				
Community of Martinville	Water	\$13,000	\$13,000	Not scheduled for processing.
Town of Fountain Hill	Sewer	43,000	57,000	Do.
Baxter: City of Cotter	do	182,000	275,000	Do.

STATUS OF ASSOCIATION LOAN AND GRANT APPLICATIONS, WATER AND SEWER, AS OF JAN. 1, 1968—ARKANSAS—Continued

County and name of project	Project	Facility	Grant	Loan	Comment
Benton:					
Town of Garfield	Water	17,300	27,050	Authorized; awaiting funds.	
City of Gentry	Water and sewer	None	423,000	Scheduled for processing.	
South Gentry Water Association	Water	None	20,000	Do.	
Francis Park Water Association	do	None	175,000	Do.	
City of Centerton	Water and sewer	123,800	160,000	Not scheduled for processing.	
City of Sulphur Springs	Sewer	117,000	117,000	Do.	
Town of Avoca	Water	None	122,000	Scheduled for processing.	
Bradley:					
City of Thornton	Sewer	None	180,000	Not scheduled for processing.	
City of Hermitage	do	74,418	103,981	Do.	
Calhoun: Town of Harrell	Water	41,000	43,000	Authorized; awaiting funds.	
Carroll:					
City of Berryville	Water and sewer	None	546,000	Authorized; awaiting determination of private financing.	
City of Green Forest	Water	None	280,000	Scheduled for processing.	
Chicot: Chicot County Water Association	do	None	100,000	Do.	
Clark:					
City of Amity	do	88,400	110,000	Authorized; awaiting funds.	
City of Gurdon	Water and sewer	190,000	190,000	Not scheduled for processing.	
Clay:					
Town of Knobel	Water	48,000	76,000	Authorized; awaiting funds.	
City of Piggott	Water and sewer	None	358,000	Scheduled for processing.	
Town of Datto	Water	20,000	32,000	Do.	
City of Pollard	Sewer	48,000	50,000	Do.	
Town of Nimmons	Water	74,000	75,000	Do.	
Cleburne: Town of Higden	do	62,000	314,000	Scheduled for processing.	
Columbia: Walker Water Association	do	None	64,000	Do.	
Conway: Cleveland Water Users Association	do	35,000	40,000	Not scheduled for processing.	
Craighead:					
Town of Bono	Sewer	50,000	80,000	Authorized; awaiting funds.	
Philadelphia water system	Water	None	310,000	Do.	
Gilkerson water project	do	None	180,000	Scheduled for processing.	
Egypt Water Association	do	50,000	50,000	Not scheduled for processing.	
Crawford:					
Town of Dyer	do	None	120,000	Scheduled for processing.	
Kibler and Oak Grove	do	443,000	443,000	Do.	
Cedarville Water Association	do	188,250	251,000	Not scheduled for processing.	
Crittenden:					
Sunset Water Association, Inc.	Sewer	50,000	50,000	Do.	
Town of Gilmore	Water and sewer	50,000	50,000	Do.	
Cross:					
City of Hickory Ridge	Water	22,100	95,000	Authorized; awaiting funds.	
Town of Cherry Valley	Water and sewer	None	176,000	Scheduled for processing.	
City of Parkin	do	None	400,000	Not scheduled for processing.	
Dallas: Town of Carthage	Sewer	70,000	70,000	Do.	
Drew:					
Town of Tillary	Sewer	\$40,000	\$108,000	Not scheduled for processing.	
Town of Jerome	do	30,700	49,700	Do.	
Faulkner:					
City of Greenbrier	do	86,345	86,345	Do.	
Town of Mayflower	Water	354,000	359,000	Scheduled for processing.	
Town of Vilonia	do	547,000	565,000	Not scheduled for processing.	
Town of Guy	do	16,880	71,500	Do.	
Franklin: Town of Branch	do	45,000	50,000	Do.	
Fulton: City of Mammoth Spring	Sewer	None	275,870	Authorized; awaiting funds.	
Garland: Town of Mountain Pine	do	50,000	110,000	Not scheduled for processing.	
Grant:					
Town of Tull	Water	111,500	115,000	Authorized; awaiting funds.	
Town of Leola	Sewer	45,000	158,000	Not scheduled for processing.	
Greene:					
Oak Grove Water Users Association	Water	64,000	95,000	Do.	
Walcott Stanford & Light Water Users Association	do	101,764	101,764	Do.	
Town of Delaplane	do	42,000	42,000	Do.	
Hempstead:					
Town of Fulton	Water and sewer	142,600	170,000	Authorized; awaiting funds.	
Town of Perrytown	do	None	34,050	Not scheduled for processing.	
Bois D'Arc Water Users Association	Water	None	8,250	Scheduled for processing.	
Town of Washington	do	26,000	50,000	Not scheduled for processing.	
Howard: City of Nashville	Water and sewer	None	607,480	Do.	
Independence:					
City of Newark	Sewer	54,700	160,000	Authorized; awaiting funds.	
Pfeiffer Water Users Association	Water	None	89,400	Scheduled for processing.	
Town of Magness	do	39,000	43,000	Not scheduled for processing.	
Town of Pleasant Plains	do	490,000	900,000	Do.	
Town of Sulphur Rock	do	90,050	125,000	Do.	
Izard:					
Town of Mount Pleasant	do	21,350	38,000	Authorized; awaiting funds.	
Town of Guion	Water and sewer	65,500	65,500	Not scheduled for processing.	
Jackson:					
Town of Beedeville	Water	34,270	34,270	Authorized; awaiting funds.	
City of Campbell Station	do	19,390	25,530	Do.	
Town of Tupelo	do	40,000	55,000	Not scheduled for processing.	
Town of Weldon	do	20,000	25,000	Do.	
Jefferson:					
Town of Sherrill	Sewer	37,350	54,150	Do.	
Town of Wabbaseka	do	37,700	63,300	Do.	
Lafayette: City of Bradley	do	None	200,000	Scheduled for processing.	
Lawrence:					
Town of Ravenden	Water	31,300	55,000	Authorized; awaiting funds.	
Town of Strawberry	do	None	46,000	Not scheduled for processing.	
Town of Lynn	do	33,840	48,660	Do.	
City of Imboden	Sewer	107,000	124,000	Do.	
Lee:					
Town of La Grange	Water	40,000	40,000	Do.	
Town of Aubrey	do	50,000	52,000	Do.	
Town of Mora	Sewer	80,000	80,000	Do.	
Lincoln: City of Grady	Water and sewer	None	338,000	Scheduled for processing.	
Logan: Town of Scranton	Water	33,700	61,000	Authorized; awaiting funds.	
Lonoke:					
Town of Coy	Sewer	66,500	66,500	Not scheduled for processing.	
Town of Hummoke	do	70,000	70,000	Do.	
Marion:					
City of Flippin	Water and sewer	89,100	184,900	Authorized; awaiting funds.	
Town of Summit	Water	None	109,000	Scheduled for processing.	
Town of Bull Shoals	do	None	262,000	Not scheduled for processing.	
City of Yellville	Sewer	170,000	170,000	Do.	
Miller: Mandeville Water Corp.	Water	61,000	64,000	Authorized; awaiting funds.	

STATUS OF ASSOCIATION LOAN AND GRANT APPLICATIONS, WATER AND SEWER, AS OF JAN. 1, 1968—ARKANSAS—Continued

County and name of project	Facility	Grant	Loan	Comment
Mississippi:				
City of Wilson	Water and sewer	None	384,520	Do.
Town of Joiner	Sewer	None	200,000	Scheduled for processing.
Town of Manila	Water and sewer	None	122,000	Not scheduled for processing.
Driver-Grider Water Users Association	Water	None	133,000	Scheduled for processing.
Whitten Water Association	do	75,000	75,000	Not scheduled for processing.
Town of Luxora	Water and sewer	75,000	211,000	Do.
Mississ Water Association	Water	120,000	1,450,000	Do.
Town of Keiser	Water and sewer	146,000	152,000	Do.
Town of Dell	do	117,300	130,800	Do.
Town of Burdette	Water	56,000	57,000	Do.
Birdsong Water Association	do	32,000	32,000	Do.
Monroe: Town of Roe	Water and sewer	69,579	72,000	Do.
Nevada:				
City of Prescott	do	None	684,000	Do.
Oak Grove District Civic League	Water	90,000	90,000	Do.
Newton: City of Jasper	Sewer	100,000	100,000	Do.
Ouachita:				
Harmony Water Association, Inc.	Water	114,600	220,400	Authorized; awaiting funds.
Ogemaw Water Association	do	35,000	35,000	Not scheduled for processing.
Perry:				
Town of Houston	do	35,600	46,400	Authorized; awaiting funds.
Town of Perry	Sewer	68,000	70,000	Not scheduled for processing.
Town of Casa	Water	11,000	85,000	Do.
Phillips:				
Lakeview-Wabash Water Association, Inc.	do	None	300,000	Scheduled for processing.
Barton-Lexa Water Association, Inc.	do	None	290,000	Do.
Pike:				
Town of Antoine	do	95,000	98,000	Authorized; awaiting funds.
City of Murfreesboro	Water and sewer	None	330,000	Not scheduled for processing.
Poinsett:				
City of Weiner	Water	None	122,000	Do.
Payneway Water Association	do	None	63,000	Scheduled for processing.
Community of Rivervale	do	100,500	102,719	Not scheduled for processing.
Polk:				
Town of Cove	do	None	122,000	Scheduled for processing.
Town of Wickes	do	62,000	64,000	Do.
Town of Hatfield	do	55,000	55,000	Not scheduled for processing.
Town of Grannis	do	45,000	45,000	Do.
Pope: Town of Pottsville	do	None	125,000	Do.
Pulaski: Maumelle Water Corp.	do	126,000	125,000	Do.
St. Francis:				
Town of Colt	Water and sewer	90,000	185,000	Do.
Town of Palestine	do	110,000	250,000	Do.
Saline:				
Town of Bryant	Water	None	\$111,000	Not scheduled for processing.
Salem Water Association	do	None	530,500	Scheduled for processing.
Southwest Land, Inc.	do	\$150,500	200,000	Not scheduled for processing.
Town of Traskwood	do	44,000	60,000	Do.
Searcy: City of Leslie	Sewer	102,500	102,500	Do.
Sebastian:				
City of Lavaca	do	45,350	115,000	Scheduled for processing.
Town of Mansfield	Water and sewer	153,000	153,000	Not scheduled for processing.
Town of Hartford	Water	60,000	60,000	Do.
Sevier:				
Town of Gillham	do	28,500	56,000	Authorized; awaiting funds.
Town of Lockesburg	do	76,100	191,000	Do.
Sharp:				
Town of Williford	do	46,500	47,500	Do.
Town of Sidney	do	18,000	27,500	Do.
Union:				
Town of Calion	do	None	150,000	Not scheduled for processing.
Town of Huttig	do	None	60,000	Do.
City of Strong	Water and sewer	25,000	43,000	Do.
Old Union Water Association	do	50,000	80,000	Do.
Town of Smackover	do	153,750	153,750	Do.
Highway 82 Water Association	Water	15,000	20,000	Do.
Faircrest Water Association	do	40,000	43,000	Do.
Van Buren:				
Town of Shirley	do	42,400	53,600	Authorized; awaiting funds.
Town of Damascus	do	68,850	70,900	Scheduled for processing.
City of Clinton	do	210,000	210,000	Not scheduled for processing.
Washington:				
Town of Elkins	do	None	212,000	Scheduled for processing.
City of Prairie Grove	Sewer	None	196,000	Do.
Town of Tontitown	Water	None	117,000	Not scheduled for processing.
White:				
Town of Griffithville	Water	None	76,000	Scheduled for processing.
Town of Higginson	do	None	170,000	Not scheduled for processing.
Town of Garner	do	20,000	42,400	Do.
Town of West Point	do	30,000	60,000	Do.
Town of Letona	do	46,000	46,000	Do.
Woodruff: Town of Hunter	do	47,500	49,000	Do.
Yell:				
City of Danville	Water and sewer	None	153,120	Scheduled for processing.
Centerville Rural Water Association	Water	None	139,000	Do.
Town of Ola	Sewer	92,000	126,000	Do.
City of Plainview	do	150,000	158,000	Not scheduled for processing.
City of Belleville	Water	50,000	75,000	Do.
City of Havana	do	75,000	122,000	Do.

MARYLAND SMALL BUSINESSES COMPETE IN WORLD MARKETS

Mr. BREWSTER. Mr. President, all too often, when we think of exporting in world markets, we think of giant international corporations as the only companies big enough to compete on a global basis. This is not necessarily true, however, as was demonstrated recently by three small firms in Maryland. As one part of President Johnson's efforts to help expand American exports, the U.S.

Department of Commerce offers a number of services to make it easier for American companies to display their products before potential buyers around the world. The three small companies in Maryland took advantage of the export expansion program. They benefited themselves through the sales they made, and they benefited the Nation because exports help our international balance of payments and strengthen the U.S. dollar.

Hydrodynamics, Inc., of Silver Spring,

went to the Environmental Test Equipment Show in London, last fall. The firm exhibited its humidity measuring and control systems. Company projections of sales directly resulting from the show come to \$20,000 over the next 12 months.

Tate Architectural Products, of Baltimore, took part in an office machine and data processing equipment show in Stockholm, last September. Although new to this market, the firm made floor sales of \$15,000—and 12 months projection of future sales arising from the

Stockholm show come to an additional \$30,000.

Automatic Service Computer, at the same show, introduced a data retrieval and editing system. The Baltimore company was new to exporting up until the Stockholm exhibition. The firm signed up a sales agent to handle its product, and it estimates that about \$20,000 in exports will be realized as a direct result of the Stockholm show.

I congratulate these Maryland small

businesses for their success in the world export market.

REPORTS ON FOREIGN CURRENCIES AND U.S. DOLLARS USED BY COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES AND COMMITTEE ON INTERIOR AND INSULAR AFFAIRS IN 1967

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act

of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of the Committee on Aeronautical and Space Sciences and the Committee on Interior and Insular Affairs concerning the foreign currencies and U.S. dollars utilized by those committees in 1967 in connection with foreign travel.

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

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1967

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
James Gamble:											
Australia	Australian dollar	12.00	13.37	8.00	8.91	5.00	5.57	3.00	3.34	28.00	31.19
New Caledonia	do	375.00	417.75	170.00	189.38	100.00	111.40	50.00	55.70	695.00	774.23
Fiji	do	60.00	66.84	30.00	33.42	28.00	31.19	11.00	12.25	129.00	143.70
Brian Corcoran:											
France	French francs	640.92	130.80	602.70	122.00	1,117.35	228.03	139.88	29.20	2,500.85	510.03
Do	German marks					1,124.70	282.80			1,124.70	282.80
Total			628.76		353.71		658.99		100.49		1,741.95

RECAPITULATION

Foreign currency (U.S. dollar equivalent) Amount 1,741.95

FEBRUARY 28, 1968.

HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES, U.S. SENATE, EXPENDED BETWEEN JAN. 1 AND DEC. 31, 1967

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Eilene Galloway:											
France	Francs	318.65	65.40	365.42	75.00	178.33	36.60	72.60	14.90	935	191.90
Yugoslavia	Dinar	1,250	100.00	1,500	120.00	375	30.00	410	32.80	3,535	282.80
United Kingdom	Pounds	12.14.11	35.42	3.0.5	8.40	11.8.3	31.78	1.14.8	4.81	28.18.3	80.41
Germany	Mark					3,177.60	798.99			3,177.60	798.99
Total			200.82		203.40	3,944	985.75			3,944	985.75
						126.40	31.59			126.40	31.59
								1,914.71		52.51	
									2,371.44		

¹ To and from France and to and from Yugoslavia bought by the State Department with German marks.

RECAPITULATION

Foreign currency (U.S. dollar equivalent) Amount 2,371.44

CLINTON P. ANDERSON,
Chairman, Committee on Aeronautical and Space Sciences.

FEBRUARY 29, 1968.

A PROPOSED INTERNATIONAL PEACE PARK IN NEW MEXICO

Mr. ANDERSON. Mr. President, for many years, officials and citizens, both Mexicans and Americans, have discussed the possibility of the establishment of an international peace park in the vicinity of Columbus, N. Mex., just across the border from Las Palomas, Mexico. This is the point where Pancho Villa crossed into the United States during the Mexican Revolution in the early 1900's. We can now be proud of the fine relationship that has grown between our country and Mexico based on mutual help, trust, and understanding, and such a peace park would strengthen this relationship.

During the second session of the 88th Legislature of New Mexico, the State Senate passed a memorial urging Con-

gress and the National Park Service to give consideration to the establishment of this park.

I ask unanimous consent that Senate Memorial No. 7, passed by the New Mexico State Senate, be printed in the RECORD.

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

SENATE MEMORIAL 7

A memorial requesting the Congress of the United States and the National Park Service to consider the establishment of an international peace park between the Republic of Mexico and the United States of America in the vicinity of Columbus, New Mexico

Whereas, the relationship between the Republic of Mexico and the United States of America, sharing a common border, has been,

for many years, one that is based on mutual help, trust and understanding; and

Whereas, the interests of these two great countries are common to one another and in times of stress both have had the same goal; and

Whereas, in these times of international dispute and worry, it can be a satisfaction to every Mexican and every American citizen that the relationship between the two countries is one based on peaceful cooperation and trust;

Now, therefore, be it resolved by the Senate of the State of New Mexico that it respectfully requests the U.S. Congress, the national park service in Washington and the southwestern regional office of the national park service to consider the establishment of an international peace park between the Republic of Mexico and the United States of America in the vicinity of Columbus, New Mexico, as a symbol of the relationship of the two countries; and

Be it further resolved that copies of this memorial be sent to the New Mexico delegation to the Congress of the United States, to the director of the national park service and to the director of the southwestern regional office of the national park service.

Signed and sealed at the Capitol, in the City of Santa Fe.

E. LEE FRANCIS,
President, New Mexico Senate.
JUANITA PINO,
Chief Clerk, New Mexico Senate.

JOSEPH A. CALIFANO, JR.

Mr. MANSFIELD. Mr. President, the New York Times magazine of March 3, 1968, contained an article entitled "Deputy President for Domestic Affairs," written by Patrick Anderson. It applies to Joseph A. Califano, Jr., who, in his unobtrusive, effective, efficient way, has been able to do a great deal to bring the President's program in the domestic area to the attention of the Senate, the House of Representatives, and the American people as a whole.

Joe Califano is a hard-working young man from Brooklyn. He received his metal-testing apprenticeship for his present responsibilities in the Defense Department under former Secretary Robert McNamara. He has shown himself to be a tower of strength to the President in the field of domestic affairs and related matters, and is entitled to a great deal of credit for the significant achievements of this administration in the field of domestic affairs. His unostentatious manner, his keen knowledge of the issues confronting the Nation and his understanding of the sensitivities of others, make Joe Califano not only one of most effective men in Government but also one of the most respected.

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:

DEPUTY PRESIDENT FOR DOMESTIC AFFAIRS
(By Patrick Anderson, a Washington political writer, author of the forthcoming "The Presidents' Men: A Study of Recent White House Advisers")

WASHINGTON.—Ever since Franklin Roosevelt began the expansion of the White House staff into the large, influential institution we know today, it has been an accepted fact of Washington life that the President's top-ranking assistant—all protestations of a "passion for anonymity" notwithstanding—will fall heir to generous portions of both power and glory. His power is precarious, his glory may turn to notoriety, but his position always carries the potential for far-reaching influence on national affairs. So it was with Rexford Tugwell, Tom Corcoran and Harry Hopkins during the Roosevelt era; with Clark Clifford under Truman; with Sherman Adams in Eisenhower's White House, with Ted Sorenson in the Kennedy years, and with Bill Moyers until his resignation from President Johnson's staff early last year.

Joseph A. Califano Jr., the 36-year-old, Brooklyn-born lawyer who is today Mr. Johnson's most influential White House assistant, is in the odd position of approaching these illustrious predecessors in power while lagging well behind them in glory. If you are neither a Washingtonian nor a politician, you can be forgiven if you have never heard of Califano. His round, forgettable face has graced no newsmagazine covers, as Moyers' and Sorenson's did; he has not become the

center of violent political criticism, as did Adams, Tugwell and Hopkins.

Yet in the past year, with no fanfare, Califano has come to be, in function if not in title, the Deputy President for Domestic Affairs—a fact amply documented in the events of recent months. Califano's office was the focal point for the development of the President's State of the Union Message and thus for the Administration's 1968 legislative program. He and his staff have been entrusted with shaping the various Presidential messages—on economics, education, civil rights, crime—that go to Congress in the wake of the State of the Union Address. It was Califano who declared on behalf of the President that "the Selective Service System is not an instrument to oppress and punish unpopular views," thus overruling Selective Service Director Lewis Hershey's willingness to let draft boards punish anti-war demonstrators by induction. When draft deferments for graduate students were abolished, it was Califano, together with Special Assistant Douglass Cater, who was instrumental in obtaining the provision that will allow students already in graduate school to complete work on their degrees. And it was Califano who was named the President's coordinator for Government-wide efforts to solve the balance of payments problem. Califano's performance has moved his onetime boss, former Secretary of Defense Robert S. McNamara, to call him "the man who, next to the President, has contributed more than any other individual in our country to the conception, formulation and implementation of the program for the Great Society." The attitude of Johnson himself was indicated at a Cabinet meeting in 1966 when he announced that Califano was in charge of putting together the proposed Department of Transportation—and added, for emphasis: "When Joe speaks, that's my voice you hear!"

The position Califano holds reflects a trend in Presidential administration that has vastly accelerated since F.D.R.'s days. It is rooted in the fact that the Presidency has become an impossible job. Even for as hard-working a President as Mr. Johnson, there is not enough time in the day to be commander in chief, chief of state, chief executive, chief legislator and party chief. He must set priorities on his time and delegate authority accordingly.

Mr. Johnson's two immediate predecessors were far more interested in foreign than domestic affairs and delegated considerable power in the later area, Eisenhower to Adams and Kennedy to Sorenson.

If he had a choice, Mr. Johnson would no doubt devote most of his time and energy to domestic affairs, but he can't do that and also direct the war and his re-election fight. He must rely upon his Cabinet executives; and, insofar as he thinks they need advice, supervision or coordination from the White House, he must put a great deal of trust in someone like Califano.

Califano's job must be considered on several levels. To begin with, he is, in domestic matters, an omni-present White House troubleshooter. On a given day he may accept, reject or modify a departmental legislative proposal, negotiate with Congressional leaders on another proposal, brief the press on a new domestic program, thrash out some poverty-program dispute with a big-city Democratic mayor, mediate a disagreement between two Cabinet members, prod top-level bureaucrats throughout the Government and finally, over a late dinner in the President's private dining room, report to Mr. Johnson on all these matters and a dozen more.

This aspect of his role comes to a head with the work on the State of the Union Message and the individual Presidential messages that follow. "This is the roughest period of the year," he said recently. "Seven full days a week, always late into the night; 100 telephone calls a day."

In addition to working out the details of

the messages with representatives of different—and sometimes competing—agencies, he does much of the writing of some messages—that on the cities, for example. Others he edits. He briefs Congressional committee chairmen on the substance of messages in their fields, then goes on to perform the same service for the press.

Califano is also deeply involved in two little understood but highly important aspects of Mr. Johnson's attempts to tune up the machinery of government. First, Califano is both the chief implementer and the symbol of the effort to apply McNamara's systems-analysis techniques, so effective at the Pentagon since 1961, to the domestic agencies of government. Second, Califano has assembled a little-known, five-man staff with which he hopes to bring to the domestic side of government the same sharp-eyed White House supervision that McGeorge Bundy's National Security Council staff brought to foreign affairs in 1961-66.

Why has Califano, with all these trappings of power, failed to achieve anything like the celebrity of his famous predecessors? One reason, of course, is the President's habit of reminding his assistants that there is only one man in the White House running for office; they are understandably cautious about seeming to seek credit or publicity. But the most important reason for Califano's anonymity seems to be an absence of those dramatic personal elements so beloved by the imagmakers.

Superficially, at least, Califano is a rather ordinary young man. He is neither handsome nor unattractive, neither tall nor short, neither curt in the manner of a Sherman Adams nor aggressively charming in the style of a Tom Corcoran. He dresses tastefully but conventionally. He is intelligent but not intellectual. His conversation is relaxed, informed, wry and relatively candid, but not sparkling, self-searching, surprising or memorable. He is not the stuff of which legends are made. One friend, asked for stories about Califano, said, "There aren't any stories about Joe; he just gets things done." And that is the important point about Califano: beneath his unexceptional exterior lurks an exceptional talent, something close to a genius, for getting things done.

This, is, of course, the one talent that Lyndon Johnson most admires—the one that, over the years, he has sought out and encouraged in such diverse young men as John Connally and Walter Jenkins, Bobby Baker and Bill Moyers. Despite the difference in their ages and backgrounds, Califano and the President have one basic quality in common: they are action-oriented men, men with a taste for the tangible, the immediate. Thus Califano has increasingly become a Presidential companion and soundingboard, from early in the morning until late at night.

It would be too simple to polarize Johnson and Califano as Texas-style politician and McNamara-style manager—for Johnson is not ignorant of management and Califano is not innocent of politics—yet their relationship does often divide along those lines. Not long ago, for example, Califano suggested to the President that, from the point of view of efficiency, it would make sense to appoint for each major city a Federal expeditor with authority to coordinate all the Federal programs operating in that city. But the President argued that to set up, in effect, a Federal "mayor" in a city would be political dynamite; increased efficiency would have to be achieved in some less explosive manner.

When the proposed anticrime bill came to the White House from the Justice Department, it seemed to Califano to overemphasize worthy but intangible goals, such as strengthening court procedures. Califano injected into the bill many more visible benefits—money for police training and equipment, for example—that pleased the President. Mr. Johnson also likes his legislative proposals to have snappy, positive-sounding names (as a White House aide asks, "Who

can be against the truth-in-lending bill?"). Apparently, in Mr. Johnson's view, Califano had been laggard in this regard on what his office was calling the Law Enforcement Assistance Act. One day the President said, "Joe, call that the Safe Streets Act; that's what the people want—safe streets." Thus was born the Safe Streets and Crime Control Act of 1967.

Califano's work often reflects Johnson's belief that the Federal Government is not doing enough with its existing authority. "We're always looking for ways we can do more with what we've got," Califano says. "For example, one morning I was literally in the President's bedroom, and he was talking about the high cost of housing for poor people. He said there ought to be some way we could make use of surplus Federal land to ease the problem. He told me to call in the people involved and find out what we could do." The result was the new program to encourage private developers to build on surplus Federal lands; the National Training School for Boys in northeast Washington is one of the first projects.

Time and again, Califano must fight to impose the President's wishes over the narrower interests of the departments of government. Late in 1965 Mr. Johnson told Califano he wanted a big, imaginative housing program, but the responses from Federal housing officials did not rise to the occasion. Califano helped organize the task force which put forth the Model Cities proposal—but he had to overcome stiff resistance from high officials of the Department of Housing and Urban Development, who insisted that the Model Cities program was too big and too controversial for them to undertake in their first year of operation.

One of Califano's associates says of his role: "You can't imagine how many hang-ups are straightened out at that big table in Joe's office. If you have a problem, as we did recently, between Justice and H.E.W. [Health, Education and Welfare] on the content of the juvenile delinquency bill, with H.E.W. pushing prevention and Justice pushing control, Joe will get the people involved into his office. He'll call in the two Cabinet members and say, 'Let's look at this from the President's point of view—what should he do about this?' When you put it that way, you begin to get accommodation. He tries to umpire these things, to get an agreement he can take to the President; if he can't get an agreement, he'll boil down the alternatives and take them to the President for a decision."

Califano was born in Brooklyn on May 15, 1931. His father was of Italian descent and held an administrative job with I.B.M.; his mother was Irish and taught school. Joe was their only child. He attended Holy Cross and Harvard Law and between 1955 and 1958 served as a legal officer in the Navy, stationed at the Pentagon. Then, completing his rise from Flatbush to fortune, he went to work for Thomas E. Dewey's law firm—Dewey, Ballantine, Bushby, Palmer & Wood.

While Califano was handling tax cases and corporate law problems his wife, Trudy, was becoming active in New York's Reform Democrat movement. "I wasn't particularly interested in government or politics," Califano recalls. "Then I happened to be home sick one day in February, 1960, when Trudy was having a meeting of the reform group. I got interested in what they were trying to do, and I worked a little for Kennedy that fall, but at the lowest level."

After Kennedy's victory, Califano became increasingly aware that he was (a) "bored with splitting stocks for Tom Dewey's law firm" and (b) drawn to the excitement and promise of the New Frontier. In January, 1961, Califano wrote to Cyrus Vance, Kennedy's appointee as General Counsel for the Department of Defense, outlined his experience and offered his services. Vance hired him as his Special Assistant.

In 1962, when Vance was promoted to Secretary of the Army, Califano rose with him,

still with the title of Special Assistant. On July 1, 1963, Califano was promoted again, this time to General Counsel of the Department of the Army. At the time he was 32 years old. During those early years he handled the Army's case in the Congressional hearings on the "muzzling" of the ultraconservative general, Edwin Walker; he supervised the Corps of Engineers' \$1-billion-a-year civil-works program, and he was the Government's chief lawyer in the investigation of the 1964 riots in Panama.

In these and other chores, Califano had caught the eye of Secretary Robert S. McNamara, and in the spring of 1964, when Adam Yarmolinsky shifted to the Administration's War on Poverty, Califano was given Yarmolinsky's dual title: Special Assistant to the Secretary and Deputy Secretary of Defense. In effect, he became McNamara's top troubleshooter, involved in everything from the development of the supersonic transport to the use of Federal troops during racial disturbances in Selma, Ala.

Most important, McNamara assigned Califano to be the liaison man between the Defense Department and the White House, and his job brought him into daily contact with Moyers and Bundy and into occasional contact with the President. On the day after the 1964 election, Moyers called Califano and asked if he'd be interested in coming to work at the White House. Califano said he'd have to talk with McNamara, who had no desire to lose Califano and who successfully stalled the transfer.

Then, in July, 1965, on the day Moyers was unexpectedly made press secretary, he called Califano and said the President wanted him to take over Moyers' duties as legislative coordinator and top White House troubleshooter. At this point, all Califano could do was keep quiet while the President and McNamara decided his future. This time, Mr. Johnson prevailed, and Califano became a special assistant to the President.

Obviously, it is a tribute to Califano's remarkable talents that he was able, after four years of immersion in defense and military affairs at the Pentagon, to make an abrupt transition to domestic affairs at the White House. In this changeover, he had patient support from the President, who supervised a cram course in domestic affairs for his new protégé and carefully increased Califano's powers as he thought he was ready for them.

In his role as chief expediter for an impatient and demanding President, Califano has made many enemies. The same was true at the Pentagon where one official recalls: "There was a time after Califano joined McNamara's staff when the mood of the troops was moving from sullen to mutinous. He would call for papers overnight and not read them for a week, that sort of thing. But he's probably learned better by now."

In today's White House, Cabinet members who want to carry an issue to the President are often told to "talk to Joe," and this breeds resentment. Part of Califano's job is to knock heads together, and this wins him no friends among those whose heads are knocked.

High officials sometimes call him "Little Joe" behind his back, and they don't smile when they say it. Others who have crossed his path have called him a "hatchet man" and worse. Yet, although Califano is a most hard-driving young man, there is no indication that he relishes power for its own sake or wields it with malice, and for the most part he seems to be accepted as (to use a term he himself sometimes uses) "the President's instrument"—a man with a job to do, one he will do pleasantly if he can but effectively in any event.

It has often been Califano's fate to be compared with his predecessor Moyers, and not always favorably. The comment one often hears from pro-Moyers observers generally runs like this: "Joe is a magnificent operator, a master of the governmental process, but he's not the philosopher Bill was. He's a brill-

iant technician who sees it as his job to carry out the President's wishes, not to influence the President's course."

Most people who know both men would agree that Moyers is the more reflective and philosophical of the two, but the difference between their roles also reflects the changing times. The Johnson Administration's creative phase came in 1964-66, when Moyers was in his heyday; today the need is for implementation, and Califano fills that need very well.

No one who knows Califano would accuse him of being a yes-man. Obviously he disagrees with the President on countless issues that arise. But it is generally felt that he is not inclined to challenge the President on basic issues and that, more generally, his rise to power has been based not only on his intelligence, energy and cool judgment, but on the high degree of prudence he has exercised in his dealings with the older, more powerful men he has served.

An important instance of Califano's caution concerns Vietnam. Coming to the White House as he did, after four years in the Pentagon, Califano had the contacts and the knowledge to become one of the President's key sources of ideas and advice on the war. But Califano at the outset made a conscious decision not to inject himself into the Vietnam debate—unless asked a question by the President—to avoid any risk of conflict with Bundy, then the top White House adviser on foreign affairs.

Despite these feelings, Califano devoted part of a recent speech at Holy Cross to defending the Government's Vietnam policy. He decried the "myth that the conflict in Vietnam so saps our resources and strains our budget that the unfinished work on our urgent needs at home must stop . . . until the war is over." But he conceded, "To be sure, Vietnam imposes an obvious budgetary strain and clear and present pressure on our economy."

He added the helpful intelligence that "the end of the war in Vietnam will not produce some magic rainbow with a pot of additional gold for domestic programs," and went on to explain that Vietnam presents "not primarily a budgetary or a resource problem" but "one of the greatest tests of will the American people have ever faced."

Califano barely knew the President when he arrived in the White House in 1965, and he continues to serve him with the snap-to efficiency of a very junior lieutenant in the presence of the commanding general. When Mr. Johnson calls on the phone, Califano greets him with an emphatic "Yes, sir," and when he is summoned to the oval office Califano grabs his coat and runs. But this is what Mr. Johnson expects from all his young men, and over the months a warm and easy relationship has grown up between the two.

Califano has seen his share of the President's famous temper, but he has also enjoyed many favors and courtesies. He remembers the first time his father, who is now retired, visited the White House, and Mr. Johnson insisted on seeing him and having the three of them photographed together. Mr. Johnson inscribed one of the pictures: "To Joe, the pride of both of us." Later he remarked to Califano that he, as a young man, couldn't imagine how much his success meant to his father, and he spoke of his own pride in the way his son-in-law, Patrick Nugent, had handled himself during his much-publicized engagement to his daughter Lucy. More recently the President, learning that Califano's parents were visiting in Washington, invited them to the White House dinner for the Italian President.

Califano's workday usually runs from 9 A.M. to 9 P.M. on weekdays and until 7 P.M. or so on Saturdays; his hours have grown even more unpredictable in recent months as the President has increasingly invited him to late-hour dinners at which Mr. Johnson can unwind, reflect and toss out new ideas.

With such a schedule it is hard to plan a social life, but Califano and his wife try to get out a couple of nights each week to the theater or to small dinner parties with close friends, most of whom are young lawyers with whom Califano works. The Califanos have two children, whose crayon drawings decorate his office, the biggest and best in the West Wing.

On the basis of his performance in the Government, Califano has had some extremely attractive offers from private law firms—the kind that begin at \$100,000 a year and move up fast. It is not unlikely that he will accept one of them after the 1968 election. The same is true of the President's two other top White House aides, Special Counsel Harry McPherson Jr. and Special Assistant Carter. All three have been known to tell friends that the staff of a hard-driving President needs an injection of fresh blood periodically; the implication is that after several years theirs is very tired blood.

Califano is concerned with the legislative proposals and the day-to-day problems, as they warrant White House consideration, of: the welfare segment of H.E.W., the poverty program, the Agency for International Development and all areas of foreign trade, and the various agencies affecting the domestic economy—primarily the Departments of Commerce, Labor and the Treasury and the Council of Economic Advisors.

On the legislative side, the President has given Califano virtually a free hand in shaping the Administration's program. Califano, like Johnson, is no ideologist, but he shares the President's concern for the problems of the poor, and this concern has been a main factor in his shaping of the legislative program. Califano is an important advocate of the Johnsonian thesis of "a hand up, not a handout"—i.e., emphasis on education and job training rather than on welfare payments, a guaranteed income or other cash benefits.

For a time Califano and the President were virtually the only two men in the Administration in favor of the \$20-million-a-year rat-control legislation. White House sources say high officials of Housing and Urban Development were opposed because they found the subject of rats distasteful. This attitude infuriated the President. "Have you ever been scared of a wasp in your home?" he demanded of one official. "Scared he'd bite you? Well, how'd you like to have 50 rats in your home?"

Califano has also done much to point the direction of the Administration's problem-ridden War on Poverty. When newspaper stories reported that the impact of the poverty program's Head Start preschool projects was largely lost after the participants entered the first grade in low-quality slum schools, Johnson told Califano to find some way to offset the problem. Califano and poverty-program officials came up with the Follow Through program, providing for special instruction in schools that had carried out outstanding Head Start projects. Califano was also a moving force behind Head Start's expansion of a pilot project to include large-scale involvement of 3-year-olds and even 2-year-olds.

One of Califano's goals is to have established, by the time he leaves the White House, a domestic equivalent of the small, skilled staff developed by McGeorge Bundy in the foreign affairs field. The staff's job: to help him spot crises before they erupt, provide White House coordination of inter-agency programs and the information to resolve interagency disputes—and to push for departmental follow-through on Presidential decisions.

Califano is extremely proud of the staff he has assembled, and he thinks it is off to a good start. Its members are Lawrence E. Levinson, 36, a classmate of Califano's at Harvard Law and also a graduate of the Defense Department (Levinson, who holds the title of Deputy Special Counsel, is Califano's

closest associate but in recent months has increasingly been working directly for the President); Jim Gaither, 30, who led his law class at Stanford and was a clerk to Chief Justice Warren; Fred Bohm, 30, a political scientist who was assistant dean of the Woodrow Wilson School at Princeton; Stan Ross, 36, Harvard Law graduate who taught a course in taxation at New York University, and Matthew Nimetz, 28, who led his class at Harvard Law, studied at Oxford and clerked for Supreme Court Justice Harlan.

Another of Califano's goals grows out of his four years in Robert McNamara's Defense Department, where he learned at first hand the workings of the facts-and-figures, systems-analysis approach to decision-making called the Planning-Programming-Budgeting System (P.P.B.S.). On Aug. 25, 1965, Mr. Johnson initiated the controversial system throughout the executive branch. Califano is committed to the experiment's success—as are other McNamara protégés who have fanned out to H.E.W., the Post Office, the Bureau of the Budget and elsewhere, where they keep in close touch with Califano's White House command post.

As Califano looks to the future, he has no doubt that the growing complexity of national life will force basic changes in the way the Government makes decisions, implements programs and evaluates their effectiveness, and it is in such matters that he probably is having his most important influence on the Administration. Johnson spent two decades in Congress operating with a Congressional view—asking what was good for Austin or good for Texas, rather than what might be good for the nation as a whole. Now, as President, he must take a broader view, and he must reconcile his desires with his resources. In accomplishing this end, he has primarily followed the McNamara-Califano approach.

For many years now, and particularly since 1961, the Government's social workers and poverty fighters have been talking about "interdisciplinary action" and "increased coordination of services"—but there has in reality been precious little progress in these areas. If Califano is to have a lasting impact on the Government, it will most likely come less in his specific imprint on this or that piece of legislation (though such imprints have been considerable) than in the possibility that he may use his talent and influence to help turn all the high-sounding clichés about coordination and efficiency into concrete rules and regulations in the governmental process.

Probably Califano's preoccupation with organization, with systems, with decision-making will never make him appear the glamorous or heroic figure that some of his predecessors have been. Yet it should be said in his favor that Presidents rarely lack for men with ideas about what the Government should do; men like Califano, with a real talent for getting things done, are always in short supply.

MARRINER ECCLES ANALYZES THE NATION'S CRISIS

Mr. GRUENING. Mr. President, Mr. Marriner S. Eccles, one of our country's leading citizens, from 1934 until 1951 a member of the Federal Reserve Board, and for 12 years its Chairman; industrialist, banker, statesman, has given an interview on the state of our Nation which appears in the February issue of *Forbes* magazine. As this is a notable contribution to the discussion of our Nation's present dilemma, I ask unanimous consent that it be printed in the RECORD.

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

AS I SEE IT: AN INTERVIEW WITH MARRINER S. ECCLES

(NOTE.—His name and his face were once as familiar to the business public as those of his successor today, William McChesney Martin, but Marriner S. Eccles has been out of the public eye since he retired from the Federal Reserve Board in 1951. Now 77, and still hale and hearty (see Side Lines, p. 7), the blunt, outspoken Salt Lake City Mormon remains a full-time working businessman. He is chairman of the big San Francisco-based Utah Construction & Mining Co., a firm of which his father was co-founder. He is also chairman of First Security Corp., a Salt Lake City bank holding company, and director of several Utah firms.

Eccles first came to Washington early in the New Deal of Franklin Delano Roosevelt to serve briefly as Assistant Secretary of the Treasury. A few months later, in 1934, the President appointed Eccles to the Federal Reserve Board. In 1936 Roosevelt moved the then 47-year-old Eccles up to chairmanship of the revamped Fed. He remained in that post until 1948 when Harry Truman demoted him. Stubbornly, however, Eccles clung to his board membership for three more years before returning home. He has maintained a keen interest in national, financial and political affairs; in 1964 he was an active contributor and campaigner for Lyndon Johnson.)

Question. You've been in business and in policy-making government roles under all sorts of conditions: wars, depressions, times of prosperity, inflation, deflation. How do you read present economic conditions?

ECCLES. I believe that our country today is confronted by the most serious economic, social and political problems, both domestically and abroad, in its history.

We've got rising prices, high interest rates and a balance-of-payments deficit. But these are only effects. They are not causes. You must look for the causes, and—today especially—that means examining economic problems in a broad context.

Just list some of our national problems—the very large and continuing budget deficit, the inflationary pressures, the balance-of-payments deficit, the lack of confidence abroad in our dollar, the riots in our cities, the unrest on our campuses, the split among all classes of our populace and within our political parties. I believe that all of these can be traced to a common cause.

Question. Which is?

ECCLES. Which is the war in Vietnam. I believe very strongly that by ending or greatly reducing the Vietnam war, many of these national problems would be brought a long way toward solution. By greatly reducing, I mean discontinuing the bombing, bringing about a cease-fire and submitting to binding negotiations.

Question. We know you oppose our involvement in Vietnam on moral and political grounds. Evidently, though, you oppose the war on economic and financial grounds as well.

ECCLES. Most certainly. Let me explain the economic predicament that the Vietnam war has gotten us into. Because of the war we now have a defense budget of around \$75 billion. This has produced a huge federal budget deficit that will run at an estimated \$28 billion for this year. Now, all this spending has come at a time when our economy was already fully utilized. There are no surpluses of manpower and production, as was the condition at the start of World War II. So we are getting inflation in our prices and we are getting inflation in our wages and production costs. We are also experiencing steady increases in our interest rates as business seeks capital to accommodate the high levels of both government and consumer spending. Now this has had an international effect. . . .

Question. Before you go on, aren't you ignoring the steps the Johnson Administration

has taken to trim this deficit and control inflation with the proposed income-tax surcharge and budget cuts for the next fiscal year?

ECCLES. The tax surcharge, if it passes Congress, may bring in additional revenues of \$10 billion and slow down consumer spending a bit. The budget cuts the President is talking about may reduce federal expenditures by around \$3 billion or so. But that will still leave a very large, war-inspired budget deficit of between \$12 billion and \$15 billion.

Question. You're saying that compared with the magnitude of the Vietnam thing, these measures are chicken feed?

ECCLES. That's right. I don't think inflation can be adequately reduced with a deficit of that size in a wartime economy. Nor, to get on with my discussion of the international effects, do I believe the Administration's moves are adequate to bolster the sagging confidence abroad in the value of our dollar. This is another major crisis brought on by our involvement in Vietnam.

Question. That's due to Vietnam, too?

ECCLES. Well, to begin with, we have run a deficit in our international balance of payments in 17 out of the past 18 years. This means the amount of dollars we have spent and invested in other countries is in excess of what other countries have spent or invested here. As a result there has been built up \$30 billion of obligations we owe to other countries due in one year or less.

Recently this payments deficit has been rising in rather alarming fashion. In the last quarter of 1967 this deficiency ran to \$1.8 billion; for the entire year it was approximately \$4 billion. This deficiency has greatly shaken the confidence of the world in our dollars, which, as you know, many nations hold as the reserve for their own currencies.

Now, our huge federal deficit and resulting inflation at home have further aggravated this lack of confidence. Our friends abroad are rightfully concerned about the purchasing power of their dollars.

They are especially concerned about the value of the dollars they own when they see that our inflation is caused by a non-productive military venture in Vietnam which shows no indication of quick termination. The inevitable result has been a run on our gold to the extent that our national gold supply has been reduced by nearly \$1 billion since the British pound was devalued late in November.

Question. What about the President's recent measures to reduce the balance-of-payments deficiency?

ECCLES. You are referring to the cutbacks in foreign lending of banks by \$500 million, the reduction of the tourism deficit by \$500 million, the \$1 billion reduction in foreign investment by U.S. capital and the \$500 million reduction in government spending abroad.

This is the program where the Government is expecting the private sector to absorb \$2 billion of the cut while it proposes to absorb only \$500 million. How could they do less?

Question. Don't you think, though, that these measures tend to bolster confidence in the dollar?

ECCLES. Johnson had little choice. I'm sure our friends abroad put the "bee" on him. Certainly these measures will have a direct effect on our balance of payments. But these are strictly emergency measures; they will only temporarily ease the situation. They do not really get to the heart of the matter—our large budget deficit and inflationary pressure at home and the lack of confidence both at home and abroad in a country at war. These, I believe, will continue to erode the value of the dollar as the world's reserve currency.

Question. Even if these measures are made

in concert with a tax increase and cuts in nondefense spending?

ECCLES. Yes, because in my opinion the tax increase and the budget cuts will be too small to make a truly significant reduction in the inflationary pressures and psychology brought about in a country at war.

Question. How about sharp cuts in the budget?

ECCLES. That's whistling in the dark. You simply cannot make big enough cuts in non-defense spending to counter the effects of the war. In the first place, no party in power would think of making nondefense reductions of the size that would be required—especially in an election year.

Actually, there is a growing need to increase nondefense spending to take care of problems of our cities, schools, transportation and foreign economic aid—especially in Latin America, to prevent the spread of communism. We are way behind on some of these needs already, and the war is preventing us from catching up.

Question. How about eliminating some of the strictly pork-barrel appropriations with which congressmen and senators favor one another?

ECCLES. They are chicken feed; they don't amount to very much. Besides, some of those expenditures for rivers and harbors are justified by real need. And you can't accomplish much by chopping away at things like Medicare and the poverty program. They may be badly administered, but even now the amount of money being spent on them is a pittance compared with what we are spending in Vietnam.

Question. How about putting on traditional wartime measures like wage and price controls to combat inflation? Or perhaps reviving the excess-profits tax?

ECCLES. Well, you could do these things, but they would be impossible to administer under present conditions and politically impossible to legislate. And they would not be a solution to the problems I have enumerated before.

Question. Can't the Federal Reserve do something about inflation by tightening the money supply?

ECCLES. There really isn't very much the Fed can do in the present instance. It is obligated, as an arm of the Federal Government, to keep enough reserves in the banking system so the Treasury can finance the war as well as refund the tens of billions of dollars of its obligations falling due each year. This, of course, only tends to fuel the inflationary fires. Now, if the budget were balanced and the debt were not so high, perhaps the Fed would be free to tighten credit under inflationary conditions. But that is not the case right now.

Question. This did not prevent the Fed from clamping down hard on the money supply in 1966, when our Vietnam involvement and military budget were already quite large.

ECCLES. But that was two years ago. The budget deficit, even then, hadn't reached nearly the size it has now. Nor was inflation so evident then. You didn't have one huge wage increase after another producing a cost-push type of inflation. You didn't have rising prices throughout the economy. Nor was our balance-of-payments deficiency as acute as it is now. It's a new ball game for the Fed today.

Question. You are saying, then, that the Fed is powerless under present conditions to combat inflation. Could the Fed have done anything, say, three or five years ago to prevent the current outbreak of inflation?

ECCLES. No, no, no. The Fed couldn't have done a solitary thing that would have affected the situation today. The Fed has been doing a good job. Now this war has upset the whole d—show.

Question. You don't paint a very hopeful picture.

ECCLES. Not if we stay in Vietnam. As I mentioned earlier, the problems are not just economic. As long as the federal budget deficit is so high there is little our Government can do to combat the causes of violence, riots and crime in our country, especially in the cities. It can make little progress toward solving problems of education, housing, transportation, air and water pollution and the like.

Already we have had to cut back on our foreign-aid program, in no small measure because of our war expenditures. I believe that foreign economic aid should be *increased* in backward countries, not decreased. The best way to fight the spread of communism is through foreign aid, not through aggression.

In addition, we have this great split among our populace over the war, disenchantment among our youth, serious divisions within our political parties and a growing lack of confidence in our Government both at home and especially abroad—as witness the run on the dollar.

As I said earlier, all of this broad spectrum of problems can only ultimately be solved by our getting out of Vietnam. Consider what that would mean. Vietnam is the cause for the deficit in our federal budget, the need for a tax increase, the heavy spending that is causing inflation. These problems, in turn, are behind the deficiency in our balance of payments, the lack of confidence in the dollar, the run on our gold supply. The war is the main cause of unrest in our colleges, the inability to cope adequately with the causes of violence in the cities and the splits in our populace and our political parties.

Question. You certainly blame a great deal on this one factor. Is the war there all bad?

ECCLES. In my opinion there is every reason to get out of Vietnam and no good reason to stay there. But one of the most compelling reasons to get out is so that this country can maintain its world leadership. Losing that position would tend to bring about a very disruptive economic condition in our own country and throughout the western world.

The world needs a smoothly operating monetary system to support a rapidly growing world trade which would result in a world at peace. The basis for such a system must be gold and the dollar, plus adjustable drawing rights from the International Monetary Fund.

Now, the supply of gold is limited, so a strong dollar is of paramount importance. Even if the dollar should be devalued, in which case all other countries would quickly follow suit, the world could not live without the dollar to carry on an expanding world trade. The dollar is needed as the connecting link between all other currencies, so the threat to our world leadership caused by our involvement in Vietnam is critical.

Question. Do you think the President will pull out or pull back in Vietnam?

ECCLES. Not in the near future. Mr. Johnson, Mr. Rusk and their Administration have gotten themselves so committed and deeply involved in Vietnam that they must save face. Therefore it would take a change in administration to get us out.

Question. So you believe that a change in administration is the only realistic solution to our present economic problems?

ECCLES. Let me put it this way: As long as we are in Vietnam and are spending so heavily to remain there, I do not believe we can cope successfully with our economic situation. Now, getting out of Vietnam will not suddenly clear away all our national problems. There will still be plenty of them left. But we would not be in the same dilemma we are in now.

We would not be wasting our economic resources in a nonproductive enterprise that we cannot win. And make no mistake about it, even if we are victorious militarily, we will still lose. Russia and China are only too

happy to have us wasting our money and manpower over there and damaging our relations with the rest of the world.

Question. A quick end to the Vietnam war would play hob with the defense industry and its supporting industries. Do you feel that some of the support for this war is from vested interests?

ECCLES. I think one of the real great dangers in our country today is the influence of the defense establishment. Let's face it. The defense industries like the business. As individuals I'm sure these men want peace. But in running their companies they want peace with a \$75-billion defense budget, too. These companies have a powerful voice in the Government and with the Congress. Now if these companies are to get the full benefit of their superior technology, for our own people as well as others, we must have peace in the world. We have the strength, we have the power and we have the capacity—if directed in our own enlightened self-interest—to win acceptance as a world leader for good.

Question. If we were to pull out of Vietnam, what would happen? Wouldn't there be a swift diversion of military funds into domestic programs—with little actual reduction in inflation and the budget deficit?

ECCLES. It would take time to divert the larger military expenditures into domestic programs, and I would expect a leveling out more than an inflation. Johnson couldn't get Congress to appropriate funds that quickly or easily, nor would he probably wish to. But with the war it is different. Congress has no choice but to agree to the President's requests for money. Our boys are already over there, the defense contracts have been signed, the national commitment must be supported.

Question. In other words, you think that some of the Vietnam money would go into nondefense spending, but not all of it. But you don't favor giving all of the saving back to the public as a tax cut.

ECCLES. I'm a very substantial capitalist. If there weren't more and more federal money going to fill domestic needs, I would lose confidence in my investments. I am very much opposed to inflation as well as deflation. I favor government fiscal and monetary policy as the way to maintain production and employment at satisfactory levels on the basis of a stable currency.

Question. And if the war goes . . . ?

ECCLES. It would depend on whether it was a continued escalation or merely a holding position. In the case of escalation, our economic problems would go from bad to worse. Increased controls, war taxation and a much larger military establishment would be necessary. But if we discontinued our bombing and our search-and-destroy ground action and adopted a holding position, negotiations bringing about a peaceful settlement would in my opinion ultimately develop. In that case a tax increase would not be necessary, and sufficient budget cuts could be made to curb inflationary developments.

U.S.S. "PUEBLO"

Mr. TYDINGS. Mr. President, the house of delegates of the Maryland State Legislature recently adopted a resolution supporting the President and Congress on any action taken to secure the release of the U.S.S. *Pueblo* and its crew. The resolution also expressed sympathy to the families of the *Pueblo* crewmembers. The house of delegates resolution is a well-thought-out expression of national resolve in this crisis. I ask unanimous consent that the resolution and my own remarks on the day the *Pueblo* was seized, be printed in the RECORD.

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

HOUSE RESOLUTION 17

(By Delegates Burgess, Warfield, R. C. Matthews, Holub, W. Evans, R. M. Matthews, D. J. Minnick, Jr., Fornos, Becker, Athey, Thomason, Helm, Connell, Anderson, Allen, Benner, Hargreaves, Wright, Donaldson, Hoffman, Avara, Dixon, Bell, Curran, Mooney, White, R. Hickman, Kent and O'Brien.)

House Resolution supporting the President and Congress on any action they may take to secure the release from North Korea of the vessel U.S.S. *Pueblo* and its crew, and expressing sympathy to the families of the crewmembers of the U.S.S. *Pueblo*)

Whereas, The members of the House of Delegates of Maryland are gravely concerned over the capture by North Korea of the vessel U.S.S. *Pueblo* and its 83 member crew; and

Whereas, This incident will cast a heavy burden on the leadership of this Country and require that very important decisions be made; and

Whereas, All citizens of the United States and especially the families of the crew members of the U.S.S. *Pueblo* are extremely concerned over the safety of those crew members; now, therefore, be it

Resolved by the House of Delegates of Maryland, That the members of this body extend their full support to the President and members of Congress on any action they may take to secure the return of the U.S.S. *Pueblo* and its crew; and be it further

Resolved, That the members of this body extend their sympathy to the families of the crew members of the U.S.S. *Pueblo*; and be it further

Resolved, That a copy of this Resolution be sent to each member of the Maryland delegation of the U.S. Congress.

By the House of Delegates, January 31, 1968.

Read and adopted.

MARVIN MANDEL,
Speaker of the House.
JAMES L. MAUSE,
Chief Clerk.

[News release from Senator JOSEPH D. TYDINGS]

WASHINGTON, D.C., January 25, 1968.— Senator Joseph D. Tydings today made the following statement on the floor of the Senate concerning the U.S.S. *Pueblo* situation:

The entire nation is angered, alarmed and concerned about the fate of the U.S.S. *Pueblo* and her crew.

We have to act with a hard resolve, but with a cool head, in dealing with North Korea about the U.S.S. *Pueblo* incident. Our first and most important objective is to retrieve the 83 men of The *Pueblo*. A boy from my own state of Maryland is on that ship and we want him, his shipmates, and their vessel back, safe and sound, as soon as possible. Our first strategy should be diplomatic, especially in light of the scanty information we have as yet on what actually happened out there. The President is right to take every reasonable diplomatic step to secure return of the *Pueblo* without armed force which would risk the safety and lives of the *Pueblo*'s crew.

If diplomacy fails, we will have to consider other measures, of course. The reserve call-up underlines both the gravity of this crisis and the President's intention to meet it with a strong hand. With many American lives in the balance, however, this is a time for wisdom, caution and restraint. But we must act firmly to protect American prestige and the lives of our men.

I think Congress should investigate the policy of sending these ships into dangerous waters without air cover, naval escort or means of self defense. This is the second time in seven months that virtually unarmed U.S. reconnaissance ships have been attacked on the high seas.

DISCONTINUANCE OF PASSENGER TRAINS IN NEW MEXICO

Mr. ANDERSON. Mr. President, I have received many letters of complaint about the discontinuance of a number of passenger trains serving New Mexico. These complaints indicate there has been considerable disruption of passenger travel and in the prompt delivery of mail since these trains have been discontinued. Not only has this service been affected but a number of railroad employees have been laid off their jobs and there have been difficulties in relocating the mail clerks who worked these trains.

The New Mexico State Corporation Commission has appealed to Congress to halt the discontinuance of passenger trains and has requested an investigation to determine the impact these discontinuances are having on the welfare and safety of our country.

Mr. President, I ask unanimous consent to have printed in the RECORD the resolution passed by the New Mexico State Corporation Commission on February 23, 1968.

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

RESOLUTION, NEW MEXICO STATE CORPORATION COMMISSION

Whereas, there have been numerous passenger train discontinuances during recent years; and

Whereas, numerous applications for discontinuance of passenger trains have been filed, prosecuted and allowed or arbitrarily and peremptorily discontinued pursuant to the provisions of Sec. 13a of the Interstate Commerce Act until few such trains remain; and

Whereas, the recent action of the Post Office Department, Railway Express Agency and/or the railroads themselves has materially reduced passenger revenue; and

Whereas, the welfare and safety of this country is being materially injured by such discontinuances; and

Whereas, the New Mexico State Corporation Commission knows of its own knowledge acquired from several such applications before it and the participation in such hearings before the Interstate Commerce Commission that such facts are true;

Now therefore, be it resolved, that the New Mexico State Corporation Commission joins its sister states in appealing to Congress to call an immediate moratorium on all passenger train discontinuances and to investigate and determine the impact these discontinuances are having on the welfare and safety of our country including its national defense.

This Resolution adopted by the Commission this 23rd day of February, 1968.

COLUMBUS FERGUSON,
Chairman.

FLOYD CROSS,
MURRAY E. MORGAN,
Commissioners.

Attest:

L. C. CYPERT,
Director, Traffic and Rate Division.

CORRECTION OF VETERANS' PENSION LAWS

Mr. McGOVERN. Mr. President, as a result of action by the Committee on Finance on Wednesday, the Senate will soon have an opportunity to correct what I consider to be an extremely unjust aspect of the pension laws covering veterans who have reached retirement age.

At present, social security increases are included in the calculations of income that are used to determine the pension entitlement of veterans who are also receiving social security payments.

As a consequence, some 30,000 veterans were penalized by having their VA checks reduced following the 7-percent increase in social security benefits adopted in 1965. Moreover, these men and women who have contributed so much to the safety and well-being of our country suffered a net loss in income, because the social security improvements were not large enough to offset the pension reduction.

Just a few examples will suffice to indicate how these people were damaged. One recipient in my State was entitled to \$47 per month in social security prior to the 1965 increase. His VA pension was \$100 per month. The 7-percent raise boosted his social security to \$51, but it also placed him in the next higher step in the VA scale of permissible income for pensions and thus brought about a \$25 cut in that monthly payment—a net loss of \$19 per month.

Another constituent was forced to accept a \$7 raise on one hand which carried with it a \$35 per month drop on the other. A widow gained \$4 per month and lost four times that amount.

The same thing will happen this year and on a much larger scale, unless H.R. 12555, reported on Wednesday by the Finance Committee, is handled expeditiously by the Senate. The Social Security Amendments of 1967, including an increase of 13 percent in benefit payments, went into effect in February and will be reflected in checks received early this month. Unless we act quickly, those checks—fulfilling urgent needs of most older Americans—will severely penalize thousands among them.

The Senate has responded favorably to this dilemma on several occasions in the past. In 1966 a bill to liberalize provisions relating to dependency and indemnity payments also carried language excluding social security increases from computations of veterans income. It was, however, rejected by our colleagues in the House of Representatives, and their position prevailed in conference. An identical fate met similar language that we included in the Veterans Pension and Readjustment Act of 1967.

This year the outlook is immensely improved. I am pleased that the House has already given its approval to this measure, and I urge prompt Senate adoption.

THE DRAFT ENDANGERS OUR EDUCATION SYSTEM

Mr. TYDINGS. Mr. President, last weekend I spoke at several Maryland colleges on the subject of the Selective Service Act. I pointed out that I voted against the current Selective Service Act because I believe it perpetuates the worst features of the old law and bars needed reforms. I particularly criticized selective service actions denying educational deferments, especially in the case of junior college students pursuing occupational courses of study.

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In light of my remarks last weekend, I am pleased that General Hershey has now reversed the policy of denying educational deferments to students pursuing occupational and technical courses in junior colleges. But many other reforms, both in the basic law and its administration, have yet to be made.

The graduate student deferment policy Selective Service announced 2 weeks ago is really intolerable. Dr. Wilson Elkins, president of the University of Maryland, told me this week that the new graduate deferment policy will cut Maryland's graduate enrollment by about 40 percent. President Elkins says that the denial of postgraduate deferments will seriously disrupt and retard educational development in this country and will deplete the ranks of graduate research assistants and graduate teaching assistants upon which colleges and universities throughout the country depend.

Dr. Elkins concluded his letter to me with the words:

It is my firm belief that it is essential to the welfare, not only of the universities, but of the nation as well, that every effort be made to persuade the Congress to reconsider the existing Selective Service Act.

I agree with Dr. Elkins' concern and with the course of action he suggests. Congress must act and act quickly to correct the defects with last year's draft law and its administration. For that reason, I have cosponsored the legislation introduced by Senator KENNEDY this week to overhaul the draft law.

I ask unanimous consent that the full text of my remarks last weekend and Dr. Elkins' letter be printed in the RECORD.

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

[News release from Senator JOSEPH D. TYDINGS]

WASHINGTON, D.C., February 24, 1968.—Senator Joseph D. Tydings this weekend criticized the present military draft system and called for its complete revision.

Senator Tydings was especially critical of Selective Service actions denying educational deferments, especially for junior college students pursuing occupational courses of study. Tydings said:

"The draft law and its administration urgently need revision. No military draft which, like ours, takes only one out of every 40 eligible men can be completely fair, since some men must serve, while most will not. But the present draft system creates a nightmare of uncertainty for every young man. The draft system is unnecessarily discriminatory in theory and capriciously unequal in practice.

"The Selective Service System has denied educational deferments to college students who are pursuing technical or occupational courses while continuing to grant them for courses leading to a baccalaureate degree. This order grossly discriminates against those who cannot afford or do not wish four years of college, and is hitting junior colleges and their students especially hard.

"In addition, last week's order by the Selective Service abolishing graduate deferments and requiring the oldest draft-eligible men to be drafted first means that our graduate schools are going to be gutted, the armed forces are going to get the least suitable class of draftees, and young men turning 18 will either have to volunteer for the Army or wait four or five years in uncertainty as

to whether they will, in fact, ever be drafted. In the meantime, the opportunity to find stable employment and to make firm career and marriage plans without fear of disruption is denied them.

"The administration of the draft system is going from bad to worse. It was bad enough when the House of Representatives ignored the advice of all the experts and gutted the draft reforms we had passed in the Senate, thereby perpetuating in the 1967 draft law the worst faults of the old system. But now we are witnessing an administration of the draft by the Selective Service System which is even more callous and thoughtless than the law itself.

"Selective Service recently instructed all Government Appeal Agents—mostly lawyers who contribute their time to counsel young men of their rights under the draft law—to inform on those young men whenever a possible violation of the draft law comes to light in the course of such counsel. This instruction blatantly violates the lawyer-client relationship, creates an impossible conflict of interest for the Appeals Agents, and will certainly discourage young men uncertain of their draft status from taking advantage of this right they have under the law.

"In addition, we hear reports that despite Justice Department directives to the contrary, the Selective Service System and some local boards around the country are apparently acting both as judge and jury of possible violations of law by draft-eligibles, and, in a few cases, are even acting as censors of freedom of speech."

Recalling his own vote last year against the present law, Tydings said:

"The present draft law penalizes the poor who cannot afford college deferment and ensures unequal administration of the draft across the country by failing to set uniform national standards for draft selection and exemption.

"Many of us believe the best system for meeting the military manpower needs of this country is a system which takes the younger draft-eligibles first, through a lottery-type selection. This system would treat all men equally, regardless of race, economic condition, or educational status, and would give every man over the age of nineteen the knowledge of exactly where he stood regarding the draft. He would either already have been drafted or he would have an assurance that he could plan his life without worrying about the disruption of ever being drafted except in grave national emergency. This is the plan the Army wants and most young men want. It is the least unfair and the most certain.

"These reforms were eliminated by the House Armed Services Committee in last year's draft act. That is why, I voted against the final conference committee version of the bill, even though I supported and voted for the Senate bill which contained the draft reforms. Now we are witnessing a complete debasement of the entire draft system—both the law and its administration. Congress should act this year to remedy both."

UNIVERSITY OF MARYLAND,
College Park, February 23, 1968.

Hon. JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: The situation confronting the graduate student population which will be precipitated by the vulnerability of all graduate male students to the draft beginning with the Fall 1968 semester, is very grave. The seriousness of the situation has been called to the attention of the President of the United States by many national organizations including The Council of Graduate Schools in the United States, the American Council on Education, the National Association of State Universities and Land-Grant Colleges and others. As of

this date, there has been no indication that the President or the Department of Defense will seek changes either by legislation or by regulation in the current Selective Service Act.

I am, therefore, asking for your consideration of the problem. I urge that you reconsider the existing Selective Service Act. Hopefully, you may conclude that certain modifications of this legislation are required; otherwise, our graduate student enrollment will be cut by drastic proportions.

Please allow me to briefly summarize how the current legislation is likely to affect enrollment of graduate students at the University of Maryland:

Current graduate student enrollment, 7,429; males, 4,942; females, 2,487.

Projected 1968-69 graduate enrollment based upon a normal growth pattern, 8,320.

Anticipated 1968-69 graduate enrollment under present draft law, 6,202.

The number 6,202 was arrived at as follows:

Returning male graduate students composed of the physically disqualified	1,260
Veterans	600
Those over 26 years of age	1,300
Graduating male seniors (using University of Maryland figures) who may go on to graduate school by virtue of being physically disqualified for the draft or being a veteran	442
Female students	2,600
Total	6,202
Anticipated 1968-69 graduate enrollment deficit if present draft law remains unchanged	2,118

The current draft legislation will, as can be seen by the foregoing figures:

(1) Reduce our projected male graduate enrollment by about 40 percent.

(2) Alter the graduate student population so that 63 percent will be women, men over 26 years of age, and persons physically disqualified for service.

Although I am presenting data reflecting the situation at the University of Maryland, this is, of course, a national phenomenon. A disruption of graduate education of the order inherent in the new draft legislation will seriously curtail the national movement and the growing need for more advanced education. In addition, it will result in a depletion in the ranks of graduate research assistants and graduate teaching assistants. Both of these categories of graduate students are central to the achievement of the objectives of graduate education.

It is my firm belief that it is essential to the welfare, not only of the universities, but of the nation as well, that every effort be made to persuade the Congress to reconsider the existing Selective Service Act. We shall appreciate your thoughtful consideration of this important matter, and it would be helpful if we could have your reaction to the current outlook.

With kindest regards, I am,

Sincerely yours,

WILSON H. ELKINS,
President.

NEW LOOK FOR POSTAL TRAINING

Mr. MONRONEY. Mr. President, on February 27 I had the honor to attend the dedication of the new Postal Service Institute at ceremonies held in Bethesda, Md.

This new training institute for postal employees is a major step forward in Postmaster General O'Brien's continued effort to improve the postal service and most particularly to increase the attractiveness of postal employment as a career.

During the period that I have served as chairman of the Committee on Post

Office and Civil Service, I have constantly stressed the need for improvement of promotion opportunities in the postal service so that young men who join the ranks of postal letter carriers, clerks, and mail handlers will not consider the job a dead end job.

Providing an educational facility such as the Postal Service Institute is a long step toward achieving this goal. It is part of the general modernization of the postal service that we are striving for, and it is certainly the most important part. There are more than 700,000 postal employees and it is the Department's and the Congress' duty to assure that employment in the postal service meets the needs of the employees economically and psychologically as well as the needs of the public which they serve.

I ask unanimous consent that the address by Postmaster General O'Brien at the dedication ceremonies be printed in the RECORD.

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

ADDRESS BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN AT THE DEDICATION OF THE POSTAL SERVICE INSTITUTE, BETHESDA, Md., FEBRUARY 27, 1968

I am very pleased to join with you in this important dedication.

In my estimation, one of the most satisfying events in life comes when we can see the translation of a hope and an idea into solid reality.

Therefore, this occasion should be satisfying to many here today, for the creation of the Postal Service Institute reflects the thoughts, the hopes, and the hard work of many people.

Certainly, the great public servants who have already spoken to us, Senator Mike Monroney, Senator Daniel Brewster, Congressmen Tom Steed and Tad Dulski, together with their colleagues, have constantly shown a keen appreciation of our unique training needs, needs that will now be met through this Institute.

This Institute also reflects a recommendation I made over two years ago upon my return from a survey of European postal facilities. At that time I was deeply impressed by the training program offered its employees by the Dutch Postal Service. I pointed out in my report that we had been derelict in employee training programs for future leaders of the Post Office Department.

My own period of training for the position of Postmaster General took place on the job, so to speak. There were many days when I wished there were some place I could turn for a quick course in Postmaster-generalship. But, unfortunately, there was no place. And, in fact, I suppose there will never be such a course. No one could teach it but a former Postmaster General, and after serving as one of the nation's biggest targets for a period of time, no former Postmaster General would have the energy, or lack the constricting scar tissue to teach such a course.

During my period of on-the-job training there were many surprises about the nature of the post office and its problems.

Perhaps the most shocking moment of all came when I realized that the Post Office Department was not an office at all. The word "office" makes everyone think of desks, and paper shuffling, and inter-office memoranda, and organizational charts and distance from the word of action and solid accomplishment.

I found that the word "office" is completely misleading.

For today the Post Office Department is an industry. Not the mimeograph machine but

the high speed letter sorter is the governing symbol of our activity.

We are, in fact, one of the greatest and most important industries of the nation.

Fortune magazine annually publishes a listing of the greatest business firms in the land. We aren't listed, of course, but our "sales" of \$5 billion last year would rank us ahead of Texaco, U.S. Steel, IBM, Western Electric, Gulf Oil, and all of America's aircraft, chemical, rubber, agricultural, steel and machine tool corporations. The U.S. Mail is "big business."

If we consider ourselves a utility rather than an industrial firm, there is but one with larger operating revenue, American Telephone and Telegraph.

Thus, we are an "office" in words, but we are an industry in fact. And we are an industry that is increasingly turning to mechanization and modern concepts to solve our problems.

We are now involved in the most massive program of postal construction and postal mechanization and research in the history of this Department. And, again, this is a direct reflection of the support accorded us by concerned, committed, and experienced legislators, who are experts in postal matters, men such as the outstanding Congressional leaders with us today.

As a result of this urgent and badly needed mechanization program, the mail moving and processing equipment flowing into our major post offices is increasingly complicated. This equipment will change old habits of thought just as it is increasing the speed and changing the flow of mail.

Such equipment is also slowly but surely transforming post offices into communication processing factories, postmasters into industrial managers, supervisors into managerial assistants.

Another look at the Fortune magazine survey shows that we rank third among any industry or utility in the number of our employees. Only AT&T, with 795,000 and General Motors with 735,000 exceed the number of postal employees—and not by much.

Thus, we are the third largest civilian employer in the land.

This fact of the postal communications industry creates three responsibilities. The first of these is using our vast army of workers in the most effective manner. Work scheduling stands at the heart of effective use of manpower, in an industry such as ours, which is subject to wide hourly, daily, and seasonal variations in mail volume. For us the matching of manpower assignment to workload, the precise balance of men on the job and mail in the post office, is a matter of millions of dollars. If a supervisor schedules too many men for the amount of mail that actually flows through the post office, money is wasted. If he schedules too few, the mail is delayed.

The teaching of work scheduling methods through this Institute will, I have no doubt, produce savings that will more than pay for the entire Institute itself. As a result, we are giving high priority to the development of the necessary course materials.

Still another important responsibility lies in the area of relations between employee and postal management.

As of now, many of our managers—our postmasters and their staffs and supervisors—are disadvantaged compared with private industrial managers because of a lack of training and experience in the collective bargaining process.

This Institute will help us rectify this serious omission in our inventory managerial skills.

The third responsibility involves use of this Institute to eradicate one of the major faults of the postal service—lack of a real career ladder for our employees. The creation of this Institute bears quite directly on our hopes to provide greater opportunities for all our employees. As new methods of mail pro-

essing are introduced, as new machines are invented, as old and tired ways decline before the dynamism of the many creative minds in our Bureau of Research and Engineering, we anticipate that the Institute will play a major role in the necessary training process.

In its initial period of growth the Institute will concern itself with improving management, because the introduction of so many new concepts and new instruments has placed a heavy burden upon management, and certainly because experience has shown that a dollar spent on improving management skills quite often yields enormous dividends in terms of better service and more efficient operations. Among the specific course areas to be covered in the first year are safety management, postal engineering, maintenance management, and traffic management and materials handling.

We look forward to moving rapidly toward achieving the full potential of the Postal Service Institute.

By 1972, we anticipate a modern facility which will share space with our new Bureau of Research and Engineering in which engineers and operations specialists can engage in continuous consultation on postal problems.

We anticipate that the Institute will provide the means by which models of advanced processing machinery may be rigorously tested under laboratory conditions.

Further, though the Institute will not engage in mass education, it will be the center of a network of extension courses radiating throughout the nation.

Already the Postal Service Institute has arranged with the University of Oklahoma for a series of seminars at Norman, Oklahoma. These seminars are designed to provide postmasters with expert training in the field of labor relations. The Postal Service expects to gain much through this cooperative arrangement with the University of Oklahoma, an arrangement which, I might add, reflects the keen interest of Senator Monroney and of Congressman Steed.

And, finally, the Institute will act as a form of seedbed. Either through study here or through extension courses, thousands of men and women will gain new insight into postal problems and the solutions for those problems. When they return to their local post offices, they will, in turn, organize courses and teach locally what they have learned at PSI, and thus become a source of ideas and motivation for their fellow employees.

My friends, this is an act of extraordinary creation. For a school provides the best of the past to mold the present and influence the future. A school reflects the best effort of one generation for succeeding generations. A school is a brilliant violation of the laws of geometry—through the chemistry of learning we discover that the totality of a school's influence is far greater than the sum of its parts.

LORD HARLECH'S ELOQUENT REMARKS IN MEMORY OF WINSTON CHURCHILL

MR. KENNEDY of New York. Mr. President, one of our most able contemporary diplomats is Lord Harlech, who was Britain's Ambassador to the United States in recent years. A few weeks ago he had occasion to speak in Philadelphia at a dinner in memory of Sir Winston Churchill. His remarks were, as always, eloquent and learned.

I believe that these thoughtful and articulate observations about a great statesman and friend of the United States deserve the attention of every

Member of the Senate. I ask unanimous consent that Lord Harlech's remarks be printed in the RECORD.

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

WINSTON CHURCHILL MEMORIAL DINNER, PHILADELPHIA, FEBRUARY 7, 1968

So much has been said and written about Sir Winston Churchill in the three years since his death that no words of ours tonight can add lustre to his name. All we can do is pay our humble tribute to his genius and express our deep gratitude for the way in which he enriched the life not only of his own country, but of America and of the world.

I still find it an awesome thing to survey the extraordinary variety of his talents. Apart from an immensely full and rumbustious political life and apart from his matchless oratory so closely connected with it, he was also a distinguished historian, a superb writer of English prose, a talented and prolific amateur artist, a passable bricklayer and a not unsuccessful race-horse breeder. Some who have attempted the same feat might say that the last is by no means the easiest of achievement.

And he did all this not under a personal regime of ascetic, grinding drudgery like the Emperor Justinian, but with such panache, with such wit and with such enjoyment of the good things of life that his name is now associated with more funny stories than a professional comedians—and some of them are undoubtedly true.

The other aspect of his life which always staggers me is the extraordinary length of the period during which he bestrode the national and international stage. He did not expect to. As early as 1896 he was saying "Churchills peg out early. So I'm going to make sure of my innings." Two years later, in the Sudan, he took part in what was perhaps the last great cavalry charge between armies drawn up in old fashioned close-order. By the turn of the century he was a national figure, a Member of Parliament and was still worrying about his life-expectancy. "The worst of it is," he said, "I'm not a good life. I must try and accomplish what I can by the time I'm 40."

In 1908, when he was still only 34, he became a member of the British Cabinet. Already his generous but pugnacious character had made him a centre of controversy and so he remained until, half a century later, he slipped humbly and with dignity from public life. What incredible contrasts he had witnessed in man's environment and in the world's political structure. He had charged with the cavalry at Omdurman—yet in his later years he was to find himself grappling with the problem of nuclear weapons. When he was young, one quarter of the world was under British rule and the Royal Navy was kept at a strength to match any other two navies combined. This early background might have anchored his thoughts in an outdated mould. Yet the vigor and suppleness of Churchill's mind was such that he remained to the end of his career an extraordinarily prophetic judge of world trends. His "Iron Curtain" speech at Fulton, Missouri in 1946 immediately springs to mind. Indeed if you read it today, you will see just what a very accurate forecast it gave of the struggle against militant Communism which so occupied the attention of our two countries for the next two decades.

We now know that he had sensed the threat from the Soviet Union even earlier than this. Talking about his latest volume of memoirs Mr. Harold Macmillan has told of a conversation he had with Churchill in 1944, when the Prime Minister asked him whether he regarded Oliver Cromwell as a great man. When Macmillan said "Yes" Churchill retorted that Cromwell's mind had been so preoccupied about Britain's tradi-

tional enemy, Spain, that he had failed to perceive the growing menace of France. What Churchill was implying, of course, was that although we were still locked in mortal combat with a Germany, which had twice destroyed the peace of Europe within a generation, it was not from Germany, but from Russia that we would have to protect ourselves after the war.

Mention of Germany does, however, lead me on to another aspect of Churchill's character and to my mind a most noble aspect. He was above all a man magnanimous in victory.

In a speech in the House of Commons just twelve months after the defeat of Germany he said: "I fall back on the declaration of Edmund Burke—I cannot form an indictment against an entire people. We cannot plan or even dream of a new Europe which contains pariah nations—that is to say, nations permanently or for long periods outcast from the human family. Our ultimate hopes must be founded on the harmony of the human family . . . We must strive to redeem and reincorporate the German and Japanese peoples in the world system of free and civilized democracy."

Indeed the theme of his whole political life was that the inhabitants of the earth must be treated as part of one human family and must be shielded from "the two gaunt marauders—War and Tyranny." That he believed was the chief purpose of national and international politics.

It is always tempting to try and state what would be the attitude of some great man if only he was still alive. But it is usually a foolish and fruitless enterprise and it would be highly presumptuous of me to attempt any such thing with regard to Winston Churchill tonight. However, we can at least learn lessons from history and from those who have made it, and to my mind the most important lesson we can learn from contemplating the life of Churchill is that you can be an intensely patriotic person and yet think and act in global terms.

Now no-one has cast the slightest doubt on Churchill's passionate patriotism. Indeed on occasions, it led him to espouse policies for maintaining British rule in overseas territories, which were in some cases mistaken and certainly unsuccessful. But in almost every other aspect he had an ultra-modern, forward-looking approach to international affairs.

He placed great hopes in the United Nations. Not through any starry-eyed theoretical approach to the problems of the world but because from hard practical experience, covering half a century of human history, he had come to believe that an effective world body was essential for the well-being and peace of this shrinking planet. He was not among those who saw fit to deride the ineffectiveness of the United Nations. He sorrowed at it and typically, wished to explore means of remedying its deficiencies.

Similarly he did not take the view that because Britain throughout much of her history had stood alone behind her watery ramparts, she should continue with the same policy in the 20th Century. His patriotism was never narrow. He was convinced that Britain's future was closely bound to that of Europe. It was he who, when France had been beaten to her knees by the Nazi onslaught, made the astonishingly bold offer, that Britain and France should for ever be linked together and all their peoples enjoy joint citizenship.

After the war he was the earliest champion as well as the most persuasive, of a United Europe. The man who, in President Kennedy's words had "mobilized the English language and sent it into battle" now used his inspired eloquence to plead the cause of the coming together of the European family. How shocked he would be to see how little that cause has prospered—how astonished to see the revival of a narrow nationalism which

had wrought such havoc in Europe twice in his lifetime.

Finally in his general approach to all other nations, the historical caste of his mind led him to think not just in terms of what they were now, but of what they might become; not just of their present failings but of the possibility of their future goodwill. This was why, though few had greater cause to distrust Germany, he "refused to indict a whole nation." This was why he, who had begged the United States at Yalta not to be so trusting of Stalin and the Soviet Union, later called again and again for Summit Meetings in order that East and West might explore the possibility of a peaceful modus vivendi and greater mutual cooperation.

He refused to regard any nation as a permanent enemy whether it was Germany during the war, or the Soviet Union after the war, or Communist China in the 1950's. On the contrary, his fertile mind was always searching for the means to change the course of history so as to achieve that harmony of the human family of which he often spoke. Any other attitude he would have regarded as being beneath the level of events in a world armed to the teeth with nuclear weapons.

Does this not teach us that one can be patriotic without being nationalistic; one can be patriotic without being isolationist; one can be patriotic without being belligerent; one can be patriotic without having to erect bogey-men in the guise of permanent enemies.

Churchill perhaps less than anyone was content to see the decline in power and influence of Great Britain—a decline brought about to an overwhelming extent by the vast outpourings of centuries of accumulated wealth in two titanic world wars, in both of which Britain fought from the first day to the last day. (Being outside my own country I will refrain from commenting on the more recent decline in our power and influence, and the reasons for it.) But the one compensation for Sir Winston Churchill was that if circumstances required us to hand on the torch which we had born so long as a beacon of resistance to tyranny and of peace with justice, then he was overwhelmingly thankful that it was passing into the strong, safe and friendly hands of the United States of America.

Through his American mother he had strong emotional ties with this tremendous country and no one could have felt a keener joy or pride at being uniquely honored with American citizenship. But there was something more than emotion that inspired his admiration and devotion. It was the considered judgment of this great man's formidable mind that America stood for all those principles and ideals towards which the British people had painfully striven throughout their history.

He once said, "We must never cease to proclaim in fearless tones, the great principles of freedom and the rights of men which are the joint inheritance of the English speaking world and which through the Magna Carta, the Bill of Rights, the Habeas Corpus, Trial by Jury and the English Common Law, find their most famous expression in the American Declaration of Independence."

If then Britain, not without honour, had given her all in the dogged struggle to uphold these high principles in human affairs and could no longer play the major role, who then was to take up the challenge in her place? Churchill never had the slightest doubt that, despite an earlier history of isolationism, it would be the U.S.A.—and he was glad. We and other free nations would henceforth be relying on you. This faith in you of free men in every corner of the globe is the terrible responsibility that now rests upon you, the people of America.

I have always felt that the most moving peroration in any of Churchill's wartime speeches was one he ended with four lines of simple poetry—and they will end my speech tonight. He was speaking at one of the

climacterics of the war and he urged us to look beyond our present perils and take comfort in the fact that the giant democracy lying to the West of the Atlantic was coming to our aid, and this ensured for the allies final victory. These were the words he used:—

"And not through Eastern windows only
When daylight comes, comes in the light.

In front the sun climbs slow, how slowly
But Westward, look, the land is bright."

PRESIDENT'S MESSAGE ON VETERANS

Mr. MUSKIE. Mr. President, I am pleased with the President's message setting forth his recommendations on the benefits for servicemen and veterans. He has outlined a good program for the accomplishment of legislation carrying out the consent of the people toward our fighting men.

I was pleased to see a new policy with respect to our national cemetery system. I feel sure that the hearings on this matter will demonstrate that this Nation wishes to assure every veteran the right to burial in a national cemetery reasonably near his home.

The President is right to remind us of two basic benefits left on our unfinished agenda. The logical reasons he presented last year in recommending an increase in the servicemen's group life insurance program bear repeating:

We should now raise the limits of coverage. This will provide a further career incentive for the men and women of the Armed Forces as well as added protection for their loved ones.

The need is still there.

President Johnson has also requested legislation to protect veterans against disproportionate pension losses that could result from increases in other income such as social security. Veterans deserve these safeguards.

The President's new proposals, coupled with his administrative directives enlarging the scope of the counseling of our servicemen on their rights and benefits, reflect his determination to close the gap in a veteran's life caused by his time in the service of our country.

Certainly, when a man completes his military obligations, he wants, and is entitled to, a decent home. In considering the price of real estate today, there can be no doubt that we must increase the maximum guarantee on GI home loans.

Like all of us, veterans must rely on the fruits of their labor to provide the good life for which they fought. The President has mustered the facilities of the Departments of Defense and Labor, and the Civil Service Commission, to help new veterans receive training and employment. Furthermore, he has urged us to express the sense of Congress urging private employers to give job priority to our returning servicemen.

To strengthen further the jobs and training program, the President has asked us to implement the Veterans in the Public Service Act. This legislation would encourage veterans to lend their talents in answering the urgent needs of our Nation. I see benefits in this program for the State of Maine and for the rest of the Nation.

Mr. President, it is time to act so that opportunities afforded our veterans will exceed mere words of commendation and provide a way for self-betterment while aiding the Nation in service rendered. I urge speedy consideration of the President's program.

THE 100TH ANNIVERSARY OF THE ORDER OF ELKS

Mr. KENNEDY of New York. Mr. President, recently the Benevolent and Protective Order of Elks celebrated its 100th anniversary. Through the years, the Elks have contributed significantly to thousands of communities throughout the United States, and I think they not only deserve a hearty "Happy Birthday" but also a grateful "Thank You." I ask unanimous consent, therefore, to have printed in the RECORD an editorial entitled "Happy Birthday," published in the Troy, N.Y., Times Record.

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

HAPPY BIRTHDAY

Reaching the century mark is an accomplishment in itself, but doing good in each of those 100 years along the way toward such an anniversary is a feat few can match.

Today's observance of the 100th birthday of the Elks is a good time to say "Thank you" for all the contributions made by the fraternal organization during all of these years.

Troy, particularly, is thankful for 78 of those years, for its lodge has been a member of the community for that number of years. And it plans many more because in its future are plans for new lodge quarters.

From one who has had Elks' help in choosing and shaping a career, it is a great pleasure to say "Happy Birthday."

The brotherhood and good fellowship that membership has given residents of the communities who have Elks' lodges is to be complimented. But the Elks do more than make for good company. They give scholarships to deserving young people; they support community causes of improvement; they contribute to worthy endeavors and they make patriotism—through their annual Flag Day observance—a day of profession of pride.

Again, to the Elks, wherever they are, "Happy Birthday!"

PROPOSED CLOSURE OF TULSA OFFICE OF MARKET NEWS SERVICE

Mr. MONRONEY. Mr. President, the Department of Agriculture has announced that as an economy measure it will close the Tulsa office of the Market News Service. Reaction to this announcement in northeastern Oklahoma has been widespread and strong.

In response to the severity and false economy of this proposed closing, the Oklahoma Legislature has passed a resolution introduced by 99 representatives, asking that Secretary Freeman reconsider and rescind that order. At this time, for myself and my colleague [Mr. HARRIS], I ask unanimous consent to have printed in the RECORD that resolution as an expression of the feelings of the good people from my State of Oklahoma to this move of false economy, and urge likewise the Department of Agriculture to reconsider and rescind this move.

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

HOUSE RESOLUTION 605

(By Briscoe, Bean, Abbott, Allard, Andrews, Bamberger, Barr, Beauchamp, Bengtson, Bernard, Bickford, Blankenship, Boren, Bradley, Brown, Bynum, Camp, Cate, Clemons, Cole, Conaghan, Connor, Converse, Cox, Derryberry, Dickey, Doornbos, Dunn, Fair, Ferguson, Ferrell, Finch, Fine, Ford, Fowler, Frix, Goodfellow, Green, Greenhaw, Grey, Harrgrave, Harrison, Hatchett, Hesser, Hill, Holladay, Hopkins, Howard, Hunter, Hutchens (David), Hutchins (Walter), Inhofe, Johnson, Jones, Kamas, Lane, Lawson, Levergood, McCune, Miskelly, Mountford, Musgrave, Nigh, Odom (Martin), Odom (V. H.), Page, Patterson (Frank), Patterson (Ruth), Peterson, Poulos, Privett, Raibourn, Rushing, Sandlin, Sanguin, Skeith, Smith (E. W.), Smith (Norman), Smith (Vondel), Smithiey, Sokolosky, Sparkman, Spearman, Tabor, Taggart, Tarwater, Thompson, Thornhill, Townsend, Trent, Vann, Watkins, Williams, Williamson, Willis, Witt, Wixson, Wolf (Leland) and Wolfe (Stephen).)

Resolution memorializing the Secretary of the United States Department of Agriculture to reconsider and rescind administrative order discontinuing the Federal-State livestock market news service at Tulsa stockyards; and directing distribution

Whereas, the Federal-State Livestock Market News Service at the Tulsa stockyards has been in continuous operation since November 1, 1949; and

Whereas, many livestock producers rely on the information dispensed by this service; and

Whereas, due to the order of the Secretary of the United States Department of Agriculture federal funds for this service will no longer be available necessitating that this service be terminated March 31, 1968; and

Whereas, due to the discontinuance of the service the vital information presently provided will not be available from any source.

Now, therefore, be it resolved by the House of Representatives of the second session of the thirty-first Legislature:

Section 1. That the Secretary of the United States Department of Agriculture is hereby requested to reconsider and rescind the administrative order discontinuing the Federal-State Livestock Market News Service at the Tulsa stockyards.

Section 2. That duly authenticated copies of this Resolution after consideration and enrollment, shall be prepared for and transmitted to each member of the Oklahoma Congressional Delegation and to the Secretary of the United States Department of Agriculture.

Adopted by the House of Representatives the 22nd day of February, 1968.

REX PRIVETT,

Speaker of the House of Representatives.

ON THE SUGAR BEET CROP IN MAINE

MR. MUSKIE. Mr. President, potato farmers in Maine's Aroostook County have for many years been threatened by economic crisis because of the fluctuating prices of potatoes.

Today, these farmers have a new opportunity for stabilizing their businesses and the economy of their county. That opportunity is a second crop in sugar beets.

In the New York Times of February 12, Reporter Robert Metz describes how Mr. Luman Mahaney quickly seized the opportunity of converting part of his acreage to sugar beets, and how this decision is paying off.

Because of the importance of this opportunity to other farmers in Aroostook County, I ask unanimous consent that

Mr. Metz' article be printed in the RECORD.

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

POTATO FARMER FINDS SWEETNESS IN ADVERSITY—WHEN MAINE TUBERS FAIL, HE SWINGS TO SUGAR BEETS—NEW CROP PUTS HIM IN BLACK

(By Robert Metz)

Luman Mahaney is a small-business man. He's not only small, he's economically weak. He's so weak that on more than one occasion in recent years, it seemed the stocky, sun-browned down-Easter might face serious financial difficulties.

Some of his neighbors have even walked the dusty road to bankruptcy in recent hard times.

Mr. Mahaney—like the others—is weak, even though he is good at his trade. But he has little flexibility. In his topsy-turvy world, when he sells more goods, the price comes down and trims, even wipes out his profits—and then some.

Luman is a Maine potato farmer caught in a tide of changing markets that has backed the potato state against the wall. His problems illustrate the dilemma faced by every small-business man in periods of changing tastes and technology.

As for the Maine potato, Mr. Mahaney believes it is second to none. Any one who has watched the women—mostly farmers' wives—at the Easton, Me., processing plant operated by Vahsing, Inc., hand-pick the best of the crop for the supermarkets, will tend to agree.

But the underlying reason for the excellence of the Maine potato is men like Lumen who plant the crop and laboriously cultivate it through Maine's short growing season.

It is a labor of the generations for the Maine farmers of northern Aroostook County where the state's most highly cultivated acres lie. In the past, the potato has been good to the Maine farmer and the signs of former prosperity are still apparent.

Lumen's beautifully kept home symbolizes this recent era of middle-class comfort. The white frame house is dominated by bow windows on one side which are rimmed with a rich growth of ivy near the portal.

The well-tended grounds and a multitude of flowers in the spring bespeak good husbandry at home, as well as in the fields.

While many city children of the same age as Mr. Mahaney's children have been denied college for lack of means, the prosperous potato years helped send Luman's daughter Carolyn to Germany for studies toward a Ph. D. degree.

Another daughter, Barbara, has an advanced degree and is a teacher in Maine. Luman's son, Gerald, attended the University of Maine—like the two sisters—and is a farmer like his father. A third daughter, Brenda, is married and lives in Bangor.

But the college expenses were financed by money put aside in the good years for potatoes. And the potato is no longer the key to prosperity—quite the contrary.

This last growing season, Maine lost an estimated \$50-million on the potato crop and many of the state's banks have groaned under the strain of extended loans and defaults. Potato prices are the lowest in the history of the state—relative to growing costs.

Why are Luman and fellow potato growers in the doldrums? Chalk it up to a revolution in potato marketing. Back in the late 1950s, Maine potatoes dominated the market east of the Mississippi River.

Now the markets are localized over much of the country. Several states whose markets were once dominated by Maine potatoes, produce much of their own tubers.

Sagging fertility has also cut Maine yields and the state is now 13th in the nation in potatoes produced per acre.

Moreover, the American consumer has

added to potato farmers' headaches. For a number of years—beginning around 1950—weight-conscious Americans shunned potatoes in an effort to trim waistlines.

In that decade, potato-shy consumers ate an average of 196 pounds of potatoes a year. There were no processed potatoes in those days.

Now, fresh potato consumption, according to official figures, is down to 67 pounds a person annually. While consumption of processed potatoes has spurted to a healthy 37 pounds a person, Maine does not share in this market to a significant degree.

Thus, dwindling markets and changing tastes have taken their toll. And, unlike farmers with many crops, the Maine grower does not live off the land.

As Luman puts it:

"My living expenses are the same as anyone else's. I buy everything as do most of the farmers here. I don't raise anything for the table. No butter, eggs, chickens . . . Everything comes from the store."

Just how serious the situation has become is clear after an examination of Mr. Mahaney's costs in raising potatoes and the market price they bring.

In the last season, Luman spent \$2.60 to grow and harvest each barrel of potatoes—including, among other things, fertilizer, insect spray, seed, tractor fuel and maintenance, picker wages and storage costs.

But the price has been significantly lower than that. No. 1—best quality—potatoes brought \$1.50 to \$1.75 a barrel in the open market. "If you get a marketing slip for \$1.75, you would probably get closer to \$1.40 a barrel because small and misshapen potatoes are mixed in. They discount for that," one farmer commented.

Meanwhile, the market has slumped even lower to approximately a dollar a barrel.

Multiply a loss of at least \$1 a barrel by the 10,600 barrels of potatoes Mr. Mahaney grew in 1967 and you see what he and his fellow farmers are up against.

And yet, in a good year when the potatoes are relatively scarce, Luman can lay aside thousands of dollars. Further, frozen potato processors will guarantee a price well above cost to farmers who commit part of their crops before weather and market conditions determine whether the crop year will produce a windfall or a disaster.

Meanwhile, Luman's costs go on in good and bad years. Mr. Mahaney refused to discuss his income, but his living costs can be accurately estimated.

A family of four spends \$9,250 in Portland to maintain a moderate living standard while a similar non-urban family in the Northeast United States spends \$9,000.

Maine farmers have to borrow their way out of deficit years and hope for better times. And better times are clearly on the way.

Years ago, the outcry over the Maine farmers' plight has begun to reach the highest quarters of Government. Maine clearly needed another cash crop if the farmer—and the state's banks—were to avoid bankruptcy.

At this juncture, Luman and other Maine farmers are happily preparing to plant their third crop of sugar beets which have proved profitable enough to change the atmosphere in Aroostook County from one of gloom to one of rising hope.

Unlike the early beet crops that were of indifferent quality, the latest sugar beets compared with the best anywhere. A state-inspired sugar mill built for \$15-million with Wall Street's help and raised by Maine Sugar Industries, Inc., has operated flawlessly to turn the bulging roots into crystal pure sugar and has solved the problem of manufacture for market.

The Maine farmers are so pleased with the results of the latest crop that they are preparing in many instances to triple their acreage. That says a lot in a land of taciturn, hard-to-convince Yankees.

Optimists say that between 40,000 and 50,000 acres will be planted this year, compared with 10,000 last year.

Luman's own experience with sugar beets will illustrate why they are enthusiastic. First of all, he does not face an uncertain market—he can produce as many beets as he wants knowing the sugar will bring 10 cents a pound.

The price trend, generally speaking, has been up because the domestic sugar growers are not producing enough sugar to meet Government-stipulated allotments.

As one expert comments, "There is not a chance in the world that Maine sugar growers will meet with a cost-price squeeze in the future—given normal economic conditions."

Mr. Mahaney raised sugar beets last growing season at a cost of \$170 an acre. He got back a total of \$308 an acre.

He raised 14.7 acres of the beets last season and is enthusiastically planning to double his acreage this coming season. His profit on beets was just over \$2,000.

Unlike many of his fellow farmers who have gone slowly in moving to beets as a second crop, Luman has taken to beets naturally.

"They had no difficulty persuading me to plant beets. I think they are adapted to the soil and we need another cash crop. I don't expect to lose money every year on potatoes—even now a good potato year can bring the farmer thousands of dollars of profits—and will continue to produce them. But it's worthwhile to utilize more of our good land for another cash crop with a better market."

For many of Maine's hard-pressed farmers, the beets have meant the difference between a future on the land they love and a move away from the land to the regular paychecks available in the city.

BULGARIAN LIBERATION DAY

Mr. LAUSCHE. Mr. President, Bulgarians were among the tens of millions in the Balkans who had suffered under the heavy yoke of the Turks for centuries. For more than 400 years these sturdy people had done their utmost to free themselves from the clutches of their oppressors, but all their efforts ended in failure, and sometimes in bloodbaths, because they themselves alone could not beat their more powerful overlords. In the 1870's, however, they had Russia helping them, and they succeeded in winning their freedom.

In the Russo-Turkish War of 1877-78 Bulgarians fought with the Russians, and when Russia won the war, then Bulgaria was made free by the peace treaty that was signed on March 4, 1878. Since that day Bulgarians celebrate March 4 as their national holiday. Of course, they have not had freedom during all that time, for since the end of the last war they have been ruled by the Communist dictatorship imposed upon them by the Kremlin. Today the Bulgarian people still suffer under alien totalitarian tyranny, but they have not forfeited their right to freedom and are working for its attainment. On the observance of the 90th anniversary of their Liberation Day we all hope for the attainment of their national goal.

DEPARTMENT OF AGRICULTURE AWARDS TO KANSAS FARMERS

Mr. CARLSON. Mr. President, the Secretary of Agriculture, Orville L. Freeman, has just awarded certificates to four of our outstanding farmers for 35 years of voluntary reporting on their local crop and livestock conditions in Kansas.

These certificates were also signed by Roy Freeland, the secretary of our State board of agriculture.

During the past 18 years, 120 Kansas farmers have won 35-year certificates.

More than 3,000 Kansas farmers currently supply basic information to be used for making State and National official estimates of crop and livestock production.

These reports from individual farmers are continually assembled by the Kansas State Board of Agriculture, which prepares State estimates to be sent to the Department in Washington.

The four men who received 35-year awards this year are Frank N. Ney, Hoisington, Kans.; J. J. Kurt, Attica; R. L. Patterson, Oxford, and Paul Corke, Allen.

The Crop Reporting Service of our Federal and State Governments is valuable to agriculture as a whole and is important to every individual farmer in the Nation. These men are entitled to great credit for rendering this outstanding service.

LATIN AMERICA'S WAR ON HUNGER AND POVERTY—ADDRESS BY MRS. FRANCES HUMPHREY HOWARD

Mr. BREWSTER. Mr. President, Mrs. Frances Humphrey Howard spoke recently at the Reserve Officers' Association Ladies' Clubs of the United States luncheon on the subject of Latin America and its war on hunger and poverty. Her speech followed a recent trip throughout Latin America during which time she visited eight countries and had contact with numerous individuals in public and private walks of life.

To a large extent the political development of Latin America rests on its economic and social reforms. Efforts to secure for Latin America, the economic and social necessities have met with surprising success.

The Vice President's sister, through her diligent and spirited contributions at the Agency for International Development, has done much to further the goals of all Latin Americans. Her remarks are especially important for they reveal the human side of the emergence of an economically sound, socially stable, and politically mature state. The pride of landownership and the prospect of self-sufficiency lend much to creating a strong and viable Latin America.

I invite the attention of all Senators to Mrs. Howard's comments on the current status of our neighbors to the south and ask unanimous consent that her speech be printed in the RECORD.

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

LATIN AMERICA'S WARS ON HUNGER AND POVERTY

(Address by Mrs. Frances Humphrey Howard, chief, Special Projects and Organization Liaison Branch, Office of the War on Hunger, Agency for International Development, at the Reserve Officers' Association Ladies' Clubs of the United States luncheon given during their Mid-Winter Conference, Sheraton Park Hotel, on February 23)

I am delighted to meet and break bread with you today. I am always interested in

groups of ladies such as you who patiently and cheerfully stand by your husbands as they stand ready and resolute to defend our country and the freedom of the world.

I have been asked to discuss with you Latin America's wars on hunger and poverty.

Only a few weeks ago I returned from a six-week trip through eight Latin American countries.

I participated in the 14th Assembly of the Inter-American Commission of Women, which is a specialized agency of the Organization of American States, as a member of the United States Delegation.

The Women's Assembly was held in Montevideo, Uruguay. I subsequently visited Argentina, Chile, Bolivia, Peru, Panama and Mexico, with a brief stop in Brazil.

In all these countries I met with heads of states, other government officials, our own diplomatic, cultural and technical representatives, leaders in the fields of nutrition, health and education and representatives of voluntary social and welfare agencies.

I have visited various welfare projects, as well as major Alliance for Progress and A.I.D. projects in the fields of agriculture, transportation, education, consumers and savings cooperatives, clearing of slums and housing.

I am happy to say—and I say this in a spirit of sincere humility—I have been received everywhere most cordially and various information media have been placed at my disposal to discuss U.S.-Latin American relations' problems related to the War on Hunger; rural youth projects; technical schools and research institutions for nutritions and family planning; techniques of community development; and the need for increasing private voluntary efforts.

If I were to give you a bird's-eye description of what is taking place today in Latin America, the pivotal words would be: *Change and transformation*.

Latin America is undergoing a major transformation into a modern society, motivated by an ambition to attain the benefits and the opportunities for self-fulfillment that economic development offers.

This transformation process and its implications are echoing even in the most isolated areas of Latin America and are progressively affecting the lives and decisions of a large segment of the region's 240 million inhabitants.

The changes under way have dramatic significance for the future, since the present pattern of population growth indicates that by the year 2000, Latin America will have a population of more than 600 million.

Latin America has many dreams. But the ones the people seek to fulfill more passionately are those of democratic growth and social justice.

They want the opportunity for the farmer to own land, to obtain credit, and to market his production at fair prices.

The opportunity for youth to obtain an education and to make an intelligent and meaningful contribution to society while preparing also to lead it within short years.

The opportunity for the worker to get work and to be rewarded properly for his labor.

The opportunity for business to invest under just and equitable laws and earn fair returns.

The opportunity for all to stand equally before the law without fear of favor and to live out their years in peace, honor, and dignity.

It is clear that we have entered a new era in the Americas—an era of sighting new horizons, of moving on toward them.

The people of all social strata are involved in this effort toward improvement and change. An effort of such gigantic proportions will require the work, devotion and perseverance of all sectors of the people of all the South American countries.

And, naturally, half the population of Latin America consists of women. We in North America are very happy to know that

Latin American women have truly emerged from their old seclusion; and have cast off attitudes and customs which for years prevented them from participating in the life and progress of their countries.

The principal impression I gained from my participation in the Women's Assembly in Montevideo and my talks with various women's groups, is that Latin American women are now aware of their new status.

They are happy to accept it, and they are willing to assume the responsibility that goes with it. They want to be prepared for their new responsibilities. They want to learn to become familiar with the new tools and to use them effectively.

The Women's Assembly adopted some thirty significant resolutions, and in the faces of all the ladies present I saw an inflexible determination to follow up and to see to it that these resolutions on such issues as economic integration; civil rights; family law; the need for establishing women's bureaus in various ministries, and so forth, are promptly and effectively implemented.

They are not only *doers*—these Latin American women of today. They want us all in North America to know what they are accomplishing in their respective fields. At a memorable meeting in Argentina, representatives of some twenty women's groups brought to me written reports of their activities in the fields of health, education and community development.

The Alliance for Progress was created to answer the needs of swiftly changing times, and indeed the Alliance already has been the engine for vast and sweeping changes in the Hemisphere.

The progress achieved by Latin America in its transformation effort in the postwar years, particularly since 1950, is apparent in these highlights:

*The region's gross product in 1966 was approximately \$82 billion, or twice the 1950 level.

*Latin America's industrial growth has been particularly impressive, having expanded by an average of 6 percent a year since 1950.

*Agricultural output has risen by 70 percent since 1950.

*Latin America's gross investment reached \$17 billion in 1967.

At least 90 percent of such investment comes from domestic sources.

Substantial institutional reforms have also been carried out.

For instance, tax and other revenues collected by Latin America's public sector have increased by 25 percent since 1960. In some of the larger countries, such as Brazil and Mexico, they have risen by 50 percent or more.

Growing consciousness of social needs, backed by foreign assistance, have resulted in notable improvements since the adoption of the Charter of Punta del Este in 1961 in such fields as education, health and housing.

In education, university enrollment has gone forward 80 percent since 1960, having reached 920,000 students in 1966. High school enrollment jumped even more—140 percent—during the same period, reaching 7.7 million students; and elementary school enrollment also increased by 80 percent, to 39 million pupils.

Offsetting this encouraging news, however, was a reminder from UNESCO that illiterate adults in Latin America exceed 50 million! Additionally, there are uncounted millions of illiterate school-age children.

The educational priority is, in effect, a cornerstone of the Alliance for Progress, lending emphasis to President Johnson's remark before the Ambassadors of the Organization of American States. As he put it, "Education must become the passion of us all."

And, I assure you, it *has* become the passion of the leaders and the people of Latin America. President Rene Barrientos Ortuno

of Bolivia recently told me, "I want to be the President of an educated people". He then described to me in detail Bolivian projects underway to teach illiterate adults how to read.

Similarly, Chile's President Eduardo Frei Montalva showed me five new reading manuals that will serve the double purpose of teaching rural adults how to read and instructing them on forming marketing cooperative for farm products and on how to use credit unions.

The Organization of American States, with A.I.D. support, is now developing regional programs in education, science and technology.

In national plans for education, I happen to know that a \$10 million education loan from A.I.D. to Chile is now being implemented. It provides for a general upgrading of teacher training and the quality of education for the lower grades and middle-level vocational schools.

Among the A.I.D.-assisted school building projects completed in 1967 were: 30 new primary schools in Panama; a 40-school construction program in Chile; and a primary school in El Salvador involving 1600 classrooms for 64,000 children.

In the field of health, improvements particularly in sanitation, epidemiology and pediatrics, have resulted in the dramatic reduction in mortality rates.

The incidence of some serious diseases has been dramatically cut. Doctors found the physical health of Latin Americans—individually and collectively—at all-time high. This, in turn, accounts, in large measure, for the region's population explosion, since birth rates have remained practically unchanged.

Shortage of housing is one of Latin America's most severe problems. Virtually all countries in Latin America are now embarked on programs designed to help bring adequate homes to their citizens.

I was amazed at the extent of slum clearance and building of new dwellings in Panama, for instance. Accompanied by the dynamic USAID Director in Panama, Mr. James Magellas, I saw scores of rebuilt city blocks.

In many cases, such house building projects are being facilitated by United States housing guarantees. The program is administered by A.I.D.'s Housing and Urban Development Division of the Latin American Bureau.

Steady progress is also made in the field of agriculture. Thousands of small farmers have now acquired the "know-how" for doubling, tripling and quadrupling their annual crop production with a corresponding increase in family income and purchasing power.

Oddly enough, these increases are possible through the use of ox-drawn plows and other primitive tools and hand-labor. Moreover, as a farmer can raise his production from 10 bushels of corn per acre without fertilizer to 40 to 80 bushels per acre with fertilizer and other improved practices, his increased income makes him a vital factor in the national economy.

Our A.I.D. missions in Latin America are assisting in the organization and management of rural electric cooperatives, credit unions, cooperative banks and consumer cooperatives.

More than 200 new credit unions were established in 1967, bringing the total to about 2,400 with a membership in 12 countries and a total of savings of about \$44 million at year-end.

Thus, a family on a remote hacienda in Ecuador may now buy a sewing machine by borrowing the money from a credit union by putting up as collateral "Elsa the cow", or a family can put a tile roof on the house by pledging "ten good sheep".

During 1967, these credit unions disbursed about \$16 million in small loans for farm supplies, education, health and consumer re-

quirements. More than 30 rural electrical cooperatives have been organized in 12 Latin American countries. Our mission technicians have been giving special technical and management training in rural cooperative operations.

Now, some of you may wish to know the extent of assistance provided by the United States to the Alliance for Progress.

A.I.D. loan and grant disbursements to the Alliance countries for the year ending June 30, 1967, amounted to \$563 million, a new high in the annual volume of such assistance.

Over the past six years—1962 through 1967—U.S. economic aid to Latin America amounted to \$7 billion. This included A.I.D. loans and grants, Food for Freedom, the Social Progress Trust Fund, and the Export-Import Bank programs in Latin America. It also includes contributions to the Inter-American Development Bank, the Peace Corps, and the Inter-American Highway.

Now, specifically, how is the War on Hunger being waged in Latin America? Before we attempt to give the answer to this important question, let us examine briefly the overall challenge of meeting the world food/population problem.

In his State of the Union message last year, President Johnson stated the problem in these words: "Next to the pursuit of peace, really great challenge to the family is the race between food supply and population increase. The race tonight is being lost."

The stark fact facing humanity is that the world is running out of food. Obviously we are now losing the race between available food and the growing number of stomachs. The world is now adding a million more people each week—most of them in the less developed countries. The flood of people has been washing away all the benefits that would accrue from foreign aid.

Hunger is not an occasional visitor but a constant companion to half of mankind. Half a billion humans suffer from too little food. Another billion lead brief half-lives because their diets lack proper proportions of protein minerals or vitamins.

I trust, most of you have enjoyed the delicious food at this luncheon today, in these very pleasant surroundings. I, for one, always enjoy good food. But I must confess that whenever I enjoy a meal, a very disturbing thought is never far from my mind. And that gnawing thought is that half the people in this world of more than 3 billion souls have never had a satisfying fully nutritious meal.

The really disturbing fact is that we are producing people faster than we can feed them, just as the English economic philosopher, Thomas Malthus predicted in 1798, that we would.

It has taken mankind since the Garden of Eden to achieve a population of 3 billion; but before the end of the century—less than 32 years hence—world population will exceed 6 billion.

The United States is of course one of the leaders in trying to find a solution to the world food/population problem. Congress has authorized the use of up to \$1.4 billion over the next two years in launching a world war on hunger.

The funds voted by Congress will mobilize the greater U.S. technology and resources by transferring American farming techniques and equipment to the developing countries, constructing fertilizer and pesticide chemical plants; establishing more extension services, and financing research for better and nutritious crops.

In today's War on Hunger it becomes a matter of the highest priority to produce more food. As Vice President Humphrey put it, "Food is life. Food is wealth. Food is power, because a nation without food is powerless."

To emphasize the importance attached to this effort and to better coordinate its ele-

ments—food, family planning, nutrition, agricultural, technical and financial assistance—President Johnson last year created a new central office in the Agency for International Development of the Department of State, devoted to the War on Hunger.

Today, 1300 A.I.D.-financed agricultural experts are working overseas; 2000 foreign agricultural professionals are studying in this country under A.I.D. auspices. A.I.D. projects are helping to irrigate millions of acres in the less developed areas of the world.

Meanwhile, the new Food-for-Freedom program will increase food aid shipments to fill the food gap while local output is being increased. The food supplied in many cases will be used as wages in rural development programs to promote self-help.

As for the problem of population control, aid is now offered under a new policy permitting United States funds to be spent for contraceptive material when it is requested for voluntary family-planning programs.

Now, how is the War on Hunger being waged in Latin America?

During 1967, more than six million Latin American school children received nutritious meals through U.S. Food for Freedom programs. Another 1.1 million pre-school children and mothers also benefited.

I found my visit to the University of Chile Nutrition Research and Pediatrics Center most interesting. I was all ears when Dr. Monckenberg, its Director, described the research work of the Center and presented some comparative statistics on the permanent mental and physical damage to children caused by poor nutrition during the first years of life.

In La Paz, Bolivia, I visited a rural school, observing such activities as preparation of school lunch in a typical campesino kitchen with locally furnished commodities balancing the Food for Peace principle.

During 1967, four U.S. industrial firms under A.I.D. service contracts undertook high-protein food studies in Latin America for the purpose of overcoming the critical protein shortage and developing marketing techniques for protein-rich food supplements.

Fifteen nationwide nutrition surveys were conducted in Latin America by the U.S. Public Health Service, in collaboration with the Pan American Health Organization and the Nutrition Institute of Central America and Panama.

In 1967, commodities valued at more than \$110 million were channeled through Food for Freedom programs in Latin America.

As for the problem of family planning and population control, Latin America, where for years talk of birth control, were most wary and private and often engaged only in whispers has in recent months been the scene of two major gatherings to explore "population policies in relation to development".

Last year's conference of the International Planned Parenthood Federation held in Santiago, Chile, brought together chiefly population experts and medical men. The more recent Caracas meeting, sponsored by the Organization of American States, the Pan American Health Organization, the Population Council and the Venezuelan Government, involved policy makers.

The chief aims of the Caracas meeting were to establish that population policies must be a part of national planning for development and to determine the role of public and private organizations in this task.

All efforts thus far by governments and private organizations to raise the standard of living appreciably in Latin America have been frustrated by the ever-soaring population.

The population of Latin American nations is rising almost 3 percent per year. At the current rate the region will double in population in 26 years. The population of the

United States, in contrast, is growing at 1.6 percent per year; India's is increasing at a 2.3 percent rate.

Some of the Latin American states have awakened to the need to check population growth. Chile permits the distribution of birth control information and devices through its public health service.

A governmental family planning unit in Jamaica and a private medical organization in Colombia are working with United States foreign aid grants. Peru has taken the preliminary step of forming a population studies center.

It is estimated that birth-control pills, currently being used by at least 1.5 million Latin American women of the upper and middle classes, are the largest selling pharmaceutical product in the region.

We trust that common sense will prevail especially in the less developed countries and the world will finally find it possible to cope with the human tidal wave.

The Food/Population problem is indeed baffling. But I am an optimist. A world that can send men to the moon and envision journeys to other planets surely should be able to devise ways to prevent people from starving on earth.

But all of us must recognize that the burden of solving these staggering world problems falls on all nations alike. The helping hand that we of the United States can and do offer represents only a small part of the effort required.

The concept of self-help must be fully realized if we are to move forward together towards the ultimate Alliance for Progress goal of bringing a better life to all the people of the Americas.

I thank you. You have been a wonderful audience.

APPOINTMENT OF GEORGE MEANY, AMERICA'S STATESMAN OF LABOR, TO HUMAN RIGHTS COMMISSION DESERVES PRAISE FROM SUPPORTERS OF TREATY RATIFICATION

Mr. PROXMIRE. Mr. President, as the struggle against repression goes on, it is heartening to see President Johnson wholeheartedly support the U.S. ratification of the Human Rights Conventions on Forced Labor and the Political Rights of Women.

He urged ratification of these treaties last October and just 5 weeks ago established the President's Commission for the Observance of Human Rights Year.

One of the 10 distinguished Americans named to the Commission by President Johnson is an outstanding statesman of American Labor, George Meany, president, American Federation of Labor and the Congress of Industrial Organizations.

George Meany's entire public career has been a living testimonial of his commitment to human rights. He supports the finest principles embodied in these conventions and for this country's ratification of them.

This outstanding American served as secretary-treasurer of the AFL from 1940 to 1952 when he ascended to the presidency of that organization. From 1934 to 1939, Mr. Meany handled the reins of the New York State Federation of Labor, coming up through the ranks of labor from his beginning as an apprentice plumber.

In addition to his official duties, Mr. Meany devoted time to serving on the National Defense Mediation Board in 1941. He also was a member of the National War Labor Board, the National

Advisory Board on Mobilization Policy, the Government Contract Committee and a representative of the United States to the 12th session of the United Nations General Assembly in 1957.

In 1959, Mr. Meany was appointed a representative of the President, with rank of Special Ambassador, to attend ceremonies incident to the inauguration of the President of the Republic of Venezuela and also represented this Nation at the 14th session of the U.N. General Assembly.

He was a key figure on the President's Advisory Committee on Labor-Management Policy, the President's Equal Employment Opportunity Commission and the Missile Sites Labor Commission in 1961.

His appointment to the President's Commission for the Observance of Human Rights Year merits high praise from all of us who support U.S. ratification of the Human Rights Conventions.

REMARKS OF SENATOR MANSFIELD IN ACCEPTING THE ARTHUR V. WATKINS DISTINGUISHED CONGRESSIONAL SERVICE AWARD

Mr. BENNETT. Mr. President, on Thursday our distinguished majority leader was an honored visitor in Utah, accepting that evening the first Arthur V. Watkins Distinguished Congressional Service Award.

Although I previously congratulated Senator MANSFIELD for this distinction in a Senate speech the day before the award ceremonies, I would now like to call attention to the remarks delivered by Senator MANSFIELD that evening.

Senator MANSFIELD makes no excuses for being a politician, in the best sense of that term. I believe he is succinctly stating the true complexity of finding oneself in a position of allegiance not only to his State and Nation, but also to the Chief Executive of the Nation, when he says:

I am frank to say that the difficulty of carrying water on each shoulder as a Senator of a state and as a Senator of the United States is greatly heightened when this third bucket is set on the top of one's head.

I commend Senator MANSFIELD's remarks to your reading and am certain you will find them enlightening.

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

REMARKS OF SENATOR MIKE MANSFIELD, DEMOCRAT, OF MONTANA, AT THE UNIVERSITY OF UTAH FOUNDERS' DAY, SALT LAKE CITY, UTAH, IN ACCEPTANCE OF THE ARTHUR V. WATKINS DISTINGUISHED CONGRESSIONAL SERVICE AWARD, WEDNESDAY, FEBRUARY 28, 1968

It has been said with considerable validity that a statesman is a dead politician. I should like to note at the outset, therefore, that it is my preference to remain for as long as possible in the status of politician. It is not that I am unmindful of Senator Watkins' efforts to lift me by his words, so to speak, to a higher plane. I appreciate them more than I can say.

I can lay claim, however, neither to the wisdom nor the irreproachability which is usually associated with statesmen. On the contrary, I acknowledge my full complement of shortcomings and more than enough mistakes in a quarter of a century of public life. To the extent that I have not reproached

myself for them, there have been political opponents enough over the years who have been ever-ready to call them to my attention.

The point that I am trying to make is that the path of political virtue is neither one-track, clearly delineated, nor brightly lit. On the contrary, in a nation and time of sharply conflicting interests, a public official has no choice but to grope in a forest of many pressures in the search for the course of responsibility.

I speak of this problem as a Member of Congress, as a Senator. The integrity of every Senator is always on the line. He learns to live with the constant stress of conflicting interests or, soon enough, he dies from it.

This stress is greater, today, than at any time in my experience in public life. At home, our institutions are seriously tested by a range of discontents and anxieties which find a most disturbing expression in the great metropolitan areas of the nation. In these enclaves of poverty and deprivation a rage of despair, alienation, and bitterness tears at a great segment of the nation's people. There are, indeed, just causes for discontent in these cores of concentrated human inequity and social ills. On the other hand, we are distracted from dealing with these causes by the violence and rioting which has occurred in many of the nation's cities in recent years and which seems once again to be rising to a new summer of simmering discontent.

A broad, our institutions are tested, too, by the inadequately understood commitments which have been assumed, notably in Viet Nam. We are in a war—deeply in a war—which seems without end or exit. Its persistence generates a grave sense of national frustration and leads to a polarization of positions in which the alternatives which are advocated seem to call for the total destruction of Vietnamese society in the name of saving it or, virtually, the overnight withdrawal of American forces from the conflict.

A Senator of the United States must try to come to grips with the many specific questions which arise out of these great issues and, of course, the many lesser problems of government. How, together with other elected officials, he forms his answers to these questions are the stuff of public policy. In the aggregate, his answers contribute significantly to the determination of the direction and quality of our national life.

A Senator does not respond to issues in a vacuum. Rather he functions under the constant pressure of conflicting interests. There is, for example, the fundamental conflict of personal affairs and public responsibility. It is not easy to draw a fine line between the right of all Americans, including Senators and other public officials, to the privacy of their personal concerns and the right of the people to have the nation's business conducted with full consideration of their interests. In a free society, personal affairs are thought to be just that: personal. Even income tax returns are filed in strictest confidence, with their improper disclosures made a criminal offense. Holding one's self open to public scrutiny is not a practice which is appreciated by Americans.

Nor do groups of Americans relish the necessity of being singled out to submit to special codes of conduct. Nevertheless, there are special codes for special situations and, however reluctantly, groups of Americans do submit to them. Lawyers, for example, recognized long ago that the special trust granted them required special canons to guide their behavior in dealings with clients. So it is in the contact between doctor and patient. In a similar vein, the Senate is now trying to come to grips with this problem as it involves the special relationship of Senator to public. What is being sought are ethical standards which would make precise the distinction between public interest and private financial concerns.

A Special Committee of Senators has done extensive work on this question. On that basis, I am hopeful that the Senate will soon be able to act to adopt an adequate measure. An effective code of financial ethics to guide Senators and staffs should be helpful not only to the Senate but may also point the way to the establishment of uniform public standards for all federal officials—elected and appointed—in all branches. The problem of possible conflicts in financial interests, after all, can present itself not only in the Senate, but also in the other branches of government.

In my judgment, the achievement of a uniform standard of ethics in this connection would serve to strengthen the institutions of government and public confidence in them. It would provide a yardstick for helping to assure that in a free society, public office remains a public trust, to be met by a special commitment of all incumbents to the public interest.

The establishment of a uniform standard should also help to curb public cynicism respecting government which is all too prevalent, especially among the young people of the nation. May I say that that is not a new state of affairs. Throughout the history of the nation, a public notion has persisted—on occasion, not without cause—that the policies and actions of the government, in one or more of its branches, are not always formed on merit, within a framework of the overall national interest. There has been suspicion that public decisions are sometimes produced by private pressures, particularly by pressures which may be generated by substantial contributors to political campaigns.

An accurate system for disclosing the sources of campaign financing, therefore, is closely related to the problem of establishing an effective standard of ethics in government. If it can be devised, and the Senate last year passed a sweeping bill for that purpose, an effective disclosure procedure could go a long way to remove the notion that the financial generosity of campaign contributors is a significant determinant of the policies of government.

As a practical matter, however, I think it must be recognized that political campaigns are an integral element in the free political life of this nation and that the cost of such campaigns has skyrocketed, especially with the ever-wider usage of television. The costs of campaigning must be met in some way. It is met now in some instances by candidates of wealth out of personal wealth. It is met, too, by the private contribution whether in the form of a five-dollar or five-thousand dollar donation; whether by a one-hundred-dollar-a-plate political dinner, or a one-thousand-dollar-a-head political gathering. Each party searches constantly for new fund-raising enterprises in order to meet the mounting costs of political activity.

In my judgment, the present methods of political financing are clearly inadequate and unsatisfactory but they remain the only methods which are available. They pose a problem which must be faced and faced soon, as an aspect of the over-all problem of the ethical conduct of government. Unless it is faced, entry into the highest elected offices of the nation is likely to be more and more shut off, as a practical matter, from broad public control. The needs of the nation in my view, require equitable opportunities for citizens to participate in the entire electoral process, from beginning to end, not merely in the final casting of ballots.

The only visible answer to this problem, so far as I am aware, is some form of direct or indirect public financing of at least major election costs, coupled with strict and enforceable maximums for all expenditures in election campaigns. Stating a solution, however, is far easier than devising a workable formula. The problem is immensely complicated. I regret to say in this connection that the Senate spent many weeks last year in trying without success to create a practical

system of public campaign financing. That we were unsuccessful, however, makes the need no less imperative. The effort must be continued, and it will be continued.

In addition to conflicts involving financial matters, elected officials are under the constant stress of what might be termed the conflicts of constituencies. A Senator is a Senator from a particular state. As such, he owes a primary political allegiance to that group of Americans who inhabit his state. He is elected to speak for them—for those who voted against him as well as for those who voted for him. He is also, however, a Senator of the United States. His oath of office encompasses the nation as a whole and is addressed to the national interest.

The problem of reconciliation of these two responsibilities is difficult, notably when questions of immediate and specific state and sectional interest arise. In the long run, however, the problem tends to take care of itself because in this day and age, it is doubtful that any Member of the Senate can serve his state's interests adequately without also serving the nation's interests effectively. More and more, the issues encompass the entire nation.

For a Majority Leader, there is a further complication. He is not the President's Majority leader, but rather the Senate's leader, elected by the majority of the Senate and serving at its pleasure. Nevertheless, the Majority Leader also has a responsibility respecting the policies of an incumbent administration. To his personal estimates of the interests of his state and the nation, therefore, he must add a sympathetic consideration of the administration's programs and he must do what he can to bring them before the Senate for decision.

I am frank to say that the difficulty of carrying water on each shoulder as a Senator of a state and as a Senator of the United States is greatly heightened when this third bucket is set on the top of one's head. Nevertheless, I have performed this function under the Administration of the late President John Fitzgerald Kennedy and that of President Johnson. Far more often than not, I have found myself in agreement with the policies of both Presidents. Occasionally, however, there have been disagreements. I do not think it is any secret, for example, that I have had my individual convictions respecting the Vietnamese problem. As a Senator of Montana, I have expressed these convictions many times. Nevertheless, as Majority Leader, I have sought to interpret to the Administration the sentiments of the Senate, as a whole, as they have developed with respect to this issue and, to the Senate, I have on many occasions tried to interpret the President's position.

There is for a Senator one other stress to which I should like to make reference before concluding. It arises from a conflict of conscience. "Your representative," said Edmund Burke in the British Parliament two centuries ago, "owes you not his industry only, but his judgment; and he is betraying instead of serving you if he sacrifices it to your opinion."

Arthur Watkins, as a Senator of this State of Utah, clearly understood this conflict. In an area of fear and apprehension which bordered upon panic, he responded to the dictates of his conscience. He carried out faithfully what has always been one of the most distasteful responsibilities that the Senate can place upon a member—the judgment of the acts of another member. His contribution, as I recall, was not a popular one at the time, but the Senate followed his leadership and history has adjusted the rightness of his course. His was an act of the highest integrity which did much to safeguard the demeanor of the Senate and the processes of orderly government in the United States. His was a decisive contribution to the direction and quality of our national life at a most critical moment.

I conclude now by accepting this award, recognizing that there are those associated with me in the Senate who are far more deserving of this singular honor. I accept it, therefore, not for myself personally, but as a kind of agent of those Americans of courage, integrity, and wisdom who, elected to serve this nation and its people in the Senate, have tried to serve to the best of their abilities.

THE SECOND MORTGAGE RACKET

Mr. PROXMIRE. Mr. President, a number of recent newspaper exposés have revealed the shocking practices engaged in by those in the second mortgage racket. Innocent homeowners have been duped into signing second mortgage notes at excessive rates of interest, sometimes as high as 40 percent. The evidence indicates a substantial area of abuse in second mortgages which exists in a number of States.

Congressman CAHILL, of New Jersey, has offered an important amendment to the truth-in-lending bill which tightens up on the second mortgage racket. First, it would require a 3-day waiting period before a second mortgage transaction can be completed. Second, it would require a disclosure of the fact that credit is being secured by a mortgage on the homeowner's property. Third, the amendment increases the legal rights of consumers with respect to those who purchase mortgages from the original home improvement contractor.

Mr. President, recently the Evening News, of Perth Amboy, N.J., has published an excellent editorial on the second mortgage problem. I ask unanimous consent that this editorial be inserted in the RECORD.

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

NEW LAWS CAN BE STRENGTHENED TO CURB MORTGAGE LOAN ABUSES

New legislation can do only a part of the job of cleaning up the secondary mortgage loan business. But there is cause to rejoice in the new legislation that has been offered.

Rep. William D. Cahill of Camden showed a real dedication to the welfare of consumers in New Jersey and throughout the country when he submitted four meaningful amendments on second mortgage credit to the Truth-in-Lending bill last week.

The House of Representatives adopted the amendments without objection the evening before it gave overwhelming approval to the whole bill.

State Sen. Norman Tanzman of Middlesex County also deserves strong praise for two bills he is sponsoring before the current session of the Legislature.

According to Cahill's amendments and several sections of Tanzman's proposed new Secondary Mortgage Loan Act, the big finance companies whose money enables deceptive loan brokers to work their outrageous schemes on the public never again would be able to deny responsibility for what the brokers do.

These finance companies have in the past hidden behind the privilege of holder in due course. This privilege says that a person who buys a debt note on the open market in good faith has a right to collect on that note despite later complaints against the person who originally lent the money.

In the case of many of the secondary mortgage loan abuses catalogued in this newspaper since September, the finance companies frequently did not buy the debts in good faith. They either knew how the bro-

kers were deceiving their clients or they were incredibly and irresponsibly naive.

Cahill's amendments say that all future assignees (purchasers) of second mortgage debts must take responsibility for the deceptive practices of their regular brokers.

The amendments protect innocent holders in due course by removing responsibility from persons who don't buy debts regularly from the same sellers, or who can prove they made a real effort to see that the debts they bought were signed in honest circumstances. The laws would hurt only those who regularly use brokers to advertise, negotiate or even sign deceptive loans when they themselves will collect the payments.

Tanzman's bill says all future assignees of second mortgage loans must be licensed by the state and live up to the terms of state law. It could be strengthened by the inclusion of its own restriction on the privilege of holder in due course to those who deserve it.

The new Second Mortgage Loan bill as it now reads needs some other amending, but Tanzman has promised to make the necessary corrections.

For one thing, the bill reduces many of the fines for violators from \$1,000 per violation under the present act to \$500 under the proposed substitute. Judging from the lack of compliance with the present act, the penalties need to be strengthened rather than weakened.

Moreover, a conflict in the wording of two paragraphs in the new bill leaves in doubt whether loans made in violation of the law would be wholly voided, or whether violators would merely have to give back the excess charges. Tanzman says he will move to raise the fines back to \$1,000 and to make clear the intent of the bill that illegally-made loans should be 100 per cent null and void.

Another bill Tanzman is sponsoring may do more to eliminate loan abuses than the beefed-up second mortgage loan act itself. That is the consumer protection bill, which contains a provision lowering the maximum interest rate on revolving charge accounts to 12 per cent (now it is 18 per cent.)

None of this legislation has yet been made law. Financial groups and other lobbies are sure to try to pressure Congress and the Legislature into paring away some of the most important provisions of the bills.

Good public servants such as Rep. Cahill and state Sen. Tanzman will need support from the average citizen during the coming months. Consumers who want lower interest rates on installment contracts and revolving credit accounts, and protection from phony holders in due course should make their opinions known now in the mail of their representatives and legislators.

Of course all the consumer protection laws in the world won't help if the finance companies think they won't be enforced. If penalties are not assessed for violations of laws already on the books, the finance companies hardly can escape that idea. The state Department of Banking and Insurance, the Federal Trade Commission and the Post Office should proceed with all prudent speed in their current investigations, and act boldly on their findings.

ARTHUR R. GORANSON INSTILLED LOVE OF MUSIC IN YOUNG PEOPLE

Mr. KENNEDY of New York. Mr. President, an era of school music has come to a close in upstate New York with the passing of Arthur R. Goranson of Jamestown, for more than 40 years a man devoted to the cause of teaching music to young people.

His sister, the late Ebba H. Goranson, who died in 1957, also taught in Jamestown and was his partner in the devel-

opment of school music not only in New York State but nationally.

Mr. Goranson was the founder and first president for 10 years of the New York State School Music Association.

He also was a former vice president of the National Band Association and had served as judge and guest conductor at band, orchestra and instrumentalist contests throughout the Nation.

He was an accomplished musician himself and both he and his sister instilled a love and enthusiasm for music in their students which brought wide recognition over the years.

Mr. President, western New York has lost a fine citizen, a loss that is well expressed in the following editorial from the February 28 edition of the Jamestown, N.Y., Post-Journal.

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

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

THE GIFT OF THE GORANSONS

Many dedicated citizens have left indelible marks on the community they served, but none quite like Arthur R. and Ebba H. Goranson, a brother and sister who made Jamestown synonymous with the finest in high school music.

The death Tuesday of Arthur R. Goranson at the age of 78 comes a little more than ten years after that of his talented sister. Between them they elevated school music in Jamestown to a peak where all over the State and farther their accomplishments were accepted with awe by others in their profession. In the decade of the 1930's particularly the local band and a cappella choir won state and national acclaim and countless honors. The band was the handiwork of Art and the a cappella choir that of Ebba. Such was the standard of musical achievement here that it was a lament of coaches that all the best physical talent preferred music to football.

Yet the teaching of music was only one facet that gave the Goransons their great leadership. Both for many years were extremely active in church music and their Christian character and devotion to their pupils set up a relationship that lasted through the years long after graduation.

Mr. Goranson reaped many tributes from far and near for his 60 years of church and school activity but none touched him more deeply than those tributes from former pupils, such as a testimonial in 1961 that brought them back to Jamestown from all parts of the nation.

Mr. Goranson came to Jamestown with his parents in 1908 when his father became music director at the Zihns Covenant Church. Later Mr. Goranson became choir director of the same church, a position he held for 34 years. He served also the Epworth Methodist and the First Methodist church, amassing a total of 42 years of such service. He had not been in Jamestown long before he and Prof. Samuel Thorstenberg, another prominent figure in Jamestown's musical history, formed the Jamestown Conservatory of Music.

"Mr. Music Man" or "Uncle Art," as he was affectionately known, accepted a position in the Jamestown schools in 1923. The late Milton J. Fletcher, superintendent, asked Mr. Goranson to start the program that led to organization of school bands and the later fabulous reputation achieved by the Goransons.

There is no medium of measurement of the joy and pleasure to juveniles and adults alike that the Goranson talent provided or the imprint they made on thousands of pupils over the many years they served together. Certainly there is a lump in thousands of throats and the "angels must be singing."

VIETNAM IS NOT STIMULATING THE ECONOMY

Mr. PROXMIRE. Mr. President, latest Defense Department statistics point to a drop in military spending for both the most current month and for the last quarter of 1967.

With the Defense Department looming as the largest single purchaser of goods and services from the private economy, changes in the rate of military expenditures can create significant repercussions throughout all sectors. For example, a 30-percent surge in Defense Department net expenditures during 1966 contributed greatly to the production and price dislocations suffered in the latter half of that year and the early months of 1967.

At present, however, current Department of Defense spending trends counteract administration arguments that Vietnam expenditures are causing major inflationary pressures. In the February "Selected Economic Indicators," published by the Department of Defense, military prime contract awards, seasonally adjusted, fell over 15 percent between December 1967 and January 1968. Compared to July 1967, contract awards were down over 21 percent. What this decline means is that military spending now is not acting as an overstimulant to the economy as it did in 1966.

The February "Indicators" also contain complete figures for the last quarter of 1967. Down the line, the fourth quarter statistics show Defense stimulation waning; reductions ranged from around 2 percent for gross unpaid obligations outstanding to over 7 percent for gross obligations incurred. The net effect: military spending has been serving as a harness rather than as a spur to the economy. In essence, tax surcharge proponents who claim military expenditures are to blame for public sector exuberance are being proved wrong.

I ask unanimous consent that the February "Selected Economic Indicators," issued by the Department of Defense, be printed in the RECORD at this point.

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

SELECTED ECONOMIC INDICATORS

(NOTE.—The attached table and chart (chart not printed in RECORD) show selected financial and employment data related to the impact of Defense programs on the economy. The data reflected in the table cover seven

major subject areas, beginning with the first quarter of calendar year 1966 and continuing through the latest month for which information is available. The chart covers three areas—obligations, expenditures and contracts—by quarter year. Explanations of the terms used are also attached.)

EXPLANATIONS OF THE TERMS USED

I. *Military Prime Contract Award.* A legally binding instrument executed by a military department or Department of Defense Agency (DOD component) to obtain equipment, supplies, research and development, services or construction. Both new instruments and modifications or cancellations of instruments are included; however, modifications of less than \$10,000 each are not included.

The series includes awards made by DOD components on behalf of other Federal agencies (e.g., National Aeronautics and Space Administration), and on behalf of foreign governments under both military assistance grant aid and sales arrangements. It also includes orders written by DOD components requesting a non-Defense Federal agency to furnish supplies or services from its stocks (e.g., General Services Administration stores depots), from in-house manufacturing facilities (e.g., Atomic Energy Commission), or from contracts executed by that federal agency.

The series does not include awards paid from post exchange or similar non-appropriated funds, nor does it include contracts for civil functions, such as flood control or river and harbors work performed by the Army Corps of Engineers. Project orders issued to Defense owned-and-operated establishments, such as shipyards and arsenals, are not included, but contracts executed by such establishments are.

The distribution by broad commodity group includes only contracts which are to be performed within the United States or its possessions. Each commodity group includes not only the indicated end item, but also associated components and spare parts, research and development, and maintenance or rebuild work. Electronics and Communications includes only such equipment and supplies as are separately procured by DOD components. Electronics procured by an aircraft prime contractor is reported as Aircraft. Other Hard Goods contains tank-automotive, transportation, production, medical and dental, photographic, materials handling, and miscellaneous equipment and supplies. Soft Goods includes fuels, subsistence, textiles and clothing. All Other contains services (e.g., transportation) and all new contracts or purchase orders of less than \$10,000 each. Commodity identification is not available for these small purchases.

Work done outside the United States refers to the location where the work will be physically performed. About 55-60% of this work is awarded to U.S. business firms, but a lesser percentage of the contract dollars

SELECTED DEFENSE DEPARTMENT ECONOMIC INDICATORS

[Dollars in millions; manpower in thousands; quarters by calendar year]

	1966				1967												1968 Jan.
	I	II	III	IV	I	II	July	Aug.	Sept.	III	Oct.	Nov.	Dec.	IV			
I. Military prime contract awards:																	
Aircraft	\$1,945	\$2,989	\$2,696	\$2,262	\$2,102	\$3,049	\$394	\$636	\$1,483	\$2,513	\$1,249	\$578	\$805	\$2,632	\$442		
Missile and space systems	1,040	987	1,314	861	1,230	1,166	535	521	524	1,580	323	429	316	1,068	348		
Ships	355	491	876	239	679	407	178	104	135	417	153	147	110	410	109		
Weapons and ammunition	555	1,486	692	940	818	1,769	92	415	597	1,104	454	451	439	1,344	226		
Electronic and communications equipment	918	1,574	666	915	971	1,848	169	364	283	816	272	247	305	824	359		
Other hard goods	843	1,842	660	1,029	915	1,564	202	355	228	785	252	153	248	653	246		
Soft goods	709	922	1,078	989	638	652	588	280	188	1,056	175	118	198	491	437		
Construction	207	392	198	150	232	626	56	100	76	232	56	44	113	213	61		
All other	1,406	1,963	2,356	1,639	1,605	1,987	1,194	568	573	2,335	522	486	649	1,657	457		
Total (excluding work outside United States)	7,978	12,646	10,536	9,024	9,190	13,068	3,408	3,343	4,087	10,838	3,456	2,653	3,183	9,292	2,685		
Total seasonally adjusted	8,703	10,144	10,716	10,149	10,171	10,667	3,610	3,686	3,665	10,961	3,665	3,329	3,467	10,461	2,862		
Work outside United States	521	1,195	856	672	453	834	314	382	195	891	193	117	145	455	288		

SELECTED DEFENSE DEPARTMENT ECONOMIC INDICATORS—Continued

[Dollars in millions; manpower in thousands; quarters by calendar year]

	1966				1967								1968	
	I	II	III	IV	I	II	July	Aug.	Sept.	III	Oct.	Nov.	Dec.	IV
II. Gross obligations incurred:														
Operations	8,326	9,604	10,426	9,702	10,229	11,435	3,700	3,835	3,689	11,224	3,776	3,374	3,663	10,812
Procurement	4,374	8,539	5,368	5,276	5,113	8,948	1,045	1,894	3,215	6,154	2,699	1,717	1,876	6,292
Other	2,429	3,470	3,453	2,230	2,519	3,510	1,246	1,062	1,112	3,420	860	665	669	2,194
Total	15,129	21,613	19,247	17,208	17,861	23,893	5,991	6,791	8,016	20,798	7,335	5,755	6,208	19,298
III. Gross unpaid obligations outstanding:														
Operations	3,828	3,777	4,792	5,024	4,644	4,513	(1)	5,115	5,267	5,267	5,270	5,050	5,150	5,150
Procurement	18,023	22,119	22,736	23,173	22,780	25,248	(1)	23,874	24,925	24,925	25,423	24,982	24,856	24,856
Other	5,747	7,392	8,179	7,888	7,626	8,270	(1)	8,559	8,722	8,722	8,598	8,340	8,082	8,082
Total	27,598	33,288	35,707	36,085	35,050	38,031	(1)	37,548	38,914	38,914	39,291	38,372	38,088	38,088
IV. Net expenditures:														
Operations	\$7,689	\$9,076	\$8,968	\$9,087	\$10,002	\$10,731	\$2,898	\$3,722	\$3,382	\$10,001	\$3,641	\$3,456	\$3,397	\$10,494
Procurement	3,651	3,886	4,392	4,264	5,074	5,282	2,037	1,982	2,041	6,060	2,005	1,890	1,704	5,598
Other	2,757	2,647	2,484	3,092	3,160	2,001	1,231	883	933	3,047	790	847	724	2,363
Total	14,097	15,609	15,844	16,443	18,236	18,014	6,166	6,587	6,356	19,108	6,436	6,194	5,825	18,455
V. DOD personal compensation:														
Military	3,181	3,249	3,551	3,606	3,624	3,646	1,310	1,260	1,272	3,842	1,264	1,297		
Civilian	1,937	2,015	2,105	2,135	2,170	2,248	736	793	742	2,271	773	772	787	2,332
Total	5,118	5,264	5,656	5,741	5,794	5,894	2,046	2,053	2,014	6,113	2,037	2,069		\$330
VI. Outstanding payments:														
Advance payments	66	79	90	83	92	80					110			134
Progress payments	4,402	4,346	4,750	5,461	5,981	6,765					71,79			7,491
Total	4,468	4,425	4,840	5,544	6,073	6,845					7,289			7,625
VII. Strength (manpower):														
Military	2,969	3,094	3,229	4,334	3,371	3,377	3,382	3,393	3,412	3,412	3,416	3,412	3,398	3,398
Civilian	1,088	1,138	1,184	1,230	1,268	1,303	1,311	1,306	1,274	1,274	1,277	1,277	1,271	1,267

¹ Not available.² Revised.³ Preliminary.

Note: Open spaces for indicators other than No. VI indicate information not available at time of publication. Indicator No. VI information available only on a quarterly basis. Totals may not add due to rounding.

WE SHALL NONE OF US ESCAPE

Mr. PERCY. Mr. President, the report of the National Advisory Commission on Civil Disorders has received a great deal of attention over the weekend. There has been much talk about the seriousness of the situation and whether or not anything can be done to eliminate or alleviate the possibility of riots this summer. Though the maintenance of law and order in our cities is of great importance, the real message of the Commission report is to be found elsewhere. To use the Commission's own words:

It is time now to end the destruction and the violence, not only in the streets of the ghetto but in the lives of people.

The Commission report clearly points out the extent of our urban sickness, the basic causes and the need for an urgent response from the white majority as well as the minorities. However, it is equally clear that the response cannot come from the top down, but must come first from the heart of each American citizen and then realized through organizations at the local community level.

It is the mayors of our cities who, because they struggle with the myriad of problems in the city on a daily basis, best know the needs and frustrations of the urban areas. Therefore, it was with great interest that I listened to "Meet the Press" yesterday and heard an excellent discussion of the report by six distinguished mayors from across the country. Lawrence Spivak provided a fine service to the Nation by inviting these mayors to discuss the report for their wisdom and experience was extremely helpful in placing these matters in proper perspective.

I ask unanimous consent that the

transcript of this program be printed in the RECORD so that Senators may note their suggestions and comments.

The report speaks to the individual American more than to any particular organization or group of organizations. But it is clear that the Congress has a special responsibility to lead the country by enacting programs which will offer the opportunities to enable all Americans to become equal citizens. I hope that everyone will read the report as well as engage in discussion about it. But more importantly to make the report meaningful, each citizen must apply its message to his own life. The value of such a report lies not in its clarion call, but rather in its implementation.

This is what must be done—it is what will be done, for if we fail individually or collectively, the Commission warns, "we shall none of us escape the consequences."

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

MEET THE PRESS

(Produced by Lawrence E. Spivak, Sunday, Mar. 3, 1968)

Guests: Mayor Jerome P. Cavanagh, Detroit; Mayor Hugh J. Addonizio, Newark; Mayor Carl B. Stokes, Cleveland; Mayor Henry W. Maier, Milwaukee; Mayor Sam Yorty, Los Angeles; Mayor Ivan Allen, Jr., Atlanta.

Moderator: Edwin Newman, NBC News.

Panel: Haynes Johnson, Washington Evening Star; Samuel F. Yette, Newsweek; Richard Valeriani, NBC News; Lawrence E. Spivak, Permanent Panel Member.

Mr. NEWMAN. The President's Special Advisory Commission on Civil Disorders has just released a report on its seven months' investigation of urban problems. Our guests today in this special one-hour edition of

Meet the Press are the Mayors of six major cities which have had serious disorders. They are Mayor Jerome P. Cavanagh of Detroit; Mayor Hugh J. Addonizio of Newark, Mayor Carl B. Stokes of Cleveland; Mayor Henry W. Maier of Milwaukee, Mayor Sam Yorty of Los Angeles and Mayor Ivan Allen, Jr., of Atlanta.

We will have the first questions now from Lawrence L. Spivak, permanent member of the Meet the Press Panel.

Mr. SPIVAK. Mayor Cavanagh, now the Commission on Civil Disorders' report says that white racism is at the heart of the problem which has led to civil disorders. Its words are "white institutions created it, white institutions maintain it and white society condones it."

Now, based on your own experience in your city which had a series of disorders, do you agree with that indictment completely?

Mayor CAVANAGH. I think yes, I must agree with that indictment. I think it is at the heart of the problems which have occurred in Detroit, as well as every other city in the country. I think this whole question of racism, both white and black, I might add—and there is black racism also—really is the most consequential thing which that report has pointed out. I think it is a good report; I think the consequences of not doing what that report suggests are most serious.

Mr. SPIVAK. Mayor Addonizio, you had one of the most serious riots in Newark. Do you agree with that conclusion?

Mayor ADDONIZIO. Yes, I agree basically with that conclusion. I think Mayor Cavanagh and I are certainly in the same area there. I would think this is probably the most serious problem that faces America. I think I have been saying now after six years as Mayor of the City of Newark, and I would hope now that the Presidential Commission has come out with this report, that truly America would be concerned and would do something about it.

Mr. SPIVAK. Mayor Stokes, your riot took place before you became Mayor and I don't mean to put you in that context, but I would

like to ask you about the basic conclusion which the Commission reaches and that is that our nation is moving towards two societies, one black, one white, separate and unequal.

Now I believe there are many Americans who believe that the very opposite today is true, that we are making progress. Now, what do you think?

Mayor STOKES. I think that you are making progress if you talk about single or very small illustrations of breaking out of the confines in which this whole situation has placed us, but if we take the vast body of the Negroes, there is no question about it that they are still confined, both by way of their living conditions and areas, by way of employment, by way of having visited upon them all of the unmet environmental needs. All of these things continue to perpetuate that which has been a feature of our country, namely a separation between the races. Unless in fact the recommended massive applications of both attention as well as funds and corrective remedies are applied, then I would have to agree that we are headed for almost an irrevocable separation of the two races in this country.

Mr. SPIVAK. Mayor Yorty, the Watts area of Los Angeles had the first serious riot. Do you agree with the conclusion, on the basis of your own experience?

Mayor YORTY. I agree somewhat. Of course, I don't think that we should have been the first to experience the riots. As I pointed out many times, the year before the National Urban League said we were the best city in the United States for Negro people.

I don't think it is fair to accuse all whites of racism with one big broad stroke, but I think any fair-minded person would admit very readily that there has been discrimination in our country and that it reached the point that the Negroes were angry, even Negroes who were well off were angry and I think that their anger was justified on the basis of the long discrimination against them.

Mr. SPIVAK. Mayor Allen, for a long time the North especially thought that racism was present only in the South. Now you are the Mayor of one of the southern cities. What do you think of that conclusion?

Mayor ALLEN. No, I think it is a universal problem or a national problem. I feel that racial discrimination and segregation plus the immigration of millions of Negro citizens into the urban centers of America have created the most serious domestic problem that the nation has ever been confronted with.

Mr. SPIVAK. Mayor Maier, would you say from your experience in Milwaukee that the white society of Milwaukee condones racism?

Mayor MAIER. Well, I think that in the sense in which the Commission was speaking—and I believe the definitive sense of the Commission's attitude is that the white power structure has not done enough to alleviate the conditions of the ghetto and I think that it can be said, certainly, that in this sense alone I do not think that the influentials of our community have done in years past what they ought to be doing to alleviate the conditions of the ghetto, but this applies not only to the racial issue but it applies to people who are hemmed into a general ghetto which includes people other than non-whites.

Mr. YETTE. Mayor Cavanagh, if your Police Commissioner called you tonight and said that he must talk with you on a matter concerning Operation Sundown, to what would he be referring?

Mayor CAVANAGH. Well, Operation Sundown is the term that I think the National Guard has assigned to the mobilization of their resources in Michigan, or particularly in the Detroit area, the mobilization plan, the new refined and amended plan which the National Guard itself has. That is not a name, if I am not mistaken, that our Police Depart-

ment has given to any kind of mobilization plans of their own.

Mr. YETTE. Do you have a mobilization plan of your own?

Mayor CAVANAGH. Yes, I think obviously I must say we do have, because we do. It has been certainly changed since last summer. Any city that went through what Detroit or many other cities went through that did not learn, and learn the very difficult, hard and agonizing lesson I think would be either naive or very foolish, and we have, and as a result I think we are much better able to respond more quickly and more promptly to disturbance.

Let me emphasize, though, that as important as that is—and I do ascribe considerable importance to it—we also are emphasizing considerably the preventive measures, the root causes of riots and I think to isolate them out is really a mistake.

Mr. JOHNSON. Mayor Addonizio, one of the central conclusions, it seems to me, in this report just issued deals with the problem of police brutality and the wanton shooting that occurred during the riot cities last summer and they detail accounts in Newark where this happened there, and the Commission comes up with the idea that there should be police review boards established and yet just last week you rejected such an idea for your city. Why did you do that?

Mayor ADDONIZIO. Well, Mr. Johnson, I did not see the full report. I did read a summary. I do not come to the same conclusions that you do. I think they brushed over that matter rather lightly and I think that they indicated that there should be rather a central complaint area which all complaints could take in, not only as it pertains to police, but I think the whole gamut of city agencies.

This is what I suggested when I turned aside the review board in my city. I talked about an ombudsman plan that they have in the Scandinavian countries and I indicated that that matter ought to be studied to see if it could apply to my city and I suggested that that report be submitted to me in 45 days.

Mr. JOHNSON. To be more specific, what steps have you taken since the riots to build better police-community relations in your own city? You are talking about a plan that may occur in 45 days.

Mayor ADDONIZIO. I think, Mr. Johnson, you ought to understand that first of all we had one of the only police-community relations programs in the nation, funded through the Federal Government, which took place even before the riots. I think, too, that there has been, certainly since the riots, more communications between our Police Department and the community. We are now in the process of establishing storefront areas for police and I think overall that the picture is steadily building up to a better understanding between the community and the Police Department. However, I must say that I think the police is only one small part of how the riots, at least in our city, affect, generally, the whole gamut of complaints.

Mr. VALERIANI. Mayor Stokes, the thrust of the Commission's report seems to take the burden off rioters and place it on the white society. Yet so many Negroes make it out—do make it—make it out of the ghetto and they make it in life.

Do you think the report fails to emphasize the self-help measures that the Negro community should adopt?

Mayor STOKES. I would think in that respect there is plenty that—the burden has been placed on the Negro continuously. "Pull yourself up by your bootstraps," you know. The very people who do not have any boots. There have been all sorts of riotings. This is the first time now that there has been a report which placed the focus, the burden, on the primary party that is responsible, here, and in that regard, for you to try to denigrate the report, diminish it in any kind

of way, by saying, "You should have included what they ought to be doing themselves," is ridiculous. I can just show you volumes of things that are written all year long about "Why don't you do for yourself" while at the same time the institution precludes you from doing for yourself. You have to take a look at those who have prepared themselves and then tried to break into the white corporate ranks or into the white university structures, or into the other areas of business. Or, for instance, every—in almost every community in this country where you have Negroes running, unquestionably the Negro who is running is a man of high quality, high preparation. And yet he will run into that barrier of discrimination based not on his qualifications, but on his race. So I would just say that the Commission did a service this time in just taking who has the primary responsibility. It does not ignore what in fact the Negro or anyone of the other non-white groups could and should do for itself if it has the opportunity to do those things.

Mr. VALERIANI. Mayor, the report does seem to skim over black racism. In the ghettos, don't you also encounter black racism that also exacerbates relations and serves as a barrier to better communities?

Mayor ADDONIZIO. Unquestionably. To every action there is a reaction. But you will never be able to compare racism on the part of the Negro with the racism to which he is reacting. I think one of the fundamental things that the Commission must have found in its investigations is that basically the Negro reacted to the racism practiced upon him but the racism coming from the white sector was voluntary instilled and engrained factor which then created the reaction on the part of the Negro, but not even yet with all of the deprivations upon him, in any amount, in relationship to the original racism on the part of the white person.

Mr. SPIVAK. Mayor Yorty, after the trouble in Watts, it was reported that you said that you defied anyone to name anything you could do that you hadn't done to prevent a riot.

Now, does the Commission Report tell you anything that you might have done to prevent a riot that you hadn't done?

Mayor YORTY. Well, in the sense that everything was done that could be done, I wouldn't have used that phrase. I meant, as Mayor, with limited power, I had done everything that I could do and I got very little support from some very strong elements in our community for doing anything for the Negroes until after the rioting. So I am not one of those who says that the rioting didn't actually, as bad as it was, have some constructive results. There were a lot of people who didn't recognize the plight of the Negro and the discrimination was suddenly panicked and wanted to find somebody to blame for what had happened when they hadn't been cognizant of the problem at all. Even a great newspaper in my community didn't even have a Negro reporter to go and report the facts. Then suddenly they started blaming me, ignoring the fact that I had completely integrated the Los Angeles City Government in 1961.

Mr. SPIVAK. Well, have you yourself done anything since the riots to make the changes? What have you done?

Mayor YORTY. We have done many, many things. Of course, the Police Department program of community relations is, I hope, growing in effectiveness. We have a City Human Relations Commission which I never could have gotten authorized before the riots, but I think that the best things that are happening are happening as a result of a merging Negro leadership, with the help of some of the President's programs and I think the President deserves more credit than he gets for seeing this problem and trying to get some finance. But the Industrial Union Department of the AFL-CIO has a program go-

ing in the Watts area, south-central Los Angeles, that I think is truly effective and may be a model for the nation.

Mr. SPIVAK. Well, do you think conditions have been improved enough so that you are not likely to have another riot this coming summer?

Mayor YORTY. One, of course, never knows for sure, but I would say that since 1965 conditions have improved sufficiently that we should not have a riot and I don't think we would have had a riot in Los Angeles in 1968 if the people had not been watching what was going on, on television, in other parts of the country.

Mr. YETTE. Mayor Allen, the report states that less than two weeks prior to a racial flare-up in Atlanta last June the Ku Klux Klan—and now I quote the report—"marched through one of the poorer Negro sections and the massive police escort prevented the racial clash." Will you tell us, sir, why your massive police force was escorting the Klan rather than preventing such an inflammatory excursion?

Mayor ALLEN. Well, we extended the same right to the Klan to march that we do to any other demonstration. They have the right to march down the streets. We merely put the police there in order that adequate protection for the members of the Klan, as well as for the citizens that gathered to watch it, could be fully carried out. That is the way that you protect law and order; that is the way you bring about an orderly demonstration; that was the purpose and the reason for the police department escorting the Klan march.

Mr. YETTE. Well, sir, are you suggesting that the activities of the Klan are legitimate?

Mayor ALLEN. No, I don't suggest that the activities of the Klan or what they have carried on through the years is legitimate. We have made vigorous efforts in public denunciation to rid ourselves of it. There have been laws passed in the state, but apparently the Ku Klux Klan still has the right to organize and they still have chapters all over the nation, and although I, for one, would like to see them entirely eliminated, apparently the laws of this country do not provide for that type of elimination.

Mr. YETTE. The report recommends income maintenance for persons below the poverty wage level and some such guaranteed income as may be mentioned in, say, some Model Cities Programs. Do you favor income maintenance in your Model Cities Program?

Mayor ALLEN. I certainly favor an improvement in the present welfare system. I think that we are coming directly to a guaranteed income of some type. It may be on a minimum scale, but obviously we are going to have to find a better way than the present method of welfare payments to take care of the poor and the impoverished in this country.

Mr. JOHNSON. Mayor Maier, as I understand it, you are running for Mayor again or are just about to start a campaign and, if the press is treating you fairly, they are quoting you as saying you want to continue the crusade for resources, for homes and for jobs.

Where are those resources coming from?

Mayor MAIER. Well, a long time ago, at least a half a decade ago I introduced in the National League of Cities, and Mayor Cavanagh supported it very vigorously at the time, a resolution that called for a reallocation of national resources.

Now implicit in the Commission's report is the embodiment of this idea. I said that nationally we should take, for instance, from the Space Program, perhaps we should take from Agriculture, if possible from the military, and devote these resources to the problems of our cities. At the state level I have campaigned to revise the state formula of state aids and shared taxes. We are now preparing a constitutional suit on the way our state agency shared taxes are distributed. I

have also introduced a program designed—called—"The War on Prejudice," and designed to bring the resources of the metropolitan area, including the suburbs, to bear on many of our basic problems.

Mr. YETTE. One of the points in the report, of course, is we don't have the funds now. It doesn't mention your city, but I think it says what the government is spending today for programs in Detroit comes out to about \$35 per poor person and in Newark about \$21 per poor person. Should we raise taxes as a

Mayor MAIER. Well, the report strikes at the very heart of what I was talking about earlier in supporting the resolution in the National League of Cities and what I have been trying to do in our locality and in our state. The report says that you cannot finance the central cities.

In other words, the property tax was never designed to finance the problems of poverty and I think very largely we are talking about the problems of poverty. And I think that the report outlines very clearly that we have got to have state action, we have got to have national action, we have got to have incisive metropolitan action if we are going to move against the problems that the Commission was dealing with.

Mr. VALERIANI. Mayor Cavanagh, the commission's report strongly condemns what it calls mass destruction weapons to control riots. Yet I think you have asked your City Council to purchase about \$9 million worth of things such as armored cars and other equipment to control riots. Would you comment, please?

Mayor CAVANAGH. I would be delighted to comment. The Council authorized a \$7 million emergency bond issue, most of which by the way went in payment for city employees' overtime during the course of the riot.

Much of it is going for new fire equipment, which either was needed or destroyed during the course of the riot. There is less than a million dollars going toward police equipment. Most of that, replacement equipment. Stoner rifles, tanks, are not being purchased by the Detroit Police Department, and I think that ought to be put in the kind of perspective in which it belongs.

All police departments, I am sure, need certainly better professionalization, better technique and better equipment to deal with not just the problems of crime on the streets but it is necessary to insure in the hearts and minds of all people, whether they be white or Negro, that government has the ability if called upon, to be able to maintain order in our society, and I think one of the very damaging things happening in this country today is this whole question of fear and rumors that are spreading throughout every community in America, and we need a degree of sanity to be restored in this nation and, unfortunately, the fears and the stories about standing armies and so on just don't help at all.

I consider that one of the most consequential things that has taken place and that is why this report, by the way, Mr. Valeriani—just to wind up this answer—really should have the attention which it deserves, because what previously might have been a matter of principle with most people now, through this report—and, incidentally, the report merely says what a lot of us have been saying for the last five or six years—now should be a matter of really enlightened self-interest on the part of the majority of our citizens in this country.

I hope that is its effect and I hope it has the effect upon our national government of creating something we don't have in America and that is a national urban policy which we do not have.

Mr. VALERIANI. To be clear, Mayor, are you saying Detroit is not going to buy an armored car for riot control?

Mayor CAVANAGH. We don't have any authorization to buy armored cars if my recol-

lection of the authorization is correct, and I am quite sure it is, Mr. Valeriani.

Mr. VALERIANI. You haven't asked for any?

Mayor CAVANAGH. Yes, there was a request originally made that bond authorization be given to the acquisition of some kinds of that equipment. This authorization, though, through compromise between the Mayor's office and the Council was whittled down to the figure I just mentioned.

Mr. SPIVAK. Mayor Addonizio, have you any idea how much money the City of Newark needs to solve the problems that will prevent future civil disorders?

Mayor ADDONIZIO. Mr. Spivak, that is quite a question. First of all, I think I would need about \$300 million just to take care of the area of education. We presently have before us a \$51 million school construction program just to take care of the shortage of classroom space. We need another \$250 million for school construction generally because all of our schools are antiquated, and so forth.

We did not have a new school built for almost 30 years, before I became Mayor of the City of Newark, so I am sure that this indication will show you what the needs are as far as money is concerned, in my community.

Mr. SPIVAK. Well, what about the city itself, is there nothing that the city itself can do about more money, do you have to go to the Federal Government?

Mayor ADDONIZIO. I have practically sent our city bankrupt trying to meet the problems in our community. We have reached our bonded capacity, the limit. We are spending twice as much money in education as we were before I became Mayor.

We have a very serious problem. We have the highest tax rate of any city our size in the country. And unless the Federal Government and State Government step in and help our community, I doubt very much whether there is any kind of a future for the city of Newark.

Mr. SPIVAK. Well, are you saying that there isn't anything that the city can do without money, that everything must be money, that you, yourself, cannot do much to improve it?

Mayor ADDONIZIO. No, I haven't said that, Mr. Spivak, but I must insist that money is most important.

Mr. SPIVAK. Mayor Addonizio, you were a member of Congress before you became Mayor. You know you are not very likely to get all the money you want out of Congress. What happens if you don't? Where are you going to get it?

Mayor ADDONIZIO. Well, I don't believe that the Commission's call for massive spending is in any way unrealistic. Certainly the money may not be forthcoming at once, but I think we have to condition our nation and our people to the fact that it must be spent. I would hope that the Congress would recognize these very serious problems and would certainly recognize that they must appropriate additional funds, which I haven't seen forthcoming since the riots.

Mr. SPIVAK. My question, Mr. Mayor, is what are you going to do if you don't get the money from Congress and you apparently are not going to get it?

Mayor ADDONIZIO. Well, we have made a beginning in many areas in our community. We have resolved the very controversial medical school problem in our community just this recent Friday. We have started an urban coalition. We have appointed a Negro police Captain to a precinct command.

There are many things taking place in my community which I think help meeting the problem. However, there must be massive spending, on the part of the Federal Government and on part of state governments.

I testified before the Commission about two things that I deeply believed and that is, namely, that society must make up its mind to accept black Americans as equals and that it also will take an infusion of billions of dollars to correct this situation.

Mr. YETTE. Mayor Stokes, the early reactions to this report at the federal level indicate that little will be done towards its implementation in view of the astronomical costs of U. S. involvement in Vietnam.

Do you, sir, support U. S. involvement in Vietnam, even if it means that these recommendations will not be implemented?

Mayor STOKES. Well, I reject the position that in order to meet these problems that you have to resolve the Vietnam question. I don't believe it. I believe that this country has the resources, has the potentials, to have both a guns and butter economy, and I say that anyone who permits either the Administration or the members of Congress to fall back on an excuse of not meeting domestic problems because of defending our national interests, are doing nothing but to help a failure on the part of those who have the responsibility, the primary responsibility of fighting the domestic war that must be incurred. And I might say here at this point, I don't want to put everything on the Federal Government because this is in relationship to Mr. Spivak's question.

There are some things that local government can do. I inherited, for instance, a government that for 25 years had been so penurious that it had reached the bottom in doing the kinds of things, in providing services for people, and I have gone to our Council now, for instance, with an increase in an income tax in order to provide better, from the local government's share, what it should be doing in order to provide services to people and to meet our needs. But to the extent that we do this on the local level, also I hold liable those on the national level, and there is no question in my mind but that the Administration has been less guilty in this regard than has Congress, that has consistently used the excuse of fighting the Vietnam War and cutting down on the domestic problems. And yet any time that we need an appropriation for something that is sexy and dramatic, to Congress, they are able to come up with this money and I say whatever one's position is in relationship to Vietnam, do not let those who are responsible for the money needs of the domestic problems avoid that responsibility.

Mr. YETTE. But, Mayor Stokes, if we must narrow this to one question, the political reality may in fact leave it just that way. What would your choice be if the choice is Vietnam or implementation of these recommendations?

Mayor STOKES. I have to put my priorities on home. You have got to take care of home first.

Mr. JOHNSON. Mayor Yorty, would you agree with Mayor Stokes?

Mayor YORTY. I am not sure that I would. I, of course, accept the fact that the home must have a high priority but when you get 500,000 Americans out in Vietnam dependent upon us for their lives and their lives are being risked, I think giving them everything they need to protect themselves and try and win the war has to be No. 1. But, following closely along Mr. Stokes' line of reasoning, I feel that we can do more at home at the same time than we are doing, but that means convincing Congress that the people are willing to accept the higher taxation, and so far President Johnson hasn't been able to do that. Congress doesn't have any money and when we talk about Congress and money, that is fallacious. Only the people have money and the only way Congress can get money is to go to the people and the people have to be willing to accept this taxation, or this hang-up between Vietnam and domestic expenditures cannot be solved.

Mr. JOHNSON. Let me ask you just another question about your own feeling about race relations in Los Angeles. You gave us a rather optimistic appraisal a while ago.

The President's report here says that it found no evidence of a conspiracy behind the

riots of this last year. When you testified in Congress, I believe you said that you thought there were evidences of conspiracy, of communist groups infiltrating and so forth.

Mayor YORTY. I didn't say I thought; I know there are. I think every Mayor of a big city has intelligence services, and we know that there are people coordinating protest-type demonstrations; sometimes coordinated all over the world on the same day, and their intentions are to try and cause riots. Many organizations are openly in the field and communist-backed. They are trying to take advantage of the situation that exists, to worsen it rather than to try to solve it.

Mr. JOHNSON. What are the names of one of them, Mayor Yorty?

Mayor YORTY. Well, so-called "RAMS," The Revolutionary Action Movement. There is no question about some of their connections and they certainly do not disguise what their intentions are and we are very concerned about the type of armaments that they may have now.

Mr. JOHNSON. There is one more question that I may just ask you along that line: Has the report been wrong, is this a whitewash, do they just brush this aside? Are there conclusions? How do you interpret this?

Mayor YORTY. I think what they were saying is that they did not feel, for instance, there was a conspiracy to cause a riot in Watts on a given day, and on that I would agree. There were a lot of agitators in Watts, but also there were a lot of problems. There was an agitational atmosphere existing and I think, based not only on the problems there, but what was happening in other parts of the country that were viewed on the TV, and it took a spark to set this off and once it is set off, then I know the communists tried to move in and throw gasoline on the fire.

Mr. VALERIANI. Mayor Allen, to go back to Mr. Spivak's original question, while you recognize the dimensions of the problem, do you agree with the Commission's basic conclusion that white racism is essentially to blame for it?

Mayor ALLEN. Yes, I agree with the report as made by the Civil Disorders Commission. I think that they have been factual, I think that they have been sound, I think that they have recognized the fact that white racism is a problem in it, that we are responsible for the condition that the Negro citizen is in today, that we have been the leadership group in this country. We have failed to live up to our obligations in the past. The time has come when we should do something about it, and it is a matter of first priority that we do what this Commission reports and that it be accomplished within a reasonable length of time.

Mr. VALERIANI. What can you do in Atlanta, sir, to eliminate racism from your city government?

Mayor ALLEN. Well, unfortunately, I would have to say to you that in the last eight or ten months that the gap between white and Negro has vastly increased all over the country. And this is indeed unfortunate. It behooves leadership at all levels to try to close that gap, to try to take the necessary steps to make a Negro citizen a full American citizen so that he can be accepted. It is a responsibility of leadership to provide sufficient funds—in this instance both at a local and, I hope it will be recognized, at a state level, and certainly at a federal level—to implement this type of program, these types of programs that are recommended in this report.

Mr. VALERIANI. Well, Mayor, the report notes that after the trouble in the Dixie Hills area in your city, that city services were vastly improved but that lasted for only about a month and a half and then discontinued. Is this the way to bridge the gap?

Mayor ALLEN. Well, the report in that instance does not tell the whole story and I do not expect the report to tell the whole

story in every instance. City services went back to normalcy after the city has moved in, after the wreckage. You know a city always has to follow up any wreck, whether it is an automobile accident or a drowning or a fire or a race riot. We have to move in and clean up the debris and build it back into a state of normalcy and that is what you do. You go in and you provide additional facilities.

Yes, the cities do go in, wherever there is a problem. If you want to take the position that this is rewarding the rioters, perhaps you can take this position. It is not that. It is the fact that a difficult situation arises and you must move in and take corrective action to try to prevent it from happening again.

Mr. SPIVAK. Mayor Maier, based on your experience in Milwaukee, is there anything of significance the Commission omitted?

Mayor MAIER. Well, Mr. Spivak, I want to say first of all, I think that this is a very good report and secondly, I want to say that I appreciate the fact that it deals in multiple variables and recognizes there is no one variable solution to these problems. However—and I appreciate, also, the Commission's humility, because the Commission said: This is just a beginning, and the Commission said, there are no simple answers.

The thing, Mr. Spivak, however, that I think the Commission did fail to deal with is a very important overriding problem and this is the problem of coordinating the structures that are involved and the entities that are involved in the problems.

Let's take one specific case: Let's go right down to the bottom and look at what we are talking about, really. Let's take the case of a problem family. There is no father. There is a mother who is the head of the household. There is a delinquent child in the family. There is a mentally retarded child. And then sitting over in the corner there is grandfather. Now to help this family we have agencies involved, everything from, let's say, a city health agency to the psychiatric case of a county agency, and our psychiatric problems are handled by the county in our area. Then you have the federal benefits such as Social Security, and this thing can add up to a whole maze of some 30 possible agencies involving the city, the county, the state, and the Federal Government, and yes, the private sector.

Mr. SPIVAK. What do you think ought to be done about it?

Mayor MAIER. Well, the thing is supplicated from top to bottom. We have now a general in HUD, we have a general in OEO, we have a general in HEW, at the top and each one of these generals goes down the line to deal with generals at the county level, the city level, the private sector. And I think that what we ought to have is something—if we look upon this as a war against the ghetto, or whatever term you use for blighted areas, that I think we need something that parallels a Joint Chiefs of Staff, starting at the top, and some models of coordination going down to the bottom, and also a particular recommendation on the necessary input authorities to do the job that has to be done.

Now, every Mayor here knows about this.

Mr. SPIVAK. You are not suggesting that this whole business should be turned over to the mayors who, you must admit have made a pretty sorry mess in the past?

Mayor MAIER. Well, now, Mr. Spivak, let me say this: If the mayors have made a sorry mess of it it is because, for instance, in the social environment—and we have charted this in our metropolitan area—there are 300 separate entities dealing with the social environment alone. There are 170 dealing with the economic environment. There are 135 dealing with the fiscal environment and these problems involve the social and the economic and the fiscal.

In other words, the mayor, for instance, of Milwaukee, and the government which he

works with, has less function involving the social environment than either the county, the state, the private sector, or the federal government, and yet when a marcher comes in and you try to say to him on a particular proposition "Now we have to enroll—"

Mr. SPIVAK. May I interrupt a minute?

Mayor MAIER. Surely.

Mr. SPIVAK. Then why don't you do something about it in your city, why don't you do something about it on your local level rather than go to the federal government and demand things of them?

Mayor MAIER. How can a mayor get the authority to coordinate a separate entity of government at the county, a separate entity of government at the state and a separate entity of government in the national agencies? He cannot possibly get the authority to do this. Most mayors are working as best they can, running to the county, to the common councils, to the state and to the federal government, trying to coordinate these various things.

Mr. SPIVAK. Mr. Mayor, are you saying the situation is hopeless? I don't understand what it is you are trying to say.

Mayor MAIER. I do not say the situation is hopeless. I am saying this, that if we have enough sense to coordinate this thing from the top down, in terms of organization and models of organization, the input authority, we can move much, much better against our problems now. For instance, in the case of the problem family, there is an inter-reaction in that family and you can't solve those problems by separation.

Mr. NEWMAN. Mayor Maier, something that has been said here has brought from Mayor Stokes a desire to be heard, I hope briefly.

Mayor STOKES. As briefly as I can. I react to Mr. Spivak's question of why do you run to the federal government. It sounds like there is a plaintiveness in it, and it has been repeated in one form or another throughout the country, of why we run to the federal government. That is where the money is. Sixty-five percent of all the money in this country is collected there, whereas 35 percent is only collected on the local level, with a less minority of that being collected within the city proper. Meanwhile we are faced with a steadily deteriorating, declining tax base, because of the exodus of the white—of the white and productive person to the suburbs. This leaves us with ever-mounting, ever-escalating problems within the center city, with the ever-dwindling means to meet them. Now, I think this has to be faced squarely, people have to understand it, and what needs to be done, since money is one of the basic things needed to meet this problem, is, let's take a good, hard look and take up this section, (a) of a guaranteed annual income of some form, or (b) a distribution back to the cities of the monies collected from them.

Mayor ADDONIZIO. I would just like to respond to Mr. Spivak and tell him I disagree most strongly with his statement.

Mr. SPIVAK. I didn't make a statement. I just asked a question.

Mayor ADDONIZIO. Well, I don't think you can blame this mess on these Mayors throughout the country who unfortunately have had riots. I think that this is something that has come about over a long period of time in the history of the United States, and I might point out to you that for six years I have been Mayor of Newark and I have been crying out for help from all levels of government. I have gone to the county; I have gone to the state; I have gone to the Federal Government, and I don't believe there is any man sitting here in this room that has more entree to offices in Washington than I do because I was a Congressman for 14 years; I know my way around. But everyone is sympathetic but no one does anything. They haven't done anything since the riots.

Mr. YETTE. Mayor Addonizio, while you

have been crying out and having entrees to federal offices, I would like to know whether in your Model Cities Program, which is to replace 5,000 dilapidated units, whether Negro entrepreneurs, Negro contractors, Negro builders are in fact going to get contracts under the Model Cities Program?

Mayor ADDONIZIO. May I point out to you, Mr. Yette, that we have agreed at meetings with the community, and also with various civil rights groups, that we would make every effort to do exactly what you are asking. The state government has also indicated that, that is overseeing our Model Cities Program.

Mr. JOHNSON. Mayor Cavanagh, specifically on the report again, what do you intend in the City of Detroit to implement its recommendations?

Mr. CAVANAGH. One, I think, is the variety of things that are presently being done both publicly and privately within the city. As I see the great value of that report, it is to spur a lot of people, including where much, incidentally, of our political and economic power in this country lies in the suburbs and at a state level.

I don't think that can be stressed strongly enough. In no sense, I am sure, is any Mayor sitting on this panel trying to defend himself. I, for one, will acknowledge all the deficiencies of my own administration and the fact that we haven't done hardly enough in any area. But let's not forget that the state has sat as largely a silent spectator and yet they are one of the few agencies of government that has some ability to respond.

Now, I think that if this report turns on, so to speak, a lot of people that traditionally have felt it is just a central city problem, and once they cross that city line at night and head back into that all-white suburb, that it is a nice, safe, sanctuary and enclave, if it changes their attitude somewhat, as well as change our public response, then I think it has made a contribution.

Mr. VALERIANI. Mayor Yorty, you have said that your administration has done many things in Los Angeles since the rioting. Why then is the situation in Watts worse today than it was in '65, with unemployment higher and welfare going up—

Mayor YORTY. It is definitely not worse in Watts today than it was in 1965. It is considerably better. The relationship between the city government and the people of Watts is vastly improved. But I can say to you that listening to, for instance, my good friend from Milwaukee, Mr. Maier, that we face that same problem of fractionated governmental structure where the state, for instance, has the employment service, the county has the health and the welfare and so forth.

We tried to overcome this early. We actually foresaw some of the problems of coordination in the Poverty Program and we set up a Joint Board composed of the city and the county, the city schools, the county schools, and the state, and tried to tackle the Poverty Program in a coordinated way. The state pulled out on us eventually, but we are still trying to carry it on with the other agencies involved. But coordination is a very difficult problem and there's lots of waste and lots of duplication because of the inability to coordinate at the local level by ourselves.

Mr. NEWMAN. We have about three minutes left, gentlemen.

Mr. SPIVAK. Mayor Stokes, there are a great many Negroes who believe today that they cannot achieve a goal of equality of opportunity by lawful means. Now, you have been in office now for almost three months. Do you think they can?

Mayor STOKES. I believe they can if in fact the recommendations of this report are implemented. If this massive attack on job opportunity, if in fact—for instance, tomorrow—that the civil rights bill, with the housing, or at least the housing bill before Congress passes the Senate tomorrow, in order to make housing available to Negroes, if we

tackle this problem of health and other environmental factors, then in fact yes, the system will work for most Negroes and will then alleviate, reduce and perhaps end this present problem that faces us.

Mr. YETTE. Mayor Maier, the report recommends a fair housing law such as the Milwaukee City Council has recently rejected and continually rejected amid considerable turmoil in Milwaukee. You yourself, have said that you will not support a fair housing law unless the county also adopts one, and you are Mayor only of the city.

Would you, sir, extend your rule also to the entire United States, to say that there should be none in Milwaukee until all of the state has—

Mayor MAIER. Mr. Yette, that is precisely my argument. Now the Commission has validated and underscored the argument that I have been making, that we should not, first of all, try to vulcanize our housing laws and secondly, we should not add to the creating of the apartheid society by having a central city law without the metropolitan area.

Now the Commission goes a step further, and I agree with it emphatically. It says that we should have a federal law. And all tangled up in the argument in Milwaukee was just simply this, that the big drive was to put this thing in the aftermath of the civil disorders, into central-city existence only.

Now among the 39-point program which got buried in Milwaukee, I had a position for a metropolitan open housing law. I had the same position in the election campaign of 1964. The Commission has underscored and heavily validated the position of the Office of Mayor of Milwaukee.

Mr. JOHNSON. Mr. Allen, you talked of the responsibilities of leadership a while ago and I suppose what has come out of this report is a question of attitudes more than dollars, that Negroes in this country, as the report says, many of them do not think this country is worth fighting for.

How do you reach them, how do you change that kind of an attitude?

Mayor ALLEN. Well, basically it gets down to an opportunity for good housing, reasonable housing, job opportunity, and adequate education. No matter how far we go away from the basics of the problem, we always get back to the fact that both the poverty areas, white and Negro, principally Negro in this country, have been deprived of the full opportunity to be a full American citizen, to get back to this point.

Mr. NEWMAN. Thank you, Mayor Allen, I must interrupt you there because our time is up.

Thank you, gentlemen, for being with us today on this special edition of *Meet the Press*.

THE CHOICE FOR AMERICANS

Mr. GRUENING. Mr. President, the President's National Advisory Commission on Civil Disorders, in the foreword to its excellent and timely report, said of its work:

This was a bipartisan and nonpartisan effort.

That it was. The Commission's wise recommendations should not only be heeded but should be implemented with every possible speed. Time is not on the side of those who would procrastinate or who think that, at this late date, the rightful aspirations of our colored fellow Americans can be repressed by bullet and bayonet.

America's future, as always, lies in the hands of its people. They must choose—and choose quickly.

As expressed by the New York Times in its leading editorial on March 3, 1968, there are two roads along which the American people may choose to go.

First, they can accept the Commission's report:

If Congress and the public respond affirmatively to its recommendations—as they should and must—the American people will move decisively toward that one nation of free men enjoying domestic tranquillity that the founders of this nation envisaged.

Second, they can reject the Commission's report:

If they turn away in anger, in false racial pride, and in selfish complacency, then Americans will move equally decisively to become two nations, divided by fear.

For those who believe in a free, stable, and strong United States, there really is no choice. A divided America, in which the rights and freedoms of one-tenth of its population were denied and those people themselves repressed, would inevitably result in the loss of the rights and freedoms of more and more Americans.

Reflecting the decades of neglect, the price tag for carrying out the Commission's recommendations will be high.

But no price is too high to avoid the dire consequences of not carrying out these recommendations.

Of course, one method for financing what the Commission has recommended could be by ending the U.S. military involvement in Vietnam, which is currently costing the United States \$3 billion a month.

On February 26, 1968, on the floor of the Senate, I proposed a method for a phased withdrawal of U.S. military forces from Vietnam and a logical and practical method for turning South Vietnamese affairs over to the South Vietnamese for settlement by them. I ask unanimous consent that that portion of my remarks relating to the withdrawal of the United States from Vietnam be printed in the RECORD at the conclusion of my remarks.

But whether or not my suggested solution is adopted, and even if, as seems to be the current trend, the military involvement of the United States in Vietnam is escalated still further, the money to carry out the Commission's recommendations must be found. The United States cannot be in a position where it is pouring large sums of money into winning a civil war in South Vietnam while refusing to do the same to prevent a civil war in the United States.

I ask unanimous consent that the editorial from the New York Times of March 3, 1968, entitled "The Choice for Americans" be printed in the RECORD at the conclusion of my remarks.

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

[From the CONGRESSIONAL RECORD,
Feb 26, 1968]

ONE POSSIBLE SOLUTION TO THE VIETNAM DILEMMA

Recommendations for extrication of the United States from its Vietnamese folly are not the responsibility of those who for years have dissented from United States policy in Vietnam. It is the responsibility of those who got us into the Southeast Asia mess.

However, if President Johnson really wants

to get the United States out of the morass in Vietnam, and save us from ever-mounting and ever-deepening disaster and the increasing slaughter of the flower of our youth and of thousands of Vietnamese noncombatants, his opportunity is here and now.

He could go on nationwide radio and television and, in effect, say to the American people:

"My fellow citizens, I have tried for 4 years and my predecessors have tried for a decade previously to bring a semblance of self-government and democracy to the people of South Vietnam. It has become clear beyond peradventure that it is not their desire, and that the United States, despite its prodigious efforts in manpower and money, and the sacrifice of thousands of American lives, cannot achieve these desired results for them.

"I have today ordered the unconditional cessation of all bombing of North Vietnam and of all offensive operations in South Vietnam. In addition, I have directed there be an immediate in-place cease-fire in South Vietnam on the part of United States and have requested the South Vietnamese Armed Forces to do likewise, with only defensive action authorized. I have called upon the forces of the National Liberation Front and of North Vietnam in South Vietnam to do the same. It is my purpose, which I now declare, to initiate a phased military withdrawal which should be completed within a year. In the meantime, behind the shield of American military forces with the leverage afforded by U.S. military and economic aid, U.S. representatives in South Vietnam will insist that the Thieu-Ky government broaden the base of its Government to include their non-Communist opponents, represented in large measure by those whom they have now jailed and put in protective custody, and that this broadened South Vietnamese Government begin immediate negotiations with the National Liberation Front so that all these Vietnamese components can work out their own destinies.

"In addition, I have directed our Ambassador to the United Nations to work with other nations there to find places of refuge in other lands for those who would not want to live in South Vietnam under the new regime which will be formed and I will ask the Congress for such additional authority as may be needed to admit such refugees to the United States and to assist in their resettlement elsewhere.

"Further, I have instructed our Ambassadors to Great Britain, the Soviet Union, Canada, India, and Poland to propose a greatly strengthened International Control Commission to supervise any elections to be held in South Vietnam to obtain an expression of the peoples' will.

"The United States will assist in the reconstruction and rehabilitation of the burned villages, destroyed buildings and defoliated fields, and give suitable fiscal assistance to economic development. But our military efforts will cease. We will make every effort to assist the people of both North and South Vietnam to establish whatever form of government they can develop."

Here lies a solution which both Americans and Vietnamese, I am confident, will welcome.

[From the New York Times, Mar. 3, 1968]
THE CHOICE FOR AMERICANS

The American people face a national crisis which is dangerous, profound and far-reaching. Like the economic collapse after 1929, its effects are felt in every sphere of life and endanger everyone. Like a major war it has to be fought on many fronts and victory hangs in doubt. The report of the President's Commission on Civil Disorder is an effort to describe this crisis for all Americans, alert them to the danger and summon them to a supreme common effort.

The nation is in crisis because its major

cities are turning into Negro ghettos as the whites flee to the suburbs. The Negroes left behind in those cities do not regard them, as did earlier generations of white European immigrants, as an urban frontier rich in opportunity. Instead, the younger, more restless Negroes are increasingly prone to violence because they feel trapped.

Their sense of entrapment is not imagined. It is the bitter heritage of centuries of slavery, degradation and discrimination. It is the result of a more sophisticated economy that has fewer jobs than in the past for unskilled labor. It is the result of brutal profiteering by real estate interests which exclude Negroes from certain neighborhoods and suburbs, thereby driving the rents in deteriorating urban neighborhoods to exorbitant levels. It is the result of schools that fail to educate and of welfare programs that sustain life but kill hope.

The facts set forth in the commission report abundantly document and validate this Negro despair; and the members of the commission with commendable candor lay the responsibility where it belongs—on white racism. Whites have created and enforced an inferior status for Negroes; whites cannot now shy away from the evil consequences.

It is not a question of apportioning blame; it is a matter of assuming responsibility. Negroes cannot "go it alone" in a society where economic, legal and political power is predominantly in the hands of whites. Negroes can lash out violently in their misery and anger, but only with white cooperation can they achieve success and fulfillment.

The commission members recognize the need for effective public policies to prevent and control riots, but they are properly scornful of those whites, including many police and city officials across the nation, who believe that the answers to legitimate discontent can be found in tanks and machine guns. Weapons of mass destruction have no place in America's crowded cities.

The positive answers suggested in the report are in the four critical areas of employment, education, welfare and housing. These recommendations go well beyond anything proposed this year by the Johnson Administration or under consideration in this relatively conservative Congress. It is a powerful testament to the harsh, threatening circumstances of life in the Negro slums that the panel's members, all of them people of responsibility with diverse backgrounds, are not only in favor of the far more ambitious programs but also emphasize their urgency.

They stress that the problems of the hardcore unemployed cannot be met without putting men to work in public jobs. Private industry has to do its share, but it is not going to be able to do it alone. Similarly, the various Federal housing programs must be re-oriented in favor of the low-income families and drastically accelerated if they are to have sufficient impact.

The commission recognizes that an enormous investment in improving the quality of slum schools is imperative and will repay society many times over. It underscores, however, that integration must remain a primary objective in the schools as well as other aspects of American life.

As against the regressive tinkering engaged in by Congress last year, the commission calls for a new approach to helping low-income families in place of the present bankrupt welfare system. It also recognizes the national character of the problem by calling for a vastly expanded assumption of Federal financial responsibility.

The commission's report is sure to mark a major turning point in the history of this nation. If Congress and the public respond affirmatively to its recommendations—as they should and must—the American people will move decisively toward that one nation of free men enjoying domestic tranquillity that the founders of this nation envisaged. If they

turn away in anger, in false racial pride, and in selfish complacency, then Americans will move equally decisively to become two nations, divided by fear. Every citizen, by his actions and inactions in the days to come, will share in the making of that fateful choice.

THE GAO REPORT ON THE NAVAL RECEIVING STATION AT SUGAR GROVE, W. VA.

Mr. BYRD of West Virginia. Mr. President, from time to time the Naval Radio Station, Sugar Grove, W. Va., comes to public notice and I believe it worthwhile to review the record once more concerning this station. I am pleased to see the Navy proceed with the development of this vital installation which is scheduled to become operational in December 1968. Sugar Grove will be the main receiver site for worldwide Navy radio communications coming into the Washington, D.C., area. Additionally, the Sugar Grove Station will play an important role as a "gateway" receiving station of the Defense Communications System. In this role the Sugar Grove facilities may well evolve into a primary Defense Department high frequency receiving site for the east coast.

Owing to the industrial development and general growth in metropolitan Washington, we must look ahead in providing for such things as radio communications. The Naval Radio Station at Sugar Grove is urgently required now and will become more valuable as time goes by.

Sugar Grove, W. Va., is located in a large national radio quiet zone set aside in 1959 for radio and electronic developments. Not only is this zone unique to the United States, but I understand that it also is the only such designated area in the free world. This 100-mile-square area is remote from industrial and other manmade electronic interference sources, and, as one of our fast disappearing national resources, should be preserved and utilized for electromagnetic propagation purposes.

The development of Sugar Grove comes about as a result of a considered decision by Secretary of Defense Robert S. McNamara to transfer a small part of the Navy communications facilities from Cheltenham, Md. This move will have a number of distinct advantages to our defense effort.

First, the Sugar Grove installation will be much more secure militarily. This is true not only with respect to any major disaster in the Washington area, but also with regard to small-scale, even unintentional acts which could interfere with military communications. The main operating installation will be in an existing two-story underground building remaining from the canceled radio telescope project of a few years ago. And Sugar Grove itself is outside the Washington target area.

Moreover, Sugar Grove will provide increased flexibility in communications routing. Dual routing of communications cables into Cheltenham, Md., will provide alternate communications links between Washington and our Navy ships and aircraft at sea as well as overseas

Navy bases. And in addition, it will provide improved access to nationwide commercial telecommunications facilities.

Additionally, the high frequency capability to be afforded by the Sugar Grove station will have no equal within the Department of Defense. This in part is due to the location in a quiet zone, and also the isolation assured by the large national forest which surrounds the site.

Also, the move will make available about 200 acres of land at Cheltenham for other defense use. The property will be used for functions which must be located in the Washington area where land costs have skyrocketed since Cheltenham was acquired in 1935.

A recent General Accounting Office report stated that money could be saved if the Navy cancelled its plans for Sugar Grove and remained at Cheltenham.

The report indicates considerable difference of opinion throughout the Department of Defense on the merits of the move. Some disagreement is to be expected in such a highly sophisticated field as modern telecommunications technology.

Unfortunately, however, the GAO addressed itself only to seven rather pointed questions put to it by a Member of the other House. In its report and comments, therefore, the GAO did not present the entire picture.

For example, the GAO report did not bring out clearly the four matters I have mentioned previously; namely, first, increased military security; second, increased and improved communications flexibility; third, improved capability; and, fourth, making high value land available at Cheltenham for other defense purposes.

Further, the GAO report did not mention that whereas the radio receiver environments at Sugar Grove and Cheltenham are approximately equal now, the environment at Cheltenham has been endangered over the years, principally from manmade interference—automobiles, commercial radio and television, industrial equipment and the like. So far, it has been difficult to maintain radio receiver quality at Cheltenham by advances in radio technology—advances which would have greatly improved the quality at more desirable locations.

The GAO report notes a considerable expense to transfer operations to Sugar Grove, but also notes:

By accepting the Navy's estimate, however, it appears that it will cost the Government an additional \$16.5 million over the next 5 years to relocate to Sugar Grove without considering possible costs for upgrading facilities at Cheltenham if the move were not made.

In other words, much of the expenses of moving to Sugar Grove would have been incurred even by staying at Cheltenham. The onetime costs of \$11.5 million for establishing the Sugar Grove facility would be offset by the costs of remaining at Cheltenham.

It is my understanding that two independent studies, made less than 2 years ago, indicated that appropriations in the order of \$9 to \$10 million would be required to modernize and augment the Cheltenham facilities so as to equal the

design capabilities of the Sugar Grove Station. But even these study estimates do not, and cannot, recognize the impact of continued urban and suburban growth in the Cheltenham area. By modernizing and continuing current heavy operations at the same time at Cheltenham, serious problems affecting Southeast Asia and other worldwide communications undoubtedly would arise. However, by moving to Sugar Grove, this modernization can proceed without interference with current operations.

Neither does the GAO report point out that approximately \$2 million of the expense at Sugar Grove is for barracks and 40 sets of family quarters for military personnel. Barracks and family quarters would have been required at Cheltenham, or the equivalent number of military personnel and families would have been paid a cash allowance to find their own housing in metropolitan Washington. I might also mention that the cash allowance falls far short of actual expenses for military families in the Washington area.

The GAO report does not adequately emphasize that Cheltenham is already beyond the point of no return for prevention of "encroachment" by civilian interests and "degradation" of communications by man-made noises. To acquire an adequate buffer or protective zone around Cheltenham is now utterly impractical and prohibitive in cost. Yet, such isolation and protection are necessary to achieve full capability of present day high performance modern antennas. Is it not far better to permit normal development of the area surrounding Cheltenham, while moving these sensitive radio receiving facilities to another location?

The report also does not make clear that this move to Sugar Grove will utilize a valuable existing installation which, though inactive up until recently, has required the expenditure of Government funds for maintenance. The inactive facility had little or no potential for non-Government development, and so would have brought no significant return by being declared excess.

Without doubt that GAO report provides much useful information. But in view of the limited purpose of the report; namely, to answer seven specific questions, I believe it pertinent to place the report in proper perspective as I have tried to do here.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

AMENDMENT NO. 589

Mr. LAUSCHE. Mr. President, I call up my amendment No. 589 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without

objection, it is so ordered; and the amendment will be printed in the RECORD.

The amendment offered by Mr. LAUSCHE is as follows:

On page 6, between lines 17 and 18, insert a new section as follows:

"SEC. 104. (a) Title 18 of the United States Code is amended by inserting, immediately after chapter 101 thereof, the following new chapter:

"'CHAPTER 102.—RIOTS

"'Sec.
"2101. Riots.
"2102. Definitions.
"2101. Riots

"'(a) (1) Whoever travels in interstate or foreign commerce or uses any facility of interstate or foreign commerce, including, but not limited to, the mail, telegraph, telephone, radio, or television, with intent—

"'(A) to incite a riot; or

"'(B) to organize, promote, encourage, participate in, or carry on a riot; or

"'(C) to commit any act of violence in furtherance of a riot; or

"'(D) to aid or abet any person in inciting or participating in or carrying on a riot or committing any act of violence in furtherance of a riot;

and who either during the course of any such travel or use or thereafter performs or attempts to perform any other overt act for any purpose specified in subparagraph (A), (B), (C), or (D) of this paragraph; or

"'(2) Whoever uses any facility of interstate or foreign commerce, including, but not limited to, the mail, telegraph, telephone, radio, or television, for any purpose (other than for his travel) specified in subparagraph (A), (B), (C), or (D) of paragraph (1);

"'Shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

"'(b) In any prosecution under this section, proof that a defendant has engaged or attempted to engage in one or more of the overt acts described in subparagraph (A), (B), (C), or (D) of paragraph (1) of subsection (a) at any place within the United States, and at any time within fifteen days after (1) his travel in interstate or foreign commerce to that place, or (2) his use of any facility of interstate or foreign commerce, including, but not limited to, the mail, telegraph, telephone, radio, or television, to communicate with or broadcast to any person or group of persons at that place, or to transport any person or convey any article to that place, shall be deemed sufficient proof to establish that such defendant traveled in, or used such facility of, interstate or foreign commerce with intent to commit one or more of the overt acts described in such subparagraph, unless such defendant explains his travel in, or use of such facility of, interstate or foreign commerce to the satisfaction of the jury (or of the court when tried without jury).

"'(c) A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

"'(d) Whenever, in the opinion of the Attorney General or of the appropriate officer of the Department of Justice charged by law or under the instructions of the Attorney General with authority to act, any person shall have violated this chapter, the Department shall proceed as speedily as possible with a prosecution of such person hereunder and with any appeal which may lie from any decision adverse to the Government resulting from such prosecution; or in the alternative shall report in writing, to the respective Houses of the Congress, the Department's reason for not so proceeding.

"'(e) Nothing contained in this section shall be construed to make it unlawful for any person to travel in, or use any facility

of, interstate or foreign commerce for the purpose of pursuing the legitimate objectives of organized labor, through orderly and lawful means.

"'(f) Nothing in this section shall be construed as indicating an intent on the part of Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of this section; nor shall anything in this section be construed as depriving State and local law enforcement authorities of responsibility for prosecuting acts that may be violations of this section and that are violations of State and local law.

"'§ 2102. Definitions

"'(a) As used in this chapter, the term "riot" means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.

"'(b) As used in this chapter, the term "to incite a riot", or "to organize, promote, encourage, participate in, or carry on a riot", includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts."

"'(b) The table of contents to 'PART I.—CRIMES' of title 18, United States Code, is amended by inserting after the following chapter reference:

"'101. Records and reports.....207
a new chapter reference as follows:

"'102. Riots.....2101."

Mr. ALLOTT. Mr. President, I ask unanimous consent that during consideration of the present legislation and the amendments, that my legislative assistant, Mr. Joseph Blake, be allowed the privilege of the floor.

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

Mr. LAUSCHE. Mr. President, the amendment which I have offered would make it a Federal offense for any person who travels in interstate or foreign commerce, using any facility of interstate or foreign commerce, including but not limited to the mails, telegraph, telephone, radio, and television, with the intent of inciting to riot or organizing, promoting, encouraging, or participating in or carrying on a riot, or committing any act of violence in furtherance of a riot, or aiding or abetting any person in inciting or participating in or carrying on a riot, or committing any act of violence in furtherance of a riot.

Mr. President, the purpose of the amendment is to give the Federal Government the power to criminally prosecute any individual who, in interstate movements, commits any of the acts which I have just described.

The definition of a riot, as contained in the amendment, is as being "an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person."

I do not believe it is necessary for me further to describe the purposes and intent of this amendment. The country has been plagued with riots. Damage in the amount of millions of dollars has been inflicted. National Guardsmen have been called out, I believe, in 37 States, to quell disturbances, resulting in burning and looting and the destruction of property.

I understand that the Senate will shortly adjourn for the day and, therefore, I suggest that my amendment be laid down as the first order of business for tomorrow.

Does the Senator from South Carolina [Mr. THURMOND] want me to yield to him at this point?

Mr. President, let me say that the Senator from South Carolina has an amendment substantially similar in its provisions and nature to mine. In fact, it is practically identical.

The PRESIDING OFFICER. The amendment of the Senator from Ohio [Mr. LAUSCHE] will be pending, if the Senate does not take action on it tonight. His motion is unnecessary.

Mr. THURMOND. Mr. President, on February 29, I introduced an antiriot amendment. I notice that the amendment of the Senator from Ohio, submitted on March 1, is identical in wording. We discussed this matter, and I told him that I would join him or he could join me. Since he has called up his amendment, I ask unanimous consent that my name just be added to his amendment, and I will withdraw mine.

The PRESIDING OFFICER. Without objection, the amendment will be withdrawn, and the Senator's name will be added to the amendment of the Senator from Ohio.

Mr. THURMOND. Mr. President, as I understand it, the amendment now will go over until tomorrow morning?

The PRESIDING OFFICER. The Senator from South Carolina is correct.

Mr. HART. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. HART. Do I correctly understand that the Lausche-Thurmond amendment will be the pending business tomorrow morning?

The PRESIDING OFFICER. The Senator is correct.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. HART. Mr. President, in view of the understanding developed by the leadership, and in accordance with the order previously entered, I move that the Senate now stand in adjournment until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 28 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, March 5, 1968, at 10 a.m.