the long run, provided that most other major countries do not follow suit.

Such a devaluation of the U.S. dollar, however, would be intolerable to major foreign governments, many economists say. At the most, these analysts believe, a few major foreign countries might decide to increase slightly the value of their own currencies in terms of the dollar, presumably through the sort of action carried out by West Germany, for instance, in early 1961. At that time, West Germany revalued the mark at 4 to the dollar; previously, the official exchange rate was 4.2 marks to the dollar.

THE TITAN OF TRADE

Foreign reluctance to permit a significant dollar devaluation reflects diverse factors, according to analysts.

Foreigners generally feel that the U.S. already is the titan of world trade; unlike Britain, America boasts a long string of huge trade surpluses over the post-World War II years. Though these surpluses have recently become smaller—and are clearly inflated by commodity exports financed through U.S. aid to foreigners—they remain the envy of many capitals abroad. It's widely believed that foreigners simply would not allow the U.S. to enjoy still greater trade surpluses through a unilateral devaluation.

On top of this, on the purely political level, many foreign officials resent the U.S. role in Vietnam. Much of the dollar's present difficulty stems from Vietnam, these officials claim. So why should the U.S. be allowed to improve its trade position simply in order to facilitate the carrying on of the Vietnam war?

Although foreign counteraction could eliminate any competitive edge that the U.S. might seek through devaluation, many economists note that a devaluation of the dollar in terms of gold would still have some important ramifications.

AN INFLATIONARY INFLUENCE

Take, for instance, the possible effects of a gold price increase to $70 an ounce. While not all economists agree, in theory at least, such a U.S. move would exert an inflationary influence around the globe in a variety of ways. It would sharply increase the wealth of countless foreign gold-holders, enlarge the money supply in many nations, relieve the U.S. and other lands from having to adopt restrictive measures (such as boosting taxes and trimming governmental spending) to hold on to dwindling monetary reserves.

Beyond economics, an increase in the U.S. gold price would produce awkward political consequences. It would, in effect, reward such countries as France, which has persistently contravened U.S. wishes and cashed in its dollars for gold. On the other hand, it would penalize such countries as West Germany, which has obligingly refrained from massive gold-buying.

Moreover, a gold price rise would greatly benefit the big gold producers, South Africa and the Soviet Union. Neither nation, obviously, is a favorite of Uncle Sam. One U.S. official estimates that doubling the gold price would "permit the Russians to expand their foreign aid programs by at least 50%."

Surveying such prospects, Gabriel Hauge, president of Manufacturers Hanover Trust Co., recently told a London audience: "In my judgment, if some future events should require a basic decision on the gold-dollar relationship, the decision would be to demonetize gold rather than to devalue the dollar in terms of gold."

Unless a gold price increase were "very large," the bank president added, "it would soon generate expectations of the next round" of gold price increases.

One extreme possibility if the dollar were severed completely from gold: The U.S. and other countries might treat the dollar like any other commodity, allowing the law of supply and demand to determine whether it would be worth, say, 625 lire or 1,000 lire or 500 lire.

If analysts who contend that foreign governments wouldn't allow the dollar to depreciate are correct, however, such a "floating" dollar would presumably remain worth 625 lire or 4 marks; in such circumstances, it's presumed that other governments would, in effect, support the dollar in foreign exchange dealings, buying dollars when the price of a dollar threatened to sink and selling when the price threatened to increase. (The U.S., some analysts say, could also decide to support the dollar, rather than gold, as at present, without necessarily breaking international monetary agreements.)

It is possible, to be sure, that considerable day-to-day uncertainly over the value of a "floating" dollar could develop. In that event, some economists contend, international businessmen most likely would hesitate to go ahead with deals, unsure about the next day's value of their customers' currencies. In the end, some fear, such a situation would inhibit international commerce and capital movements; international business might shrivel and in the process depress the level of domestic business round the world.

If world commerce and capitol flows were to dry up, however, many economists say that most foreign lands would be more severely affected than the U.S. They reason that foreign trade bulks much larger in most foreign economies than in the relatively self-sufficient U.S.

Many analysts who doubt that the foreign governments would allow a unilateral devaluation of the dollar also note that foreigners have already showed considerable restraint in not retaliating against such U.S. moves as placing special taxes on purchases of foreign securities and the new restrictions on direct corporate investments abroad.

Such moves, these analysts contend, are tantamount to a small unilateral devaluation of the dollar. They tend to make the dollar less valuable because they limit what can be done with it.

Many economists believe that the U.S. has gone absolutely as far as it dares with such "camouflaged devaluations" of the dollar. Further steps in the same direction, it's believed by many, would not be allowed. Other countries would simply retaliate in kind.

SENATE—*Tuesday, April 30, 1968*

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

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

O Thou God of life and light, whose love is unfailing and in whose mercy there is a wideness like the wideness of the sea.

At this wayside shrine of prayer, set up so long ago by those who launched our ship of state, we lift up our souls unto Thee.

In this forum of deliberation and debate, amid the din and clash of differing opinions, may we here unite in keeping always a constant sense of the eternal.

We pray for the children of this stricken generation, that they and their children may see peace on the earth—peace with honor and human dignity, and social justice.

Empower those who here act for the Nation, to do the best and to speak the best that in Thy name they may here strike their blow for the truth of God and the freedom of man.

In the Redeemer's name. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, April 29, 1968, be dispensed with.

The PRESIDENT pro tempore. 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. Geisler, one of his secretaries, and he announced that on April 26, 1968, the President had approved and signed the act (S. 3135) to amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 15688) to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (H. Con. Res. 770) to authorize printing of updated pocket-size U.S. Constitution for congressional distribution, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 15688) to extend the executive reorganization provisions of title 5, United States Code, for an additional 2 years, and for other purposes, was read twice by its title and referred to the Committee on Government Operations.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 770) to authorize printing of updated pocket-size U.S. Constitution for congressional distribution was referred to the Committee on Rules and Administration.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

ORDER OF BUSINESS

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

The PRESIDING OFFICER (Mr. BARTLETT in the chair). 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.

AMENDMENT OF INTERNATIONAL MONETARY FUND AGREEMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 300)

The PRESIDING OFFICER. The Chair lays before the Senate a message from the President of the United States on changes in the International Monetary Fund agreement to create a new form of international reserve.

Without objection, the message will be printed in the RECORD without being read, and will be appropriately referred.

The message from the President was referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

Twenty-four years ago, President Franklin D. Roosevelt asked the 78th Congress to approve a monetary plan which he called the "cornerstone for international economic cooperation."

The Bretton Woods Agreement—and the International Monetary Fund which it created—helped map the recovery of a war-ravaged world.

Today I ask the Congress to take another historic step. I seek approval of an amendment to the International Monetary Fund agreement, to adapt it to changing world conditions. This change—the first since the agreement was ratified in 1945—is both timely and necessary. It will prepare us for the era of expanding world trade and economic opportunity that unfolds before us.

RECOVERY AND EXPANSION

The financial statesmen who shaped the Bretton Woods Agreement in 1944 looked beyond the holocaust of war to a time of peace. They remembered the harsh lessons of a depression which had led the world into war.

They knew what had to be avoided—restrictive monetary policies that strangled progress, competitive depreciation of currencies that led to instability, and the breakdown of international cooperation that impeded trade.

They knew what had to be built—a cooperative monetary system to foster world economic expansion in a climate of mutual trust and assistance.

The machinery established at Bretton Woods—through the International Monetary Fund—brought stability to the exchange rates among the currencies of different nations. It brought order to international financial markets and transactions. It created a carefully designed system of cooperation in dealing with international financial problems.

The machinery as it operated in the quarter-century since World War II produced a record of unparalleled economic progress. The economies of war-ruined nations were rebuilt and have grown on an unprecedented scale. World imports surged from $59 billion in 1948 to $202 billion in 1967.

But when Franklin Roosevelt urged approval of the Bretton Woods Agreements, he foresaw that "the experience of future years will show us how they can be improved."

That experience is now part of our history.

The very success of the system in stimulating trade has put new pressures on the Bretton Woods machinery and shows us how that machinery must now be changed.

The rapid growth in world trade and in the flow of capital is outpacing the growth in monetary reserves. The world must take action to provide sufficient reserves for this growth. If it does not, strains and uncertainties in the international monetary system—and the limitations they create—could turn the clock backward to the dark days of restrictive economic policies, narrow interests, empty ports and idle men.

Today I propose that the United States lead the way in the action that is needed.

I recommend that the Congress approve changes in the International Monetary Fund Agreement to create a new form of international reserve—the Special Drawing Right.

BACKGROUND TO ACCEPTANCE

The request I make today is not a hasty solution to a newly-discovered problem. It represents the careful work of five years.

The first part of that period was devoted to intensive study by the outstanding economists and financial specialists of many nations.

This laid the base for action. In July 1965—with bipartisan support and suggestions from the Congress—I directed the Secretary of the Treasury to initiate negotiations. The past three years have been marked by steady progress through patient negotiations—in The Hague, in London, in Rio and in Stockholm.

From the studies and the negotiations has emerged the concept of Special Drawing Rights as a new system for the deliberate and orderly addition to international reserves. They are the refined product of thoughtful and considered agreement among leading experts from the treasuries and central banks of the Free World and the International Monetary Fund.

Throughout the negotiations leading to the development of the Special Drawing Rights plan, the Secretary of the Treasury had the benefit of advice from the Advisory Committee on International Monetary Arrangements. This panel, chaired by former Secretary of the Treasury Douglas Dillon, consisted of some of the nation's leading bankers, economists and businessmen with outstanding experience in the field of international finance.

THE NEED FOR INTERNATIONAL RESERVES

International reserves are to world trade what working capital is to a growing business. As trade expands—just as when business grows—more reserves are needed.

Nations use international reserves to settle their accounts with each other. And these reserves are an important factor in maintaining stable exchange rates among currencies. They are essential to provide time for countries to restore equilibrium in their balance of payments through an orderly process of adjustment.

Reserves must be unimpeachable in quality. They must be acceptable to other nations, as well as to the nation that holds them. Traditionally, international reserves have consisted mainly of gold, dollars and sterling.

But today the world's supply of international reserves cannot meet the requirements posed by growing world trade and capital flows.

In 1948, total world reserves were $48 billion. Of this, gold accounted for $33 billion, or almost 70 percent. The remaining 30 percent was divided among dollars—6 percent—and other foreign exchange plus reserve claims on the International Monetary Fund.

Today, reflecting the vast increase in world trade, total reserves have grown to $73 billion. Of this, gold accounts for $39 billion, a decrease to 54 percent of the total. Dollars, on the other hand, have risen to 25 percent—or $18 billion. The remainder is divided between other foreign exchange and reserve claims on the International Monetary Fund.

Gold became less and less dependable as the source of regular addition to world monetary reserves. Because the U.S. was running a balance-of-payments deficit, the dollar took up the slack left by gold and provided the largest share of the new reserve growth over the past two decades. Thus, the growth of world reserves has been linked mainly to deficits in America's balance of payments.

With gold unable to meet reserve needs, and with the prospect of reduced dollar supplies for international reserves as the U.S. moves toward balance of payments equilibrium, one fact clearly emerges: the world needs some new form of acceptable international reserve to supplement existing reserves.

It is the purpose of Special Drawing Rights to fill that need.

THE SIGNIFICANCE OF SPECIAL DRAWING RIGHTS

International agreement on the Special Drawing Rights proposal comes at a time when the world monetary system has been subjected to uncertainty and speculation following the devaluation of the pound sterling last November.

To all nations of the free world, this agreement will bring new strength.

To the United States, it can provide an opportunity to rebuild gradually the re-

serves which we have lost over the past years. But in a broader sense, the Special Drawing Rights are of value to the United States because of the strength they will bring to the world monetary system.

As the world's largest trading and investing nation, we prosper where other nations have adequate reserves to assure their expansion of production, employment and trade.

These Special Drawing Rights are a landmark in the long evolution of international monetary affairs. For the first time a reserve asset will be deliberately created by the joint decision of many nations. These nations will back that asset with their faith and resources—the strongest support that any asset has ever had. Special Drawing Rights will assure the world economy of an adequate and orderly growth of international reserves, regardless of unpredictable fluctuations in the production of gold or in its private use.

HOW THE SPECIAL DRAWING RIGHTS WILL WORK

Special Drawing Rights—to be issued only to governments, and exchanged only among governments—will be a special kind of international legal tender. They will perform the same basic function in the international monetary system as gold, dollars, or other reserve currencies. They will carry a gold value guarantee and will bear a moderate rate of interest.

Special Drawing Rights will be created after careful consultation and broad agreement. Participating countries with 85 percent of the weighted votes must decide that a need for additional reserves exist.

This process will assure wide participation in the use of the new asset and confidence in its acceptability.

These new reserve assets will be distributed in accordance with each member's quota in the International Monetary Fund. Under this arrangement, for example, the United States—whose quota is about 25 percent of the International Monetary Fund's resources—would receive about $250 million out of each $1 billion of Special Drawing Rights issued. The share of the Common Market countries as a group would be about $180 million; the United Kingdom, $115 million; Canada and Japan, about $35 million each; other developed countries, $105 million; and the developing countries as a group, $280 million.

A participating country will benefit from the program, but it will have responsibilities as well. It is committed to accept Special Drawing Rights from other countries when it is in a strong balance of payments and reserve position. The amount it is required to accept is limited to three times the value of Special Drawing Rights distributed to it by the International Monetary Fund. This limitation is sufficiently broad to assure effective use of the new asset.

The commitment to accept Special Drawing Rights from other countries insures their high quality and liquidity, and gives them the status of a true international reserve asset.

The machinery to create Special Drawing Rights will be put into place when 65 International Monetary Fund member-nations accounting for 80 percent of the weighted votes accept the plan.

As one of the leaders in the formulation of this proposal, and as the member with the greatest percentage of the votes—about 22%—it is fitting that the United States be one of the first nations to accept the Special Drawing Rights Plan.

OUR HOPE FOR TOMORROW

International finance—the subject of this Message—is complex and intricate.

But its effects extend far beyond monetary institutions. They reach out to farmland and production line, sales office and show room.

For the heart of this message is a plan to sustain a prosperous and growing world economy through an orderly expansion of trade. As that occurs, we all benefit—the worker with a better paycheck, the businessman with a new order, the farmer with another market, the family with a wider choice of products.

As the world's economy grows, a promise grows with it. Franklin Roosevelt defined it almost a quarter of a century ago in his first message on the Bretton Woods Agreement—as a hope "for a secure and fruitful world, a world in which plain people in all countries can work at tasks which they do well, exchange in peace the products of their labor, and work out their several destinies in security and peace; a world in which governments, as their major contribution to the common welfare are highly and effectively resolved to work together in practical affairs."

That was the hope of America then. It is the hope of America now.

The Congress can move far toward making this hope a reality by its contribution to a sound world monetary system.

I urge the Congress to cast a vote for a stronger world economy by approving the historic Special Drawing Rights legislation I submit today.

The key role of the dollar also gives America another special responsibility. A strong dollar is essential to the stability of the international financial structure. We must fulfill our responsibilities by dealing swiftly with our own budgetary and balance-of-payments deficits. Let me remind the Congress once again of the clear and critical need to pass the tax bill—the best investment America can make to keep the dollar strong.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 30, 1968.*

COMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate today.

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

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.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair, with the understanding that the recess will not extend beyond 12:30 p.m. today.

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

Thereupon, at 12 o'clock and 14 minutes p.m., the Senate took a recess, subject to the call of the Chair.

At 12:28 p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. BARTLETT in the chair).

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the distinguished senior Senator from Texas [Mr. YARBOROUGH] may be recognized for 20 minutes.

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

HUNGER, U.S.A.

Mr. YARBOROUGH. Mr. President, I join in cosponsorship of Senate Resolution 281 concerning hunger in the United States. The cold facts contained in the report of the Citizens Board of Inquiry into Hunger and Malnutrition in the United States show that this problem must be dealt with immediately.

This resolution calls for study of the problem and our programs of assistance. That is needed. But it also calls for immediate action by all Government agencies with responsibility in this area. They should exercise their emergency powers because this is a full national emergency. Helpless people are being permanently crippled in mind and body. Some are starving to death. The facts cannot be avoided any longer.

Last year we heard some reports from Mississippi that people were hungry. Our distinguished colleague Senator STENNIS proposed, last July, a bill that recognized this emergency and called for provision of food and medical services to prevent human suffering. I joined in the cosponsorship of that bill. We passed it in the Senate, but the House killed it. The House Agriculture Committee coldly passed it over.

The problem has obviously not gotten better by our refusal to act. This report—Hunger, U.S.A.—indicates just how badly the problem has worsened. Surely no responsible committee will now refuse to act. A nation which has rebuilt Europe, poured $30 billion a year into destruction in Asia, and is working toward putting a man on the moon, must be able to muster the concern. compas-

sion, and commitment to aid some of our own fellow citizens who are starving.

And, Mr. President, we do have a problem of starvation. The Citizens Board of Inquiry went into my home State of Texas, into San Antonio where we have a large percentage of Mexican-American citizens, and found "that severe cases of anemia were commonplace, that children 1 year old frequently weighed less than their birth weights and 3-, 4-, and 5-year-olds weighed around 20 pounds."

I spoke in this Chamber recently, when we considered the School Lunch Act, on the effect of such starvation in the early years of life. The effects include permanent mental retardation and physical crippling. Dr. Robert Coles, M.D., of Harvard University, describes the more insidious effects:

Weight loss, muscle weakness, eye infections, and loss of vision, infections of the mouth and throat, rickets and skin diseases of all kinds, loss of appetite and fatigue, and bleeding due to poor protein intake and the whole range of psychological difficulties like lethargy, despair and exhaustion that accompany what might be called a "malnutrition syndrome."

How many Americans have we looked down on and patronizingly told to lift themselves up by their own bootstraps because of their "lethargy, despair, and exhaustion" when in fact their problem was malnutrition?

The effect of starvation on those lucky enough to live is bad enough, but many are dying. Medical specialists tell us that infant mortality during the first year of life can be directly correlated to the level of malnutrition. In my own State of Texas that level is increasing. Infant mortality in Texas is on the rise. In the last 4 years, infant deaths, under 1 year per 1,000 live births, have risen from 21.9 to 24.3 while the U.S. average has been steadily declining.

Something is tragically wrong in Texas and the Nation, and I pledge myself to work to see that young Anglos, young Negroes, young Mexican Americans, and young Indians do not die or grow up into unproductive persons because we let them starve. Our Declaration of Independence lists at the beginning of our inalienable rights the right to life, and we must assure our citizens the necessities of life.

Mr. President, in the comfort of unprecedented affluence it is difficult for most Americans even to imagine the scope and depth of hunger, not to mention starvation, that exists in our country today. In the light of revelations offered by the startling report of the citizens' board of inquiry, it is clear that our present efforts to deal with hunger are not enough. One need not conclude that our present efforts are bad, but one cannot escape the fact that they are woefully inadequate.

The cutting edge of this Government's present attempt to combat hunger is the food stamp program, which was established administratively in 1961, was codified in the Food Stamp Act of 1964, and was extended and expanded last session by approval of Public Law 90–91 on September 27, 1967. Yet the progress of this and other surplus food-for-the-poor programs has not been sufficient to meet the need, and this report documents the fact that millions of our fellow Americans suffer the endless agony and desolation of hunger and malnutrition.

I can turn to my own State for an example of the failure of the food stamp program to meet its basic commitment to the poorest of the poor: the hungry. There are 254 counties in Texas; only 10 have a food stamp program—El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Pecos, Terrell, Tarrant, and Red River.

In their study, the citizens' board of inquiry found 30 Texas counties with an emergency hunger problem—these are all counties where over 40 percent of the population live in poverty, and a huge percentage of those suffer anemia, growth retardation, protein deficiencies and other signs of malnutrition. The most tragic evidence of starvation in these 30 counties is their outrageous rates of infant mortality. In addition to these 30 emergency-hunger counties, scores of other Texas counties were shown to have serious hunger problems. Of course, these statistical units do not account for the miserable pockets of poverty and hunger that exist in virtually every county in Texas and the Nation.

Thus, Mr. President, more than half of the counties in my State have a serious hunger problem, and 30 of those face a problem of emergency proportions, yet a food stamp program is operating in only 10 counties. And there is bitter irony in the fact that not a one of the 30 emergency counties in my State has a food stamp program.

The report of the citizen's board of inquiry shows that 28.8 percent of the Texas population is in poverty. Even based on the 1960 population of 9,579,667, that is 2,758,944 people.

In fiscal year 1967, food stamps were issued in Texas with a total value, including bonus coupons, of $1,528,795. That is only a little more than 50 cents a year per poor person. In my State, let me repeat, with some 3 million people in poverty, the food stamps, to the value of $1,528,795, amount to about 50 cents a person a year—not an hour, a day, or a week, but 50 cents a year for every person in my State. This cannot even be called tokenism. Certainly we must do more.

A look at the future of the food stamp program nationally indicates further inadequacy. Only last week, the Consumer and Marketing Service, which is responsible for administering food stamps, testified before the appropriations subcommittee considering their budget request for fiscal year 1969. I am a member of that subcommittee, which is very ably chaired by the distinguished Senator from Florida [Mr. HOLLAND].

In light of the findings presented in the report of the Citizens' Board of Inquiry, the budget request of the Consumer and Marketing Service for the food stamp program is very meager indeed; in light of the tragic, human suffering documented by that report, the budget requests appear insensitive, and I find them unacceptable.

Hunger, USA says at page 32:

. . . it is possible to assert with a high degree of probability, that we face a problem which, conservatively estimated, affects 10 million Americans and in all likelihood a substantially higher number.

At page 146 of volume 2 of the "U.S. Department of Agriculture 1969 Budget," the following statement is made:

By June 30, 1968, it is estimated that the program will be reaching 2,745,000 participants—an increase of 900,000 above June 30, 1967.

So, Mr. President, we have brought the figure up from something over 1.5 million to about 2.75 million, by June 30, 1968, out of the 10 million in desperate need—just about one-fourth of those in desperate need. Clearly, we are not even approaching the need.

Worse yet, the 1969 budget request shows that the Department of Agriculture contemplates no expansion during 1969 in terms of the number of food stamp participants.

Mr. President, the 1969 budget, while providing for the present level of 2.75 million people receiving food stamps, writes off the other 7.25 million, who are in the same desperate need, but to whom the food stamp program has not been extended.

In his testimony last week before the Senate Subcommittee on Appropriations for the Department of Agriculture, Mr. Rodney E. Leonard, Administrator of the Consumer and Marketing Service, offered the following explanation of his budget request for the food stamp program:

An increase of $40,055,000 is proposed for 1969. The funds requested will be necessary in 1969 to finance the 2.7 million participants anticipated by the end of fiscal year 1968.

It is obvious, Mr. President, that if the entire increase of $40,055,000 is necessary to finance the participants in the program at the end of fiscal year 1968, this leaves no money to allow more people to enter the program in 1969.

The second part of Senate Resolution 281, which I have cosponsored with the Senator from South Dakota [Mr. MCGOVERN] calls for a select committee to look into the jurisdictional problems to our programs to aid the hungry. This is a real problem that must be met head-on. Last week, in commenting on proposed changes in the school lunch program, Agriculture Committee Chairman Ellender rejected certain extensions as "welfare" programs which were "outside the purview of the Department of Agriculture." If the Agriculture Committee has jurisdiction over lunches during the winter but cannot accept jurisdiction over them in the summer, then we have a real stumbling block to a thorough attack on hunger.

I congratulate our colleague, the Senator from Louisiana, on his caution on jurisdictional limits. He has my respect and, I think, the respect of every Senator as an able chairman. But we must see if the Senate should reorient its own jurisdictional guidelines so that one committee could have oversight jurisdiction over problems of hunger.

I know from personal experience on the Labor and Public Welfare Committee, on the Education Subcommittee, and the Agriculture Appropriations Sub-

committee that there is little coordination. One program will deal with hunger under one committee and be administered by OEO. Another will be considered under another subcommittee and go to Agriculture, or HEW or another agency. I congratulate Senator McGOVERN for recommending this resolution to examine our jurisdictional needs. I am pleased to cosponsor this measure and to lend to it my fullest support.

ORDER OF BUSINESS

Mr. STENNIS. 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.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. BARTLETT:

S. 3405. A bill to amend section 1162 of title 18, United States Code, relating to State jurisdiction over offenses committed by or against Indians in the Indian country; to the Committee on Interior and Insular Affairs.

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

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 3406. A bill to amend the act providing for the admission of the State of Alaska into the Union in order to extend the time for the filing of applications for the selection of certain lands by such State; to the Committee on Interior and Insular Affairs.

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

By Mr. HILL:

S. 3407. A bill to increase the size of the board of directors of Gallaudet College, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. JAVITS:

S. 3408. A bill to amend title 38, United States Code, to provide employment and relocation assistance for veterans; to the Committee on Labor and Public Welfare.

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

By Mr. MONDALE:

S. 3409. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income certain allowance for living expenses received by members of State legislatures; to the Committee on Finance.

By Mr. BURDICK (for himself, Mr. MANSFIELD, and Mr. MCGOVERN):

S. 3410. A bill to establish an advisory commission to make a study and report with respect to freight rates for farm products, and for other purposes; to the Committee on Commerce.

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

By Mr. SMATHERS:

S. 3411. A bill for the relief of Dr. Edgar A. Buttari; to the Committee on the Judiciary.

By Mr. BAYH:

S. 3412. A bill for the relief of Salvatore Pippe Muffoletto; to the Committee on the Judiciary.

By Mr. DIRKSEN (for Mr. BROOKE):

S. 3413. A bill for the relief of Christine Leune Hadow; to the Committee on the Judiciary.

By Mr. HANSEN:

S.J. Res. 163. A joint resolution to commemorate the 100th anniversary of the establishment of Yellowstone National Park by providing for the National Park Centennial, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. HANSEN when he introduced the above joint resolution, which appear under a separate heading.)

S. 3405—INTRODUCTION OF BILL RELATING TO STATE JURISDICTION OVER OFFENSES COMMITTED BY OR AGAINST INDIANS IN THE INDIAN COUNTRY

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to amend section 1162 of title 18 of the United States Code. This section extended State jurisdiction over offenses committed by or against Indians in Indian country. In 1958 when Congress adopted Public Law 85–615 extending State criminal jurisdiction over Indian country in Alaska, an error was made in not excluding the Annette Islands Reservation. This was an oversight and there was a continuing oversight in the fact that the people of Metlakatla in the Annette Islands Reservation were never informed that the Indian magistrate court which had existed prior to enactment of the law no longer had jurisdiction. This lack of jurisdiction was discovered only recently and the people of Metlakatla desire reestablishment of their magistrate court.

The Alaska State Legislature had adopted a resolution requesting enactment of the proposed amendment to establish concurrent criminal jurisdiction over minor offenses for the village of Metlakatla. In explanation of the background, I ask that copy of a letter Henry S. Littlefield, mayor of Metlakatla, wrote to Gov. Walter J. Hickel of Alaska be reprinted at the conclusion of my remarks. I also ask that the resolution adopted by the Alaska Legislature be reprinted.

The Annette Islands Reservation or Metlakatla, as it is commonly known, is situated at some distance from the nearest community, Ketchikan. Transportation between Metlakatla and Ketchikan is by air or by boat and, as a consequence, it is difficult and cumbersome for the State to exercise jurisdiction over minor offenses. In effect, the community is without police protection and without means of effectively enforcing its ordinances. I am hopeful that the bill I introduce today will be enacted speedily so that the people of Metlakatla once again will be able to enforce law and order in their community in accordance with past practice.

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

The bill (S. 3405) to amend section 1162 of title 18, United States Code, relating to State jurisdiction over offenses committed by or against Indians in the Indian country, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter and resolution presented by Mr. BARTLETT, are as follows:

COUNCIL ANNETTE ISLANDS RESERVE,
Metlakatla, Alaska, February 23, 1968.

DEAR GOVERNOR HICKEL: I am writing you this letter at the request of our Council to ask for your cooperation in solving our law and order problem.

As you know, our local Government functions under a Constitution adopted in 1944 pursuant to Federal law. Article V of that Constitution provides for the office of a magistrate, who is authorized to levy fines up to $360 or order persons to perform community labor in lieu of paying a fine.

In 1958 Congress passed Public Law 85–615 which extended State criminal jurisdiction over all the Indian country of Alaska, including the Annette Islands. We had no knowledge of that law at the time it passed and did not find out until years later that the result of that law is that our magistrate court can no longer function.

When we looked into the matter more closely, we found out that Congress had not really intended to end our magistrate's court but had passed Public Law 85–615 with the situation in other native communities in mind. The Interior Department report to Congress concerning this legislation reads, in part, as follows:

The need for the enactment of this bill is due to a decision of the United States District Court for the District of Alaska on May 15, 1957, in the cases of In re McCord (No. A–13363) and In re Nickanorka (No. A–13364).

McCord and Nickanorka were charged with statutory rape under the Territorial law of Alaska. The court held that the Territorial law did not apply because the incident occured in Indian country, and that the Federal statute sometimes called the Ten Major Crimes Act (18 U.S.C. 1153) did not apply because statutory rape is not included in the ordinary crime of rape. The prisoners were, therefore, released on petitions of habeas corpus.

We have no complaint about state jurisdiction when it is actually exercised to maintain law and order. Our concern is about the situations in which it is not exercised. In those situations we would like our own police and magistrate to have clear authority to function, as they did prior to 1958. Such an arrangement of concurrent jurisdiction between the State and Indian communities exists in Idaho.

We now wish to approach the Congressional delegation with a request to amend Public Law 85–615 so as to give our Community concurrent criminal jurisdiction over minor offenses. It is important, however, that you and we agree on this proposed solution and we therefore request your comments on our suggestion and your support.

Sincerely yours,

HENRY S. LITTLEFIELD,
Mayor.

[From the Legislature of the State of Alaska]

HOUSE JOINT RESOLUTION 72

Joint resolution relating to a requested amendment of Public Law 85–615 which would give the Metlakatla Indian Community criminal jurisdiction over minor offenses concurrent with the state's jurisdiction

Be it resolved by the Legislature of the State of Alaska:

Whereas since 1944 the community of Metlakatla has had its own magistrate and police force with certain limited criminal jurisdiction pursuant to its constitution adopted under federal law; and

Whereas in 1958, the United States Con-

gress passed Public Law 85–615 extending state criminal jurisdiction over all the Indian territory of Alaska which had previously been under territorial law; and

Whereas the community of Metlakatla was unaware of the change in the law until years later and continued acting under its local police powers; and

Whereas Public Law 85–615, by delegating total criminal jurisdiction to the state, works a great hardship on this community because the state police have limited manpower making it impossible for them to deal effectively with minor criminal offenses in the somewhat isolated community of Metlakatla; and

Whereas Public Law 85–615 destroyed the effectiveness of the local police and judiciary and created a gap in law enforcement in the area; and

Whereas an amendment giving this community concurrent criminal jurisdiction is not without precedent in laws dealing with the Indians in that a similar arrangement exists between the state and Indian communities in Idaho and there are specific exceptions to 18 U.S.C. 1162;

Be it resolved that the Congress of the United States is respectfully urged to amend Public Law 85–615 to give the community of Metlakatla concurrent criminal jurisdiction over minor offenses.

Copies of this Resolution shall be sent to the Honorable Lyndon B. Johnson, President of the United States; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable John W. McCormack, Speaker of the House; the Honorable Carl Hayden, President Pro Tempore of the Senate; the Honorable Wayne N. Aspinall, Chairman of the House Interior and Insular Affairs Committee; the Honorable Henry M. Jackson, Chairman of the Senate Interior and Insular Affairs Committee; and to the Honorable E. L. Bartlett, and the Honorable Ernest Gruening, U.S. Senators; and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

S. 3406—INTRODUCTION OF BILL TO AMEND ALASKA STATEHOOD ACT

Mr. BARTLETT. Mr. President, I introduce, for myself and Senator GRUENING, a bill to amend the Alaska Statehood Act to permit a longer period of time for mineral selections.

When the Alaska Statehood Act was passed, the State of Alaska was given 5 years in which to make mineral selections. In 1964 the period was extended to 10 years. The need for an extension became apparent when it was discovered that all selections would be much slower in processing than had been originally anticipated. Since this extension in 1964 until January 3, 1969, the Indians, Eskimos and Aleuts of Alaska have filed native protest claims over nearly all of Alaska, excepting the panhandle in southeastern Alaska. Because of the protest claims, the Secretary of Interior has refused to process further State land selections and, as a consequence, the State has not yet had an opportunity to make all of its mineral selections. At this time, there is no way of knowing how long the hiatus in land selections will last, and, therefore, it is only fair that the State be given additional time in which to make mineral claims.

When the original selection period was agreed on in the Statehood Act, it was thought that a short period for the purpose of mineral selections would be fair to lessees to avoid a period of conflicting governmental administration. Any conflicts which might have arisen have been resolved so there would be nothing detrimental to lessees in the extension of the period of time in which the State might make selections.

Since the period for mineral selections runs out on January 3, 1969, I am hopeful that the Congress will act speedily on the bill. I ask that the provisions of the bill be printed in the RECORD at the conclusion of my remarks.

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

The bill (S. 3406) to amend the act providing for the admission of the State of Alaska into the Union in order to extend the time for the filing of applications for the selection of certain lands by such State, introduced by Mr. BARTLETT, for himself and Mr. GRUENING, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 3406

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (h) of section 6 of the Act entitled "An Act to provide for the admission of the State of Alaska into the Union", approved July 7, 1958 (72 Stat. 339), as amended, is amended by striking out "ten years" and inserting in lieu thereof "twenty-five years".

S. 3408—INTRODUCTION OF BILL—VETERANS EMPLOYMENT AND RELOCATION ASSISTANCE ACT OF 1968

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill entitled "Veterans Employment and Relocation Assistance Act of 1968." A companion measure is being introduced in the other body by my colleague on the Joint Economic Committee, Representative CURTIS, of Missouri.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3408) to amend title 38, United States Code, to provide employment and relocation assistance for veterans, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, approximately 800,000 men will be discharged from the armed services this year, and it is estimated that about 400,000 of these men will seek postdischarge employment assistance. This bill would assist our returning veterans in finding employment opportunities which are commensurate with their military training and experience, no matter where such opportunities exist.

As the President pointed out in his message to the Congress, many veterans have had such difficulty obtaining jobs that they have had to rely on unemployment compensation. Throughout the Nation, 174,932 recent dischargees—men who had served in the armed services within the prior year—filed for unemployment compensation and drew those benefits for an average total of 10.7 weeks during fiscal year 1966. The national figures for fiscal year 1967 are 161,878 who drew unemployment compensation for an average total of 9.3 weeks.

The key feature of the bill I introduce today is job mobility. It is its objective to assist those veterans who would be returning to areas of high unemployment by directing them to other sections of the country where the skills and training they received while in military service are in need and would be utilized. Military service interrupts the life experience of many young men. We should take advantage of this fact and seek to turn such circumstance into an opportunity for significant social and economic breakthrough. Those men who have left depressed urban ghettos to serve in the armed services should have the opportunity, if they wish, of going where employment opportunity exists after their military service has been completed. Not only could such a program benefit the men involved, but it could contribute to the national economy by promoting labor mobility and overcoming manpower skill shortages on a national basis.

Many of our returning veterans acquire skills in the military which have counterparts in the civilian economy. Each serviceman generally learns from one to three "military occupational specialities"—MOS. Many, although not all, of the MOS's have immediate civilian relevance. For those men who are to leave the armed services unequipped to make the transition to civilian life and who need assistance in preparing for a job, in addition to postdischarge training benefits offered under the cold war GI bill, the military is beginning to offer other sources of relevant skill training. In particular, I refer to Project Transition of the Department of Defense. This program seeks to train men about to be discharged for jobs which will exist, for skills which are needed, in the civilian labor market. This is done by offering specific MDTA courses at each of the armed services separation points in the United States and, in addition, by utilizing direct support from business in the form of company-sponsored courses taught on the bases.

The Veterans' Employment and Relocation Assistance Act represents an effort to build upon and to supplement military training and programs such as Project Transition. One of the greatest limitations to Project Transition is lack of mobility. In a recent article in the Reporter entitled, "A Belated Job Program for Vietnam Veterans," John I. Brooks noted that:

> Much of Project Transition's success depends on a man's willingness to go where the job is . . . [T]he returning veteran is at "a point of high mobility" in his life because of his recent separation from home and his travels in the service.

This bill would take advantage of that potential mobility. It would seek to stimulate those veterans whose homes are in areas of high unemployment to relocate in those sections of the country where they could more easily acquire useful and relevant employment. This will be done through a process of compilation and matching of relevant data and a program of financial relocation assistance.

Some of the data relevant to this program of veterans' assistance is already available. The U.S. Employment Service of the Bureau of Employment Security in the Department of Labor is presently charged with maintaining a system of employment offices throughout the Nation which collects and furnishes information on employment opportunities in each area. Moreover, these local USES offices are to offer specific job counseling assistance to veterans.

First, this act would require USES to collect and compile information about employment and training opportunities on a national basis through the establishment of a so-called Veterans' Employment and Relocation Assistance Center. It would also require the Secretary of Defense to compile, each month, a list of persons who are to be discharged, together with their homes of record and any special education, training, or skill such person may possess, including his MOS, both primary and secondary. This information, which could be crucial to placing a veteran in a civilian job which builds upon his most relevant and most recently acquired skill, is not now generally available nor is it utilized by USES in counseling and placing veterans in jobs.

Second, the act would seek to match the skills the veterans have acquired in the armed services with employment and training opportunities available on a national basis. Each local USES office would continue its present practice of seeking out veterans returning to its area, counseling them, and assisting them to find employment in that area. However, if no employment is available in the veteran's home area, the local USES office would then be required to direct those veterans who so desire to employment or training opportunities, commensurate with their qualifications and training, available in other parts of the Nation. This would be done by using the information compiled by the National Relocation Center. In this manner, the employment opportunities of each eligible veteran would be extended to a national basis.

Finally, the act would stimulate the potential mobility of these returning veterans through a system of financial assistance for relocation. The Veterans' Administration would pay the reasonable travel expenses of each veteran for whom USES has arranged a job interview at a place other than his home area. In addition, a veteran who accepted an employment or training opportunity in an area other than his home area, would receive, as a veterans' benefit, a moving allowance, to include reasonable travel expenses for his family and himself, reasonable expenses for moving his personal effects and household goods, and the cost of lodging for a transitional period while he sought housing in his new location.

It is my estimate that an expenditure of about $35 million would be adequate to cover the first-year costs of this program, until such time as it has been in operation for a period of time and it would be possible to compute more exactly the number of veterans who would take advantage of its benefits. Presently, about 70,000 men are being discharged each month. If one assumes that about 10,000 of them take advantage of the interview expenses, and 5,000, of the moving expenses each month, these benefits would run to a monthly expenditure of approximately $2.5 million—based on $100 per interview and $300 per actual relocation. Adding an amount for administrative overhead, the potential cost of this program remains but a tiny fraction of the total amount spent on veterans' benefits. The administration is seeking $7.3 billion for all veterans' programs for fiscal year 1961; this program would represent but .005 percent of that total.

Mr. President, the measure which is being introduced in both Houses of the Congress today could have social and economic benefits far out of proportion of its costs. The Veterans' Employment and Relocation Assistance Act builds upon and seeks to utilize the skills which a young veteran has acquired while in military service, and takes advantage of the fact that these men are more mobile than most of the unemployed and more mobile than they probably ever have been or ever will be again in their lives. This program should promote labor mobility and thereby ease skill shortages wherever they exist.

Finally, for those veterans who were drafted or enlisted out of our urban ghettos, whose ghetto living experience has been interrupted by military service, this program would seek to reach them before they have returned to areas of high unemployment and would give them the opportunity, if they wished, of utilizing their recently acquired skills and training in areas in which those skills and training will be relevant. Certainly, meaningful employment for our veterans should be a high objective of the society for which they have fought.

Mr. President, I hope early hearings will be held on the bill. I invite other Senators to study it carefully, in the hope they will join me in seeking to enact the bill into law.

Mr. President, in aid of the bill, I ask unanimous consent that a magnificent article appearing in the New York Times of Monday, April 29, entitled "The U.S. Negro in Vietnam," which indicates the service which is being rendered by our minorities in the Armed Forces, and the magnificent opportunity which is available to us to deal with their settlement in the economy when they come home, may be made a part of my remarks.

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

THE U.S. NEGRO IN VIETNAM

(By Thomas A. Johnson)

SAIGON, SOUTH VIETNAM.—The Army sergeant with the coal-black face muttered: "What in the hell am I doing here? Tell me that—what in the hell am I doing here?"

But there was a smile on his face.

At the moment, he and the men of his under-strength platoon—about half of them Negroes—were crouching on a jungle trail as artillery shells pounded the brush 100 yards away.

At the same time, some 50,000 other Negroes in Vietnam were unloading ships and commanding battalions, walking mountain ranges and flying warplanes, cowering in bunkers and relaxing in Saigon villas.

They were planning battles, moving supplies, baking bread, advising the South Vietnamese Army, practicing international law, patrolling Mekong Delta canals, repairing jets on carriers in the Tonkin Gulf, guarding the United States Embassy, drinking in sleazy bars and dining in the best French restaurants in Saigon, running press centers, digging latrines, driving trucks and serving on the staff of Gen. William C. Westmoreland, the American commander.

They were doing everything and they were everywhere. In this highly controversial and exhaustively documented war, the Negro, and particularly the Negro fighting man, has attained a sudden visibility—a visibility his forefathers never realized while fighting in past American wars.

Fourteen weeks of interviews with black and white Americans serving here reveal that Vietnam is like a speeded-up film of recent racial progress at home. But Vietnam also demonstrates that the United States has not yet come close to solving its volatile racial problem.

Why was the sergeant—a 34-year-old career soldier—in Vietnam?

He talked with good humor of the "good Regular Army" to a Negro correspondent, he shuddered with anger recalling that his home-town paper in the Deep South called his parents "Mr. and Mrs." only when referring to their hero son, and he pointed out that he had stayed in the Army because his home town offered only "colored" jobs in a clothing factory where whites did the same work for higher pay.

ONLY WAR WE'VE GOT

Most often Negro and white civilians and career soldiers see Vietnam as a boon to their careers and as a source of greater income than at home. It was not unusual to hear civilians and career soldiers—Negro and white—express such views as, "Hell, Vietnam's the only war we've got."

For the Negro there is the additional inducement that Southeast Asia offers an environment almost free of discrimination.

One civilian remarked, "Bread and freedom, man, bread and freedom."

To the ordinary Negro fighting man, Vietnam means not only integration but also an integral role in American life—or at least this aspect of American life.

" 'The man' can't overlook talent when he wants the job done," said S. Sgt. James Frost, a 29-year-old Negro from Youngstown, Ohio.

In the job of battle, fighting prowess and dependability quickly erase color barriers. Staying alive becomes more important than keeping stateside racial patterns.

During the battle for Hue in February, a knot of white and Negro marines stood knee deep in the mean red mud beside their tank. They were grimy faced, beard-stubbled and grease-spattered.

A TOAST AT 9 A.M.

They peered across the Huong (Perfume) River, where, more than 300 yards away, unseen North Vietnamese gunners had just given up a mortar and artillery duel.

"They're through for now," said Sgt. Eddie Dailey, a Negro from York, Pa.

"It looks like it," said a white marine with field glasses.

It was 9 A.M., but from somewhere a bottle of liberated Black and White scotch was produced and passed around. "Integration whisky," someone commented.

"And that's just what's winning this Goddamn battle," the Negro sergeant said.

A white lance corporal agreed. "You're damn straight, bro," he said. The Negro shorthand for "soul brother" seemed to slip out naturally.

As the corporal, John Tice of Savannah, Ga., passed the bottle, a tattoo could be seen on his bare right arm. It showed a Confederate flag and the words "Johnny Rebel."

"That's just what's gonna win this Goddamn war," Sergeant Dailey spat. "Integration, Goddamn it."

With the integration of the armed forces in the late nineteen-forties and early fifties, the military quickly outdistanced civilian efforts at breaking down color barriers. This has continued to a point where young Negro men flock to military service for the status, careers and security that many cannot find in civilian life.

The war is Vietnam is filled with ironies, and one of the biggest is that the ordinary Negro fighting man—and especially the teenage front-line soldier—is not aware of the Negro's participation in previous American wars.

An 18-year-old Marine private at Dongha said proudly: "The brother is here, and he's raising hell. We're proving ourselves."

Officers in Saigon at the headquarters of the Military Assistance Command, Vietnam, say the heavily Negro 173d Airborne Brigade is the best performing unit in Vietnam.

YOU TELL THEM

This correspondent went in with the second helicopter wave when the Fourth Battalion of the 173d struck a Vietcong supply base in a thickly forested area of Phuyen Province.

Taking cover in tall grass, he found himself with a young Negro paratrooper, a private first class whose face had not yet sprouted a serious growth of beard.

"What you doin' here, bro?" the paratrooper asked. "You gonna do a story on the Fourth Battalion?"

Without waiting for an answer he kept talking.

"You tell them that the 173d is the best Goddamn outfit on this rock. We were the first brigade-size combat unit in Vietnam."

His squad was ordered forward, but he kept talking:

"Tell them we made the first combat jump in Vietnam on Operation Junction City, and that the Fourth Battalion is the best in the 173d. You tell them that—tell them we took Hill 875 at Dakto and that we are steadily kicking Charlie's rear."

Only then did the paratrooper stand up, and as he ran with his squad he called back:

"You tell them, you hear?"

WHAT HISTORY BOOKS OMIT

Capt. Robert Fitzgerald, a Harlem-born intelligence officer on General Westmoreland's staff, commented:

"They feel they're the first Negroes to fight because their history books told only of white soldiers, and their movies showed that John Wayne and Errol Flynn won all American wars."

The 31-year-old officer went on: "The only uniform they've seen on Sidney Poitier was a chain-gang suit, and—oh, yes—that of an Army truckdriver once."

Talk of race often leaves white servicemen bored, embarrassed or annoyed. Many say the problem is overly stressed, and many Negro servicemen, especially the teen-aged, first-hitch foot soldiers, say the same thing.

But a Negro sailor stationed in Saigon noted:

"The question of race is always there for the Negro. He would either be blind or insane if it were not. But Vietnam is a buffer or isolation ward to the whole question of race as we know it."

If Vietnam is an isolation ward, then combat is a private room off the ward where the ordinary G.I. can bring to bear the special skill for which he has been trained—killing. And white or black, the G.I.—usually referred to here as a "grunt" or a "crunch"—is adept at his specialty. The élite units—the airborne, Marines, air cavalry and Special Forces—to which Negro youths flock are among the best of these specialists.

A paratroop officer commented:

"The crunch wants to fight, pure and simple. He's one hell of a fighter, and we couldn't win any war without him because he lives, eats and sleeps to fight. You don't fight wars with gentlemen—that is, you don't win wars with gentlemen."

The grunt is no gentleman.

His average age is 19, and he left high school without finishing. His skills are with the M–16 rifle, the M–60 machine gun, the M–79 grenade launcher, hand grenades and bayonets.

He brags and swears and swaggers, and he runs to a fight. He runs into battle when the first shot is fired, screaming or cursing, as if he does not believe he can be killed.

He can be, however, and he is.

He is killed and wrapped in a green paper blanket and put off to one side until a truck or a helicopter can take him to the rear.

Then he is remembered during quiet times by other young soldiers and marines who still rush into battle, screaming and cursing as if they cannot be killed.

LIKE GIRL SCOUTS

And during those quiet times other things come out.

Like that night in a pitch-black front-line bunker, when it was comforting to hear one another's voices, and the correspondent learned how it was after the Fourth Battalion of the 173d took Hill 875 from a determined enemy force, a force that "had chewed up the Second Battalion."

"We hugged and kissed one another like Girl Scouts, and we cried," said a voice in the darkness.

An Army chaplain comments: "Their anxiousness to prove themselves as men makes them quickly absorb the lesson the military is anxious to teach."

That lesson, an infantry platoon sergeant said, "is to make every man feel that he's in the best army, the best division, the best brigade, the best battalion, the best company, the best platoon, the best squad—and that he's the best God-damn man in that squad."

And the Negro youngster—from the high-school basketball team, the sharecropper's farm or the riot-ready slums—has consistently volunteered for the élite of the military fighting forces.

"You take a good look at an airborne rifle company and it'll look like there ain't no foreign [white] troops there," one Negro commented.

Dr. Kenneth B. Clark, the Negro psychologist, has noted that a "status not readily available in civilian life" causes Negroes to join the military service at a rate two to three times greater than that for whites, and then to volunteer for élite units.

"There is no chance of asserting his manhood and demonstrating his sense of worth in civilian life," said Dr. Clark, who heads the Metropolitan Applied Research Center in New York.

A 1943 INTERVIEW RECALLED

Dr. Clark said the ferocity demonstrated by young frontline soldiers could be related to their youth and their eagerness to prove themselves. He noted that after the 1943 riots in Harlem he interviewed a youth who "got a terrific boost out of the destruction."

Dr. Clark added: "A few months later he was a soldier, in uniform and with a riding crop, and getting an even bigger kick out of potential destruction he could legally cause."

The Negro makes up 9.8 per cent of the military forces in Vietnam, but close to 20 per cent of the combat troops and more than 25 per cent of such elite Army units as the paratroops. Estimates of Negro participation in some airborne units have been as high as 45 per cent, and up to 60 per cent of some airborne rifle platoons.

A Negro private first class in the Fourth Battalion of the 173d Airborne Brigade said that when he joined the unit in the summer of 1967 "there were 20 brothers and 8 foreign troops" in his platoon.

About one in every four of the Army's front-line supervisors in the grades of sergeant first class and master sergeant is a Negro, a fact attesting to higher Negro re-enlistment rate in the armed forces in general and the Army in particular.

The re-enlistment rate for first-term Army men in 1965 was 49.3 per cent for Negroes and 13.7 per cent for whites; in 1966 the figures were 66.5 and 20.0. Re-enlistment figures for 1967 have not been completed, a Pentagon spokesman said. Generally, the rate in the Army runs at least three times as high as for whites, and in the other services two times as high.

DEATH RATE IS 14.1 PERCENT

The present Negro death rate in Vietnam is 14.1 per cent of total American fatalities; for 1961 to 1967 it was 12.7 per cent. Late in 1965 and early in 1966 the Negro death rate soared to about 25 per cent, and the Pentagon ordered a cutback in front-line participation by Negroes.

It is in the front lines that commonly shared adversity has always sprouted quickly into group loyalty and brotherhood. And whether between white and white, Negro and Negro, or Negro and white, Vietnam is no exception to the tradition of battlefield brotherhood.

"The stereotypes they had believed just sort of melt away," said Capt. Richard Traegerman, a 25-year-old West Pointer from Philadelphia. "Whites see Negroes are as intelligent and brave as anyone else, and Negroes see whites are just guys with the same strengths and weaknesses as anyone else."

A Negro soldier said he felt that the Negro underwent more of a change than the white.

"The Negro sees the white boy—really sees him—for the first time," he said. "He's just another dude without all those things to back him up and make him bigger than he is—things like a police department, big job or salary."

CLOSER THAN BROTHERS

And a long-time front-line observer said: "It's the most natural thing in the world to come out closer than brothers after a few days on the line. Up here it's a real pleasure to just be warm and dry or to feel a cool breeze; to have fresh water, a heat cube for C rations; to wash or take off your shoes or to be alive when others are dying. This will make any two people brothers."

For the most part, Negroes in Vietnam say that the closest thing to real integration that America has produced exists here.

"It's the kind of integration that could kill you, though," a Negro sailor remarked.

There are reports of racial discrimination, racial fights and instances of self-segregation, but most Negroes interviewed said these instances were greatly outweighed by racial cooperation.

In effect, while participating in a war that pits yellow people against yellow people, America is demonstrating that its black and white people can get along.

SYMPATHY FOR MONTAGNARDS

So pervasive is this demonstration that some Negroes, in discussing the prejudice of low-land Vietnamese toward the mountain-dwelling and usually primitive montagnard tribesmen, convey the idea that discrimination against Negroes has ended at home as well as in Vietnam.

Oscar Roberts, an Army captain stationed at Pleiku as an adviser to the South Vietnamese Army, pointed up this attitude when he remarked: "The montagnards are treated the way we used to be treated back home."

But then he smiled and added: "The way we used to be and still are treated some places back home."

Other Negroes did not remember, or smile, or correct themselves.

Race is quite often a laughing matter among servicemen in Vietnam.

Sgt. Charles C. Hardy, a 21-year-old marine from Chicago, was on duty one night in Danang and gave his bed to a visiting white friend, but not without some specific admonitions.

"That sack has lots of soul," he said. "It's a soul-recharging station, so you'd better be careful. I don't want to see you wake up tomorrow morning thinking you can talk trash and trying to dance the boogaloo and the philly dog, you hear me?"

Some of the "brothers" in an airborne unit held a "soul session" to "cuss Chuck," the white man. When a late-arriving brother inquired what a "couple of Chucks" were doing attending a soul session, it was explained that they were "honorary souls," and the Chuck-cussing continued.

And after watching a plea for brotherhood on a television set in a bunker in the Central Highlands, a youth of Mexican origin spoke up.

"All right," he said. "Which one of my Goddamn brothers is going to buy me a beer?"

He got the beer, but not before the whites and Negroes unleashed a barrage of anti-Mexican remarks that included: "Give me, give me, give me! A Goddamn spec 4 in the Regular Army and he still thinks he's on relief! Give me, give me, give me!"

Even the highly potent taboo on interracial sex is much less a taboo in Vietnam than it was in the military in past years.

A white officer from North Carolina visited the luxurious Saigon apartment of a Negro officer from Illinois, carrying a dozen red roses for the Vietnamese Lunar New Year, Tet. Their friendship dated from the time they both commanded segregated airborne companies at Fort Bragg, N.C., in the late forties.

PINUPS ARE INTEGRATED

While discussing a double date with Vietnamese girls that the Negro was arranging, they reminisced about the "German broads" and Japanese women they had known.

Walls and lockers, from neat hotels in Saigon to red-earth bunkers in Khesanh, have both white and Negro pinups, regardless of the race of the serviceman.

Some bars tend to be predominantly white or predominantly Negro. This is especially true in the rear areas where the permanently assigned and normally noncombatant troops gather every day. In Saigon, for example, it is mostly whites who frequent the bars along Tu Do Street, while Negroes predominate in the Khanh Hoi area across the Saigon River along Trinh Minh The Street.

It is not uncommon, though, to find both races in both locations, and to see integrated teams making "skivvy runs"—forays in search of bar girls. And white and Negro servicemen talk to the same bar girls.

Still, there is much off-duty separation of the races, and most of it is voluntary separation by Negroes. There are several reasons, not the least of which was expressed by a high Negro civilian official.

"Wherever you have a lot of American whites with a lot of time for relaxing," he said, "then you can figure that the brother is in for a little difficulty."

A German in Vietnam asked a Negro civilian if he was aware of how some American whites talked about Negroes when they were alone. The Negro said he was.

"Do you know that they call you animals," the German said, "that they say you have tails and that they seem especially anxious that foreigners—myself and the Vietnamese—hear this?"

"I know," the Negro said.

"What's wrong with them?" the German asked.

"They're white Americans," he was told, "a strange breed of people."

"ALOOF" AROUND WHITES

A Negro field-grade officer said he relaxed only around Negroes and put up an "aloof" and "even unfriendly" front around whites.

"You don't want to over-extend yourself because you never know when whites are for real," he explained. He went on to suggest that the Negro officer must often be a "super Negro."

"I see white officers bringing Vietnamese girls into our quarters and getting away with it," he said, "and I wouldn't think of joining them. Whites prove every day how vulnerable the 'successful' Negro is in our society. If they can go to such great length and bend the rules to kick Adam Powell out of Congress and take Cassius Clay's title, they can certainly get to me. I don't intend to give them the chance."

Still, separation and aloofness are not rigid situations and attitudes.

A Negro specialist 4 in an infantry outfit said:

"I got some white friends who are 'for real' studs, and, hell, they could call me anything and do anything they want, because I know they are for real. I know some other Chucks who I'd most likely punch in the mouth if they said good morning to me, because I know they are some wrong studs."

A rear-echelon Negro private first class, sitting in a bar in Saigon's Khanh Hoi with a white friend with a Deep South accent, started to discuss why Negroes segregate themselves."

"White people are dull," he said. "They have no style and they don't know how to relax."

"What do you mean?" the white youth interrupted.

"Shut up," the Negro said. "I'm not talking about you, nigger. I'm talking about white people."

LIKE THE CRUSADES

Another Negro, explaining why he frequented the Negro-owned "soul food" places in Saigon—such as the L & M and the C.M.G. Guest House, both of which have white and Negro clientele—said:

"Look, you've proven your point when you go out and work and soldier with Chuck all day. It's like you went to the Crusades and now you're back relaxing around the Round Table—ain't no need bringing the dragon home with you."

The term "soul session" is often used here to describe Negro efforts to "get away from 'the man,'" to luxuriate in blackness or to "get the black view." These sessions occur in front-line bunkers and in Saigon villas, and quite often they include some "for real" whites.

Negro V.I.P.'s who come to Vietnam find that despite full schedules a "brother" will get to them with a dinner invitation so the visitors can get "down to the nitty-gritty."

Senator Edward W. Brooke of Massachusetts, Whitney M. Young, Jr. of the Urban League and the Rev. Ralph D. Abernathy of the Southern Christian Leadership Conference are among those who have got the benefit of the black view.

"Sometimes it doesn't do too much good, from what some of the black V.I.P.'s have said when they got back home," one soul-session advocate said later.

Self-segregation does not attract all Negroes, and there are some who shun any appearance of Negroes' getting together, no matter what the purpose.

There are Negro officers and civilians in Saigon hotels who prominently display record albums by Mantovani and Lawrence Welk and hide albums by such soul-sound purveyors as James Brown and Aretha Franklin.

"A lot of the brothers feel they can't be themselves and integrated," said Lieut. Col. Felix L. Goodwin, a Negro veteran of 27 years of Army service.

"This dates back to the time the Army was first integrated and we all felt we had to show whites we were not prejudiced," the colonel added. "Most of us feel comfortable enough now to be both black and integrated, and we think this is healthy."

While integration is fairly recent in the military, Negro participation in American wars is as old as the country's history.

Negroes were with Columbus, the Conquistadors and Henry Hudson. They fought the Indians in Nieuw Amsterdam and the English in the Revolutionary War. Three thousand fought in the War of 1812, and Commodore Oliver H. Perry described them as "insensible to danger."

MORE THAN 200,000 IN CIVIL WAR

In the Civil War, more than 200,000 black men wore Union uniforms, and the Confederacy began organizing Negro units toward the end of the war.

Negroes were at Little Big Horn with Custer. They helped to chase the Sioux into Canada, they captured Geronimo and they pursued Billy the Kid across the Southwest. Some runaway black slaves and their descendants fought on the side of the Indians.

Ten thousand Negroes fought in the Spanish-American War, and a group of Negro cavalrymen rescued Theodore Roosevelt's Rough Riders in the battle of El Caney.

A controversy over the fighting qualities of the Negro combat soldier began in World War I. The all-Negro 369th Infantry Regiment stayed under fire for 191 days without relief—longer than any other American unit—and was the first to fight its way to the Rhine.

But the 368th, also all Negro, was sent to the rear as a result of confusion and disorder after five days at the front in the Oise-Aisne offensive.

LACK OF WILL IN FORTIES

The controversy was renewed in World War II as a result of reports that the all-Negro 92d Infantry Division in Italy "melted" when it met German troops. After an investigation a Negro aide to the Secretary of War reported that some units—not all—had made "panicky and disorderly" retreats and had shown "a lack of will to fight."

But the report also pointed out that many of the men did not know how to use their weapons, and the Army learned during World War II that the efficiency of any unit fell off sharply when more than 10 per cent of its men had scored in the lowest grade of the general classification test. The 92d went into battle with 50 per cent of its men in the lowest grade and 90 per cent in the two lowest.

The controversy subsided during the Korean war as a growing number of units were integrated racially.

The Negro's ability and willingness have not been questioned in the war in Vietnam, and have in fact been consistently praised.

PRAISE FROM WESTMORELAND

In a speech to fellow South Carolinians last year, General Westmoreland said: "The performance of the Negro serviceman has been particularly inspirational to me. They have served with distinction. He has been courageous on the battlefield, proficient, and a possessor of technical skills."

Courage—and often bravado—is the young combat soldier's long suit.

"When America invented the grunt, she legalized thuggery," one front-line observer said. "When I'm out with grunts and the Vietcong fires on us, I'm damn glad she invented them."

A young Negro marine in war-ravaged Hue typified the grunt's bravado, his eagerness to fight, his disbelief that he can be hurt or killed.

The marine sat on a naval landing craft on the Huong River, bound for the Citadel, once the seat of the Vietnamese imperial government and now, during the Tet fighting, South Vietnam's major killing ground.

"Put me in your paper," the marine told a correspondent.

"What can I say about you?" the newsman asked.

"You can say Lance Cpl. Raymond Howard, 18, better known as 'Trouble,' from Bay Manette, Ala., squad leader, Second Platoon, Delta Company, First Battalion, Fifth Marine Regiment, is going 'cross the river to kick him a few behinds."

S. 3410—INTRODUCTION OF BILL RELATING TO STUDY OF FREIGHT RATES FOR FARM PRODUCTS

Mr. BURDICK. Mr. President, I am pleased to have my colleagues, Senator MANSFIELD and Senator MCGOVERN, joined with me in introducing legislation which I hope will be a badly needed first step toward solution of a problem that has plagued our area of the Nation for many years.

The grain-growing prairies are landlocked, and dependent to a high degree upon railroad transportation. These costs for transporting the grain to market are deducted from the return the farmer gets when he sells his produce. Our problem is now, as it has always been, a matter of determining what is a fair allocation of costs for these transportation services.

The Interstate Commerce Act, which is the guiding document in this field, states that these charges should be determined without prejudice or preference. It is further implied, I feel, that they should be determined on the basis of equal competition. The rates should be equitable, whether one or several carriers are available to move the same product from farm to market.

There is a strong feeling in our part of the country that someone from the outside should take a close, hard look at the freight rates applicable to grain, and to all farm products, to determine if these criteria, as well as the criteria of national interests, are being met.

The proceedings of the railroads in ex parte 259 before the Interstate Commerce Commission make this situation critical in terms of time. I feel that some of these questions must be answered before this increase can be granted. I feel that selective increases on certain commodities originating at certain points may simply pyramid inequities that may already exist.

The only answer is to seek answers to some of these questions, and the nonpartisan study commission we are proposing will provide the means for doing so.

Mr. President, I ask that the text of this bill be printed in the RECORD with my remarks.

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

The bill (S. 3410) to establish an advisory commission to make a study and report with respect to freight rates for farm products, and for other purposes, introduced by Mr. BURDICK (for himself, Mr. MANSFIELD, and Mr. MCGOVERN), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3410

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT OF COMMISSION

SECTION 1. (a) There is hereby established an Advisory Commission on Freight Rates for Farm Products (hereinafter referred to as the "Commission") which shall be composed of 9 members appointed by the President as follows:

(1) two to represent the agricultural industry;

(2) two to represent the transportation industry;

(3) two to represent the public generally;

(4) two to represent the Federal Government; and

(5) one to serve as Chairman.

(b) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) The Commission shall elect a Vice Chairman from among its members.

(d) Five members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

SEC. 2. (a) The Commission shall make a full and complete study and investigation for the purpose of determining—

(1) the economic impact on the Nation's economy of charges for transportation by any means of farm products; and

(2) whether or not all departments, agencies, commissions and instrumentalities of the executive branch of the Government are properly carrying out the national transportation policy, as stated in the Interstate Commerce Act, with respect to the transportation of farm products, particularly the part of such policy which reads as follows: "to encourage the establishment and maintenance of reasonable charges for transportation services without unjust discrimination, undue preferences or advantages, or unfair or destructive or competitive practices;".

(b) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations not later than two years after the Commission has been fully organized.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 3. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings, take such testimony, and sit and act at such times and places as the Commission, subcommittee, or member deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses appearing before the Commission, or any subcommittee or member thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this joint resolution.

(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, shall have the power—

(1) to appoint and fix the compensation of such staff personnel as he deems necessary, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $50 a day for individuals.

COMPENSATION OF MEMBERS

SEC. 4. (a) Any member of the Commission who is appointed from the executive branch of the Government shall serve without compensation in addition to that received in his regular employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those referred to in subsection (a), shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

EXPENSES OF THE COMMISSION

SEC. 5. There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this joint resolution.

EXPIRATION OF THE COMMISSION

SEC. 6. The Commission shall cease to exist ninety days after the submission of its report.

MORATORIUM ON RATES FOR THE TRANSPORTATION OF GRAIN BY RAILROAD

SEC. 7. Notwithstanding any other provision of law no common carrier by railroad subject to part I of the Interstate Commerce Act shall increase any rate for the transportation of grain in bulk until one year after the date on which the Commission submits its report pursuant to section 2(b).

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from West Virginia [Mr. RANDOLPH] be added as a cosponsor of the bills (S. 3349 and S. 3350), the amendments to the cold war GI bill, offered to give cold war GI's equal educational opportunities with those granted to veterans of the Korean conflict.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Indiana [Mr. BAYH] be added as a consponsor of the resolution (S. Res. 49) to express the sense of the Senate with respect to troop deployment in Europe.

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

SENATE JOINT RESOLUTION 163—INTRODUCTION OF JOINT RESOLUTION RELATING TO COMMEMORATION OF THE 100TH ANNIVERSARY OF THE ESTABLISHMENT OF YELLOWSTONE NATIONAL PARK

Mr. HANSEN. Mr. President, nearly 100 years ago, a group of men started a revolution which has spread around the world. The revolution I speak of is the establishment of national parks. It was initiated on March 1, 1872, when Yellowstone Park was set aside for the preservation of irreplaceable natural resources and for the enjoyment of future generations.

We will be celebrating the centennial of the establishment of the first national park in 1972. In addition, the World Conference on National Parks will be held that year in Yellowstone and Grand Teton National Parks. This Yellowstone centennial will provide us with the opportunity to look forward as well as backward and recognize the merit of the "national park idea"; to consider its evolution and worldwide application; to commemorate the contributions of those who gave it form and substance; and to evaluate its role in today's world.

This is a significant milestone in the vital process of seeing to the preservation—in a natural state—of those breathtakingly beautiful areas of our country that serve as a tie with the past when our country was uncomplicated by urbanization.

At this time, Mr. President, I introduce a joint resolution which would commemorate the 100th anniversary of the establishment of Yellowstone National Park by providing for the National Park Centennial.

I ask unanimous consent that both the joint resolution and a letter of transmittal from the Department of the Interior be printed in the RECORD at this point.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and letter of transmittal will be printed in the RECORD.

The joint resolution (S.J. Res. 163) to commemorate the 100th anniversary of the establishment of Yellowstone National Park by providing for the national park centennial, and for other purposes, introduced by Mr. HANSEN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 163

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is requested to issue a proclamation designating the year 1972 as "National Park Centennial Year", in recognition of the establishment on March 1, 1872, of the world's first national park, Yellowstone, which advanced a new concept of land use in setting aside an outstanding natural area in perpetuity for the benefit and enjoyment of the people.

SEC. 2. (a) There is hereby established a National Park Centennial Commission (hereinafter referred to as "the Commission") to be composed of the following members:

(1) four Members of the Senate to be appointed by the President of the Senate;

(2) four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(3) the Secretary of the Interior or his representative; and

(4) six persons to be appointed by the President from among persons not officers or employees of the Federal Government and who, in the judgment of the President, have outstanding knowledge and experience in the fields of natural and historical resource preservation and public recreation.

(b) The President shall designate one of the members appointed by him as Chairman of the Commission.

(c) The members of the Commission shall receive no compensation for their services as such, but members from the legislative and executive branches shall be allowed necessary travel expenses as authorized by law for official travel, and members appointed by the President shall be allowed necessary travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2).

(d) Any vacancy in the Commission shall not affect its powers or functions, but shall be filled in the same manner as the original appointment.

SEC. 3. The functions of the Commission shall be (1) to prepare, and execute, in cooperation with Federal, State, local, nongovernmental agencies and organizations, and appropriate international organizations, a suitable plan for commemoration of the one hundredth anniversary of the beginning of the worldwide national park movement by the establishment of Yellowstone National Park in 1872; (2) to coordinate the activities of such agencies and organizations undertaken pursuant to such plan; and (3) to provide, in cooperation with such agencies and organizations, host services for a world conference on national parks in 1972, and to assist in representing the United States in the activities of such conference.

SEC. 4. The Commission may employ, without regard to the provisions of the civil service laws or the Classification Act of 1949, as amended, such personnel as may be necessary to carry out its functions.

SEC. 5. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with public and private associations and educational institutions; and to request advice and assistance from appropriate Federal departments or agencies in carrying out its functions. Such Federal departments and agencies are authorized to furnish the Commission such advice and assistance with or without reimbursement. To the extent it finds necessary, the Commission may, without regard to the laws and procedures applicable to Federal departments and agencies, authorize travel, make contracts, procure supplies, property, and services (including printing and publishing), and may exercise the powers needed to carry out its functions efficiently and in the public interest.

(b) The Director of the National Park Service or his designee shall be the Executive Director of the Commission. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the Department of the Interior, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary of the Interior: *Provided,* That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *Provided further,* That the Commission shall not be required to prescribe such regulations.

(c) Beginning with the end of the calendar year in which the Commission is first established, the Commission shall submit annual reports of its activities and plans to the Congress. The Commission shall submit a final report of its activities, including an accounting of funds received and expended, to the Congress not later than December 31, 1973, and shall cease to exist upon submission of said report.

(d) Upon termination of the Commission and after consultation with the Archivist of the United States and the Secretary of the Smithsonian Institution, the Secretary of the Interior may deposit all books, manuscripts, miscellaneous printed matter, memorabilia relics, and other similar materials of the Commission relating to the National Park Centennial in Federal, State, or local libraries or museums or make other disposition of such materials. Other property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park System or may be disposed of as excess or surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities shall be deposited in the Treasury of the United States.

SEC. 6. There are authorized to be appropriated such sums, but not more than $250,000, as may be necessary to carry out the provisions of this Act.

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

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 24, 1968.

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

DEAR MR. PRESIDENT: Enclosed is a draft of a joint resolution "To commemorate the One Hundredth Anniversary of the establishment of Yellowstone National Park by providing for the National Park Centennial, and for other purposes."

We recommend that the joint resolution be referred to the appropriate committee for consideration, and we recommend that it be enacted.

By the Act of March 1, 1872 (17 Stat. 32), the Congress established the first national park in the world—Yellowstone. The national park concept originated in this Act which recognized the need to preserve public land of great natural beauty and wonderment in perpetuity for the enjoyment of future generations.

To commemorate the 100th anniversary of the beginning of the national park movement, the enclosed joint resolution requests the President to issue a proclamation designating 1972 as "National Park Centennial Year." To plan the centennial activities, the joint resolution establishes a 15-member special commission, composed of four Members from the Senate, four Members from the House of Representatives, the Secretary of the Interior, and six non-governmental members appointed by the President from among persons having outstanding knowledge and experience in the fields of natural and historical resource preservation and public recreation.

The national park concept is a unique American contribution to world culture. Since the establishment of the first national park at Yellowstone, the United States has developed a National Park System which comprises 258 separate areas and which constitutes a vast repository of our natural and historical heritage. Following our lead, some 80 nations of the world have likewise developed their own national park systems.

We believe therefore it is appropriate to designate the 100th year following the establishment of Yellowstone National Park as "National Park Centennial Year." Since 1872 was also the beginning of a world-wide movement for national parks, we believe it is fitting that representatives of other nations be invited to participate in the National Park Centennial. The appropriate vehicle for bringing together the knowledge and experience of all nations in this field would be, in our opinion, a World Conference on National Parks, to be held at Yellowstone and Grand Teton National Parks in 1972.

The special commission to be established under the enclosed joint resolution will prepare and execute the plans for the commemoration of the 100th anniversary of the establishment of the world's first national park, and will provide host services for the World Conference on National Parks in 1972. In carrying out its functions, we expect that the commission will develop and maintain special exhibitions on the Na-

tional Park System throughout the Nation, undertake important studies of the System for publication and distribution to schools and libraries, and encourage the development of nationwide and world-wide educational programs to promote the national park concept.

The estimated annual cost of the commission's activity in planning and executing the centennial celebration is expected to range from about $40,000 in the early years to $110,000 in 1972. These expenditures will include the costs of advance planning, travel, research, publications and exhibits, and assistance in hosting a World Conference on National Parks. We estimate that approximately $850,000 will be needed for all aspects of the commission's work. The enclosed joint resolution provides, however, that not more than $250,000 may be appropriated to carry out its provisions. Due to the national and international significance of the national park centennial, we expect that a substantial amount of funds will be donated for purposes of the commission and of the World Conference. The $250,000 authorized to be appropriated under this joint resolution will provide the funds for the initial establishment and operation of the commission. The remaining costs will be provided from non-Federal sources.

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

Sincerely yours,

CLARENCE F. PAUTZKE,
Deputy Assistant Secretary of the Interior.

NOTICE OF HEARING—LOWERING OF VOTING AGE REQUIREMENTS

Mr. BAYH. Mr. President, as chairman of the Senate Subcommittee on Constitutional Amendments, I wish to announce that it is the intention of the subcommittee to hold hearings May 14, 15, and 16, 1968, on the resolutions before it pertaining to the lowering of voting age requirements.

The hearings will be held in the auditorium of the New Senate Office Building and will begin at 10 a.m.

Persons who are interested in these hearings should contact the subcommittee staff in room 419 of the Old Senate Office Building, extension 3018.

TRUST TERRITORY OF THE PACIFIC ISLANDS—ANNOUNCEMENT OF HEARINGS

Mr. BURDICK. Mr. President, I wish to announce that the Subcommittee on Territories and Insular Affairs of the Committee on Interior and Insular Affairs will hold a hearing on Wednesday, May 8, on four bills relating to the Trust Territory of the Pacific Islands—Senate Joint Resolution 96, to establish the Commission on the Future Political Status of the Trust Territory of the Pacific Islands—Micronesia; Senate Joint Resolution 106, regarding the status of the Trust Territory of the Pacific Islands; S. 3073, to promote the economic development of the Trust Territory of the Pacific Islands; and S. 3207, to amend section 2 of the act of June 30, 1914, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

The hearing will be held in room 3110 New Senate Office Building, beginning at 10 a.m. Anyone who may wish to testify on these proposals should contact the staff of the committee at the earliest possible time in order that a list of witnesses may be prepared.

COUNTRY ABOVE PARTY

Mr. YARBOROUGH. Mr. President, President Johnson spoke on April 25 at a luncheon of the Burro Club, a private organization of the top assistants to Democratic Congressmen. It might have been speculated that this would be the occasion for a partisan address.

Nothing could be further from the truth. In his remarks, the President consistently stressed the obligation of public officials to address themselves to the broad needs of America, above all other considerations. For example, at one point, the President said:

> The Congress reaches a very dubious decision when its choices are made solely by head counts of a partisan division. I do not believe that we have arrived at any answer until we have truly found the national answer—the answer that all reasonable men can agree upon.

The President paid generous tribute to the vital role of the Congress in writing a great legislative record for all America. In this period of national stress and strain, with so many of us trying to bring about national unity, the President's speech should be made widely available. I ask unanimous consent that the text of his remarks be printed in the RECORD.

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

REMARKS OF THE PRESIDENT TO THE BURRO CLUB, CAPITOL HILL, APRIL 25, 1968

Mr. Chairman, Mr. Speaker, Mr. Leader, Members of the Congress, and Members of the Burro's Club:

In a very real sense, it is good to be back home again—even if only for a brief visit. As your Chairman has told you, in this room some 35 years ago, I won my first political victory on Capitol Hill. I was elected Speaker of the "Little Congress"—an organization very similar to yours. And it was an upset.

On the way up here, I read an article that Gould Lincoln wrote in the Washington Star, on April 28, 1933. It is headed "Progressives Put Over New Slate in Election Drive, 'Little Congress' Upset." I guess they have been upset ever since.

But it was a combination of Democrats and farm labor members. We have had some combinations like that since.

We pledged ourselves to be always mindful of the forgotten man. We said "The election will mark a New Deal for all 'Little Congresses' that everyone—regardless of Party affiliation—will receive fair, equal treatment from the Chair; Committees will be named on an equitable basis of membership and seniority."

So even then, we were not deep partisans, although we were rather visionary progressives—I must admit.

The Chicago Tribune did not claim that my opponents had won before the votes were counted. But it was—I must admit—a surprise to most members of the club, including myself, when we came out on top.

We have a far more crucial election coming up this November. As you know, I have announced that I will not seek or accept our Party's nomination, but that does not mean that I am just going to be an uninterested or passive bystander.

I have a philosophy which I want to discuss with you very briefly. I picked from some of the citations—the Honorary Degrees that have come to men in public life—a citation from a New England University, a great university—Brown University in Rhode Island.

When they awarded me a Doctor's Degree back some 10 years ago in 1959—when I was connected with the Legislative Branch of the Government and we had a Republican President—the President of that New England University and that faculty prepared this citation. I have always prized it very highly, coming from where it did, the section it did, the people it did, and the quality of the school.

It said: "When the Executive and the Legislature are divided, anything or nothing can happen. As Majority Leader of the Senate, you have used your political strength in the national interest to make it possible for the moderates of both Parties to join with you to do the possible and to seek the best. Your skill as a politician has been notable, but you have subordinated politics to national interest, the service for which you will best be remembered."

I would hope certainly that that is true. But this year I think that I could not be uninterested—not when the record that you and I have helped to make is going to be put before the country.

I believe that you know, and that our children will know, and all history will know, that that is an unparalleled record. I can't go over the hundreds of measures that we have been talking about for generations that we have been doing something about the last four years, but I do want to hit some of the highlights.

In 1964, I had reviewed the campaign speeches of all of our Presidents and the documents in our Offices of the President's Messages. All of our Presidents had been concerned with the poor—but it was your Congress that did something about it and passed the War on Poverty Act; the first time that poverty had been recognized as a legislative enactment by itself.

The broadest civil rights laws of the century were passed. Abraham Lincoln, 100 years ago, issued the Emancipation Proclamation—but it was a proclamation; not a fact. And we have made them facts—in voting; there are a million more people voting who never voted before because of our Voting Rights Act. Because of our Accommodations Act, all people can sit at tables in public dining rooms and can have rooms and public accommodations in hotels.

And now the most difficult of them all—the Equal Housing—which we have just signed.

President Truman pledged to the people of this country that he would recognize "Honor thy father and thy mother and their days would be long on the earth" by passing Medicare.

We talked about it in campaign speeches for more than 20 long years—but you voted it.

And you Members of the Burro Club had to stand up and persuade some of your own members to quit shimmying.

I remember one of the most difficult jobs I ever did when I was a Secretary was to get a certain Congressman to vote for the Social Security Act. He really thought that it was socialism. And so many people thought that way—as they did about Medicare.

I remember walking down the streets of my town as a Member of Congress after President Truman had made the suggestion. There wasn't a doctor in the whole area who would hardly speak to me; we were socially ostracized. But anyone who is against Medi-

care today would be ostracized. I can't find anyone who doesn't approve of Medicare.

We had a pioneer program of Federal Aid to Education. Federal aid and Federal control were very ugly words for years. They were ugly when I came in to be President.

The B'nai B'rith invited me to be their principal speaker. They gave me a big award; it glorified my achievements. I was proud and I came home and talked to Lady Bird and my daughters about what a generous thing it was to do.

But I picked up the paper the next afternoon and they had passed a resolution on my Federal Aid to Education Bill.

I do know that centuries from now, people will point to what this Congress did when it passed 18 major educational measures in the past four years—and 26 major health measures that are enduring; more than have been passed in all the Congresses combined.

I know you are proud of that record—Model Cities, Auto Safety. The first minimum wage I voted on was 25 cents an hour; we passed one for $1.60—some little difference.

We have new protection for consumers. We have meat inspection and product safety and flammable fabrics.

And over the years, we have the greatest achievements in conservation—even since the Teddy Roosevelt-Gifford Pinchot days—with more parks and more seashores open to more people than ever before in our history.

During this period, we have actually put more land back in the public domain than we have taken out, and including the inter-State highway system and the freeways; that is saying something.

You members of the Burro's Club helped write that record. You did it just as surely as you cast the votes that passed the bills or if you had signed the law as the President did.

Anyone who has spent any time on Capitol Hill knows the vital role that an assistant plays in the legislative process. When I came here they told me no Congressman was any better than his secretary. That was before we called them Administrative Assistants and Special Assistants.

This record I just talked to you about is a Democratic record. But it was not achieved at all by bitter partisanship. It wasn't written by men who cared more for Party label than they did for public interest. The secret of our success, I think, as a Party, lies in our belief that serving the people and meeting their needs without concern for any narrow ideology or any special interest is really the only criteria and the only standard of good government.

Now, that has been my personal philosophy. Many years ago, when I served as Majority Leader, I remember saying that our political philosophies are the sum of our life experiences. They cannot be squeezed into any one- or two-word label that you hang around your neck. They should not sacrifice the life and blood of individuality by any sterile dogma or any canned definition.

Ten years ago I was writing an article on my philosophy when I was a Member of the Senate. That article was published in the Texas Quarterly, a magazine of the University of Texas, where I hope to teach and lecture some before long. Some of you here in this room may remember that article. The rest of you may find something of value in it for your own public lives.

I want to repeat part of it today because it has been my basic faith throughout the years. I said in that article what I said the other night in my March 31st speech. "I am a free man first; an American second; a United States Senator third; and a Democrat fourth—in that order."

I described the roots of my personal faith, the first principles of my public philosophy. Here is the way I described them: "First, every American has something to say and under our system he has a right to an audience." And plenty of them had it under my Administration—I can assure you.

"Second, there is always a national answer to each national problem.

"Third, achievement of the full potential of our resources, physical, human and otherwise, is the highest purpose of government policies—next to the protection of those rights that we regard as inalienable.

"Fourth, that waste is the continuing enemy of our society and the prevention of waste—waste of resources, waste of lives, waste of opportunity—is the most dynamic of the responsibilities of our government."

Now, these were very simple personal beliefs. They were expressed 10 years ago. But they are my beliefs and they were not adopted from some textbook and they were not adopted from some other man. They have grown with me and they have stayed with me during the years I was a Member of the "Little Congress" and its Speaker. They have been with me for almost 60 years now. I can tell you that these beliefs have strengthened me and they have sustained me. And they have led me to one fundamental conviction and I put that down in that article. This is what it said:

"The Congress reaches a very dubious decision when its choices are made solely by head counts of a partisan division. I do not believe that we have arrived at any answer until we have truly found the national answer—the answer that all reasonable men can agree upon.

"Our work is not done until that answer is found, even if the process requires years of our lives."

I remember a great Speaker of that body who Speaker McCormack and I worked closely with for years. He said to me one time that the thing he was so proud of our Party for was that we do not hate their Presidents. Just because they are not members of our Party, we don't go around hating their Presidents.

Last night I spoke to a gathering in Chicago. I took along with me an excerpt from a statement that I made back in 1953 when our Party was rather disorganized and we had just had a great war hero elected to office and we had been turned out of power. As a very young man I had become a leader of the Senate Democrats because I think no one else over there who had been around long enough would want the job.

It was the afternoon of January 2, given to the Democratic Conference of the Senate. I said: "My colleagues, we are now in the minority. I have never agreed with the statement that it is the business of the opposition to oppose. That was a very famous statement attributed to a very famous American who was then the Majority Leader whose name was Robert Taft. He said: 'It is the business of the opposition to oppose'."

I said I did not agree with that statement. "I do not believe the American people have sent us here merely to obstruct. I believe we are here to fight for a positive program, a program geared not to opposing the majority, but to serving America. I think that is the real desire of every good Democrat, even though he may disagree as to methods.

"So, working together, I think we can do more than preserve the gains of the past 20 years that we have legislated. I think we can go forward today, even though we are in the minority, with a positive program—a program that is pro-American and not anti-Republican. If we go forward as positive Americans and not negative oppositionists I am convinced that the time is not too far distant when the Democratic Party will again be in the majority."

Two years later, we were in the majority in the Congress. And we kept that majority for six years of that eight-year Republican administration—because of that philosophy. We have elected two Democratic Presidents since that philosophy was expressed.

If we continue to act on those beliefs—if we will continue to act in that atmosphere—elections will take care of themselves, the Democratic Party will remain in the majority, our national challenges will be faced, our national answers will be found and the American people will prosper and the world will share in the new blessings that we could achieve by unity.

You and I and the Democratic candidate will be taking that faith to the country again this year. I made my announcement and one of the most motivating reasons for that announcement was that no one in the world—no one who sought our treasure or tried to stall freedom—could have any doubt that any person in this country—candidate or non-candidate—could effectively pressure this President and his actions for at least the next nine months; that we were going to be above and beyond any petty, mean, personal, selfish, partisan action or any cowardly action, because I honestly believe that there are those in the world who would not hesitate to take advantage of any weakness in our system that they could detect or any differences that they could exploit.

So, I would hope that I could remove myself from the nosecone of a volcano, where I could act independently and with complete liberty, with only one criteria—the greatest good for the greatest number and providing a national answer to a national problem and an international answer to an international condition.

And that is what we propose to do.

I would hope that you would not be personally critical or that you would not be vituperative or you would not hate or you would not descend to the level of narrowness or selfishness or trying to carry out a burning personal ambition for ambition's sake only.

I hope that we can unite around the standards that I have expressed today and I would hope that we can hold them high, because I genuinely believe that if we do, the voters will respond to them as they have in seven out of the last nine Presidential elections since 1932 and in 16 out of the 18 Congressional elections in the same period.

With that record, and with that faith. I have not the slightest doubt—not the slightest doubt—that any would-be divisive force will ever make any serious in-roads in this country.

I would conclude only by saying this: That the longer you live, the more you learn. But what I am saying now, I knew when I came here—that there are no more dedicated people in the rice paddies of Vietnam or patrolling the DMZ in Korea, or protecting freedom in Germany at this hour than the men and women who serve this Government; particularly those who serve this Congress. Your Speaker and your Majority Leader are examples of highest patriotism, greatest intellect, absolute complete integrity and confidence.

But most of all, their every act—their every test—has been the greatest good for the greatest number of people.

That is why we are all here, actually. The Good Lord put us here to better humanity. Otherwise there is no excuse for us. I hope that the Democratic Party—not as Democrats, not as sectionalists, not as regionalists, not as members of any church or any race—but as human beings, will never forget that they are free men first; that they are Americans second; that they are agents of the public—public servants third; and Democrats fourth—but always in that order.

If we do what is best for America, don't you ever have the slightest doubt that America will do what is best for you.

Thank you.

The CHAIRMAN. Mr. President, we have those clippings you mentioned in your speech that were made 35 years ago when you were

elected Speaker of the "Little Congress" in a frame.

We deeply appreciate your coming to visit with us. We think you are a great American. We are proud of you—and most of us wish you were running.

The PRESIDENT. Apropos to what the Chairman has just said, I want to repeat what I said in Chicago last night. I said one of the men in the White House Press Corps said: "Mr. President, why are you going to a Party dinner in Chicago?"

I said: "Because I like to go to Party dinners, and I used to be in politics myself."

EDNA FERBER'S 82-YEAR-LONG ODYSSEY ENDS

Mr. NELSON. Mr. President, America's best-known woman novelist, Edna Ferber, died recently, but her remarkable works of literature will be read and enjoyed by generations to come. The unforgettable stories recorded by Miss Ferber depict American life and attitudes exhibiting great insight and sensitivity, along with a sharp and keen wit. These tales will live on as an eternal tribute to this author and will guarantee to Edna Ferber an important place in the annals of American literature.

Miss Ferber grew up in Appleton, Wis., where her character and sense of humor were nurtured by the color and vitality of this great Wisconsin community. Whether bobsledding on the Appleton streets, picnicking along the Fox River, or picking flowers from the scenic countryside, the young Edna blossomed and began to accumulate the wealth of information that she would later share with all of mankind.

Appletonians can justifiably be proud of Edna Ferber as well as the community where she grew up. Recently, Mr. James Auer wrote an article about Edna, warm and friendly, as was Miss Ferber, which was published in Appleton's fine newspaper, the Post Crescent. 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:

APPLETON'S EDNA FERBER—82-YEAR-LONG ODYSSEY ENDS

(By James Auer)

An 82-year odyssey that led from a grocery store in Kalamazoo, Mich., to a penthouse on New York's Park Avenue, ended Tuesday for America's best-known woman novelist, Edna Ferber.

Miss Ferber, who began her writing career in 1904 as a $3-a-week reporter for the old Appleton Daily Crescent and who frequently drew on characters and incidents observed during her eight years as a resident of the Fox River Valley, had been seriously ill for several months.

She died in her New York apartment, where she had been confined. A funeral service will be held Thursday in New York.

"It's wonderful being a writer," Edna Ferber once told an interviewer. "I wouldn't be anything else."

POPULAR TOUCH

And, indeed, she was the American writer, par excellence, drawing with imagination and an unfailing popular touch upon the richness of the nation's legacy of historical fact and folklore.

In "So Big", for which she received the Pulitzer Prize in 1924, she wrote of a Wisconsin woman who found beauty in the cabbages she raised on her truck farm. "Come and Get It" (1935) was a vigorous and penetrating story of the lumber kings of the Wisconsin north woods.

"Cimarron" (1929) took Miss Ferber's readers to the Oklahoma of pioneer days; "Saratoga Trunk" (1941) dealt with high society and the railroad wars ranging from Creole New Orleans to Saratoga Springs in the 1880's; "Great Son" (1945) traced one Seattle family through four generations, and "Giant" (1952) lifted the ten-gallon lid off a Texas few readers knew—and few Texans were willing to recognize.

SHOW BOAT

But it was "Show Boat" (1926) with which Miss Ferber reached an enduring plateau of popular recognition. The basis of one of the most successful musical dramas of the American stage, filmed three times, and a best-seller for more than a decade. "Show Boat" introduced into American folklore such now-legendary characters as the dashing gambler Gaylord Ravenal, the tragic Julie, the lovely Magnolia—and lovable Cap'n Andy.

Miss Ferber herself attributed her success as a writer to an almost uncanny ability to project herself into any environment, any dramatic situation. She didn't have to see or visit a place, or even experience a situation, in order to write about it, she insisted.

"I have never been on the Mississippi or in the Deep South," she once said. "I wrote 'Show Boat'. I know nothing of farms or farming, which forms the background of 'So Big.' I wrote 'Cimarron' after spending 10 days in Oklahoma."

JOY OF LIVING

Intensely aware of the joy of living, she relished hard work and controversy, writing in the first volume of her autobiography, "A Peculiar Treasure," which told of her life up through 1938:

"To be alive is a fine thing. It is the finest thing in the world, though hazardous. It is a unique thing. It happens only once in a lifetime. To be alive, to know consciously that you are alive, and to relish that knowledge—this is a kind of magic."

Life for Edna Ferber began in Kalamazoo, Mich., on Aug. 15, 1885. The daughter of storekeeper Jacob Ferber and his wife, Julia Newmann Ferber, Edna moved with her family to Ottumwa, Iowa, when she was three, and on to Appleton seven years later.

The first 10 years of Edna Ferber's life were not entirely untroubled. Her father's eyesight had failed gradually, and the store on which they depended for a livelihood failed to prosper. Understandably, then, the typical American small town of Appleton (population 16,000) looked particularly good to the beleaguered Ferbers as they arrived in 1897.

"Perhaps pioneer families of sixty years before, coming upon a cool green oasis after heart-breaking days through parched desert and wind-swept plains, must have felt much as the Ferber family did as it appeared in Appleton, Wisconsin, and looked about at the smiling valley in whose arms the town so contentedly nestled," she wrote in her autobiography.

For many years the Ferbers operated a store on College Avenue.

As Barbara Kaiser, of the State Historical Society of Wisconsin, recalled in the Badger History magazine for March, 1961:

WARM AND FRIENDLY

"The people were warm and friendly and Edna enjoyed her life. She went to school, rode her bicycle, and played with other children her own age. In spring and summer they picked wild flowers in the country and in autumn they gathered nuts. They had picnics along the Fox River. In winter they went ice skating on the same river or bobsled-catching in the Appleton streets.

"The Ferbers loved the theater and whenever traveling actors and actresses visited Appleton, the whole family—Edna, her older sister, Fannie, and her mother and father—went to see the plays. Edna, particularly, loved everything about acting and wanted to be a part of the theater. She began reciting at school programs and socials when she was small. Shortly after she came to Appleton she won a silver medal in a speaking contest. At Ryan High School she was often the leading lady in school plays. A member of the school literary and debating society in her senior year, she won first place in the state-wide speaking contest in Madison. Almost everyone in Appleton greeted her at the train station when she returned home. Edna was a heroine as the townspeople celebrated her success with a huge bonfire near the school and a present of a loving cup."

NEWSPAPER JOB

Upon graduation from Ryan High School, Edna hoped to go on to college, majoring in speech, with a career on the stage as her eventual goal. But her father's long illness had drained the family coffers, and Edna found herself applying for a newspaper job, instead of admission as a college freshman.

At 17 she became the first girl reporter the Appleton Daily Crescent had ever had. For a year and a half, during the editorship of Sam Ryan, she covered a variety of "beats"—storing up information about the local people that would become valuable to her years later, as a writer of fiction.

The city editor of the Crescent was not entirely pleased with her writing style, however, and after some 18 months in the employ of the Crescent, Edna Ferber was relieved of her job. Broken-hearted, she sought employment with the Milwaukee Journal, for which she had been writing local stories, and left Appleton to live in Milwaukee.

HEALTH BREAKS

One morning, some four years later, Edna fainted as she was dressing to leave for the office. Her health had temporarily broken, and she was taken back to Appleton to recuperate. While she was on the mend, she purchased a battered old typewriter and, in her characteristic, four-finger style, began pecking out the story of Dawn O'Hara, a Milwaukee newspaperwoman.

Although she did not know it at the time, Edna Ferber's newspaper days were over. Her career as a writer of fiction had begun.

In the years that followed, one Ferber success followed another. "Dawn O'Hara" (1911) which sold 10,000 copies the first season; "Roast Beef Medium" (1913), the first of a series of books about the lovable traveling saleswoman, Emma McChesney; "The Girls" (1921), a critical and popular success which caused critic H. L. Mencken to say that Edna Ferber's talent had . . . "Burst into full flower", and, of course, the historical novels culminating in "Ice Palace" (1958) a dramatic novel of Alaska.

Although she never acted on a Broadway stage, Miss Ferber enjoyed notable success as a playwright, collaborating with George S. Kaufman on such major productions as "The Royal Family", "Dinner at Eight", "Stage Door", "The Land is Bright" and "Bravo!"

NEVER FORGOT

Through it all, however, she never forgot Appleton—nor did Appleton forget her. In the early 20s she delivered a lecture, in which she discussed two of her short stories, from the stage of the Lawrence Memorial Chapel. And through the years she made quiet, unpublicized visits to spend a few days with local friends.

Of her Wisconsin years, Miss Ferber wrote in her autobiography:

"We had spent 13 years in Appleton, as a family. My Milwaukee interlude was now as much a thing of the past as Appleton was to be. The lovely little town had treated

us well. Always I was to think of it with affection."

But no place, and no personal association, meant as much to Miss Ferber as did her books—her children. She once recalled, in reference to her written works:

"Unmarried female writers have one advantage over their wedded female contemporaries. They can lavish more time and energy on their children, of which I, as a spinster, have had 32—or is it 33? One loses count."

VIOLENCE HAS NO PLACE HERE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a thoughtful article written by Mr. Austin V. Wood, the article having appeared in the Parkersburg, W. Va., News of April 21, 1968. The article is entitled "Violence Has No Place Here."

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

VIOLENCE HAS NO PLACE HERE—KING'S MEMORY HONORED BY PRAYER

(By Austin V. Wood)

This cannot go on. Unless the entire problem of race relationship is immediately removed from all considerations of political expediency, we face the distinct possibility of civil war. The assassination of Martin Luther King, regrettable as it was, gave reason neither to the rioting that followed nor to the hasty action of our Congress in passing the open housing legislation. And our politicians played the leading role in creating the atmosphere which encouraged such reaction. The mass invasion of the King home by our political opportunists was not only an insult to Dr. King's family, but as well robbed his funeral of much of the dignity to which it was entitled. May anyone be so naive as to imagine that the ostentatious posturing of our various candidates for high office was dictated by sympathy for Mrs. King or her children?

The spontaneous memorial services held all over the nation seem to me an entirely different matter. These meetings signified far more than appreciation of the wife of Dr. King. They expressed on behalf of all good citizens, white and black, a fervent prayer for peaceful adjustment of all our differences and total abhorrence of violence on either side.

The complete fallacy of the political approach has been demonstrated over the past several years. Despite all of our legislation we have failed to bring about social justice. By encouraging protests which have been in violation of laws we have widened the gap between our races to an extent truly alarming. To me this proves that the fundamental basis of our racial unrest is psychological rather than physical. Negroes wish to be accepted as American citizens with all the rights and freedoms inherent in such citizenship. They do not necessarily wish to live in predominantly white neighborhoods or attend predominantly white schools, but they do not want to be barred from such neighborhoods or such schools merely by the incident of race or color.

No amount of political jockeying can accomplish the mutual respect and understanding that is completely essential to solution. To be sure legislation has been needed and will be needed in the future, but legislation is not the end. It is only the means.

The recent riots in Washington prove that slum clearance and jobs and education are not the basic involvement. Two thirds of the Washington population is Negro. They have a Negro mayor, many Negro judges, and various other Negro holders of high office. Unemployment is almost non-existent. There is fully adequate housing and the schools are fully integrated. And yet they rioted and looted and burned. Where may we look for blame other than to the administration which has permitted inflammatory speeches by our radical Negro leaders and has all but guaranteed immunity from prosecution for those defying the law under the emblem of integration. Decent Negro citizens have borne the brunt of all riot destruction and yet it is the rabid integrationists who complain of orders issued to Chicago police. "Arson, attempted arson, burglary, and attempted burglary are forcible felonies. Such forces as is necessary, including deadly force, shall be used to prevent the commission of these offenses and to prevent the escape of perpetrators." That always has been the law. Why the lamentations of the radicals and "do gooders?"

Undoubtedly jobs and housing and education are needed and there should be no niggardliness in supplying such advantages to deserving. But just as undoubtedly you cannot give jobs to those who refuse to work. You cannot force education upon those with no desire to learn. There is no obligation to furnish decent housing for those who fail to maintain it decently.

There is much evidence that men of good will will work together if our government will restrain the small minority who create most of the trouble. No decent man regardless of color wants violence and hate. Only the unscrupulous few profit from dissension.

HOW WALT WHITMAN ROSTOW VIEWS THE WAR

Mr. McGEE. Mr. President, although the critics of our President are quick to find fault with the fact that we have not rushed to fulfill Hanoi's stated desire to sit down in Warsaw or Phnom Penh, others, it seems, have not been so quick to put down in plain terms the reasons why this country not only does not but cannot settle for an unacceptable site for preliminary peace talks.

While the critics are quick to fix upon Walt Whitman Rostow, the President's adviser on national security affairs, as the bogeyman in this current diplomatic snarl over a site for a meeting with Hanoi's representatives, there have been few attempts to examine just what it is that this respected economic historian is up to in the basement of the White House.

In yesterday's Washington Evening Star, however, Richard Wilson did much to correct both of these omissions in a column entitled "Rostow's Influence and How He Views the War." Mr. Wilson writes:

Rostow is positive and constructive in his views without the dark forebodings of the frightened men who wish to retreat into a new isolationism.

He believes this is a watershed period in history and, thus, negotiations with the Communists should be regarded as a great historical event not to be entered into except with the clearest understanding that the United States intends to continue to influence the course of events in Asia. This makes it doubly important that negotiations not be entered into in what Wilson calls "some back alley of a Communist capital where America's allies cannot even go and where American representatives may be exposed to taunting indignities."

Mr. President, I ask unanimous consent that Mr. Wilson's column be printed in the RECORD.

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

ROSTOW'S INFLUENCE AND HOW HE VIEWS THE WAR

(By Richard Wilson)

Walt Whitman Rostow is coming under attack as a bad influence on President Johnson and so it may be useful to examine just what it is that this respected economic historian is up to.

Rostow, a professor from Massachusetts Institute of Technology, is President Johnson's chief White House adviser on national security affairs with much experience in government and an unblemished record of good judgment on the nature of Communist-controlled governments and their aims.

He is, in Washington's stilted terminology, a hawk, and his critics deride him as a professorial generalissimo running a war 10,000 miles away from his command post in the basement of the White House.

It is true that the professor holds forth in an information and analysis center in the basement of the White House, complete with "situation room," charts, files of captured intelligence material, and elaborate statistical analyses of casualty rates and captured weapons.

But if Rostow is running the war this will come as a surprise to President Johnson, General Westmoreland and Secretary Rusk. Yet it is true that President Johnson sees the war in important ways through the eyes of Rostow, and this is what dismays the dovish elements in the State Department and Congress.

Rostow is in no hurry to make a deal with Ho Chi Minh under demeaning circumstances because it is not necessary or desirable in the existing military situation. He has therefore strongly opposed preliminary talks in Warsaw or Phnom Penh and has urged holding the meeting in one of several more neutral places in Asia. This infuriates some of the State Department people who wish to hurry up and settle the war, but it is more probable that Rostow in this case is reflecting Johnson rather than influencing him.

Johnson does not want a fake or phony peace and Rostow shares that view from a historian's standpoint. In his view we are at a historic turning point which will fix the direction of Asia and a large part of the rest of the world for 50 years into the future.

Rostow is positive and constructive in his views without the dark forebodings of the frightened men who wish to retreat into a new isolationism. He speculates that the struggle in Vietnam may be the last great confrontation of the postwar era, and that the resolution of this struggle could be made the closing of one chapter in modern history and the opening of another.

Ho Chi Minh in this context is the last of a long series of romantic revolutionaries with his dream of hegemony over all of Southeast Asia. When he passes, the nations of Southeast Asia can go about the practical business of improving life within natural geographic boundaries. It may be the same in China when Mao passes and we may be witnessing now the slow emergence of a new China with aims compatible with an orderly world.

If this is a true watershed period in history, as Rostov believes, it is all the more reason why negotiations with the Communists should be regarded as a great historical event not to be entered into except with the clearest understanding that the United States intends to continue to influence the course of events in Asia. It is therefore highly important that the meetings not be held in some back alley of a Communist capital where America's allies cannot even go and where American representatives may be exposed to taunting indignities.

This, of course, is a view quite different from the views of those who wish to wash out the war and forget about it as quickly as possible.

In the most practical sense Rostow is probably trying to make his own concepts come true so that in the future the Vietnam war will have been the ridge of the watershed from which would flow a new world in which confrontation with communism would no longer be the dominant political and military factor.

All this, in fact, is quite far removed from the ordinary bomb-the-hell-out-of-'em hawkish point of view. It is, on the contrary, an effort to give important historical meaning to the sacrifices men have made in the jungles and highlands of a distant country.

To the extent, therefore, that Rostow encourages the President not to "bug out" of the Vietnam war, to the extent that he encourages him to end his presidency with a clear conscience, to the extent that he helps the President keep this war in its potential historical perspective, Rostow's influence cannot be all bad.

ANTI-SEMITISM STILL FLOURISHES IN COMMUNIST POLAND

Mr. NELSON. Mr. President, the recent events in Poland dramatically illustrate that anti-Semitism is still flourishing within that Communist-controlled country. As an American, I deplore the repressive acts taken by the Gomulka regime, and as a man of conscience I am repulsed by this persecution of Polish Jewry.

On April 4, 1968, Mr. Joseph L. Pudlo, Jr., national commander of the Polish Legion, joined with his counterpart, Mr. Samuel Samuels, of the Jewish War Veterans, in issuing a news release condemning the Government of Poland. The joint statement of these two important veterans groups marks the first time they have joined in a common declaration. In these days of trouble, all signs of good will are important to the Nation's morale.

I ask unanimous consent that the release be printed in the RECORD.

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

POLISH AND JEWISH VETERANS ORGANIZATIONS JOINTLY CONDEMN POLISH ANTI-SEMITISM

WASHINGTON.—Two American veterans organizations, one Polish-American and one of American Jews, today joined in condemning the mounting wave of Polish anti-Semitism sweeping that unhappy country.

Joseph L. Pudlo, Jr., National Commander of the Polish Legion of American Veterans, U.S.A., and Samuel Samuels, National Commander of the Jewish War Veterans of the U.S.A., decried the vicious scapegoating of the remaining Jews of Poland, the few thousand left after brutal decimation by the Nazis, as allegedly responsible for the ferment in Poland today.

"The common ties that bind our two veterans groups, our Americanism and our service in the uniform of the United States in time of war, emphasize our joint voice crying out against the bloodless genocide threatening Polish Jewry today," stated the two National Commanders.

"On the 25th anniversary of the Warsaw Ghetto uprising, when the brutal Nazi dictatorship murdered most of Warsaw's Jewry while another brutal dictatorship, the Communists, stood by in acquiescence, it is a doubly grievous blow to justice and harmony among men that people should still be persecuted solely because of their faith."

Americans of all backgrounds and men of good will everywhere were urged by the National Commanders of the Polish Legion and the Jewish War Veterans of America publicly to protest the persecution of Polish Jews by the Communists.

National Commanders Pudlo and Samuels also warned against the possibility of the deceptive trap lurking in Gomulka's "offer" to allow Polish Jews to emigrate at will. Too often, warned the two National Commanders, similar Communist "offers" have resulted in the Jews being marked as "enemies of the state" when they signed up for the promised emigration.

The joint statement of the two National Commanders marked the first time that these two national veterans organizations in the United States had joined in a common declaration.

The Polish Legion of American Veterans represent the more than one million Americans of Polish descent who have served the U. S. in American wars.

The Jewish War Veterans of the United States of America is the oldest active war veterans organization in the country.

PRESIDENT JOHNSON APPOINTS GEORGE BALL AS AMBASSADOR TO THE UNITED NATIONS

Mr. McGOVERN. Mr. President, President Johnson has chosen a brilliant successor to Arthur Goldberg as U.S. Ambassador to the United Nations—former Under Secretary of State George W. Ball.

George Ball is ably qualified to carry America's hopes for peace before the nations of the world.

He has had a long and distinguished career of service to his Government, and to his country. He has served his Nation at a time of peace and during its hours of war.

His work with the Lend-Lease Administration, Strategic Bombing Survey, and French Supply Council during, and just after, the Second World War won him the French Legion of Honor and the U.S. Medal for Freedom.

For 6 long years, from 1961 to 1966, George Ball served both President Kennedy and President Johnson with high distinction as Under Secretary of State for Economic Affairs.

America's hope for enduring world harmony rest heavily on the viability of the United Nations. In George Ball, the United Nations has gained a great advocate for peace and our Nation an articulate spokesman and skillful diplomat.

He replaces Arthur Goldberg, whose brilliance and tenacity in the cause of peace have won him an enduring place in the halls of the United Nations. He represented the United States through 3 years of continual crises with great ability and untiring devotion. America is most fortunate to have a man of George Ball's caliber to replace him.

NEW ROLE FOR VISTA ALUMNI

Mr. JAVITS. Mr. President, one of America's great and growing resources is our thousands of citizens who have completed service with the Peace Corps and VISTA programs. These selfless veterans of service to humanity are making a pronounced impact on our society after they complete their fixed terms of service.

An article published in the Chelsea Clinton News of April 13 describes some of the effect that VISTA volunteers are having on our communities after they complete their 1-year terms of service. VISTA, as a part of the Office of Economic Opportunity, is rewarding the confidence and funds that Congress and the American people have invested into it by continuing to serve the poor beyond the official terms of the program. I know that the article will be of special interest to all; therefore, I ask unanimous consent that it be printed in the RECORD.

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

NEW ROLE FOR VISTA ALUMNI

Once a VISTA worker, always a VISTA worker. That's the sentiment of about 90 former VISTA volunteers in New York City who have given their year of service, but still feel a continuing commitment to helping solve the problems of our society.

Harnessing their energy and good intentions, they formed the VISTA Alumni Association last fall, and set to work. Many are names well known to Chelsea and Clinton residents. Herbie Alvarez, a former volunteer in Chelsea, now working with the Model Cities program, is president of the alumni association which operates out of Silke Hansen's office at the Lower West Side Community Progress Center on 34th Street. Miss Hansen was hired by the CPC after her volunteer year was over. Others include Chuck Mahone and Emery Colter.

At first the group thought of starting a community action project of their own, using VISTA volunteers, like many other organizations do. But they found a unique role for themselves and a way of filling a wide gap between many community organizations.

"The big problem we found are people who are interested in the civil rights problem, but are just not doing anything about it. We are trying to make the middle class community aware of what they can do and how to do it, and the importance of their doing it," Miss Hansen said. "If we are going to make non-violence work, we have got to get people who support these aims involved in the struggle. Many of us come from middle class backgrounds and we know what the problems of becoming involved are. We may be able to help."

The VISTA alumni have been meeting with the members of the Southern Christian Leadership Conference, Peace Corps returnees and other groups in planning meetings at the Brotherhood-in-Action building recently.

Their immediate project is collecting food, clothing, bedding, medical supplies and signing up babysitters for the Poor People's March on Washington which Dr. Martin Luther King had planned to lead on April 22. Some of the supplies will be used as well to aid people who were hurt in the recent riots in various cities.

UTILITY CONSUMERS' COUNSEL BILL DRAWS ENTHUSIASTIC RESPONSE

Mr. METCALF. Mr. President, since the introduction on February 6 of the Utility Consumers' Counsel Act of 1968, I have received reactions from regulators, educators, students of public policy, and interested consumers throughout the country. For the most part the approximately 200 persons whose comments I received have enthusiastically supported the bill. A few were critical. Some had suggested improvements. All in all, these letters poignantly reflect the tremendous need for more information on utilities,

improved regulation, and more adequate protection of consumer interests.

I believe some of these reactions and suggested changes will be of interest to Senators at this time.

From State utility commissioners, I have received several candid and thoughtful letters describing the difficulties encountered by their understaffed and overloaded commissions in trying effectively to regulate the billion dollar utilities within their jurisdiction and provide some degree of protection for the consumer. The commissions, limited in the information they require, are necessarily limited in the evaluations they can make regarding any company. Many have difficulty attracting qualified staff needed to effectively handle any rate case. State legislatures continue their reluctance to increase commission appropriations. One detects a feeling of helplessness among many of the regulators, within the academic community and certainly among the captive customers.

A rate division director of a Western commission writes:

We recognize our deficiencies to properly cope with the situation with which we are confronted as evidenced by the FCC investigation of AT&T. This Company with its many subsidiaries is most difficult to fully and properly evaluate from a regulatory standpoint. Particularly is this true insofar as the low-budgeted and inadequately-staffed states are concerned.

Assuming that your bill and the counsel created thereby would not be used to replace the state's function, but rather to assist the states in the performance of their duties, we are most happy to endorse S. 2933 and trust it will receive favorable consideration.

A recently appointed commissioner in another Western State writes:

In my brief tenure as a public utility regulator, it has been my experience that the consumer is not adequately protected from harsh business practices and substantial rates of the legalized monopolistic utility companies providing him with necessary services. If the situation is to improve, the help of the Federal government is necessary.

The chairman of a southern commission relates his concern over the difficulty in attracting qualified staff:

I believe it extremely important that commissions be consumer oriented and in that sense I mean both commissioners and staff. Adequate staff is important to furnish to commissioners good information that will provide the foundation for good decisions. Unless the commissioners themselves are willing to accept good information, the best staff in the world will be of little value.

I believe our Commission to be one that is consumer oriented. We experience, however, great difficulty in obtaining good staff members.

A member of a commission in a northern State said he received a "mixed reaction" from members of the commission when he asked them for comments on S. 2933. The commissioner elaborated:

However, may I say that I think there is a good deal of merit in your bill. The Office of a Consumers' Counsel is certainly in the best public interest. It is true, as our staff indicates, that the FPC, the FCC and the state commissions are supposed to do what this counsel's office would do. Yet in my frank opinion the office you would create might be able to do some things that those agencies could not do . . .

Title 2 which concerns itself with public information with respect to certain utilities deserves some comment. For example the reporting of restricted stock options available only to the officers of the company would be wise.

Another Commission employee writes:

I work as an engineer for the . . . Commission and must agree that the utility has the advantage in the regulatory process. You have enumerated many of the faults in regulation that every state regulatory commission is confronted with."

An engineer with the Massachusetts Department of Public Utilities indicated regulation was satisfactory in his State:

The rate base used in this state is original cost less depreciation. The utilities are required to submit annually a complete schedule of additions, betterments and retirements to plant. These schedules are checked jointly by teams consisting of an accountant and an engineer and I might add that most items are checked in the field to determine the actual physical presence. We have, therefore, a continuous perpetual inventory of the plant that makes up the rate base. This does not present any particular problem when kept up to date on an annual basis particularly since the number of privately owned utility systems in the Commonwealth is not large. Rate base is original cost less depreciation and the generally recognized fair rate of return is 6% (confirmed by the Supreme Judicial Court of Massachusetts). This is not to say that all of the utilities are actually making 6% on the rate base. In some instances it is considerably less.

Rate cases are argued in formal hearings before the Commission after due public notice as required by statute and it is incumbent upon the utility to prove the justification of rates filed prior to their becoming effective. The Commission has the power to, and often does, on its own motion, initiate formal proceedings on the propriety of rates and charges of the various utilities.

It is interesting to note that for perhaps thirty years, the trend in this state is for utility rates and in particular, electric rates, to go down, primarily by voluntary action on the part of the utilities themselves despite exceptionally high fossil fuel prices due to transportation costs from the source and continually rising state and local taxes. In connection with the latter, the electric companies in Massachusetts are among the highest taxed, by local authorities, in the country. In the majority of cities and towns in which they provide service the electric companies hold the number one position as far as the real estate taxes paid to the communities are concerned.

. . . I fail to see where a consumers' counsel such as you propose would benefit either the customer or the commission. This commission is fully aware of its responsibility to the public and takes its obligations seriously. We are thoroughly familiar with the operations of the utility companies and furthermore are well acquainted with the local problems in this state including those resulting from differing types of load, geographical considerations, population density, etc.

I think it is important to note that Massachusetts has one of the oldest regulatory bodies in the nation and in many instances has been a leader in initiating legislation to regulate utility companies and protect the consumer. With our background and experience we feel that any additional agency or agencies would be superfluous and a waste of the taxpayers money.

His comments are at variance with those of several Massachusetts newspapers, whose request for a probe of utility rates I referred to in my remarks of February 6. His statement that some utilities are making considerably less than a 6-percent rate of return on a depreciated original cost rate base does not apply to the principal utility category, electric utilities. The rate of return of electric utilities is computed annually by the Federal Power Commission, on the basis of the companies' reports to the FPC. My remarks of March 13 include the rate of return in 1966 for each of the 14 major electric utilities in Massachusetts. The rate of return of three exceeded 9 percent. The rate of return of five exceeded 8 percent. The rate of return of 10 exceeded 7 percent. The rate of return of 12 of the 14 companies exceeded 6 percent. Of the two whose rate of return was just under 6 percent, one had no retail customers, it being simply a wholesale generation subsidiary of a utility holding company. The return on common stock equity of some of the Massachusetts companies is above the national average of 12.8 percent.

Massachusetts is more fortunate than some States in that its commission uses a depreciated original cost rate base, that it is not saddled with the unfair "fair value" concept of a rate base. Assuming for argument's sake that the Massachusetts engineer is correct about the diligence of regulators in his State, the point remains that S. 2933 would be of substantial assistance in those States where there is a recognized need for more assistance in providing information and counsel in utility rate cases. Possibly one present incentive to better regulation in Massachusetts is the Massachusetts Consumers Council. It is, I believe, the only active consumers' council established by a State legislature. It is pertinent here to point out that the Massachusetts Consumers' Council has been among the organizations that recently have suggested an investigation of high electric utility rates in that State.

The daughter of another Commission employee describes the ineffectual manner in which utility audits are handled in her State:

With a great degree of desperation I would like to state that the Original Cost Audit Section of the . . . Commission of which my father is a traveling auditor, has five men assigned periodically to road auditing the over 550 public utilities in the State.

Instead of a steady, continuing flow of audits coming out of (the Commission) to the over 550 utilities, over fifty percent of the year is lost or wasted by auditors being detained . . . with no work at all to do. Sometimes several months go by before work is assigned to them. There are two men permanently grounded (at the Commission) at all times.

The last audit my father was on was to an electric utility that had its last audit by the Commission over thirty years ago. This is more a typical case than an isolated case.

The average age of the men in this Section is sixty years.

I believe that some commissions are doing their best with the limited facilities made available to them. But other commissions are so influenced by the powerful utility lobby that they merely echo the decisions suggested to them by the companies they are supposed to reg-

ulate. With assistance in consumer protection coming from the utility consumers counsels and the availability of more information on the companies as proposed in S. 2933, I believe that these commissions would be in a much better position to do their job.

The comments I received from more than 40 deans and professors of business economics, and political science lead me to believe that there is significant academic interest in utility regulation throughout the country and a definite awareness that the research in the field thus far has been extremely limited.

It has been difficult in the past for educators to secure grants for the study of utilities and regulation from any source other than the utilities themselves. One can hardly expect, therefore, that the studies made under such grants present an unbiased view of the regulated industries.

S. 2933 authorizes grants to universities and nonprofit organizations for studies of utility regulation. I believe that studies financed by such grants, from a nonutility source, would cover some areas that need attention which they are not now receiving from the academic community.

There are several areas of research in need of academic attention which have been virtually untouched because of their unpopularity with utility management.

One such area that certainly needs some attention is this water-over-the-dam principle which prohibits refund of overcharges. I understand that Wisconsin used to, and perhaps still does, require that earnings in excess of the allowed rate of return be put into a special fund to be used only for purposes approved by the regulatory commission. That would be an improvement over the usual procedure, but if regulatory commissions and the reporting process were automated, overcharges could be promptly detected and corrected before the water-over-the-dam principle took effect.

There is also a great need for compilation of model utility laws. State legislators ask me for them and no one has ever drawn up model statutes.

One professor of business at an eastern university writes of his difficulties in obtaining a grant for the purpose of compiling for public record the results of his years of research:

> For the last twenty-five years I have been analyzing the electric power industry through the use of over one hundred ratios . . . For years I have unsuccessfully sought to have a data bank of this information established for the use of utilities, government regulatory agencies and scholars.

Another area that needs academic attention is rate base variation. It is not only that a dozen or so States use inflated "fair value" rate bases. Various States also include in the rate base accumulated tax deferrals, plant held for future use, construction work in progress, customers advances and other items.

There is practically no existing literature in these areas, and I hope, with the assistance of the grants provided for in S. 2933, that the academic community can soon fill the gap.

The dean of a southern university writes:

> The creation of a Federal Utility Consumers' Counsel would do much to improve the Federal regulation of utilities, but even more important is your proposal to provide grants to state and local governments for the creation of state utility consumers' counsels. In all too many states, public utility regulation is moribund, and the effectiveness of regulation varies so much from state to state with respect to the rate base, means of reporting, adequacy of services, and so on, that some encouragement at the federal level is most necessary if state regulation of public utilities is to be improved at all. Your proposal to provide research grants for non-profit agencies at universities to offset research activities on behalf of the utilities is also commendable and most desirable.

A professor of public regulated industries at a southern university writes:

> Perhaps in no other relationship that the ordinary citizen has as a consumer with the purveyor of the goods and services he must buy, is his feeling of sheer frustration so great as in his dealings with his public utility. The reasons for this are first, because the demand for these services so nearly reaches the degree of perfect inelasticity, and second, because the consumer is dealing, in most cases, with large, powerful, complex and impersonal business units. He is bewildered, uncertain and frequently resentful. His sense of frustration is climaxed by his lack of recourse for mistakes in billing and for the all too common arbitrary and capricious conduct on the part of the utility's employees.
>
> . . . We have, as a nation, long been delinquent in providing a satisfactory environment of legal recourse. Great effort has been expended by the Congress to protect consumer rights in nearly every field of commercial endeavor but in the one area where competition cannot be relied upon to provide alternatives to the consumer (since it does not exist in most cases).

A political science professor from a Midwestern university writes:

> As a careful observer of the political activities of industrial interest groups in both the United States and Western Europe I feel your bill represents the basic prerequisite for knowledgeable and balanced regulation of the public utilities industry. As such I feel it should receive the full support of Congress.
>
> As you indicate in your remarks, knowledgeable and balanced regulation can only be achieved if those who do the regulating (whether state, or federal officials) have accurate, complete, and comparable data available to them. Also the proposed U.S. Office of Utility Consumers' Counsel would be an essential step in having rate hearings take on any real meaning and is in the best U.S. legal tradition of having each side given adequate counsel.
>
> Finally, I would strongly support your proposals for encouraging independent academic studies of the utility industries. The need is not only for full and complete reporting by the industry itself, but also for careful independent studies of the long range trends within the industry and between the various sub-groupings.
>
> While I would imagine that the first reaction of the utility industries will be some sort of negative attempt to either smear or emasculate this bill, I would hope that at least some in the industry will see that this bill offers them a great deal also—for the availability of comparable statistics on a nation-wide basis and the possibility of careful long range studies of the industry are of great potential benefit for the industry.
>
> Good luck in your courageous attempt to bring some rationality to this tangled web of private and public interests.

A political science professor at another Southern university writes:

> In connection with the research sections of the bill, Sections 107 and 109–111, dealing with grants to universities and non-profit organizations, it seems to me that the public interest calls for a much broader scope of inquiry, one that is sufficiently important to justify a separate title and perhaps further elaboration. Why should studies and reports be restricted to utilities in the fields of energy (excluding "nuclear") and communications subject to the F.C.C. and F.P.C.? Should such studies not include transportation, securities, anti-trust, drugs, agriculture and labor, indeed the whole field of public regulation? What about administrative organization and procedure in these other fields—are they not appropriate for purposes of comparison and evaluation? Congress has already authorized such an approach in the field of water resources; it is desirable to shop the field of public regulation into industrial or agency segments for research purposes? I realize this suggestion raises a Pandora's box of problems; I only hope it has been or will be considered.
>
> In addition, I would like to see a distinction made, or a criterion made explicitly, concerning the types of studies and reports to be financed by public funds. Generally speaking, it seems to me that the government's support of scientific research on problems of public regulation should be restricted to inquiries into the *effects of regulatory policies, organization, procedures and practices, the origins and evolution* of the same, the *impact of economic, industrial, managerial and financial policies and organization* upon public policies and decision-making. Research into alternative policies should be predicated upon such empirical inquiries in order to avoid a kind of pseudo-scientific argumentation over various preferred philosophies and ideologies of government control. The Consumers' Counsel should have some protection in the law against the specious claim that freedom of inquiry includes the right to have government support for advocacy of all possible policy and ideological alternatives.

A Ph. D. candidate from the Midwest writes:

> There are a great many practices currently employed in the advertising policies in both the power and communications industries which need to be publicized since they represent outright distortion of the facts in regard to rate reductions and their position as a monopoly industry as opposed to the position of a competitive enterprise. This would seem to fall into the same category as false claims made by food and drug producers held responsible to the Federal Trade Commission.
>
> For some time I have been concerned about the lack of information on the part of the general public. I agree that there must be a higher level of communication between the Congress, the Federal Power Commission and the public. The creation of a Utility Consumers' Counsel with adequate facilities and personnel will serve to facilitate the flow of information necessary to keep the public and Congress aware of some of the more gross efforts on the part of the investor-owned utilities in influencing public opinion. It can also serve as an 'ombudsman' in aiding Congressmen who find that they must be an intermediary between constituents and the regulatory agency.
>
> My interest in the field of utility regulation is more than casual. I am currently a graduate student working toward a Ph.D.

in Government . . . Public policy is my primary field and I am particularly interested in regulatory policy.

And a Midwestern political science professor voices his concern:

As a university professor which ascriptively grants relatively high status in a university town, and as a political scientist who supposedly understands the processes in which regulatory commissions are involved, I nonetheless feel helpless in the present context. I can well understand the apathy and frustration of the general citizenry.

The response from consumers outside the academic and regulatory communities has been more limited. This is quite understandable due to the fact that there is so little public understanding—thanks to the massive efforts of the privately owned utilities—of how regulation actually does work and even less comprehension of how it should work.

Most of these interested consumers are at a loss as to what they can do or where they can turn for assistance in their utility problems. They watch uncontested rate increases glide through their commissions. They suffer without recourse as utilities, practicing their rights of eminent domain, erect transmission poles, lines and towers across their property. There is no relief as they continue to be overcharged. Assistance from the State commissions, established, in theory, for their protection, is simply not forthcoming in many States.

A Midwestern attorney cites many of the insurmountable difficulties faced by the consumer in a recent letter. He described the plight of a local citizen appearing before the Michigan Public Service Commission, citing the fact that the Indiana & Michigan Electric Co. earned a net on its common stock equity of about 20 percent in 1964:

This lady was promptly challenged by the Secretary of the Commission and the assertion was categorically denied. Obviously, the woman was not in the position to argue the point very extensively. At the hearing, there were roughly 60 individuals representing the public utilities and a mere handful of consumers.

The particular hearing related to the question of whether or not a uniform policy should be established in Michigan requiring the burying of transmission lines. All of the information as to costs is really in the hands of the utilities and the argument is made, of course, that the cost is prohibitive. No one is equipped for technical and financial reasons to rebut this testimony.

Another area in which I believe the consumer is at a great disadvantage in dealing with public utilities relates to condemnation for purposes of locating transmission lines. The common practice of the utilities is to make a nominal or absolutely no payment to the uninformed property owner for an easement, which when read carefully gives the utility the right to locate most any type of structure including a tower on the howeowner's property, emasculating the value of that property for little or no compensation. Originally, the homeowner is impressed with the argument that if the easement is not signed, the condemnation powers will be exercised and as a result acquiesces in whatever demands are made by the utility. This is another area in which I think an Office of Utility Consumers' Counsel would be most helpful.

I do not hold out great hope for the universities as a source of unbiased information. From our experience representing consumers, we have been impressed with the reluctance of universities to antagonize potential contributors to the universities' general funds. Evidently, utilities have been making such contributions.

Overall, I wish to commend you again for your efforts on behalf of the consumer and urge you strongly to consider additional efforts in this direction.

A customer of one of the large Midwestern utilities describes the misrepresentation on the part of the company as to the cost of electric heat.

Installation of electric heaters caused her monthly bill to increase significantly whereupon her family was penalized for an occasional late payment. This type of increase-the-cost, increase-the-penalty situation is, unfortunately, not uncommon.

. . . the utility representative said that electric heaters would do the job for pennies a day. He didn't say how many pennies, however. We figured out that it is costing us about 200 pennies a day to heat one room.

. . . I received in the mail a letter from the Company saying because we were one of their late payers they wanted a $75.00 deposit, but if we paid this deposit it would be invested in their company at an attractive 5% interest. I don't want to invest in this company and I can't see how they can force you into doing this. It seems unconstitutional.

We have been late occasionally when my husband was out of work, but I don't think they should harass you so much. They know you are going to pay the bill. I cook electric and partly heat electric, and the furnace clicks on electrically. Do they honestly think we wouldn't pay our bills and just sit in the dark and freeze?

Mr. President, these advance deposits required by many utilities often are equal to 2 weeks' wages to a resident of a low-income area, and it is the low-income areas where substantial advance deposits are often required. In some States these advance deposits are included in the rate base.

One such State is Alabama, where the State commission is now considering a rate increase proposed by Alabama Power. This is the first general electric rate case in Alabama since 1930. In 1962 the Alabama commission chairman stated that studies necessary for processing utility rate cases before the commission could not be made "until additional funds are available for the employment of the technical staff with proper training and experience to engage in this work." I understand that the staff situation has not improved under the present administration of the Alabama commission, whose chairman is Eugene "Bull" Connor, former Birmingham commissioner of public safety.

But Chairman Connor and his commission are considering right now a rate increase proposed by Alabama Power, a subsidiary of the giant Southern holding company, just as the Montana Railroad and Public Service Commission is considering a 26-percent rate increase proposal by Montana Power, despite the fact that Montana Power, with an average interest rate of only 3.3 percent on its long-term debt, has a rate of return of 11.3 percent, more than double the "allowed" 5.33 percent, and a return on common stock equity of 17.7 percent.

Since the introduction of S. 2933, and with the current renewed interest in consumer affairs throughout the country, there have been numerous letters to the editors of local papers from indignant and long-quiet consumers. It is interesting to note how quickly the utilities respond when they consider such letters a threat to their image.

By example, one professor at Duke University set off a series of letters to the editors of North Carolina papers. He first wrote to several papers when he received with his utility bill an "informational leaflet," typical of those used by utilities in their stepped-up campaign of misinformation about taxes. J. P. Lucas, vice president of Duke Power Co. is also chairman of a special public relations subcommittee of the Edison Electric Institute promoting this propaganda program. To the outspoken professor, Duke Power quickly dispatched a company representative. I believe the professor's account of that meeting, and the unsupported claims made by the company representative will be of interest.

. . . the company has taken more personal steps to inform me of their position. I was invited to have lunch in Chapel Hill (where I teach at the University) with Mr. John D. Hicks, Secretary and Assistant General Counsel in the legal department of Duke Power Co., a personable gentleman who sought to demonstrate that Duke could just barely make ends meet at a 7.5% rate of return; that its cost of money is extremely high (6.373% on a recent AAA bond issue; that its common stock equity was relatively low, so much so that it had difficulty attracting investment; that private utilities faced tremendous competition from other energy sources; that they faced even greater pressure from advocates of public power which threatened to annihilate private power—or at least to regulate it to death (although he recognized the need for some regulation and asserted that N.C.'s commission really looked out for the consumer's interest); and that Duke, he suspected, would soon desperately need a rate increase (the battle over which with the hard-nosed N.C. commission he trembled to contemplate). Mr. Hicks also tried to convince me that somehow I was suffering by the discriminatory tax policies about which the leaflet complained (and assured me that the stockholders, not the customers, had paid for the leaflet). He has also sent me several "memorandums" presenting the industry's arguments and also Congressional testimony by utility executives, the latter of which seemed rather convincing. Mr. Hicks and I will probably discuss these matters again in the near future.

Now, my concern about overcharges by private utilities and even more about their subsidies for right-wing propaganda remains as strong as ever. However, I am disturbed by the discrepancies of statements and claims being made, especially regarding the costs of bonded indebtedness . . .

It seems to me that the greatest effort now ought to be not so much the expansion of public power as the substantial strengthening of the regulation of the private companies and the representation of the public's interest before the regulatory commissions.

There have been several suggestions made concerning changes or expansions to the present bill. I believe, Mr. President, that these suggestions and my thoughts after considering them, may clarify some questions on the part of my colleagues.

A political science professor raised the question as to why municipals and cooperatives were exempted from the Consumers' Counsel jurisdiction.

I do not believe a Consumers' Counsel to be necessary for public protection in the cases of customer-owned or city-owned utilities because customer control or ownership in most instances results in close scrutiny of the books and quite detailed reporting of utility expenditures. Customers are not disposed to overcharge themselves. However, the customers served by investor-owned utilities have no vote.

I recall strong editorials about expenditure of a few dollars for auto parts by a city-owned power system and big controversies at co-op meetings regarding modest lunch tabs or business expenses by a co-op manager and unsalaried directors. In contrast, it is extremely difficult to obtain breakdown on six-figure expenditures by a number of investor-owned utilities.

I received several letters suggesting that the bill be broadened to provide counsel for the public in transportation matters as well as electric, gas, and telephone rates.

Having recently testified against discontinuance of the Northern Pacific Mainstreeter and having tried, through the years, sometimes without much success, to keep railroad passenger service going, I must fully agree with the suggestion that more adequate public representation is desirable in transportation cases.

I believe, however, that if my bill becomes law and commissions and municipal governments avail themselves of the opportunity to obtain grants for telephone, electric, and gas counsel, more local money would be available for staffing transportation cases.

Additionally, some features of S. 2933 are more applicable to the pure monopolies covered by the bill than to the transportation industry which, alongside the others, is a highly competitive field.

A New York economist suggested that perhaps consumer's counsel would be more effective if established within an existing Federal agency.

I did consider proposing that the Office of Utility Consumers' Counsel be within existing agencies, but decided that the arguments against such an arrangement outweigh those for it. Because retail rates are established by State commissions and because it is in those forums that the public most needs to be represented, I want to see strong representation at that level. It would be awkward for Federal Power Commission or Federal Communications Commission staff to appear on the public's behalf before State commissions.

Under S. 2933 State and local governments could obtain grants of up to 75 percent for offices of consumers' counsel.

Mr. President, I hope that these remarks will be helpful to Senators as they consider the need for more information, more adequate consumer representation, and more objective research in the field of utilities. I have deleted the names of some distinguished State regulators and professors who have written to me about S. 2933, knowing the pressures—some of them subtle, others not—to which they are subject from utilities. However, if any Senator desires specific information that I may have, I shall be glad to share it with him.

Mr. President, I have recently had correspondence with the chairman of the Mississippi Public Service Commission, who holds that regulation is working well in his State at the present time. On March 19 he wrote me as follows:

As provided by the Public Utilities Act of 1956, the Mississippi Public Service Commission is required by statute to follow the "fair value" theory in determining the Rate Base, which is the dollar amount on which a reasonable and fair rate of return is calculated. Since rate making is not an exact science, the Commission must use its discretion in evaluating and weighing the various elements entering into "fair value" determination. As a starting point, a determination is made of the property used and useful in rendering the utility service. After this determination, the original book cost and book depreciation are studied to reflect the reproduction cost new less observed depreciation and the trended cost loss trended depreciation. These studies are accomplished by engineering studies in the field plus the application of recognized price indices. After these elements are carefully studied and considered, the Commission makes its determination of the valuation of the net physical plant to be included in the Rate Base.

To this figure is added the net working capital requirements which are composed of materials and supplies plus cash requirements for a forty-five (45) day period less accrual for taxes, customers' deposits, etc.

From the total of net physical plant plus net working capital is deducted contributions in and of construction. So it can be seen that customers' deposits, various accruals and contributions in aid of construction are in effect deductions from the Rate Base. I should like to add that our Commission normalizes depreciation, investment tax credits and acceleration income tax in determining net income on which the rate of return is calculated. It is, also, pointed out that accelerated depreciation, investment tax credits and deferred income tax reserves are not part of the Rate Base.

I should like to state emphatically that it is not obvious that prescribed rates under our laws in Mississippi would produce more revenues than in Vermont and Nevada until a detailed comparison is made in Rate Base costs in the three states. As a matter of fact, I would believe that a "fair value" rate base under the conditions of costs in Mississippi would be substantially less than in Vermont and Nevada.

With reference to recommendations that additional information is needed concerning the activities of the various utilities, especially the electric utilities, I should like to state that the reporting requirements of the Federal Power Commission appear to be quite exhaustive and to require additional non-essential reporting would be unreasonable and would serve no useful purpose. After all, the expense of this additional reporting is directly borne by the rate payers.

As far as our Commission is concerned, we take an enviable pride in the fact that our operations are open to public inspection, that there has never been a complaint by any customer, called to our attention, that has not been fully investigated and that every request for service has had our immediate attention. It is pointed out that by cooperative efforts on the part of our Commission and the various utilities under our regulation service areas have been extended and rates have been reduced. Refunds and rate reductions resulting from these cooperative efforts have had an accumulative effect since 1956 of over $125,000,000.00 for the customers in the small state, populationwise, of Mississippi.

In conclusion, it is my opinion that the "fair value" rate base theory, as it is administered in the state of Mississippi, assures equity to both customers and the utilities.

On March 26 I answered him as follows:

It would be useful to know how many of the items mentioned in paragraphs (1) through (22) of Section 201 (b) of the bill could be conveniently answered for the last year on which a report is available. Enclosed for convenient reference is a copy of the bill. Could you provide the answers, insofar as they are readily available, for both Mississippi Power and Mississippi Power and Light?

I would especially be interested in paragraph (16) information concerning Mississippi Power. You state that "as far as our commission is concerned, we take an enviable pride in the fact that our operations are open to public inspection." That policy was not followed by Mississippi Power when I requested it and other power companies which had invited questions to list the names and salaries of their lawyers and legal firms. The president of the company told me, in his 17 November 1964 memorandum, that "to furnish this information would constitute an invasion of the privacy of counsel employed by our company."

Section 201 of S. 2933, to which I referred in my letter to Chairman Johnson, above, reads as follows:

TITLE II—PUBLIC INFORMATION WITH RESPECT TO CERTAIN UTILITIES

SEC. 201. (a) The Federal Power Commission with respect to utilities subject to its jurisdiction and the Federal Communications Commission with respect to utilities subject to its jurisdiction shall determine the information required pursuant to subsection (b) with respect to each such utility and shall publish such information at least annually in reports prepared for and made readily available to the public, especially in the service area of each such utility.

(b) The information to be made available pursuant to this section with respect to each such utility shall include, insofar as practicable, comparable data for previous years and national averages and shall include—

(1) annual earnings stated as a rate of return on a depreciated average original cost rate base and pursuant to other accounting principles and practices of the relevant Federal commission;

(2) annual earnings in dollars as determined pursuant to clause (1);

(3) the dollar difference between amounts determined pursuant to clause (2) and the annual earnings if the utility earned 6 per centum rate of return on the rate base determined pursuant to clause (1);

(4) capital structure stated as percentage of capitalization obtained from long-term debit, preferred stock, common stock and earned surplus;

(5) average rate of interest on long-term debt;

(6) rate of return on average common stock equity;

(7) yearend yield on common stock (annual common dividend divided by yearend market price);

(8) dividend on preferred stock;

(9) yearend preferred dividend yield (annual preferred dividend divided by yearend market price of preferred stock);

(10) yearend earnings price ratio (earnings per share divided by yearend price per share);

(11) the names and addresses of the one hundred principal stockholders including, in those cases where voting stock is held by a party other than the beneficial owner, the name and address of each beneficial owner

of 1 per centum or more of the voting stock in the corporation;

(12) the name and address of each officer and director;

(13) the names and addresses of other corporations of which such officers and directors are also officers or directors;

(14) the names of directors, if any, who were not nominated by the management of the utility;

(15) terms of restricted stock option plans available to officers, directors and employees (not to include plans available to all employees on equal terms) and incuding name, title, salary and retirement benefits of each person to whom stock options have been granted, number of options each has exercised, date on which options were exercised, option price of the stock and market price of the stock when option was exercised;

(16) all payments included in any account for rate, management, construction, engineering, research, financial, valuation, legal, accounting, purchasing, advertising, labor relations, public relations, professional and other consultative services rendered under written or oral arrangements by any corporation, partnership, individual (other than for services as an employee) or organization of any kind, including legislative services;

(17) policy with respect to deposits of customers;

(18) rate of interest charged customers by the utility, stated as simple annual interest;

(19) rate base valuation and components of the utility's rate base, as determined by the State commission having jurisdiction, expressed in dollar amounts, and including amount permitted in rate base in each of the following categories: accumulated tax deferrals, allowance for working capital, construction work in progress, customers' advances, materials and supplies, plant acquisition adjustment, and plant held for future use;

(20) rate base valuation and components of the utility's rate base, as determined by the Federal commission having jurisdiction, expressed in dollar amounts;

(21) dollar difference in each category and in sum, between the rate base as computed pursuant to clauses (19) and (20);

(22) terms of franchises or certificates of convenience and necessity; and

(23) such other information as the appropriate Federal commission determines to be in the public interest.

Such information shall be determined on a fiscal or calendar year basis as may be appropriate and shall be reported as soon as practicable after the termination of such year.

(c) The Federal Power Commission and the Federal Communications Commission are each authorized to establish such regulations as may be necessary to obtain information needed for the purposes of this section and the violation of such regulations shall be deemed to be a violation of regulations pursuant to the Federal Power Act, with respect to the utilities subject to such Act, the Natural Gas Act, with respect to utilities subject to such Act, or the Communications Act of 1934, with respect to utilities subject to such Act, respectively.

Mr. President, the Chairman of the Mississippi Commission has not as yet responded to my March 26 letter. When he does respond to the questions, I shall be pleased to put the responses in the RECORD.

REPORT ON FOREIGN CURRENCIES AND U.S. DOLLARS UTILIZED BY COMMITTEE ON AGRICULTURE AND FORESTRY

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 report of the Committee on Agriculture and Forestry concerning the foreign currencies and U.S. dollars utilized by that committee in 1967 in connection with foreign travel.

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

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE COMMITTEE ON AGRICULTURE AND FORESTRY, U.S. SENATE, BETWEEN JAN. 1 AND DEC. 31, 196

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
Senator Jack R. Miller:											
Italy	Lira	44,950	71.95	36,000	57.60	12,000	19.10	6,310	10.25	99,260	158.90
D.C. to Rome and return	Deutsche mark					3,722.80	930.47			3,722.80	930.47
France	Franc	147	30.00	73	15.00			25	5.00	245	50.00
Total			101.95		72.60		949.57		15.25		1,139.37

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,139.37

APRIL 29, 1968.

ALLEN ELLENDER,
Chairman, Committee on Agriculture and Forestry.

DRAFT SHOULD BE REPLACED WITH VOLUNTARY SYSTEM

Mr. McGOVERN. Mr. President, yesterday's news media carried a disappointing report for millions of Americans and especially the youth of our Nation. A front-page article written by Walter Pincus, and published in the Washington Post opens with the statement:

Selective Service Director Lewis B. Hershey has won his battle within the Administration against any basic reform of the Nation's draft system.

The article continues:

The still-unreleased report of a task force, appointed by President Johnson last year to review the far-reaching reforms recommended by his National Advisory Commission on Selective Service, guarantees that virtually none of the Commission's major recommendations will be carried out.

The presidential task force—made up of Hershey, former Defense Secretary Robert S. McNamara and former Budget Director Charles L. Schultze—disagreed with every major organizational suggestion of the Commission.

Mr. President, as one who has believed for years that our present draft system is inefficient, unjust, and wasteful, I deeply regret the recommendations against reform by Mr. Hershey's task force. One should not be particularly surprised, however, that in investigating the empire which he has directed for so many years, Mr. Hershey has decided it is above improvement. Asking General Hershey to investigate the need for changes in the draft is very much like asking an author to review his own book.

My own view is that if we paid our servicemen adequately, we could secure the necessary military manpower through a voluntary system. I think this would give us a more efficient defense force at less cost in the long run and certainly more within the traditions of American democracy.

I have outlined my views in a newsletter soon to be mailed to my constituents in South Dakota. I ask unanimous consent that the newsletter and the Washington Post article be printed in the RECORD.

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

[From the Washington Post, Apr. 29, 1968]

PRESIDENTIAL PANEL BARS DRAFT REFORMS

(By Walter Pincus)

Selective Service Director Lewis B. Hershey has won his battle within the Administration against any basic reform of the Nation's draft system.

The still-unreleased report of a task force, appointed by President Johnson last year to review the far-reaching reforms recommended by his National Advisory Commission on Selective Service, guarantees that virtually none of the Commission's major recommendations will be carried out.

The presidential task force—made up of Hershey, former Defense Secretary Robert S. McNamara and former Budget Director Charles L. Schultze—disagreed with every major organizational suggestion of the Commission.

The task force concluded that few improvements could be made in present Selective Service policies. Its report to the President at several points criticizes the Advisory Commission, which was headed by former Assistant Attorney General Burke Marshall, for not taking "into account widely varying local conditions" and for proposing "theoretical alternatives (that) are not practical."

The Marshall Commission had criticized widely varying criteria applied by local draft

boards in determining deferments. The task force, however, found such differences "justified by dissimilar local conditions."

The task force concluded that "an adequate degree of uniformity can be attained with the present structure." It called on Selective Service headquarters to make some improvements in the present system and added that Hershey's organization "has under consideration many measures to increase further the degree of uniformity in classification."

But Selective Service officials last week said any uniformity would have to come—as it has for 20 years—through the informational operations bulletins Hershey regularly fires off to his 4000 local boards.

The Marshall Commission criticized the confusion created by 4000 separate draft boards made up of private citizens, each making its own decision on individual cases. The Commission suggested, instead, a Federally employed draft system with 300 to 500 regional offices and automated record-keeping and selection.

The President's task force firmly rejected this idea.

It found that the widely-dispersed local system was necessary in case of national emergency—that destruction of Washington in the case of centralized organization would create havoc. It suggested in a situation like Vietnam, not with "an unpopular war, it is better to have local citizens sending men into service than a Federal agency."

The task force said that automation of the Selective Service records, except for limited testing purposes, would be impractical. It did, however, agree that local draft board clerks should be brought under the Civil Service classification system.

As for total Federal bureaucracy, the task force said, "A Federal agency as recommended by the Commission would have difficulty in securing personnel with the knowledge, competence, integrity and patriotism of members of (present) local and appeals boards."

The task force did pick up a suggestion of the Marshall Commission that the names of local board members be "widely available."

A Selective Service official said last week that an order had gone out requiring names of members to be posted in local board offices. But he doubted whether the names would be given out over the telephone.

The task force recommended that the Defense Department supply better annual and monthly estimates to Selective Service of the numbers of men needed through the draft.

Pentagon failure to estimate accurately its annual draft needs in each of the past five years has required Hershey to go to Capitol Hill for supplemental funds to keep his program running.

On monthly calls the Pentagon has often run behind the Executive Order requiring it to place draft calls with Hershey 60 days before the month involved. This month, for example, the Pentagon was 19 days late with the June draft call requirement. At the same time it revised its May needs upward.

The task force also proposed 16 procedural changes which Selective Service officials said would cost $40 million to undertake. The System's present annual budget is about $60 million.

U.S. SENATE,
Washington, D.C., April 1968.

DEAR FRIEND: For several years I have had a growing conviction that our present military draft is an unsatisfactory, unfair and wasteful system of recruiting manpower for the armed services. I am convinced that compulsory conscription should be replaced with a voluntary system. If we paid our servicemen properly, it would be possible to secure enough career men without the draft. In the long run, this would be less costly and more democratic.

As matters now stand, millions of American youth are uncertain about their future because of the draft. Many of them are deferred as students while others are sent to Vietnam within a few months of high school graduation. Those who are called frequently regard it as unfair, while those who are deferred are often bothered by feelings of guilt or doubt.

Some of our most thoughtful youth have come to a genuine conviction that the war in Vietnam is a mistaken policy that is damaging the interests of the United States. Others regard it as an immoral or improper interference in the affairs of the Vietnamese people. For those young men the draft is a source of torment that forces them to choose between participation in a war they sincerely oppose or a term in jail.

A voluntary system would end these problems. But beyond that I believe it would give us a more efficient military force. Under the present system most draftees leave the service as soon as possible. This makes for a constant turnover of men and an enormous outlay of manpower, resources and money devoted to the training of new recruits.

By paying servicemen a wage comparable to civilian standards, the armed services could recruit career men who would continue in service for twenty or thirty years after their training period. This would give the Nation an experienced defense force consisting of voluntary motivated men. It would greatly reduce the expense of constantly training huge numbers of raw recruits, thus offsetting the cost of higher career service wages and benefits. In times of national emergency it might be necessary to supplement the voluntary career system with a backup lottery under which additional men could be called without favoritism or discrimination.

A voluntary system not only would be more effective, but more in keeping with the traditions of America. Many of our forefathers came to the United States to escape compulsory military systems in Europe. The draft departs from our democratic tradition and falls especially on the poor family unable to finance a college education with its resulting deferment.

I voted against the last extension of the draft because the committee handling the legislation ignored all of the Marshall Commission's recommendations for improving the system—as well as the proposals made by some of us on the Senate floor. I intend to continue my efforts until a majority of the Congress can be persuaded to the common sense of a voluntary program.

SOUTH DAKOTA PRESIDENTIAL PRIMARY: AN INTERESTING CONTEST

Since I believe that my fellow South Dakotans should make their own decision, I have seen fit not to take sides in the current contest for the Democratic Presidential nomination. All three men being considered as candidates—Senators Kennedy and McCarthy and Vice President Humphrey—are close friends of mine. Each of them would serve our Nation well and would have my cooperation as President. Each knows that situations might develop when I would not hesitate to express disagreement with him. May I add that President Johnson has taken on new stature by the magnanimous manner in which he placed his view of the Vietnam issue above re-election.

The Presidency is a sobering office that calls forth the seeds of greatness. A good man will grow when given public responsibility. That was true of John F. Kennedy, with whom I worked in the Food for Peace Program and who became a greater man with each passing month in the Presidential office. It would probably be true in the case of Vice President Humphrey and Senators McCarthy and Kennedy, should one of them be elected. Doubtless, Senator Goldwater or former Vice President Nixon and others who have been considered would also have emerged as greater men under the challenge of the office than as political candidates.

It is a tribute to our State that we are to be visited by all the Democratic Presidential candidates before the June 4 primary. I intend to host each of them in the friendly manner to which they are entitled. Indeed, the "blood, sweat and tears" involved in seeking the Presidential nomination prompts admiration for the major candidates, regardless of party.

But while remaining neutral on the endorsement of candidates, I will continue to take a stand on the hard issues. The central question before our Nation is whether we will continue using our manpower and resources trying to settle Vietnamese affairs, or end the war and begin dealing with the squeeze on our farmers and small businessmen, disorder in our cities, the weakening of the dollar, and the need for better educational and job opportunities. Five years ago I began warning against our Vietnam involvement and the neglect of our own society. America is the greatest of all nations, but we cannot play policeman and banker to the world.

So while there will be no effort by me to dictate to South Dakotans the selection of my party's Presidential nominee, I will continue to speak out on the issues, no matter who the candidates are or who is in the White House.

Your friend and Senator,
GEORGE MCGOVERN.

CANADIAN MEETING OF WORLD ASSEMBLY FOR HUMAN RIGHTS INDICATES REVOLUTION MAY OCCUR IF DENIAL OF RIGHTS CONTINUES IN LATIN AMERICA

Mr. PROXMIRE. Mr. President, the failure to implement the human rights conventions, a major share of which must be borne by the U.S. Senate, was discussed at the World Assembly for Human Rights, which met last month at Montreal, Quebec. A report of that assembly, written by Rod Van Every, of the Milwaukee Journal staff, was published in the Sunday, March 24, edition of that newspaper.

I ask unanimous consent to have printed in the RECORD the article describing the findings of the group of scholars and experts who represented 30 countries at the Montreal gathering.

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

HUMAN RIGHTS TERMED VITAL TO LATIN STABILITY

(By Rod Van Every)

MONTREAL, QUEBEC.—The World Assembly for Human Rights heard a warning Saturday that unless economic conditions improve, complete denial of human rights—revolution—may be expected from the younger generation.

The assembly is observing the 20th anniversary of the Declaration of Human Rights. It is a prelude to the United Nations' three week international conference on human rights in Tehran, Iran, beginning Apr. 22.

The assembly is attended by nongovernmental experts and scholars from 30 countries, plus 50 observers, including Atty. Bruno V. Bitker, Milwaukee, representing the president's commission for the observance of human rights year, 1968.

Atty. Justino Jimenez de Arechaga, a professor at the University of Montevideo, Uruguay, said that in many democratic countries of Latin America "the young generation is set on revolution" because it con-

siders "human rights a luxury beyond its means."

"Extreme poverty has had a great effect on our philosophy," he said.

But Sir Guy Powles, ombudsman of Wellington, New Zealand, saw not poverty but race conflict as "the main obstacle to progress in the field of human rights, and it does not seem to be getting any better."

"We're all guilty, and we should find an international wailing wall," he said. "The conflict is supposed to be a domestic problem, but international influence should be brought to bear."

Many speakers slapped at ineffectiveness of the UN. "It is afflicted with the same diseases of its member states," said Sir Guy. He called for education and development of worldwide public opinion to obtain and retain the inborn rights of the individual.

It is easier said than done, most agreed.

Haim H. Cohn, a supreme court justice in Jerusalem, hit at the UN hardest:

"The failure of the UN to promote human rights . . . is due to the fact that human rights have been made into a political issue. Every member nation is out to praise itself and has its ax to grind. I hope this assembly can break the monopoly of the UN on human rights.

NEW WAYS NEEDED

"It is time that people over the world without axes to grind . . . come together here and try to find new ways to promote human rights without involving the UN and governments of the states which cannot play an objective part.

"No government which calls itself civilized can withstand world opinion. Education and propaganda can outlaw discrimination. Switzerland has made itself the laughing stock of the world by denying women the right to vote. The way to change that? Keep laughing at Switzerland."

At the assembly's opening session, Sean MacBride, secretary general of the International Commission of Jurists, Geneva, said he did not believe the 20 year old Declaration of Human Rights would be adopted if it were being drawn up today.

"Are we not witnessing in the world today, and in the last 10 years, a mounting and massive disregard for human rights? he asked.

"There is a mounting brutality, and we tend to accept it as an everyday norm of civilizations."

He cited killings of thousands of civilians in Indonesia, Africa, Yemen and Vietnam and the removal of civil rights and free speech in many other countries.

"It is tacitly accepted by nations which pay lip service to the universal declaration of human rights," he said. "There is silence, and it is forgotten. The human conscience remains silent.

"There has been progress on paper—in the conventions and the covenants. But when it comes to giving teeth to (them), there is an immediate alliance among countries to ensure there will not be teeth. There is a feeling of conspiracy, unstated, by governments that really don't want to implement human rights."

Mohamed Awad, Cairo, chairman of UNESCO's executive committee, called defying the UN "an old thing." High on his list was South Africa with its apartheid policy.

Other speakers made more optimistic points:

Violations of human rights are more obvious today because of wider, faster dissemination of news.

Violations are easier to get before the UN. Many agreements have been made.

The world's conscience has been aroused. Most new countries have incorporated in their constitutions the UN's universal declarations of human rights, although they may not enforce them.

Progress has been made in the rights of labor.

Several countries have and others are considering setting up the ombudsman.

In 1945, only 52 countries gave women the right to vote; now 117 do.

Human rights now are not just the concern of some countries but of international concern, shown in a "respectable body of international law that protects the individual."

Asylum for refugees is being granted generously by many countries. Countries which violate have the spotlight of world opinion turned on them.

Among the five sponsors of the assembly is the Johnson Foundation, Racine, Wis. Its president, Leslie Paffrath, is assembly co-chairman with MacBride. Assembly president is Chief S. O. Ahedo of Nigeria, undersecretary general of the UN.

INCOME POTENTIAL FOR FARMERS IN TREE-RAISING BUSINESS

Mr. TALMADGE. Mr. President, a 6-year test recently completed in Georgia by the U.S. Department of Agriculture and the University of Georgia has greatly increased the income potential for farmers who are in the tree-raising business.

The findings indicate that on more than 18 million forested acres from Alabama to South Carolina, as much as $10 more per acre per year could ultimately be possible by adding beef production. This may be achieved by combining grazing on native forested ranges with grazing of native wiregrass in plantations of slash or longleaf pine. Each year an average of about 320,000 acres of land in these Southern States are put into pine plantations.

Until now, it had been concluded that cattle could not be pastured where the young pine are being established. The feeling was that the cattle would destroy the trees by browsing them.

Cooperative investigations at the Alapaha Experimental Range near Tifton, Ga., however, showed this is not necessarily correct if the cows are given a choice. The test investigations were conducted by the University of Georgia in cooperation with the Forest Service and the Agricultural Research Service, both agencies of the U.S. Department of Agriculture.

The test proved that grazing pressure on the pine seedlings can be reduced simply by providing an ample variety of other more palatable forage, including a limited amount of improved pasture. With certain precautions, the grazing can take place while slash or longleaf pine seedlings are establishing themselves.

Given a free choice the test proved a cow will eat herbaceous forage from both native and improved range. One of the necessary precautions needed to save the seedlings is to remove the cattle from the tree plantation areas in the fall before grass becomes dry and unpalatable. They can start grazing in the spring when adequate forage is again available. The test showed that in the fall and winter, cattle can best be maintained on improved forage such as coastal Bermudagrass and Pensacola bahia.

The study also showed that range is improved with burning. As a result, beef production is higher. Where prescribed burning is compatible with good timber management, fire can be introduced as soon as the trees are 8- to 10-feet high.

Research is now being continued at Alapaha Experimental Range on finding grasses which will thrive in the shade as the trees increase in size.

SENATOR SCOTT'S SPLENDID ADDRESS

Mr. ANDERSON. Mr. President, on April 23, 1968, the Senator from Pennsylvania [Mr. SCOTT] wrote to me, as chairman of the Committee on Aeronautical and Space Sciences, a long letter in which he supplied me with a fine evaluation of the programs we have been discussing in the Space Committee hearings. His reasoning is so good and his statements are so timely that I desire to have them printed in the RECORD.

Senator SCOTT has taken the time to restate some of the situations which the Space Committee now faces. The Nerva development has been the subject of House appropriations hearings, and there has been a suggestion that the appropriation by Congress be so restricted that it will shut off future work and leave insufficient funds even to terminate the present programs.

I thank the Senator from Pennsylvania for his fine work and his fine letter. I hope that Members of Congress and their staffs will read it carefully. It surely is a fine presentation.

I ask unanimous consent that it be printed in the RECORD.

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

U.S. SENATE,
Washington, D.C., April 23, 1968.

Senator CLINTON P. ANDERSON,
Chairman, Committee on Aeronautical and Space Sciences, Senate Office Building, Washington, D.C.

DEAR CLINT: Our Nation today is facing a spectrum of problems which are unique in our history. Under pressure to find immediate solutions, some people, suggest quick generalizations which may do more harm in the long run than whatever short-range benefits are created. We all hear demands to spend vast sums of money in certain areas or to slash funds from other programs which do not seem to meet current problems. The long range future is forgotten under the oppression of crisis.

My reason for writing to you is to express my concern over recent recommendations for funding our Nation's space program. It is also to express my appreciation for the way you are undertaking a thorough analysis of our space effort, with the objective of establishing a valid and sensible listing of priorities. In particular, I am encouraged to hear that you have scheduled hearings over the next two weeks to explore the details of our Nation's only advanced space propulsion development effort, the nuclear rocket program.

Last month, the House Committee on Science and Astronautics reported a bill which reduces the NASA authorization for nuclear rocket engine development funding from a requested $60 million to $11.7 million—a cut which effectively shuts off further work and leaves insufficient funds even for termination costs. I know you have long been a proponent of nuclear rocket propulsion, and I want you to know that I share your opinion. I wish to support your effort to assure adequate funding for this successful and important program. The action by the House Space Committee must be challenged if we are to avoid irreparable harm to our long-range space capabilities.

In the report filed with its bill, the House

Space Committee recites the augmented capabilities for the Saturn V when combined with a nuclear third stage. Following this, the Committee recommends that Nerva engine development be deferred because, ". . . of the large fund requirement and because there are no approved missions at this time that cannot be made with existing boosters." Nowhere in the report do I find the slightest criticism of the way the nuclear rocket program has been conducted over the past 13 years of its life. To the contrary, the report implies that development of a nuclear rocket engine would be a significant and desirable advancement in our space propulsion capabilities. Negative comment is made only with regard to the current economic situation and the belief of the Committee that the program should be stripped of funding in order to save money. The House Committee, however, overlooks some very important facts about this $48.3 million "saving."

The United States has already spent over $1 billion to develop nuclear rocket engine technology. This effort has produced a consistent record of technological accomplishment and test program success. Now, the technology phase is virtually complete. The next logical step is to proceed with hardware development to gain information about the feasibility of nuclear space flight. This phase would be completed by about 1975. It is perfectly obvious that a nuclear stage would not be available until beyond the point of *current* planned and approved NASA missions. The House Committee rejection of Nerva because of there being no approved missions seems to me to have missed the point. The nuclear rocket program has consistently been aimed at future space missions. It is axiomatic within the Research and Development Community that missions are scheduled and approved only after a new piece of equipment is tested and flight rated.

Last year, Dr. Mac Adams, Director, Office of Advanced Research & Technology at NASA testified, ". . . This is the right time to start. If we do not start this year then we will have to cut back on the current program. . . . If we postpone it, we will have to start cutting back on personnel. Those people will go elsewhere. These are the people who have spent many years in learning this field. This is a unique capability in this country." The point of Dr. Adams' comment is that the know-how we have assembled over the past 13 years, the technology, exists in the training, experience, and ability of the personnel who presently make up the government-industry nuclear rocket team. If we delete the program this year as recommended by the House Space Committee, we will not only stop the nuclear rocket program in its tracks but we will also lose the technology, irretrievably, as highly skilled technical personnel leave the program for other employment. These people cannot be expected to return at some later date. We will have wasted the benefit of over $1 billion already invested in this program by the Nation's taxpayers.

Last year when part of this program was cancelled, the Westinghouse Astronuclear Laboratory, which is the principal subcontractor for this program, was forced to drop almost one quarter of its personnel who were working on the big engine. I understand that the prime contractor experienced a similar reduction as a result of funding cuts. So, the danger of loss of personnel and the technology is very real.

Furthermore this $48.3 million "saving" will have the effect of locking the United States into a commitment to chemical propulsion which will severely limit future United States space craft performance. It will establish a new national policy involving the abandonment of nuclear space propulsion to the U.S.S.R. There is testimony and many reports available to the Committee which indicate that the Soviet Union may now be undertaking just such a development.

Mr. Chairman, I consider it a waste of technical and financial resources to abandon the nuclear rocket program now that it is clearly within our technical capabilities to complete the program on schedule. Anything less would prove to be an ineffective utilization of the scientific resources of the United States and could well cause, in the future, unnecessary duplication of the manpower and facilities that have already been committed to this program. If the House Space Committee action stands, the danger is succinctly stated in the report of the Joint Committee on Atomic Energy which has already approved authorization for AEC funding of a nuclear rocket program this year. The Committee warned, ". . . without the development of a nuclear rocket engine, it is not possible to project a viable space program based on a significant stepwise advancement in propulsion capability. Deferral is not possible without incurring certain irreversible penalties which will be very costly to this Nation in the long run."

One last point, Mr. Chairman, in addition to the economic considerations outlined above, I think it would be most unwise to permit the nuclear rocket engine to slip from our grasp without giving some consideration to our Nation's future security. In addition to a variety of programs already outlined in testimony by NASA, we must keep in mind the increased space capabilities as they might affect the future defense of our Nation. As we project both the civilian and defense space requirements into the next decade, the highly reliable nuclear rocket engine which permits substantial maneuvering in space with very heavy payloads, seems to me to have a very significant requirement.

Once again, Mr. Chairman, I wish to assure you that this program has my support and I intend to urge my colleagues to support it.

Sincerely,

HUGH SCOTT,
U.S. Senator.

GIANT FARM MONOPOLIES CALLED THREAT TO FAMILY FARMS AND SMALL BUSINESSES

Mr. NELSON. Mr. President, one of the most pressing issues debated by citizens in rural America today is the growing threat of corporate agriculture to family-operated farms and ranches.

Incorporation by family farmers is not questioned. Instead it is the rapid movement of large conglomerate corporations and other nonfarm interests into agriculture. This trend is viewed with alarm by a number of our major farm groups and is a matter of serious concern to thousands of rural people across America.

They are told by proponents of corporation farming that "bigness" is the ultimate answer to agriculture's problems. They are assured that the trend toward industrialized agriculture is both desirable and inevitable.

The assurance that it is desirable is certainly open to serious question. Whether it is inevitable or not depends on what we in the Senate, and others who influence national policy, do about it in the next few years.

We are rapidly approaching the time, in my judgment, when this Nation must decide whether the family farm—defined in terms of both size and degree of managerial independence—is forced to vanish from the American scene. This is the same family farm which year after year has proven itself to be the most efficient and effective producer of food and fiber in the world.

This decision also will determine what happens to nonfarmers in rural America—the businessmen and others in small towns and cities directly tied to agriculture. They, too, are being forced into the cities in ever-increasing numbers. A study in South Dakota has shown that one small business in a rural community has to close its door every time six family farmers in the same area are forced off the land.

There has been little research in this field either by universities or the many farm and business groups that have spoken out on this issue.

Preliminary studies, however, indicate corporation farms normally buy farm machinery, irrigation equipment, and other production supplies direct from manufacturers or distributors. They bypass both the retailer and the cooperatives. It also indicates they rely on a seasonal work force, usually recruited outside the community, and provide little year-round employment.

It is easy to see that this hits small businesses in two ways: First, they are bypassed in purchase of machinery, seed, and other farm production supplies; and, second, most farmer-customers now buying both production and living items would leave the community.

This would drastically reduce sales of independent businesses, many family operated and unsuited to move to a larger community somewhere else. It also would cut sales of local outlets of big companies—John Deere, Allis Chalmers, and similar dealerships and retail outlets such as J. C. Penney, Gambles, and Ben Franklin stores.

No one has yet documented the effects of this in terms of closeouts, bankruptcies, lost jobs, and boarded-up store fronts. It is time, however, that someone attempted to find out the facts so we can assess the consequences of this agricultural trend.

The social consequences in terms of welfare costs, uprooted and underemployed people, out-migration to the cities, rural church membership, school consolidations, rural credit availability, farm cooperative patronage, and abandoned housing also should be explored.

Also important in these rural changes is the effect of huge industrial farm operations on soil and water conservation The independent farmer husbands this rich natural resource and treats it in terms of generations. We should attempt to determine what corporation farming has meant so far in terms of resource use and development.

In view of the serious questions raised regarding this growing trend in American agriculture, I am announcing that the Monopoly Subcommittee of the Senate Select Committee on Small Business will conduct a series of hearings to explore the effects of corporation farming on small business and rural America as a whole.

The first hearing will be held Monday, May 20, in Omaha, Nebr., with additional hearings to follow.

It has been too long since Congress took a look at the effects on small business of fast-moving trends in agricul-

ture. The Senate Committee on Small Business last studied this matter in 1946 and issued a report, "Small Business and the Community: The Effects of the Scale of Farm Operations."

The hearings I am announcing today will provide material to update these findings. They will provide us the opportunity to study, carefully and thoroughly the current impact of corporation farming on *small* businesses in rural areas.

In determining the effects on small business, we also can determine the consequences for farmers who remain in communities where this transition to an industrialized agriculture takes place. What do they do when business closeouts leave them with the closest implement dealer or lumber yard or hardware store 25 to 50 miles away.

During the past few months stories on corporation farming have appeared in all the major farm magazines. The subject has been explored in business journals and the daily newspapers. A number of editorials have been published reflecting the concern many rural editors feel regarding this issue.

In the next few days I will place a selection of these articles and editorials in the RECORD.

A number of farm groups have taken strong public stands on the corporation farm issue. I am hopeful that spokesmen for these organizations, plus representatives of business groups and others interested in what happens in rural America, will address themselves to this problem in testimony at the hearings.

I ask unanimous consent that the findings of the Senate Small Business Committee report on corporation farming, issued in 1946, be printed in the RECORD.

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

SMALL BUSINESS AND THE COMMUNITY—THE EFFECTS OF THE SCALE OF FARM OPERATIONS, DECEMBER 23, 1946

(Report of the Special Committee To Study Problems of American Small Business, U.S. Senate)

The family farm is the classic example of the American small-business enterprise. For generations this institution and the community it supports have held the esteem of all who have known and understood the American heritage. Statesmen, historians, economists, and sociologists have generally agreed that the spread of the family farm over the land has laid the economic base for the liberties and the democratic institutions which this Nation counts as its greatest asset.

The great declaration by Daniel Webster still stands as perhaps the clearest and most authentic expression of America's deep-rooted belief in the intimate and casual relation between the family farm and the distinctively popular character of our Government.

"Our New England ancestors, he said, 'brought thither no great capitals from Europe; and if they had, there was nothing productive in which they could have been invested. They left behind them the whole feudal policy of the other continent. * * * They came to a new country. There were as yet no lands yielding rent, and no tenants rendering service. The whole soil was unreclaimed from barbarism. They were themselves either from their original condition, or from the necessity of their common interest, nearly on a level in respect to property. Their situation demanded a parceling out and division of the land, and it may fairly be said that this necessary act *fixed the future frame and form of their government.* [Webster's italics.] The character of their political institutions was determined by the fundamental laws respecting property. * * * The consequences of all these causes have been a great subdivision of the soil and a great equality of condition; the true basis, most certainly, of popular government. * * *'"

The advances in technology during the past century have greatly benefited farmers who, with their families, work the land. The industrial revolution has eased the burden of the farmer and rendered his labors more productive. Yet these technological advances have, at the same time, brought a threat to the very institution to whose personnel they have brought so much aid. The threat is this: That with increased mechanization will come increased industrialization of the farm enterprise; that with industrialization will come an increasing concentration of economic power in the hands of fewer and fewer men at the head of great organizations, and an end to that broad diffusion of social and economic benefits that has long been characteristic of American rural communities.

There is foundation for the belief that industrialization is on the increase. The United States Census of Agriculture has been recording the gradual increase in average farm size in America. This is not a result of the disappearance of undersized farms; family farmers on the better lands appear to be particularly vulnerable. Census statistics are supported by other information. In those areas particularly suitable to high-value specialty crops, the concentration of land and production into large units has been reported by various agencies and students of American agriculture. A committee of the U.S. Senate has pointed out that within the decade of the thirties the percentage of all farms in California which produce just over one-half the total agricultural production of that State fell from 10 to 6.8 percent, marking a growth in concentration of nearly one-third. It is not without significance as evidence of this trend that at least one group of specialty crop producers has so far changed its character away from that of family farmers and in the direction of becoming industrialists that it has found itself indicted for violation of the antitrust laws of the Nation.

The development of large-scale farming has been foremost in California. The influence of Spanish land policy, the monopolization of large areas by early comers after American statehood, the soil and climate favorable to the production of specialty crops, and congeries of other historic and economic circumstances have made California particularly amenable to industrialized agricultural production. But development of this pattern of agriculture, often operated like industry from urban centers and worked by wage labor, is not peculiar to any one part of the Nation. It has been reported in some degree from all sections.

Whether industrialization of farming is a threat not only to the family farm, but also to the rural society founded upon the family farm, is the specific subject of the present report. The purpose of this study is to test by contemporary field research the historic hypothesis that the institution of small independent farmers is indeed the agent which creates the homogeneous community, both socially and economically democratic.

The present inquiry consists of a detailed analysis and comparison of two communities, one where agricultural operations are on a modest scale, the other where large factory-like techniques are practiced. Both communities lie in the fertile southern San Joaquin Valley in the Great Central Valley of California, where highly developed and richly productive agriculture is characteristic. Limitations of time and resources dictated that no more than two communities be studied. Numerous other pairs might have been chosen which doubtless would have yielded comparable results.

The two communities studied here naturally vary in some degree with respect to proportions of surrounding lands devoted to this or that crop, with respect to age, to depth of water lift for irrigation, etc., as well as with respect to the scale of the farm enterprises which surround them. Controls as perfect as are possible in the chemist's laboratory are not found in social organizations. Yet the approximation to complete control achieved by selection of the communities of Arvin and Dinuba is surprisingly high. Other factors, besides the difference in scale of farming, which might have produced or contributed to the striking contrasts of Arvin and Dinuba have been carefully examined. On this basis the conclusion has been reached that the primary, and by all odds the factor of greatest weight in producing the essential differences in these two communities, was the characteristic difference in the scale of farming—large or small—upon which each was founded. There is every reason to believe that the results obtained by this study are generally applicable wherever like economic conditions prevail.

SUMMARY OF FINDINGS

Certain conclusions are particularly significant to the small businessman, and to an understanding of the importance of his place in a community. Not only does the small farm itself constitute small business, but it supports flourishing small commercial business.

Analysis of the business conditions in the communities of Arvin and Dinuba shows that—

(1) The small farm community supported 62 separate business establishments, to but 35 in the large-farm community; a ratio in favor of the small-farm community of nearly 2:1.

(2) The volume of retail trade in the small-farm community during the 12-month period analyzed was $4,383,000 as against only $2,535,000 in the large-farm community. Retail trade in the small-farm community was greater by 61 percent. (See figure and table, pp. 83 and 84.)

(3) The expenditure for household supplies and building equipment was over three times as great in the small-farm community as it was in the large farm community.

The investigation disclosed other vast differences in the economic and social life of the two communities, and affords strong support for the belief that small farms provide the basis for a richer community life and a greater sum of those values for which America stands, than do industrialized farms of the usual type.

It was found that—

(4) The small farm supports in the local community a larger number of people per dollar volume of agricultural production than an area devoted to larger-scale enterprises, a difference in its favor of about 20 percent.

(5) Notwithstanding their greater numbers, people in the small-farm community have a better average standard of living than those living in the community of large-scale farms.

(6) Over one-half of the breadwinners in the small-farm community are independently employed businessmen, persons in white-collar employment, or farmers; in the large-farm community the proportion is less than one-fifth.

(7) Less than one-third of the breadwinners in the small-farm community are agricultural wage laborers (characteristically landless, and with low and insecure income) while the proportion of persons in this position reaches the astonishing figure of nearly two-thirds of all persons gainfully employed in the large-farm community.

(8) Physical facilities for community living—paved streets, sidewalks, garbage disposal, sewage disposal, and other public services—are far greater in the small-farm community; indeed, in the industrial-farm com-

munity some of these facilities are entirely wanting.

(9) Schools are more plentiful and offer broader services in the small-farm community, which is provided with four elementary schools and one high school; the large-farm community has but a single elementary school.

(10) The small-farm community is provided with three parks for recreation; the large-farm community has a single playground, loaned by a corporation.

(11) The small-farm town has more than twice the number of organizations for civic improvement and social recreation than its large-farm counterpart.

(12) Provision for public recreation centers, Boy Scout troops, and similar facilities for enriching the lives of the inhabitants is proportioned in the two communities in the same general way, favoring the small-farm community.

(13) The small-farm community supports two newspapers, each with many times the news space carried in the single paper of the industrialized-farm community.

(14) Churches bear the ratio of 2:1 between the communities, with the greater number of churches and churchgoers in the small-farm community.

(15) Facilities for making decisions on community welfare through local popular elections are available to people in the small-farm community; in the large-farm community such decisions are in the hands of officials of the county.

These differences are sufficiently great in number and degree to affirm the thesis that small farms bear a very important relation to the character of American rural society. It must be realized that the two communities of Arvin and Dinuba were carefully selected to reflect the difference in size of enterprise, and not extraneous factors. The agricultural production in the two communities was virtually the same in volume—2½ million dollars per annum in each—so that the resource base was strictly comparable. Both communities produce specialized crops of high value and high cost of production, utilizing irrigation and large bodies of special harvest labor. The two communities are in the same climate zone, about equidistant from small cities and major urban centers, similarly served by highways and railroads, and without any significant advantages from nonagricultural resources or from manufacturing or processing. The reported differences in the communities may properly be assigned confidently and overwhelmingly to the scale-of-farming factor.

The reasons seem clear. The small-farm community is a population of middle-class persons with a high degree of stability in income and tenure, and a strong economic and social interest in their community. Differences in wealth among them are not great, and the people generally associate together in those organizations which serve the community. Where farms are large, on the other hand, the population consists of relatively few persons with economic stability, and of large numbers whose only tie to the community is their uncertain and relatively low-income job. Differences in wealth are great among members of this community, and social contacts between them are rare. Indeed, even the operators of large-scale farms frequently are absentees; and if they do live in Arvin, they as often seek their recreation in the nearby city. Their interest in the social life of the community is hardly greater than that of the laborer whose tenure is transitory. Even the businessmen of the large-farm community frequently express their own feelings of impermanence; and their financial investment in the community, kept usually at a minimum, reflects the same view. Attitudes such as these are not conducive to stability and the rich kind of rural community life which is properly associated with the traditional family farm.

THE NEED FOR GUN LEGISLATION

Mr. DODD. Mr. President, the need for effective gun control legislation is urgent; the hour is late. What is more, these facts are now well known to the public, which strongly supports such legislation. The Senate will soon vote on this vital issue. The clamor of a few should not frustrate the vast majority of Americans who are tired of living in an atmosphere charged with lethal violence.

I ask unanimous consent to have printed in the RECORD editorials published recently in the Boston Globe and the Evening News.

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

[From the Boston Globe, Apr. 22, 1968]

GUN CONTROLS NEEDED—I

Lieut. Gov. Francis W. Sargent, himself the owner of a sporting goods store that sells firearms, spoke the truth recently when he bluntly told the convention of the National Rifle Assn. in Boston that its public image is terrible and it had better support serious and sensible gun control legislation.

A Harris poll today shows that 71 percent of Americans favor tight controls over the sale of guns and that, though 51 percent of American homes contain guns, those who own them favor gun control laws by 65 to 31 percent, better than two-to-one.

The N.R.A. bases its case primarily on the Second Amendment to the Constitution, part of the Bill of Rights. And surely few will disagree with this amendment, particularly if they knew how the courts have applied it.

The amendment states: "A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed." Note that this right is related directly to the need of a well regulated militia.

The amendment has been cited by some as guaranteeing an individual's right to keep and bear arms, but the court decisions do not support this. As early as 1886, in Presser vs. Illinois, the Supreme Court upheld a state statute forbidding men to drill or parade with arms unless authorized by law.

What prompts the present pressure for better gun controls is, of course, the April 4 assassination in Memphis, Tenn., of Dr. Martin Luther King, Jr. The rifle and telescopic sight that killed him were purchased, apparently, in Birmingham, Ala. But this was only the latest of a long series of assassinations with guns.

The nation will not easily forget that the weapon which killed President John F. Kennedy in 1963 had been purchased under a false name by Lee Harvey Oswald from a mail-order firm in Chicago. Guns have also taken the lives of three other American Presidents.

Firearms in 1966 accounted in this country for 6400 murders, 10,000 suicides and 2600 accidental deaths. By contrast, in Japan where no one but a police officer may own a pistol, there were only 37 murders by firearms in 1962.

This is not to say that this country should adopt the sweeping Japanese law. There are many sound reasons for protecting the right to own a gun, but there are even more reasons for controlling and regulating such ownership.

Past and present legislation to control the sale of guns, and the N.R.A.'s powerful opposition to most of this legislation, will be discussed in a later editorial.

[From the Boston Globe, Apr. 23, 1968]

GUN CONTROLS NEEDED—II

The story of the long series of efforts to pass adequate gun control legislation in Congress is a sordid one, for the successful opposition to such laws has been marked by unprincipal maneuvering behind the scenes and outright misrepresentation by the National Rifle Assn. and its publication, The American Rifleman.

Anyone doubting that is urged to read an exhaustive account of it in the current New Yorker magazine by Richard Harris.

It took President Kennedy's assassination in November, 1963, to arouse mass interest in gun controls, but a study by a Senate Judiciary subcommittee had shown the need for them in 1961, and had also noted a vast increase since 1955 in the number of foreign military surplus weapons sold in this country—many of them, by the way, Russian made.

A year after the attempted assassination of President-elect Franklin D. Roosevelt in 1933, Congress had passed the National Firearms Act, but it was aimed principally at "gangster" type weapons such as machine guns, and made it a crime to possess such weapons unregistered.

Only last Jan. 29 the Supreme Court voided the section of this law requiring registration, on the grounds that it violated the Fifth Amendment's protection against self-incrimination. But the high court made it clear this did not affect Congress' authority to "regulate the manufacture, transfer or possession of firearms."

The only similar law on the books, the Federal Firearms Law of 1938, requires licenses for interstate dealers (a loophole through which until recently gun fanciers could declare themselves "dealers" and get discounts from wholesale houses), but did not prevent criminals from falsifying statements to dealers in order to buy a firearm.

In 30 years, there has been only one conviction under the section prohibiting the mailing of firearms to private individuals in the eight states that require permits. Yet in 1966 alone, according to the government, there were nearly 10,000 "possible violations."

But in 1963 Sen. Thomas Dodd introduced S. 1975 to restrict the mail-order sale of hand guns. About all it did was to require a sworn affidavit from purchasers, with a copy sent to his local law enforcement officer. Later amended to cover rifles and shotguns, it got nowhere, even after President Kennedy was killed.

The N.R.A., which had helped draft its original provisions, never told its members it had done so. It told them instead that it had prevented the bill from being voted out of committee. In 1964 the bill was killed by deferring action on it.

A later editorial will discuss subsequent attempts to control gun sales, the pending legislation, and how to overcome the attempts being made even now to kill it again.

[From the Boston Globe, Apr. 24, 1968]

GUN CONTROLS NEEDED—III

For an organization that takes pride in its marksmanship, the American Rifle Assn. has consistently been far off target in its opposition to gun control legislation. It needs badly to adjust its sights, and to allow for its own windage.

Take, for example, its opposition to bills introduced in 1965. They would have prohibited the interstate mail-order sale of all firearms to individuals and over-the-counter sales of handguns to non-residents of the state. But no bill came out of committee, not even one by Sen. Bourke B. Hickenlooper (R-Iowa), an N.R.A. member, exempting rifles and shotguns.

Instead, the N.R.A. on April 9 sent a letter to its 700,000 members urging them to write their congressmen, and warning that the legislation could end "the private ownership of all guns." This was but one example of what Congressional Quarterly meant recently when it said, "By any accounting, the letter was replete with distortions of the fact." The N.R.A.'s president said he

would consider sending another letter with corrections, but it was never sent.

It was the same story in 1966, even after Charles J. Whitman carried a small arsenal to the top of a University of Texas tower and killed 16 persons and wounded 30 before police could kill him. Even a bill filed by Sen. R. L. Hruska (R-Nebr.) failed to reach a floor vote, and thereby hangs a tale.

The bill would merely have banned interstate shipment of pistols to those under 21. On Sept. 22 the Judiciary Committee ordered it reported out, 10-to-5. But knowing that Sen. Edward M. Kennedy (D.-Mass.) would amend the bill on the floor, Hruska did not report it till Oct. 19, three days before Congress adjourned, when it was too late for action.

Again in 1967, firearms legislation never reached the floor, despite pressure for it from the White House and FBI Director J. Edgar Hoover. The N.R.A. letter-writing campaign continued. Though the N.R.A. had supported the weak Hruska bill in testimony, it did not urge its members to write in favor of it. (It this time would have required handgun purchasers to file an affidavit that they were 21 and eligible, and prohibited shipments violating state laws.)

Instead, the N.R.A. again falsified, claiming the administration bill "would prohibit outright the interstate sale of handguns, rifles and shotguns to individuals." The bill did nothing of the sort.

Not until 1968, and then only after Rev. Martin Luther King Jr. was assassinated, did the N.R.A. get its first real comeuppance. But it may win yet. How to keep it from winning will be discussed in this series' last editorial.

[From the Boston Globe, Apr. 25, 1968]

GUN CONTROLS NEEDED—IV

Opponents of tougher Federal controls on firearms sales failed to have their way Wednesday in the Senate Judiciary Committee, but to use a pregnant phrase, the battle isn't over by a long shot.

A recapitulation of the background is enlightening. Last April 4, only hours before Dr. Martin Luther King Jr. was assassinated, the committee voted to reject an amendment to the President's crime control bill banning the mail-order sale of all firearms. Then it voted 6–to–6 on an amendment banning interstate shipment and out-of-state purchase of handguns to individuals, but deleting all mention of rifles and shotguns. Two days later, four Senators who had been absent voted for this weak measure, and it was ordered reported.

Once a bill is reported to the Senate, the committee cannot change it. Instead of reporting it, Sen. James Eastland (D-Miss.), the chairman, delayed. Last Tuesday, prompted by the National Rifle Assn.'s chief supporter, Sen. Roman Hruska (R-Neb.), who is an expert at rewriting his remarks in the committee's transcript, he called the committee meeting. On Wednesday, though, they failed to weaken the bill still further.

But, while it does ban sales of handguns to persons under 21, the bill would still not prohibit interstate mail order sales to individuals of shotguns and rifles such as have killed President Kennedy and Dr. King, except when the law of the purchaser's own State makes such a sale unlawful. There are very few such States.

Unless there are more shenanigans, the bill will now for the first time go to the Senate floor, perhaps for debate next Tuesday. It is then that Sen. Edward M. Kennedy (D-Mass.) and others will try to amend the bill to ban mail order sales of rifles and shotguns. They ought to succeed.

For what is involved here is not, as the NRA alleges, the right of hunters to hunt, or marksmen to hold target practice, or homeowners to protect their homes, or the right of any law-abiding citizen to own a gun. These rights are undisputed, and must be supported.

What is involved is simply giving both the citizens and the police a weapon, however inadequate, against crime and assassination. (Ordinances in Watts and Detroit prohibit gun sales to anyone with a criminal record; 72 percent of Watts' rioters who were arrested with guns had such records, and 90 percent of the handguns taken from Detroit's rioters were foreign models of the kind most widely sold by mail order firms.)

If the Senate passes gun control provisions, they will go either back to the House for a vote, or to a Senate-House conference. Meanwhile the NRA letter-writing lobby will surely mount the usual mortar barrage.

The lobby can be defeated, but only if enough of the very great majority of Americans who want adequate gun control legislation write or telegraph to their Congressmen and Senators and say so.

[From the Evening News, Apr. 22, 1968]

PARTIAL GUN CURB

On the day after the assassination of Dr. Martin Luther King Jr., the Senate Judiciary Committee became the first congressional committee to approve firearms legislation in 30 years. By a vote of 9–7, it approved an amendment to the administration's anti-crime bill that would prohibit mail-order sales of handguns to individuals, and over-the-counter sales of handguns to persons who do not live in the dealer's state.

But this approval was at a price: Withdrawal of a clause which also banned mail-order sales of rifles and shotguns. This preserved the right of anybody to get, no questions asked, the same sort of weapon as those which killed President Kennedy and Dr. King. And it ran counter to a finding of a 1967 Gallup poll, that 75 percent of Americans believe no person should be able to get a gun by mail.

There is little cause for optimism that this amendment will get through the Senate without further dilution, however. Demands for a stricter federal law mounted after the assassination of President Kennedy—by a carbine ordered through an ad in the National Rifle Association magazine—and four and a half years later none is yet on the books.

No one seriously argues that a gun control law can stop crime. Ten days ago, for instance, New Jersey's Atty. Gen. Sills noted that stringent laws like this state's probably would not have saved Dr. King, for "it is very difficult to stop" persons who plan to kill. But, as he also said, if guns are less easily accessible, there is less likelihood of their use—especially in crimes of passion, which he said are most common.

The Senate has a chance to change the old script when the anti-crime bill reaches the floor. Since it apparently will not have a look at control legislation for some time, if ever, it should seize this opportunity to get a law on the books, preferably strengthened by restoration of the ban on mail sales of rifles and shotguns.

HAROLD HOWE II: A PERCEPTIVE SPEECH ON BILINGUAL EDUCATION

Mr. YARBOROUGH. Mr. President, it was my pleasure last Friday evening April 26, to make the closing address at the National Conference of Educational Opportunities for the Mexican American, sponsored by the U.S. Office of Education and the Southwest Educational Development Laboratory in Austin, Tex. The keynote speech for the conference was delivered by U.S. Commissioner of Education, Harold Howe II. Although I was not present to hear Mr. Howe's address, I have read it and recommend it to the attention of other Members of Congress and to the American public.

Entitled "Cowboys, Indians, and American Education," the speech was a perceptive and moving analysis of the problems now faced by the Spanish-speaking children of the American Southwest.

Unfortunately, Mr. Howe's understanding and perception has not been reflected in the administration's request for appropriations for the Bilingual Education Act—title VII of Public Law 90–247. Congress authorized appropriations of $30 million for fiscal year 1969, yet the Bureau of the Budget has requested funding of only $5 million.

It is my hope that Mr. Howe's insight and obvious enthusiasm will be passed on to some of his associates who are holding back full funding for the Bilingual Education Act and are, therefore, holding back much-needed progress.

I ask unanimous consent to have printed in the RECORD an address entitled, "Cowboys, Indians, and American Education," given by U.S. Commissioner of Education, Harold Howe II, on the morning of April 25, 1968, before the National Conference of Educational Opportunities for the Mexican American.

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

COWBOYS, INDIANS, AND AMERICAN EDUCATION

(An address by Harold Howe II, U.S. Commissioner of Education, Department of Health, Education, and Welfare)

Some years ago, the *New Yorker* published a cartoon showing an Indian father sitting inside his teepee and reading a bedtime story to his son. The particular line he read was this: "And just then, when it appeared that the battle was lost, from beyond the hills came the welcome sound of war-whoops."

The punch-line losses in translation from printed to spoken word, of course, and it was much funnier in the original Comanche. I risk what may sound like a lame introduction because it seems to me this cartoon illustrates what we mean when we talk about "cultural difference": where you come from helps determine whether you view salvation as 50 people wearing loin cloths and feathers, or 50 people wearing cavalry blue. And where you come from, moreover, helps determine how you view the schools—and how the schools view you.

Last year a gentleman named Joseph Monserrat, director of the Migration Division of the Puerto Rico Labor Department, gave a paper before a group concerned with the treatment of minorities in jails and prisons. While I do not want to suggest any analogy between the American jail and the American school—the students do enough of that—one of the things that Mr. Monserrat said on that occasion strikes me as applicable today. "A number of years ago," he said:

"I was frequently asked to go out to speak on 'The Puerto Rican Problem.' To identify what this Puerto Rican problem was, I tried to begin to find out from the groups who placed the 'problem' in quotes. The only trouble was that every time I asked what they meant by 'the Puerto Rican problem,' people would talk to me about housing, about education, or about crime, or any number of things. But no one told me exactly what this 'Puerto Rican Problem' really was."

Taking a cue from Mr. Monserrat, I will not attempt to talk today about the Mexican-American problem. In the first place, I suspect that most Mexican-American problems—like most Negro-American, Oriental-American, and White, Anglo-Saxon Protestant American problems—stem from love or money, and as a Federal official, I do not feel qualified to talk about either. At this point in the history of our Republic, much of the electorate does not seem disposed to offer

us love, and Congress isn't disposed to offer us money.

Instead, I would like to talk about "the education problem"—and it is basically just one problem: helping every youngster—whatever his home background, whatever his home language, whatever his ability—become all he has it in him to become.

Such a goal is a lofty one, and it is doubtful that the schools will ever achieve it perfectly. What must concern us is the degree to which many schools fail to come within a country mile of that goal. And if Mexican-American children have a higher drop-out rate than any other identifiable group in the Nation—and they do—the schools cannot explain away their failure by belaboring the "Mexican-American problem." The problem, simply, is that the schools have failed with these children.

Schools and educators have been taking what seem to me unwarranted amounts of criticism for the last 10 years. Heaven knows the schools and the people who run them *deserve* criticism—we all do. But whereas a corporation, for example, is the property only of its stockholders, our schools are everybody's property—and everybody feels justified in having a crack at them. The failures of the schools as exemplified in human beings who cannot read or write or find a job are more conspicuous than are the failures of most human enterprises. Finally, while we complain about a faulty automobile or washing machine, we do not associate these errors of human effort with the essence of our lives. We do make this association with children; to a large degree, our children *are* our lives, and if the schools fail our sons and daughters, they strike hard at those possibilities for joy, pride, and hope which constitute a satisfactory human life.

So, though educators need and deserve criticism, we should recognize that they risk failure in a more conspicuous and painful way than most of us. More to the point, we should recognize that the people, who ultimately control the schools, have never really given our schools the resources they need to succeed with minority children.

By "resources" I do not simply mean money, or teachers, or the proper kind of textbook. The most crucial resource for any successful educational effort is the point of view it exemplifies. If that point of view fails, the schools are bound to fail, for—contrary to much educational rhetoric—the schools do not change society's viewpoint. Rather, they perpetuate it. And if I had to sum up this society's viewpoint, I would do it by going back to that cartoon from the *New Yorker*.

The United States is in many ways a cowboy-and-Indian society. The good guys—whether they're selling automobiles or riding off into the sunset—wear white hats and white skins. They speak unaccented English (unless it's a cowboy drawl), and most important of all—they never lose a fight.

This gung-ho concept has doubtless emerged because our history, like that of most nations, is in many ways a story of conflict between diverse peoples and the eventual emergence of one as militarily and culturally dominant. In our case, of course, it was the English and their American-born, English-speaking, English-thinking descendants who established dominance over the legal, political, professional, and commercial life of the 13 Colonies.

It is interesting to note what happened to the other three colonizers that contended for space in this country. The Dutch, after establishing a foothold in what is now New York, were eliminated rather early, and all but a few traces of their culture vanished with military defeat. The remaining Dutch colonists remained an important force in the social and commercial life of New York, and even furnished the city with its symbol, Father Knickerbocker—but eventually their children adopted the English language and English ways.

Much the same thing happened to the French. Either they returned to Europe, were transplanted to Canada by the English, or survived in cultural enclaves in Louisiana and Maine. Those who succeeded in American life, however, became assimilated through adopting the English language and abandoning the distinctive traditions of their homeland.

Only one group failed—or refused, depending on your point of view—to be assimilated. By reason of their early colonization of the Southwest, the Spanish were far removed from the English and colonial American influences that compelled assimilation in the eastern part of the country. Indeed, according to Dr. Clark Knowlton of the University of Texas, it was not until after World War II that Anglo-Americans outnumbered Indians and Spanish-speaking Americans in most of the Southwest. By that time, a new culture that mingled elements of the Spanish, the Mexican, and the Indian traditions had grown up—and it stubbornly refused to melt away with the advent of Anglo-American culture.

Last April, at the first Texas Conference for the Mexican-American, Dr. Severo Gomez quoted from a pamphlet entitled "The Mexican-Americans of South Texas" to offer the following viewpoint of an Anglo-American teacher toward her Mexican-American students and their parents:

"They are good people. Their only handicap is the bag full of superstitutions and silly notions they inherited from Mexico. When they get rid of these superstitions they will be good Americans. The schools help more than anything else. In time, the Latins will think and act like Americans. A lot depends on whether we can get them to switch from Spanish to English. When they speak Spanish they think Mexican. When the day comes that they speak English at home like the rest of us, they will be part of the American way of life. I just don't understand why they are so insistent about using Spanish. They should realize that it's not the American tongue."

To a degree the teacher is right: Spanish is not the American tongue. English is, and I'm sure none of you would dispute the notion that a basic goal of every American school should be to give every youngster a command of English.

And yet the remarks I have just quoted exemplify what I have called the cowboy-and-Indian viewpoint. It equates Anglo-American origin and Anglo-American ways with virtue, with goodness, even with political purity. Other cultures are not merely different; they are *inferior*. They must be wiped out, not only for the good of the country, but for the good of the child. Not only must he learn to speak English; he must stop speaking anything *else*.

This notion of Anglo-cultural superiority is reflcted in a hundred ways, even in the comic books our children read: Batman's real name is Bruce Wayne; Superman's is Clark Kent, and his girl friend is Lois Lane. American detectives are named Nick Carter and Perry Mason and Sam Spade—all names which are either forthrightly Anglo-Saxon or intimate no other national identification. We tell Polish jokes, Jewish jokes, Irish jokes, Chinese jokes, Negro jokes, and—in this part of the country—I suppose they tell Mexican jokes. In Anglo society, however, there is no such thing as an Anglo joke. In all the shabby vocabulary or ridicule which Americans have developed for ethnic groups—spics, wops, kikes, micks, bohunks, coons—there is no comparable term of derision for the English; *limey* is such a feeble attempt that it can be used to express affection. Indeed, I think we may even count it as some kind of linguistic triumph that American Negroes have finally come up with a name for whites that packs a bit of bite: older denunciations such as "The Man", "white trash", "Charlie" or "ofay" simply have no force, but "honky" does sound objectionable.

In a hundred subtle ways, we have told people of all origins other than English that their backgrounds are somehow cheap or humorous. And the tragic thing is that this process has succeeded. Of the incredible diversity of languages and traditions that the people of a hundred nations brought to this country, virtually nothing remains except in scattered enclaves of elderly people who are more often viewed as objects of curiosity rather than respect. Most pernicious of all, their children often grow up thinking of their background as something to be escaped from, rather than treasured.

Mexican-Americans are one of the few exceptions to this American rule of cultural elimination through cultural disdain. A distinctive Spanish-Indian-Mexican culture survives in the United States.

As you know, this culture has been a handicap, not a blessing, in the attempts of Mexican-Americans to prosper. Basic to the success of any such attempt is a good education, and the cultural backgrounds of Spanish-speaking children have produced a staggering amount of educational failure. Dr. Gomez pointed out that "about 89 percent of the children with Spanish surnames, and for the most part with Spanish as the first learned language, drop out of school before completing a regular 12-year program."

Part of the reason is that many Mexican-American children come to school speaking nothing but Spanish, and are immediately expected to start speaking English. Yet I would agree with Dr. Gomez in his belief that an unfamiliarity with English accounts for only part of the failure. There is evidence, he says, that many of the dropouts *have* succeeded in learning English. "It isn't just the mechanics of learning languages," he adds, "but other factors: certainly the cultural aspect must be considered."

You are more familiar than I with the Mexican-American cultural factors that impede a youngster's transition from home to school. But I would say that the notion of Anglo-cultural superiority—over which youngsters and their parents have no control—is a much larger factor. Until the schools realize how our society projects this conviction of superiority, this cowbody-and-Indians mentality, and takes positive steps to correct it, they will not truly succeed with Mexican-American children.

Today and tomorrow you will have a chance to view some of the "positive steps" that some schools are taking—15 educational projects that have shown promise of redeeming Mexican-American children from the near-certainty of educational failure. They emphasize a bicultural, bilingual approach which says, in essence, that Mexican-American children must learn the English language and Anglo ways—but that they can do so without having to reject their knowledge of the Spanish language and of Mexican-American ways.

Some of these projects go farther. They suggest that maybe it is not a bad idea for Anglo children to learn Spanish, and to gain a familiarity with another culture. This idea has all sorts of good sense to recommend it.

First of all, the evidence is clear that people learn languages best if they learn them young. It is rather paradoxical that in the southwest, some elementary schools have forbidden children to speak Spanish, while at the same time many of our secondary schools require students to learn another language—and Spanish is one of the most popular electives. Mexican-American children offer their Anglo classmates a great natural teaching resource. It is time we stopped wasting that resource and instead enabled youngsters to move back and forth from one language to another without any sense of difficulty or strangeness.

Second, the proper conduct of bilingual

programs should produce dramatic improvement in the performance of Spanish-speaking children. By "proper conduct" I mean those teaching arrangements which permit a child to begin learning to read and write immediately, in Spanish, and learning English in music, art, and recreation periods—rather than forcing him to postpone all serious academic work until he learns English. This latter approach commonly leaves the Mexican-American child three to six years behind his Anglo contemporary by the time he is a teenager. As Dr. Knowlton points out, "The majority who fight their way through to a high school level often have the dubious distinction of being illiterate in two languages."

What I see as the third advantage of bicultural, bilingual programs for Anglo as well as Mexican-American children may well be the most important of our country.

The notion of cultural superiority has seriously harmed the United States in this century in its dealings with other peoples. Whereas European children grow up with the notion of cultural diversity, and frequently learn two or even three foreign languages in the course of their formal schooling, American schools commonly isolate our children from cultural exchange. Partially this separation stems from the size of our country. As businessman or as tourist, you can go from one end to the other and never have to speak anything but English. There has never been any special reason why our schools should prepare children to speak in another tongue.

In the middle of this century, after nearly 150 years of largely ignoring the rest of the world, we have lumbered into the family of nations as an international force. A position of international responsibility was thrust upon us, and we were ill-prepared to assume it. In fact, one of the great motivations behind the present set of Federal programs for education was the lack of Americans who could speak foreign languages or deal with other peoples in terms of their own cultures. The result was that we often offended people whom we were trying to help or befriend.

The complexity of our international relations has increased since World War II, rather than decreased. Many former colonies of the great nations of the world have themselves become independent nations, their citizens as proud of their distinctive languages and traditions as any free people should be. If we are to gain the friendship of these new nations, and strengthen our ties with much older nations that have felt the strength of American parochialism in the past, we must give our children the ability to move with ease and respect in cultures other than their own.

It would interest me to see what would happen if educators in Chicago translated one of San Antonio's successful bilingual programs into a school in a Polish neighborhood—or in San Francisco, to a school in a Japanese or Chinese neighborhood. Consider for a moment the incredible wealth of linguistic expertise and cultural resources we have in this country, and what American foreign relations could be like in thirty years if, to every country in the world, we could dispatch young Americans versed in the language, the history, and the traditions of the host country as well as of their own. And I do not mean by this only that a Japanese-American youngster should have the opportunity to learn Japanese; what's wrong with a Japanese-American boy's learning Polish? What's wrong with a Filipino-American girl's learning Swedish or Rumanian? Why should we consider so many languages as beneath notice unless the learning is to be done in a college or graduate school for purely academic purposes? And why, indeed, must foreign languages be taught exclusively in classes formally tagged "language"? If a youngster is introduced to another language at the age of five, and has a continuing opportunity to grow in it, why can't he study high school algebra in Spanish? Couldn't some of the readings a high school history student pursues in learning about the French Revolution be in French?

This argument that wider cultural exposure will help our international relations, stresses both national purposes and international amity. Perhaps the most important reason for bicultural programs, however, is not international but domestic—our relations with each other here at home. The entire history of discrimination is based on the prejudice that because someone else is different, he is somehow worse. If we could teach all our children—black, white, brown, yellow, and all the American shades in between—that diversity is not to be feared or suspected, but enjoyed and valued, we would be well on the way toward achieving the equality we have always proclaimed as a national characteristic. And we would be further along the way toward ridding ourselves of the baggage of distrust and hatred which has recently turned American against American in our cities.

If we are to achieve this new respect for diversity and this interest in preserving other cultures and languages as part and parcel of building America, there will have to be changes in our schools. Change requires two elements—leadership and money. Neither will suffice without the other.

The group meeting here today can encourage new leadership resources. You can awaken school boards and superintendents and State education authorities and governors and legislatures to the new directions which are necessary. These agencies in turn can provide some of the funds. The Federal government can play a role in both leadership and resources.

The formation of the Advisory Committee on Mexican American Education which is meeting with you here today indicates a commitment by the U.S. Office of Education to seek every possible key to the improvement of educational opportunity for your young people. In addition, the Office of Education is asking the Congress for special funds to pay for effective demonstrations of bilingual education practices. Even in a Congress which seems more committed to economy than to some of the unmet needs of Americans, we have some hope that these funds will be granted.

There is, in addition, one major source of funds which you as local and State leaders in education must endeavor to influence. I refer to the monies which flow through Title I of the Elementary and Secondary Education Act into every school district in which Mexican-American Education children go to school. Decisions on what these funds are to be used for flow from local school district proposals which are approved by State authorities. You and your fellow citizens with a particular concern for Mexican-American children should bring every possible pressure to bear to ensure that Title I funds provide education which allows Mexican-American children to have pride in their heritage while learning the way to take part in the opportunities this country has to offer. Title I funds are not appropriated by the Congress to promote "business as usual" in the schools. They are appropriated, instead, to help the educationally deprived get a fair chance. The Office of Education will join with you to help see that this fair chance is made a reality.

I would like to close with a quotation from a man whom few of us would regard as an educational theorist: Malcolm X, a leader of the militant Black Muslim movement who was assassinated some years ago. In a conversation with a moderate Negro leader, Malcolm X once said he wished he could talk to some middle-income Negroes, those who had "made it" in our segregated society and tended to turn their backs on the problems of the ghetto. If he had that chance, Malcolm said, here is what he would tell them:

"The people who helped me were the wrong people, from the point of view of the moral society, from the point of view of the democratic society. The people who helped me, whose hands reached out to mine, whose hearts and heads touched mine, were the pimps, the prostitutes and hustlers, the thieves, and the murderers. The people who helped me through grade school were the gangs. The people who helped me through the high school of adolescence were the kids up in the reformatory. The people who helped me through the college of life were the people up in the prisons. And the people who helped me to get graduate training in the university of common sense were the people out on the streets, in the ghettos that were infested with crime and delinquency.

"Say this to (those other people), because man, there are a whole lot of kids on this street just like me. They smell bad, they act bad, they talk bad, and their report card says they're dumb. But you know something? These kids are smart. These kids are beautiful. These kids are great. They need to be seen and helped."

The programs you will observe here today and tomorrow represent a start toward making sure that one group of American children will receive its education in school, not in jail or the streets. I hope you will learn from these demonstrations, adapt them, and put them to work as widely as you can, and that educators across the country will learn from you. For the schools can send forth a message that we all badly need to hear: Ours is not a nation of cowboys and Indians. White hats belong to everyone. As Malcolm X said, all our kids are beautiful and all are great.

I would add that none of our children is hyphenated. All of them are American.

WIRETAPPING LEGISLATION AT THE STATE LEVEL

Mr. HRUSKA. Mr. President, following the Supreme Court's decision holding unconstitutional New York's statute permitting wiretapping by law enforcement officials (*Burger* v. *New York*, 388 U.S. 41 (1967)), I introduced a bill (S. 2050) on June 29, 1967 setting standards and procedures for both Federal and State law-enforcement officers, consistent with the Constitution, for the use of electronic surveillance under a court order system in the administration of justice.

At the time that bill was drafted and introduced there was little or no State activity in this area. Concern was expressed that if the Congress acted in this area that the States might be encouraged to act and do so without due regard for individual rights. Loose or inadequate legislation might be passed. Recent activity on the State level, however, has proven that fear unfounded. Legislation is now pending in California, Rhode Island, and Pennsylvania, which would set up court order systems. Legislation, too, has already passed one house of the State legislature in both New York and Michigan. I have examined this legislation. It seems to be carefully drawn. Because it is such, I intend to offer an amendment of title III of S. 917 when it reaches the Senate floor which will eliminate all provisions seeking to regulate State activity in this area. They are subject to the same Constitution which limits the actions of this body. There is no demonstrated need for Federal interference in this area.

In addition, by several laws, each seeking to deal with the same problem within constitutional limits, there will be greater likelihood of arriving at a successful and sound result in this difficult field.

Mr. President, I ask unanimous consent that the pending bills in the Legislatures of New York and Michigan be printed in the RECORD at this point.

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

(EXPLANATION.—Matter in *italics* is new; matter in brackets [ ] is old law to be omitted.)

[State of New York, in Senate, March 26, 1968]

5487—A

Introduced by Committee on Rules—read twice and ordered printed and when printed to be committed to the Committee on Codes. Committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

An act to amend the code of criminal procedure, the penal law and the civil practice law and rules, in relation to eavesdropping warrants

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Title two-A of part six of the code of criminal procedure, consisting of sections eight hundred thirteen-a and eight hundred thirteen-b, is hereby repealed.

§ 2. Such code is hereby amended by adding to part six thereof a new title, to be title three, to read as follows:

TITLE III

Eavesdropping warrants

Section 814. Eavesdropping warrants; definitions of terms.

Section 815. Eavesdropping warrants; in general.

Section 816. Eavesdropping warrants; when issuable.

Section 817. Eavesdropping warrants; application.

Section 818. Eavesdropping warrants; emergency authority.

Section 819. Eavesdropping warrants; application; how determined.

Section 820. Eavesdropping warrants; form and content.

Section 821. Eavesdropping warrants; renewals.

Section 822. Eavesdropping warrants; manner and time of execution.

Section 823. Eavesdropping warrants; notice and return.

Section 824. Eavesdropping warrants; safeguarding and custody of warrants and applications.

Section 825. Eavesdropping warrants; reports.

§ 814. Eavesdropping warrants; definitions of terms. As used in this title the following terms have the following meanings: 1. "Eavesdropping warrant" means an order of a justice authorizing or approving wiretapping or mechanical overhearing of conversation, as those terms are defined in section 250.00 of the penal law.

2. "Justice" means any justice of the supreme court who has been designated by the governor as a justice of an appellate division, or any justice of the supreme court of the judicial district in which the eavesdropping warrant is to be executed, or any county court judge of the county in which the eavesdropping warrant is to be executed.

3. "Applicant" means a district attorney, the attorney general, the chairman of the state commission of investigation, the commissioner or chief police officer of any duly organized police force or department of any county, city, or the superintendent of the state police or any sheriff of any county outside the city of New York. If a district attorney, the attorney general, the chairman of the state commission of investigation, the commissioner or chief police officer of any duly organized police force or department of any county, city, or the superintendent of the state police or any sheriff of any county outside the city of New York is actually absent or disabled the term "applicant" shall mean that person designated to act for him and perform his official function in and during his actual absence or disability.

4. "Exigent circumstances" means conditions requiring the preservation of secrecy, and whereby there is a reasonable likelihood that a continuing investigation would be thwarted by alerting any of the persons subject to surveillance to the fact that such surveillance had occurred.

§ 815. Eavesdropping warrants; in general. Under circumstances prescribed in this title, a justice may, upon ex parte application of an applicant, issue an eavesdropping warrant.

§ 816. Eavesdropping warrants; when issuable. An eavesdropping warrant may issue only upon an appropriate application made in conformity with this title, and upon reasonable cause to believe that evidence of the commission of a particular crime, or information aiding in the apprehension of the perpetrator of a particular crime, has been or may be obtained, and upon a showing that normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous to employ, to obtain the evidence or information sought. A warrant of approval may issue only where the conversation, the overhearing of which is to be approved, was otherwise not privileged and was otherwise overheard in accordance with the provisions of this title.

§ 817. Eavesdropping warrants; application. 1. An ex parte application for an eavesdropping warrant must be in writing, subscribed and sworn by an applicant.

2. The application must contain:

(a) A statement of facts establishing reasonable cause to believe that a particularly described crime has been, is being, or is about to be committed; and

(b) A statement of facts establishing reasonable cause to believe that the conversation of a particularly described person will constitute evidence of the particularly described crime that has been, is being or is about to be committed or that the conversation will aid in the apprehension of the perpetrator of such crime which has been, is being, or is about to be committed. The statement shall include a particular description of the place or premises where the conversation will occur or has occurred or a particular description of the telephone or telegraph lines over which the conversation will occur or has occurred; and

(c) A particular description of the type of the conversation sought to be or which was overheard; and

(d) A statement of facts establishing that normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous to employ, to obtain the evidence or information sought, and that such conversation is not otherwise legally privileged; and

(e) A statement of the period of time for which the eavesdropping is required to be maintained. If practicable, the application should designate hours of the day or night during which the conversation may be probably expected to occur. If the character of the investigation is such that the authorization for eavesdropping should not automatically terminate when the described conversation has been first obtained, the application must specifically state facts establishing reasonable cause to believe that additional conversations of the same type will occur subsequently; and

(f) If the applicant knows that a prior application has been submitted or a warrant previously obtained for eavesdropping on the person whose conversation is sought to be overheard, a statement fully disclosing the date, court, applicant, execution, results, and present status of the application or warrant; or

(g) If the application seeks retroactive approval for the overhearing of a type of conversation the overhearing of which was not otherwise sought, it must contain a statement fully disclosing the circumstances of the overhearing and, where applicable, the date, court, application, execution and results of the warrant.

3. Allegations of fact in the application may be based either upon the personal knowledge of the applicant or upon information and belief. If the applicant personally knows the facts alleged, it must be so stated. If the facts stated in the application are derived in whole or part from the statements of persons other than the applicant, the sources of such facts must be either disclosed or described, and the application must contain facts establishing the existence and reliability of the informants or the reliability of the information supplied by them.

§ 818. Eavesdropping warrants; emergency authority. 1. When an eavesdropping warrant has been issued pursuant to this title, the applicant, or the person designated by him to execute the warrant, may use conversations, the overhearing of which was not otherwise sought pursuant to such warrant, provided that he has reasonable cause to believe that a particular crime has been, is being or is about to be committed by a particular person, and that he uses such conversation in the proper performance of his official duties before an application for approval can with due diligence be prepared and submitted to a justice.

2. When conversations are used pursuant to subdivision one, an application for approval must be made pursuant to the provision of this title as soon as practicable.

§ 819. Eavesdropping warrants; applicant; how determined. 1. If the application conforms to section eight hundred seventeen, the justice may examine under oath any person for the purpose of determining whether grounds exist for the issuance of the warrant pursuant to section eight hundred sixteen. Any such examination must be either recorded or summarized in writing.

2. If satisfied that grounds exist for the issuance of a warrant of authorization pursuant to section eight hundred sixteen, the justice may grant the application and issue an eavesdropping warrant, in accordance with section eight hundred twenty.

3. If satisfied that grounds exist for the issuance of a warrant of approval pursuant to section eight hundred sixteen, the justice may grant the application and issue such warrant in accordance with section eight hundred twenty.

4. If the application does not conform to section eight hundred seventeen, or if the justice is not satisfied that grounds exist for the issuance, the application must be denied.

§ 820. Eavesdropping warrants; form and content. An eavesdropping warrant must contain:

1. The subscription and title of the issuing justice; and

2. The date of issuance, date of effect, if known, and termination date. The effective period of the warrant must not exceed twenty days. If the effective period of the warrant is to terminate upon the acquisition of a particular conversation, the warrant may so provide. If the effective period of the warrant is not to terminate upon the acquisition of a particular conversation, the warrant must so provide; and

3. A statement of retroactive authorization or approval when such has been applied for and granted; and

4. A particular description of the person and the place, premises or telephone or telegraph line upon which eavesdropping may be conducted or has been approved; and

5. A particular description of the type of the conversation to be obtained by eavesdropping or which has been approved including a statement of the crime to which it relates; and

6. As express authorization to make secret entry upon a private place or premises to install the eavesdropping device, if such entry is necessary to execute the warrant.

§ 821. Eavesdropping warrants; renewals. 1. At any time prior to the expiration of an eavesdropping warrant or any renewal thereof, the applicant may apply to a justice for a renewal with respect to the same person, place, premises, or telephone or telegraph line. An application for renewal must incorporate the warrant sought to be renewed together with the application and any accompanying papers upon which it was issued.

The application for renewal must set forth the results of the eavesdropping already conducted, and it must set forth present grounds for extension in conformity with section eight hundred fifteen.

2. Upon such application, the justice may issue an order renewing the eavesdropping warrant and extending the authorization for a period not exceeding twenty days. Such an order shall specify the basis for the finding of present reasonable cause for the issuance of the renewal.

§ 822. Eavesdropping warrants; manner and time of execution. 1. An eavesdropping warrant may be executed by the applicant personally or by another person expressly and particularly designated by him for the purpose.

2. The warrant may be executed according to its terms during the hours specified, and for the authorized period or a part of the authorized period. Unless specifically otherwise ordered, the authorization must terminate upon the acquisition of the conversations described in the warrant. Warrants must be executed as soon as practicable. Upon termination of the authorization in the warrant or any renewals thereof, eavesdropping must cease and any device installed for the purpose of the eavesdropping must be removed or permanently inactivated as soon as practicable. Entry upon a private place or premise for the removal or permanent inactivation of such device is deemed to be authorized by the warrant.

§ 823. Eavesdropping warrants; notice and return. 1. Not later than sixty days after termination of the eavesdropping warrant or any renewals thereof, except as otherwise provided in subdivision two of this section, written notice of issuance of the eavesdropping warrant and of the period of authorized eavesdropping must be personally served upon the person named in the warrant whose conversations were sought to be overheard, or upon the owner, lessee, or occupant, if known, of the place or premises in which the eavesdropping device was installed, or upon the subscriber to the telephone or owner or lessee, or occupant, if known, of the place or premises in which the eavesdropping device was installed, or upon the subscriber to the telephone or owner or lessee of the telegraph line described in the warrant.

2. On a showing of exigent circumstances to the issuing justice the serving of the notice required by this section may be postponed by order of the justice for a reasonable period of time. Renewals of an order of postponement may be obtained on a new showing of exigent circumstances.

3. Within fourteen days after termination of the warrant or the last renewal thereof, a return must be made by the applicant to the justice who issued the warrant. The return shall consist of a report in writing subscribed and sworn by the applicant or by the person expressly and particularly designated by him to conduct or supervise the execution of the warrant, summarizing the conversations overheard or recorded, which may be thereafter used in criminal prosecution, lead to other evidence, or information leading to the apprehension of the perpetrator of a crime. It must also state whether the eavesdropping device has been removed or permanently inactivated.

§ 824. Eavesdropping warrants; safeguarding and custody of warrants and applications. Any eavesdropping warrant together with the papers upon which the application is based, shall be delivered to and retained by the applicant as authority for the eavesdropping authorized therein. A copy of such eavesdropping warrant shall be retained by the justice issuing the same, and, in the event of the denial of an application for such an eavesdropping warrant, a copy of the papers upon which the application was based shall be retained by the justice denying the same.

§ 825. Eavesdropping warrants; reports. In January of each year, each justice must report in writing on the operation of this title to the judicial conference. No report under this section shall be made on any eavesdropping until after notice has been served pursuant to section eight hundred twenty-three. The reports must contain:

(1) The number of applications made; (2) the number of warrants denied and issued; (3) the effective periods of such warrants; (4) the number and duration of any renewals; (5) the crimes in connection with which the warrants were sought; (6) the name of the applicant.

§ 3. Subdivision three of section 250.00 of the penal law is hereby amended to read as follows:

3. "Unlawfully" means not [specifically authorized pursuant to section eight hundred thirteen-a or section eight hundred thirteen-b of the code of criminal procedure] *pursuant to an eavesdropping warrant.*

§ 4. Section 250.20 of such law is hereby amended to read as follows:

§ 250.20 Divulging an eavesdropping [order] *warrant.*

A person is guilty of divulging an eavesdropping [order] *warrant* when, possessing information concerning the existence or content of [a court order] *an eavesdropping warrant* issued pursuant to [section eight hundred thirteen-a] *title three of part six* of the code of criminal procedure, or concerning any circumstance attending an application for such [an order] *a warrant*, he discloses such information to another person; except that such disclosure is not criminal or unlawful when made in a legal proceeding, or to a law enforcement officer or agency connected with the application for such [order] *warrant*, or to *the judicial conference*, a legislative committee or temporary state commission, or to the telephone or telegraph corporation whose facilities are involved.

Divulging an eavesdropping [order] *warrant* is a class A misdemeanor.

§ 5. Section forty-five hundred six of the civil practice law and rules, as last amended by chapter six hundred eighty of the laws of nineteen hundred sixty-seven, is hereby amended to read as follows:

§ 4506. Eavesdropping evidence

Evidence obtained by any act of eavesdropping[,] in violation of section 250.05 of the penal law, [or by any act in violation of section eight hundred thirteen-b of the code of criminal procedure, or by eavesdropping without court order, as permitted by said section of the code of criminal procedure, when an application for such order is thereafter made as required by said section but is denied,] and evidence obtained through or resulting from information obtained by any such act, shall be inadmissible for any purpose in any civil or criminal action, proceeding or hearing; provided, however, that any such evidence shall be admissible in any civil or criminal action, proceeding or hearing against the person who has, or is alleged to have, violated section 250.05 of the penal law [or section eight hundred thirteen-b of the code of criminal procedure].

§ 6. In any civil or criminal action, proceeding or hearing or administrative or legislative hearing occurring after the effective date of this act, the admissibility of any evidence obtained by any act of eavesdropping prior to the effective date of this act, or any evidence obtained through or resulting from information obtained by any such act of eavesdropping, shall be determined acording to the provision of law in force and effect immediately prior to the effective date fo this act in the same manner as if this act had not been enacted.

§ 7. This act shall take effect immediately.

(NOTE.—Title two-A of part six of the code of criminal procedure, consisting of sections eight hundred thirteen-a and eight hundred thirteen-b thereof, which is repealed by this bill, relate to ex parte orders for eavesdropping and eavesdropping by law enforcement officers without court order under certain circumstances.)

HOUSE BILL NO. 3729

February 20, 1968, introduced by Reps. Ziegler, Suski, Loren D. Anderson, Ford, Brown, Groat, Hoffman, Pittenger, Hampton, Weber, James F. Smith, Licata, Geerlings and Roy Smith and referred to the Committee on Judiciary

A bill to amend Act No. 328 of the Public Acts of 1931, entitled "The Michigan penal code," as amended, being sections 750.1 to 750.568 of the Compiled Laws of 1948, by adding 14 new sections to stand as sections 539j to 539w

The people of the State of Michigan enact:

Section 1. Act No. 328 of the Public Acts of 1931, as amended, being sections 750.1 to 750.568 of the Compiled Laws of 1948, is amended by adding 14 new sections to stand as sections 539j to 539w to read as follows:

"SEC. 539j. (1) 'Eavesdrop' means to overhear, record, amplify or transmit any part of the private discourse of others without the consent of at least 1 of the persons engaged in the discourse, except as otherwise provided by law.

"(2) 'Private place' means a place where one may reasonably expect to be safe from casual or hostile intrusion or surveillance, but does not include a place to which the public or a substantial group of the public has access.

"(3) 'Surveillance' means secret observation of the activities of another person for the purpose of spying upon and invading the privacy of the person observed.

"(4) An eavesdropping warrant is an order of a judge which authorizes acts of eavesdropping or surveillance, as those terms are defined in this section. Wherever 'eavesdropping' is used in sections 539j to 539w it shall be deemed to include 'surveillance'.

"(5) Under circumstances prescribed in sections 539j to 539w, a judge of a circuit court or the court of appeals may issue an eavesdropping warrant upon ex parte application of a prosecuting attorney, the attorney general, or deputy attorney general acting in his stead. The term 'prosecuting attorney' and the term 'attorney general' do not include an assistant prosecuting attorney or an assistant attorney general other than one who has been designated by the prosecuting attorney or by the attorney general as acting prosecuting attorney or acting attorney general and who is at the time performing his functions in his actual absence.

"SEC. 539k. An eavesdropping warrant may issue only upon a sworn application in con-

formity with sections 539j to 539w, and upon probable cause to believe that evidence of the commission of a particular crime, or information necessary to the apprehension of the perpetrator, may be obtained thereby, and upon a showing of exigent circumstances. Exigent circumstances shall be that where normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried.

"SEC. 539l. (1) An application ex parte for an eavesdropping warrant must be in writing, subscribed and sworn to by an applicant authorized by section 539j.

"(2) The application shall contain:

"(A) A statement of facts establishing probable cause to believe that a particularly described crime has been, is being, or is about to be committed.

"(B) A statement of facts establishing probable cause to believe that conversation of a particular described person which will constitute evidence of such crime, or which will materially aid in the apprehension of the perpetrator, will occur in a particularly described place or premises, or over particularly described telephone or telegraph lines.

"(C) A particular description of the type of the conversation sought to be overheard.

"(D) A statement that the conversation sought is necessary to a particularly described investigation or prosecution, that such conversation is not legally privileged, and that exigent circumstances are present, with a description of such exigency.

"(E) A statement of the period of time for which the eavesdropping is required to be maintained. If practicable, the application should designate hours of the day or night during which the conversation may be reasonably expected to occur. If the nature of the investigation is such that the authorization for eavesdropping should not automatically terminate when the described conversation has been first obtained, the application must specifically state facts establishing probable cause to believe that additional conversation of the same nature will occur thereafter.

"(F) If a prior application has been submitted or a warrant previously obtained for eavesdropping of a named person, a statement fully disclosing the date, court, application, execution, results and present status thereof.

"(3) Allegations of fact in the application may be based either upon the personal knowledge of the applicant or upon information and belief. If the applicant personally knows the fact alleged, it shall be so stated. If the facts establishing probable cause are derived in whole or part from the statements of persons other than the applicant, the sources of the information and belief shall be either disclosed or described, and the application shall contain facts establishing the existence and reliability but not necessarily the identity of the informant, or the reliability of the information supplied by him.

"SEC. 539m. Application for an eavesdropping warrant shall be made to a judge of a circuit court for the county where the eavesdropping is to occur or the county where the office of the applicant is located or to a judge of the court of appeals except that for these purposes the office of the attorney general shall be deemed to be located in both Ingham and Wayne Counties.

"SEC. 539n. (1) If the application conforms to section 539l, the judge may examine under oath or otherwise interrogate any person for the purpose of determining whether grounds exist for the issuance of the warrant pursuant to section 539k. The examination or interrogation shall be either recorded or summarized in writing.

"(2) If satisfied that grounds exist for the issuance of a warrant pursuant to section 539k, the judge may grant the application and issue an eavesdropping warrant, in accordance with section 539o. Copies of both instruments shall be retained personally by the issuing judge in locked safekeeping until the return thereof.

"(3) If the application does not conform to section 539l, or if the judge is not satisfied that grounds exist for the issuance therefor, the application shall be denied.

"SEC. 539o. An eavesdropping warrant shall contain:

"(a) The subscription and title of the issuing judge.

"(b) The agency granted authorization to eavesdrop, the date of issuance, date of effect if known and termination date. The effective period of the warrant shall begin at its issuance unless otherwise specified therein and shall not exceed 30 days. If the effective period of the warrant is to terminate upon the acquisition of particular evidence or information, the warrant may so provide.

"(c) A particular description of the person and the place, premises or telephone or telegraph line upon which eavesdropping may be conducted.

"(d) A particular description of the type of the conversation to be obtained by the eavesdropping, including a statement of the crime to which it relates.

"(E) An express authorization to make secret entry upon a private place or premises to install a specific eavesdropping device, if such entry is necessary to execute the warrant.

"(F) A statement providing for notice pursuant to section 539r, except that if there has been a finding of important special facts requiring the postponement of such notice, a statement of such finding together with the basis therefor shall be included and an alternative direction for deferred notice pursuant to subsection (3) of section 539r.

"SEC. 539p. (1) At any time prior to the expiration of an eavesdropping warrant or a renewal thereof, the applicant may apply to any judge of a circuit court in the county where the original warrant was issued or a judge of the court of appeals for a renewal thereof with respect to the same person, place, premises or telephone or telegraph line. An application for renewal shall incorporate the warrant sought to be renewed together with the application therefor and any accompanying papers upon which it was issued. The application for renewal shall set forth the results of the eavesdropping thus far conducted. In addition, it shall set forth present grounds for extension in conformity with section 539j.

"(2) Upon such application, the judge may issue an order renewing the eavesdropping warrant and extending the authorization for a period not exceeding 15 days from the entry thereof. Upon proper showing, further renewals may be granted and each order shall not exceed 15 days. An order shall specify the basis for the finding of present probable cause for the issuance thereof.

"SEC. 539q. (1) An eavesdropping warrant may be executed pursuant to its terms anywhere in the State.

"(2) The warrant may be executed by the authorized applicant personally or by another public servant designated by him for the purpose.

"(3) The warrant may be executed according to its terms during the hours specified therein, and for the period therein authorized, or a part thereof which shall take effect immediately upon subscription of the issuing judge. Unless specifically otherwise ordered, the authorization shall terminate upon the acquisition of the conversation described in the warrant. Upon termination of the authorization in the warrant and any renewals thereof, eavesdropping shall cease at once and any device installed for the purpose of the eavesdropping shall be removed as soon thereafter as practicable. Entry upon private premises for the removal of the device is authorized by the warrant.

"SEC. 539r. (1) Not later than 90 days after termination of the eavesdropping warrant or renewals thereof, except as otherwise provided in subsection (2), written notice of the eavesdropping warrant issuance and of the period of authorized eavesdropping shall be served upon the person named in the warrant, or upon the owner, lessee or occupant of the place or premises in which the eavesdropping device was installed, or upon the subscriber to the telephone or owner or lessee of the telegraph line described in the warrant.

"(2) On a showing of important special facts to the issuing court, the serving of the notice required by this section may be postponed by order of the court for no more than 1 year from the date of termination of the eavesdropping authorization.

"(3) Within 14 days after termination of the warrant or the last renewal thereof, a return shall be made thereon to the judge issuing the warrant by the application therefor, summarizing the evidence or information obtained by the eavesdropping and stating the time the eavesdropping was commenced and in effect.

"SEC. 539s. (1) The contents of an eavesdrop obtained pursuant to the provisions of sections 539j to 539w shall be recorded, if possible, by electronic or mechanical device. Within 10 days of the expiration of the authorization for eavesdropping, the original recordings or other records shall be made available to the judge issuing such warrant and shall be sealed under his directions. Custody of the original recordings and other records shall be at suitable quarters maintained by the judge for such purposes. They shall not be destroyed for 10 years, and only upon an order of the issuing judge or his successor. The presence of the seal provided for by this section, or a satisfactory explanation for the absence thereof, shall be a prerequisite for the disclosure of the contents of any eavesdrop, or of evidence derived therefrom.

"(2) Applications made and warrants granted under sections 539j to 539w shall be sealed by the Judge. Custody of the applications and warrants shall be at quarters maintained by the judge and suitable for the purpose. They shall be disclosed only upon a showing of good cause before a circuit or appellate judge. They shall not be destroyed before 10 years and only upon an order of the issuing or denying judge, or his successor.

"(3) The applications, warrants, renewals, returns and recordings shall not be disclosed except to the court at preliminary examination or at trial in accordance with the provisions of sections 539j and 539w. Willful violation of this provision is grounds for criminal contempt.

"SEC. 539t. The contents of an eavesdrop or evidence derived therefrom shall not be received in evidence or otherwise disclosed in any court proceeding where that which was obtained was privileged and unless each defendant, not less than 10 days before the trial, has been furnished with a copy of the warrant and accompanying application under which the eavesdrop was authorized. This 10-day period may be waived by the judge if he finds that it was not possible to furnish the defendant with application and warrant 10 days before the trial proceeding and that the defendants will not be prejudiced thereby.

"SEC. 539u. (1) An aggrieved defendant in a criminal trial may move to suppress the introduction into evidence of the contents of an eavesdropping or any part thereof or evidence derived therefrom, on the grounds that:

"(A) The private discourse or act was unlawfully observed.

"(B) The warrant under which the eavesdropping was made is insufficient on its face.

"(C) There was not probable cause for believing the existence of the grounds on which the warrant was issued.

"(D) The eavesdropping was not made in conformity with the warrant.

"(2) The motion shall be made before trial unless opportunity therefor did not exist or the defendant was not aware of his grounds for the motion, but the court in its discretion may entertain the motion at the trial or the proceeding. The court shall hear evidence upon any issue of fact necessary to determination of the motion.

"(3) If the motion is granted and is affirmed upon appeal, the original recording and all copies shall be delivered to the issuing judge. Upon the applicant's certification that no use of the eavesdropping or evidence derived therefrom is contemplated in other court proceedings, the issuing judge shall cause the original recording and all copies thereof to be stored for 10 years, at which time they shall be destroyed. In any event the eavesdropping shall not be admissible in evidence in any criminal proceeding against the moving party.

"(4) The prosecution shall have the right to appeal from an order allowing a motion to suppress which notice of appeal shall be filed within 20 days next following the entry of the order granting such motion to suppress. All appeals shall be diligently prosecuted.

"SEC. 539v. (1) Any party upon whom eavesdropping or surveillance is practiced in violation of sections 539j to 539w shall be entitled to recover from the person who eavesdropped:

"(A) Actual damages.

"(B) Punitive damages.

"(C) Reasonable attorney's fees and other litigation disbursements reasonably incurred.

"(2) A good faith reliance on a warrant issued under section 539o constitutes a complete defense to an action brought under this section.

"SEC. 539w. (1) In January of each year, each prosecuting attorney shall report in writing to the attorney general on the operation of sections 539j to 539w, and the attorney general shall compile the reports with his own and submit a report each February to the Supreme Court administrator. A report under this section shall not be made on any eavesdropping until after notice thereof has been served pursuant to section 539r.

"(2) The reports shall contain:

"(a) The number of applications made.

"(b) The number of warrants denied and issued.

"(c) The effective periods of such warrants.

"(d) The number and duration of any renewals thereon.

"(e) The crime in connection with which the eavesdrop was sought.

"(f) The number of indictments believed to be obtained as a result of such eavesdropping.

"(g) The number of criminal convictions obtained in trials where an eavesdrop or evidence derived therefrom was introduced.

"(h) The name of the applicant.

"(i) The number of orders granting a motion to suppress evidence of an eavesdrop.

"(3) The report shall be a public record and shall be submitted annually to the presiding officer of each house of the legislature."

MAYOR DALEY WAS ESSENTIALLY RIGHT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an editorial which appeared in the Parkersburg, W. Va., News on April 21, 1968, under the title "Mayor Daley Was Essentially Right."

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

MAYOR DALEY WAS ESSENTIALLY RIGHT

He could have employed less abrasive language than he used, no doubt, but Mayor Daley was essentially right, this newspaper believes, both in the displeasure he voiced over velvet glove restrictions under which Chicago police worked in dealing with the latest siege of street rioting there, and in the direct orders he issued to use "such force as is necessary, including deadly force" in dealing with future uprisings of the same sort.

Specifically, the Mayor explained at a press conference, he had told his Police Superintendent "very emphatically and very definitely that an order be issued under his signature to shoot to kill any arsonist or anyone with a Molotov Cocktail, and to shoot anyone looting stores in our City."

That is a very strong and very serious position for the responsible head of any government unit to take. But grave conditions require the employment of stern measures. And it is difficult to conceive of anything more serious than the threat to our social order implicit in the sort of uprisings we probably will see again.

It is true, of course, as New York's Mayor Lindsay—a critic of the Daley stand—says, that "the protection of human life, particularly innocent life, is more important than anything else" in dealing with riots. But it has been amply demonstrated that pulling police punches saves neither life nor property—nor the social order that is the ultimate victim of the lawlessness. In Chicago, for example, the disorders resulted in 11 deaths and property damage estimated at $9,000,000. The story was much the same in other cities where rioting broke out.

What those who call for a tolerant attitude toward arsonists, vandals, looters, and like activists overlook is that the ultimate consequence of implanting the belief that this sort of thing can be indulged in with impunity is nothing less than civil war.

Solicitor General Erwin N. Griswold, a man whose record certainly should absolve him of the charge of white racism, went to the heart of the current ailment when he told a New Orleans audience the other day that "the intellectual and practical consequence of indiscriminate civil disobedience is the legitimation of violence of which we have seen too much in America."

Until enough people learn that, as Griswold also said, "no mob has ever protected any liberty, even its own," we can look for repeat performances of what we have just gone through. And as many can learn only the hard way, we have no choice in sheer defense of our social order, it seems to this newspaper, but to counter lawless violence with superior lawful violence.

TRANSCRIPT OF TV INTERVIEW WITH SENATOR ROBERT C. BYRD OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a transcript of questions which were asked of me during a TV interview which was filmed on April 24, 1968, together with my answers thereto.

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

TRANSCRIPT OF TV INTERVIEW FOR APRIL 24, 1968

Q. Senator, you are the Chairman of the Senate Appropriation Subcommittee on the District of Columbia. How do you view the so-called "poor people's march" on Washington?

A. I view it with concern. I have urged the Justice Department to at least try to seek an injunction to prevent it from occurring. I feel that it is possible that it could interrupt the orderly functioning of the City and even of the government.

When the late Dr. Martin Luther King first announced the march, he indicated that it would dislocate the city and would disrupt the orderly functioning of the government. Now whether or not his followers will be successful in doing this, or will even attempt to do it, I cannot say.

It will place an additional burden upon the already overtaxed Metropolitan Police Department. It can inconvenience the citizenry of the metropolitan area. And it can interfere with the tourist business and, as a result, have an impact upon the city revenues.

It will also place an additional burden upon the taxpayer who will have to pick up the bill for the additional health and police protection measures.

Moreover, and more importantly, perhaps, it can carry with it a potential for additional civil disorders and violence.

I believe that it can do no conceivable good, I think that it has no legitimate reason to occur, and it can do a great deal of harm.

Q. Well, Senator Byrd, Mayor Daley of Chicago has created a furor with his statement about shooting arsonists and looters. What is your reaction?

A. Well, I said practically the same thing during last year's riots. Let us look at it this way. A policeman has a duty to arrest any person who commits a felony, and to use whatever force is necessary in order to make and maintain the arrest. And he also has the duty to prevent the escape of a fleeing felon if he is unable to make the arrest and to use whatever force is necessary and to even shoot the fleeing felon if all other means have failed. Now, when an individual heaves a molotov cocktail into a building and sets fire to that building, he commits arson and that is a felony. When he heaves a brick through a store window, enters the store, and makes off with stolen goods, he commits burglary, and that is a felony. And a policeman has a duty to arrest him, to use whatever force is necessary to make and maintain the arrest, and, if he cannot make the arrest, he has a duty to prevent the escape and to shoot the fleeing felon in order to prevent the escape if all other means have been exhausted.

So, this is the law, riot or no riot, and I believe that the public should be put on notice that if it persists in rioting and committing acts of violence, it must suffer the consequences. The criminal element knows one language, and one language only, and that is the language of force. No criminal is afraid of a gun that is not loaded, or afraid of a policeman or soldier who is under orders not to shoot. Now, of course, a policeman has to use judgment, depending upon the circumstances at the time. He should not shoot children. He should not shoot into a crowd. But he does have the duty to prevent the escape of a felon. In my judgment, Mayor Daley was simply stating the law. He was expressing greater concern for the victim of the felon and for the future victims than he was for the escaping felon. In my judgment, this was the proper priority.

Q. Senator Byrd, in your Senate speech following the assassination of Dr. Martin Luther King, you said you were not an admirer of his. Why?

A. Well, because he not only arrogated to himself the prerogative of being the judge of what laws he would obey or disobey, he also urged others to do likewise. I consider this to be a false doctrine for any minister to espouse, I consider it to be a dangerous doctrine, and I feel that it is largely responsible for some of the civil disorder and the lack of respect for the law that prevails in our country today. He set himself up above

the law by defying the law, by defying court orders, and while he preached non-violence, he also advocated mass civil disobedience of the law. Civil disobedience in his own words was the open and cheerful non-violent violation of an unjust law. Now, who is to be the judge of an unjust law? If one man can be the judge for himself, every man can and this means chaos and then anarchy.

Thank you very much Senator Robert Byrd.

FINANCIAL DISCLOSURE OF SENATOR JOSEPH S. CLARK

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD my financial disclosure for calendar year 1967. I am making my disclosure in the form required by the new disclosure rule, recently adopted by the Senate, with one significant difference. Although the rule provides for disclosure to be made in a sealed envelope deposited with the Comptroller General, I am making my disclosure public in the CONGRESSIONAL RECORD. As the rule provides, a copy of my tax return is included in the disclosure.

For the benefit of readers of the RECORD, I ask unanimous consent that the text of new Senate rule XLIV, entitled "Disclosure of Financial Interests," be printed in the RECORD immediately preceding my disclosure statement.

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

"RULE XLIV

"DISCLOSURE OF FINANCIAL INTERESTS

"1. Each Senator or person who has declared or otherwise made known his intention to seek nomination or election, or who has filed papers or petitions for nomination or election, or on whose behalf a declaration or nominating paper or petition has been made or filed, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election, pursuant to State law, to the office of United States Senator, and each officer or employee of the Senate who is compensated at a rate in excess of $15,000 a year, shall file with the Comptroller General of the United States, in a sealed envelope marked 'Confidential Personal Financial Disclosure of _____ (Name) _____', before the 15th day of May in each year, the following reports of his personal financial interests:

"(a) a copy of the returns of taxes, declarations, statements, or other documents which he, or he and his spouse jointly, made for the preceding year in compliance with the income tax provisions of the Internal Revenue Code;

"(b) the amount or value and source of each fee or compensation of $1,000 or more received by him during the preceding year from a client; and

"(c) the name and address of each business or professional corporation, firm, or enterprise in which he was an officer, director, partner, proprietor, or employee who received compensation during the preceding year and the amount of such compensation;

"(d) the identity of each interest in real or personal property having a value of $10,000 or more which he owned at any time during the preceding year;

"(e) the identity of each trust or other fiduciary relation in which he held a beneficial interest having a value of $10,000 or more, and the identity if known of each interest of the trust or other fiduciary relation in real or personal property in which the Senator, officer, or employee held a beneficial interest having a value of $10,000 or more, at any time during the preceding year. If he cannot obtain the identity of the fiduciary interests, the Senator, officer, or employee shall request the fiduciary to report that information to the Comptroller General in the same manner that reports are filed under this rule;

"(f) the identity of each liability of $5,000 or more owed by him, or by him and his spouse jointly, at any time during the preceding year; and

"(g) the source and value of all gifts in the aggregate amount or value of $50 or more from any single source received by him during the preceding year.

"2. Except as otherwise provided by this section, all papers filed under section 1 of this rule shall be kept by the Comptroller General for not less than seven years, and while so kept shall remain sealed. Upon receipt of a resolution of the Select Committee on Standards and Conduct, adopted by a recorded majority vote of the full committee, requesting the transmission to the committee of any of the reports filed by any individual under section 1 of this rule, the Comptroller General shall transmit to the committee the envelopes containing such reports. Within a reasonable time after such recorded vote has been taken, the individual concerned shall be informed of the vote to examine and audit, and shall be advised of the nature and scope of such examination. When any sealed envelope containing any such report is received by the committee, such envelope may be opened and the contents thereof may be examined only by members of the committee in executive session. If, upon such examination, the committee determines that further consideration by the committee is warranted and is within the jurisdiction of the committee, it may make the contents of any such envelope available for any use by any member of the committee, or any member of the staff of the committee, which is required for the discharge of his official duties. The committee may receive the papers as evidence, after giving to the individual concerned due notice and opportunity for hearing in a closed session. The Comptroller General shall report to the Select Committee on Standards and Conduct not later than the 1st day of June in each year the names of Senators, officers and employees who have filed a report. Any paper which has been filed with the Comptroller General for longer than seven years, in accordance with the provisions of this section, shall be returned to the individual concerned or his legal representative. In the event of the death or termination of service of a Member of the Senate, an officer or employee, such papers shall be returned unopened to such individual, or to the surviving spouse or legal representative of such individual within one year of such death or termination of service.

"(3) Each Senator or person who has declared or otherwise made known his intention to seek nomination or election, or who has filed papers or petitions for nomination or election, or on whose behalf a declaration nominating paper or petition has been made or filed, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election, pursuant to State law, to the office of United States Senator, and each officer or employee of the Senate who is compensated at a rate in excess of $15,000 a year, shall file with the Secretary of the Senate, before the 15th day of May in each year, the following reports of his personal financial interests:

"(a) the accounting required by rule XLII for all contributions received by him during the preceding year, except that contributions in the aggregate amount or value of less than $50 received from any single source during the reporting period may be totaled without further itemization; and

"(b) the amount or value and source of each honorarium of $300 or more received by him during the preceding year.

"4. All papers filed under section 3 of this rule shall be kept by the Secretary of the Senate for not less than three years and shall be made available promptly for public inspection and copying.

"5. This rule shall take effect on July 1, 1968. No reports shall be filed for any period before office or employment was held with the Senate, or during a period of office or employment with the Senate of less than ninety days in a year; except that the Senator, or officer or employee of the Senate, may file a copy of the return of taxes for the year 1968, or a report of substantially equivalent information for only the effective part of the year 1968."

PERSONAL FINANCIAL DISCLOSURE OF SENATOR JOSEPH S. CLARK UNDER RULE XLIV AS OF DECEMBER 31, 1967

1. (a) Copy of 1967 income tax return attached.

(b) None.

(c) None.

(d) Real property: 440 Rex. Ave., Phila., Pa.;* 3318 R St., N.W., Washington, D.C.;* 3 Lazy Joes, Moose, Teton County, Wyoming; Marsh House, Avery Island, Louisiana; share of mineral rights under royalty lease with Humble Oil & Refining Co., at Avery Island, La.

*Transferred prior to December 31, 1967.

	Market value at Dec. 31, 1967
Personal property:	
15,000 Allegheny Co., Pa., 3⅝ percent due July 1, 1969	$14,865.00
7,000 Lebanon, Pa.; 3.30 percent due June 1, 1973	6,519.80
25,000 Wyoming Valley Sanitary Authority, Pa.; 5⅛ percent due July 1, 2007	24,488.00
15,000 Federal Home Loan Bank notes; 5.35 percent due Feb. 26, 1968	14,895.00
13,000 U.S. Treasury bills due Mar. 7, 1968	12,870.00
300 shares Armstrong Cork	16,500.00
99 shares International Business Machine	62,073.00
98 shares Rohm & Haas	9,310.00
723 shares Warner Lambert Pharmaceutical	32,622.00
479 shares First Pennsylvania Banking & Trust Co	17,723.00
252 shares Pepsico Inc	10,080.00
300 shares Anaconda Co	14,214.00
500 shares Husky Oil Canada, Ltd	11,000.00
200 shares Automation Industries Inc	10,400.00
9 shares Franklin Life Insurance Co	236.25

Personal Property held during year but transferred prior to December 31, 1967:

10M Pa. Highway & Bridge Auth. 3½%, February 15, 1967.

25M, Phila., Pa., 3½%, January 1962.

15M, Cumberland Co., Pa., 3¼%, due November 1, 1986.

25M, Penna. State Pub. School 3¼%, November 1, 1986.

10M, Phila., Pa., 3¼%, July 1, 1987.

25M, Penna. Turnpike Rev. 3.10%, June 1, 1993.

15M, New Kensington, Pa. S.D. Auth. 3.05%, April 1, 1995.

22M, U.S. Treas. Bills due May 4, 1967.

12M, U.S. Treas. Bills due February 23, 1967.

22M, U.S. Treas. Bills due February 2, 1967.

13M, U.S. Treas. Bills due December 7, 1967.

15M, Reynolds Metals Co. Conv. 4½%, due March 1, 1991.

20M, James Talcott, Inc. 5% Cap. Note, due December 1, 1979.
600 shs. Massey Ferguson.
150 shs. Insurance Co. of North America.
400 shs. International Paper Co.
200 shs. American Tel. & Tel. Co.
100 shs. American Bakeries Co. 5% Cv. Pfd.
300 shs. Chrysler Corp.
400 shs. Pabst Brewing Co.
525 shs. Western Publishing Co. Inc.

(e) Under trusts created under the wills of my mother and father respectively, I have a contingent life interest in the income from these trusts together with other descendants of my mother and father. Distribution of income annually is dependent on the decision of a corporate trustee. I am a co-trustee, but do not participate in these decisions. So far, I have not received, nor asked for, any income from these trusts. The value would be substantially in excess of $10,000 were I to be given a share as a beneficiary.

The corpus of the trusts consists of marketable securities and a substantial interest in oil and gas royalties payable by the Humble Oil & Refining Company on a field at Avery Island, La.

Since I am not participating in distributions from these trusts no detailed list of holdings is included.

(f) Liability to Mrs. Cuthbert R. Train under agreement—$11,308.27.

(g) None.

3. (a) None.

(b) Albright College, Reading, Pa., Honorarium, $500.00.

1967 INDIVIDUAL INCOME TAX RETURN OF JOSEPH S. CLARK AND IRIS C. CLARK

[Total exemptions, 4]

Wages, salaries, tips, etc.	$32,995.97
Other income	60,158.76
Total	93,154.73
Adjustments to income	2,579.40
Total income	90,575.33
Deductions	45,172.77
Subtract	45,402.56
Multiply total number of exemptions by $600	2,400.00
Balance	43,002.56
Tax	13,581.23
Total credits	54.50
Income tax	13,526.73
Total Federal income tax withheld (attach forms W-2)	6,671.49
Excess FICA tax withheld (2 or more employers)	
1967 estimated tax payments (include 1966 overpayment allowed as a credit)	12,560.00
Total	19,231.49
If payments are larger than tax enter overpayment	5,704.76
Part III: Income from sources other than wages, etc. (see rider)	10,578.84
JSC: Phila. Sav. Fund Soc	80.05
ICC: Harris B. & L., Hbg	186.21
Other interest (banks, bonds, tax refunds, etc.):	
1966 inc. tax refund	199.33
Jas. Talcott 3 percent Cap. notes	266.53
Reynolds Metals 4½ percent conv	496.88
Total interest income	1,229.00
Pensions and annuities, rents and royalties, partnerships, estates or trusts, etc.	49,017.09
Business income or loss	334.13
Sale or exchange of property	(1,000.00)
Total	60,158.76
Part III: Adjustments to income	2,579.40
Part IV: Itemized deductions	136.02
Total cash contributions	3,350.00
Other than cash	3,938.00
Total contributions	7,288.00
Taxes:	
Real estate	1,588.47
State and local gasoline	130.00
Taxes—Continued	
General sales	$670.00
State and local income	1,343.66
Personal property	980.09
Total taxes	4,712.22
Total interest expense	5.18
Total miscellaneous	33,031.35
Total deductions	45,172.77
Part V: Credits	54.50

RIDER, PT. II—INCOME FROM DIVIDENDS

Received by Joseph S. Clark:	
American Bakeries	$250.00
American Optical	227.48
American Telephone & Telegraph	220.00
Anaconda Copper	562.50
Armstrong Cork Co	439.60
Avery Island, Inc	4,600.00
Chrysler Corp	150.00
1st Penna. Banking & Trust Co	744.80
Franklin Life Insurance Co	3.20
Husky Oil Co., Ltd. of Canada	75.00
IBM	437.80
Insurance Co. of North America	360.00
International Paper Co	405.00
Massey Ferguson	450.00
Pabst Brewing Co	200.00
Pepsico	243.80
Phila. Contributionship for Ins. of Houses from Loss by Fire	32.00
Rohm & Haas	196.80
Stock Insurance Co. of the Green Tree	26.25
Warner Lambert Pharmaceutical	542.25
Western Publishing Co	189.00
Trust for Thelma Spencer	187.06
Total	10,542.54
Received by Iris C. Clark:	
Container Corp. of America	130.00
General Electric Co	26.00
Westinghouse Corp	60.00
Campbell Red Lake of Canada	20.00
Total dividends	10,778.54

SUPPLEMENTAL SCHEDULE OF INCOME AND RETIREMENT INCOME CREDIT

PART II—RENT AND ROYALTY INCOME ($49,017.09)

Kind and location of property	Total amount of rents	Total amount of royalties	Depreciation (explain in pt. IV) or depletion (attach computation)	Repairs (attach itemized list)	Other expenses (attach itemized list)
Humble Oil & Refinery Co., oil and gas royalties		$75,916.99	$20,877.17		$6,627.22
Lease	$177.50				
House, 704 Sherwood Rd., New Cumberland, Pa	1,320.00		440.00	$144.83	308.18
Total	1,497.50	75,916.99	21,317.17	144.83	6,935.40

PART IV—SCHEDULE FOR DEPRECIATION CLAIMED IN PART II ABOVE

Group and guideline class or description of property	Cost or other basis at beginning of year or cost or other basis	Asset additions in year (amount) or date acquired	Depreciation allowed or allowable in prior years	Method of computing depreciation	Class life or rate (percent) or life	Depreciation for this year
Humble Oil & Refining Co., oil and gas royalty				Percent depletion.		$20,877.17
704 Sherwood Rd., New Cumberland, Pa., rented 11 months	$12,000	November 1962	None	S/L	4	440.00
Total depreciation						21,317.17

PART V—RETIREMENT INCOME CREDIT

	Amount
Maximum amount of retirement income for credit computation	$2,286.00

RIDER, SCHEDULE B, PART II—RENTS AND ROYALTIES

Explanation of item 5—Repairs, etc.:	
Property 704 Sherwood Rd., New Cumberland, Pa.; rented 11 months:	
Waterproofing	135.00
Sewer repair	23.00
Total	158.00
Nov. 12	144.83
Explanation of item 6—Other expenses:	
Property 704 Sherwood Rd., New Cumberland, Pa.; rented 11 months:	
Insurance	34.50
Real estate tax	239.50
Interest paid	62.19
Total	336.19
Nov. 12	308.18
Humble Oil & Refining Co.:	
La. severance tax on royalties	6,257.18
Fred W. Bates & Associates; geologist's fee	370.04
Total	6,627.22

PROFIT (OR LOSS) FROM BUSINESS OR PROFESSION

Gross profit	2,534.80
Total	2,200.67
Net profit (or loss)	334.13

COMPUTATION OF SOCIAL SECURITY SELF-EMPLOYMENT TAX

	Amount
Total net earnings (or loss) from self-employment	$334.13

RIDER, SCHEDULE C—PROFIT FROM BUSINESS OR PROFESSION

William Pitt Debating Union, University of Pittsburgh, Pittsburgh, Pa.: Honorarium	200.00
Penn State University, University Park, Pa.:	
Honorarium for U.N. speech	200.00
Honorarium for meeting	100.00
Albright College, Reading, Pa.: Honorarium for speech	500.00
Washington Hebrew Congregation, Massachusetts Ave. and Macomb St. NW., Washington, D.C.: Seminar on urban problems	200.00
Harper & Row, 49 East 33d St., New York, N.Y.: Royalties on "Congress: The Sapless Branch"	429.25
Hill & Wang, Inc., 141 Fifth Ave., New York, N.Y.: Royalties on "The Establishment"	99.62
Thomas Y. Crowell Co., 201 Park Ave., South New York, N.Y.: Royalties on "Congressional Reform: Problems and Prospects"	730.93
KNXT-TV, Los Angeles, Calif.: Honorarium for appearing as guest on "Newsmakers", portable GE Adventurer I TV, wholesale value	75.00
Total	2,534.80
Expenses:	
"The Establishment"—Bernard E. Norwitch, ½ royalties	21.27
"Congressional Reform: Problems and Prospects":	
Sidney Wise, share of royalties	438.56
Frederick T. Merrill, Jr.; share of royalties	73.09
Michael Halpin, 703 West Wyoming Ave., Philadelphia—Fee for editing book	1,500.00
Unreimbursed travel expense: Charter plane fare, round trip to Penn State University	167.75
Total	2,200.67

GAINS AND LOSSES FROM SALES OR EXCHANGES OF PROPERTY

PART I—CAPITAL ASSETS

a. Kind of property. Indicate security, real estate, or other (specify)	c. How acquired. Enter letter symbol (see instructions)	d. Date acquired (month, day, year)	e. Date sold (month, day, year)	f. Gross sales price	g. Depreciation allowed (or allowable) since acquisition	h. Cost or other basis, cost of subsequent improvements (if not purchased, attach explanation) and expense of sale	i. Gain or loss (f plus g less h)
Securities transferred to Mrs. Cuthbert R. Train							($489.80)
22M U.S. Treasury of May 4, 1967	A	Feb. 2, 1967	May 4, 1967	$22,000		$21,750.52	249.48
12M U.S. Treasury of Feb. 23, 1967	A	Nov. 25, 1966	Feb. 23, 1967	12,000		11,842.44	157.56
22M U.S. Treasury of Feb. 2, 1967	A	Dec. 28, 1966	Feb. 2, 1967	22,000		21,916.82	83.18
13M U.S. Treasury of Dec. 7, 1967	A	Oct. 26, 1967	Dec. 7, 1967	13,000		12,950.73	49.27
Net short-term gain (or loss) from partnerships and fiduciaries							49.69
Net short-term gain (or loss)							49.69

LONG-TERM CAPITAL GAINS AND LOSSES

Securities transferred to Mrs. Cuthbert R. Train	($20,960.40)
Securities sold	7,341.67
Premises 3318 R St. NW. Washington, D.C. transferred to Mrs. Cuthbert R. Train	5,938.60
Net long-term gain (or loss)	(19,557.33)
Combine the amounts shown on lines 4 and 9, and enter the net gain (or loss) here	(19,507.64)
Loss claimed	(1,000.00)

RIDER, PART III—ADJUSTMENTS SCHEDULE OF SENATORIAL REIMBURSEMENTS AND EXPENSES

Reimbursed mileage	$776.53
Reimbursed home office expense	900.00
Reimbursed communications, 1966	150.00
Reimbursed communications, 1967	150.00
Reimbursed telephone charges outside District of Columbia	300.00

RIDER, PART III—ADJUSTMENTS SCHEDULE OF SENATORIAL REIMBURSEMENTS AND EXPENSES—Continued

Commutation stationery allowance	$8.33
Total	2,284.86
Less:	
Home office expense	900.00
Mileage	803.25
Communications	161.01
Cost of living, Washington, D.C.[1]	3,000.00
Total	4,864.26
Net adjustment	2,579.40

[1] Certificate attached.

To U.S. TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE:

I hereby certify that I was in a travel status in the Washington area, away from home, in the performance of my official duties as a Member of Congress, for 220 days during the taxable year, and my deductible living expenses while in such travel status amounted to $3,000.00.

JOSEPH S. CLARK.

RIDER, PART IV—MISCELLANEOUS DEDUCTIONS

Business expense (see schedule attached)	$6,286.70
Preservation of income (see schedule attached)	10,115.41
McGraw-Hill Publishing Co., 130 West 42d St., New York, N.Y.: Repay advance on book	1,800.00
Mrs. Cuthbert R. Train, 4426 Hadfield Lane NW., Washington D.C.: Payment, deductible pursuant to secs. 71 and 225 of the IRC, made subsequent to a written agreement dated July 29, 1967	14,804.87
Haley's Ford, Inc., H and First St. SE., Washington, D.C.: Repairs to car damaged in accident Apr. 22, 1967 not reimbursed by insurance, $124.37, minus $100	24.37
Subtotal	16,629.24
Total	33,031.35

RIDER, PART IV—ITEMIZED DEDUCTIONS, BUSINESS EXPENSE

U.S. Senate:	
Stationery and subscriptions:	
Ann Cooper; papers	$132.30
Congressional Quarterly	122.00
Broadcasting Year Book	5.00
Editor & Publisher Year Book	10.00
Greater Philadelphia magazine	6.00
Daedelus	6.50
Evening and Sunday Bulletin	31.00

RIDER, PART IV—ITEMIZED DEDUCTIONS, BUSINESS EXPENSE—Continued

U.S. SENATE—Continued	
Stationery and subscriptions—Continued	
Pittsburgh Press, daily and sunday	$36.50
Philadelphia Daily News	18.00
Pittsburgh Post-Gazette	12.50
Harrisburg Patriot, daily and sunday	34.00
Total	413.80
Entertainment:	
Senate restaurant	392.91
Miscellaneous	62.98
Total	455.89
Miscellaneous:	
Funerals, flowers, etc	77.13
L. & P. W. Comm.—Saratoga water for hearings	17.79
Photographs	22.49
Postage	4,911.60
Total	5,029.01

RIDER, PART IV—ITEMIZED DEDUCTIONS, BUSINESS EXPENSE—Continued

American Bar Association dues	$36.00
Pennsylvania Bar Association dues	25.00
Philadelphia Bar Association dues	65.00
University of Pennsylvania Law Review	10.00
Philadelphia Legal Directory	2.00
⅛ F St. Club dues	150.00
½ Mid-Day Club dues	100.00
Total	388.00
Grand total	6,286.70

RIDER, PART IV—ITEMIZED DEDUCTIONS PRESERVATION OF INCOME

Marie E. Conlow, secretary and bookkeeper, salary	$4,332.26
Social security tax paid on salary	190.72
Pennsylvania unemployment compensation fund contribution	46.49

RIDER, PART IV—ITEMIZED DEDUCTIONS PRESERVATION OF INCOME—Continued

Pennsylvania State workmen's fund; premium on policy	$28.90
First Pennsylvania Banking & Trust Co.; safe deposit box	20.00
Wertheim & Co.; investment adviser's fee	1,500.00
Total	6,118.37
Percentage deductible:	
Nontaxable income	3,775.00
Taxable income	92,075.33
Total income	95,850.33
3,775.00 / 95,850.33 × 6,118.37 = portion of above allocable to nontaxable income	(240.09)
Dechert, Price & Rhoads; tax advice and preparation of tax returns	4,200.00
Girard Trust Co.; discount fee for collecting dividends from Canadian banks	37.13
Total	10,115.41

STATEMENT IN SUPPORT OF CREDIT CLAIMED BY AN INDIVIDUAL OR FIDUCIARY FOR TAXES PAID OR ACCRUED TO FOREIGN COUNTRIES OR POSSESSIONS OF THE UNITED STATES FOR CALENDAR YEAR 1967

Name of foreign country or U.S. possession imposing tax	Credit claimed for taxes: Date paid	Credit claimed for taxes: Date accrued	Type of tax	Taxable income (or loss)	Taxes paid or accrued	Total foreign taxes	Total U.S. income tax	Taxable income from all sources	Taxable income divided by income from all sources	Limitation	Allowable credit
Canada	1967	1967	Dividend	$507.87	$54.50	$54.50	$12,981.64	$41,753.43	$0.0121	$157.07	$54.50

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate resumed the consideration of the bill.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session.

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

CONVENTION RELATING TO INTERNATIONAL EXHIBITIONS WITH PROTOCOLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate, as in Committee of the Whole, proceed to the consideration of Executive P (90th Cong., first sess.).

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider Executive P (90th Cong., first sess.), the Convention Relating to International Exhibitions, With Protocols, which was read the second time, as follows:

[Translation]

CONVENTION RELATING TO INTERNATIONAL EXHIBITIONS

(Paris, November 22, 1928)

The undersigned, plenipotentiaries of the Governments hereinafter named, having met in conference at Paris from November 12 to 22, 1928, have, by common consent and subject to ratification, agreed as follows:

SECTION I.—DEFINITIONS

Article 1

The provisions of the present convention apply only to international exhibitions which are official or officially recognized.

The expression "official or officially recognized international exhibitions" shall be deemed to include every display, whatever its designation, to which foreign countries are invited through the diplomatic channel, which is not generally held periodically, of which the principal objects is to demonstrate the progress of different countries in one or more branches of production, and in which, as regards admission, no distinction in principle is made between buyers and visitors.

The provisions of the said convention do not apply to the following:

1. Exhibitions having a duration of less than three weeks;

2. Scientific exhibitions organized on the occasion of international congresses, provided that their duration does not exceed the period mentioned in 1;

3. Exhibitions of the fine arts;

4. Exhibitions organized by one country in another country on the invitation of the latter.

The contracting countries agree to withhold State patronage, subsidies, and the privileges provided for in Sections III, IV and V below, from international exhibitions to which the present convention applies, and which do not comply with the conditions therein provided.

Article 2

Any exhibition which includes the products of more than one branch of human activity, or which is organized with a view to demonstrating the progress achieved in the whole of a given sphere of activity (such as hygiene, applied arts, modern comfort, colonial development, etc.), shall be deemed to be a general exhibition.

Any exhibition which is concerned with only one applied science (electricity, optics, chemistry, etc.), one industry (textiles, founding, graphic arts, etc.), one raw material (leathers and skins, silk, nickel, etc.), or one elementary necessity (heating, food, transport, etc.), shall be deemed to be a special exhibition.

The International Bureau, provided for in article 10, shall draw up a classification of exhibitions to serve as a guide to the trades and products which may, in accordance with the preceding paragraph, figure in a special exhibition. This classification may be revised annually.

Article 3

The duration of any international exhibition should not exceed six months; provided always that the International Bureau may authorize, in the case of a general exhibition, a longer period which shall not in any circumstances exceed twelve months.

SECTION II.—FREQUENCY OF EXHIBITIONS

Article 4

The frequency of international exhibitions to which the present convention applies shall be governed by the following principles:

All general exhibitions fall into one of the two following categories:

First category: Those in which the countries invited to participate are obliged to construct national pavilions.

Second category: Those in which such countries are not so obliged.

In the same country not more than one general exhibition of the first category may be held during any period of fifteen years, and an interval of ten years must elapse between two general exhibitions of either category.

No contracting country may participate in any general exhibition of the first category unless an interval of at least six years has elapsed since the last general exhibition of the first category. No contracting country shall participate in any general exhibition of the second category unless an interval of two years has elapsed since the last general exhibition, or an interval of four years if the exhibition in question is of the same kind as the preceding one.

The intervals laid down in the preceding paragraph shall apply without any distinction being made between exhibitions organized by contracting countries and non-contracting countries.

More than one special exhibition of the same kind may not be held at the same time on the territories of the contracting coun-

tries. An interval of five years must elapse between two special exhibitions of the same kind in the same country. Provided always that the International Bureau may, in exceptional circumstances, reduce the last-mentioned period to not less than three years when in the opinion of the Bureau such reduction is justified by the rapid development of any particular branch of production. The same reduction may be allowed in favor of exhibitions which, by an already established custom in certain countries, are held at intervals of less than five years.

At least three months' interval must elapse between two special exhibitions of a different kind held in the same country.

The intervals provided for in the present article shall be reckoned from the date of opening of the exhibition.

Article 5

The contracting country on whose territory an exhibition to which the present convention applies is organized must, subject to article 8 below, address its invitations to foreign countries through the diplomatic channel:

Three years in advance in the case of general exhibitions of the first category;

Two years in advance for general exhibitions of the second category;

One year in advance for special exhibitions.

No Government may itself organize or officially sponsor any participation in an international exhibition in respect of which an invitation as above provided has not been addressed to it.

Article 6

If two or more countries should be in competition with each other for the right to hold an international exhibition in any period, such countries shall proceed to an exchange of views in order to determine which country shall obtain the right of so doing.

In the case of no agreement being arrived at, they shall refer the matter to the arbitration of the International Bureau, which shall take into account the considerations submitted on behalf of each country, and particularly any special reasons of an historic or sentimental character, the period which has elapsed since the last exhibition, and the number of displays already held by each of such countries.

Article 7

If any exhibition of the character defined in article 1 should be held in a non-contracting country, the contracting countries, before accepting any invitation to such exhibition, shall refer the matter to the International Bureau for their opinion.

The contracting countries shall not participate in any such exhibition unless it offers the same guarantees as those required under the provisions of the present convention, or, at any rate, sufficient guarantees. In the case of an exhibition held concurrently by a contracting country with one organized by a non-contracting country, the other contracting countries shall, in the absence of exceptional circumstances, give preference to the former.

Article 8

Any country which proposes to hold an exhibition to which the present convention applies must, at least six months before the commencement of the intervals prescribed in article 5 for the issue of invitations, address to the International Bureau an application for the registration of the exhibition. Such application shall state the title of the exhibition and its duration, and shall be accompanied by the classification of exhibits, copies of the general regulations, the jury regulations, and all documents necessary to show the measures proposed to ensure the safety of persons and property, the protection of industrial property and copyright, and to satisfy the conditions prescribed below in Sections IV and V. The Bureau shall not register an exhibition unless such exhibition fulfills all the conditions required by the present convention.

No contracting country shall accept an invitation to participate in an exhibition to which the present convention applies unless the invitation states that registration has been accorded.

Always provided that, even if such an invitation is received, the contracting countries are entirely free to refrain from participation in an exhibition organized in conformity with the provisions of the present convention.

Article 9

In the event of a country not proceeding with a projected exhibition for which registration has been obtained, the International Bureau shall decide on the date when such country shall be allowed again to compete with other countries for the holding of another exhibition.

SECTION III.—INTERNATIONAL EXHIBITIONS BUREAU

Article 10

An International Exhibitions Bureau shall be set up to supervise the execution of this convention. This Bureau shall consist of an Administrative Council assisted by a Classification Committee and of a Director whose appointment and duties shall be determined in the regulations provided for in the following article.

The first meeting of the Administrative Council of the International Bureau shall be convened at Paris by the Government of the French Republic in the year following the coming into force of the convention. At this meeting the Council shall choose the seat of the International Bureau and elect the Director.

Article 11

The Administrative Council shall be composed of members appointed by the contracting countries, each country having the right to appoint one to three members. The Council is authorized to admit in an advisory capacity two or three members of the International Chamber of Commerce elected for the purpose by that Chamber.

The Council shall give decisions on all questions which are referred to it under the provisions of the convention. The Council shall draw up and adopt regulations governing the organization and management of the International Bureau, and shall draw up the budget of receipts and expenses, and check and approve accounts.

Article 12

Every country, whatever the number of its delegates, shall have one vote on the Council. Any country may entrust its representation to the delegation of another country, which, in such case, shall have a number of votes equal to the number of countries which it represents. A quorum of two-thirds of the countries represented on the Council shall be required to give validity to its resolutions.

A majority of the votes cast shall suffice for resolutions except in the following cases:

1. Adoption of regulations;
2. Increase in the budget;
3. Rejection of a request presented by a contracting country, or granting of an application when several countries are competing.
4. Authorization of a general exhibition for a longer period than six months.

In these four cases a majority of two-thirds of the countries represented on the International Bureau is required.

Article 13

The Classification Committee shall be composed of representatives of twelve contracting countries nominated by their Governments. One half of these twelve countries shall be chosen by the International Bureau; the other half shall be determined by a system of rotation which shall be laid down in the regulations of the Bureau. The committee may admit, in a consultative capacity, one or two members of the International Chamber of Commerce selected for the purpose by that Chamber.

This committee shall draw up for the approval of the Administrative Council a draft of the classification of exhibitions provided for in article 2, and of any changes which may be made therein. When questions arise as to the application of the intervals provided for in article 4, the committee shall give an opinion as to whether an exhibition submitted for registration is special or general, and as to whether, notwithstanding its title and its classification, such exhibition is not of the same character as a preceding exhibition, or as a special exhibition which is being held on the same date.

Article 14

The budget of the Bureau shall be fixed provisionally at £4,000 sterling. The expenses of the Bureau shall be defrayed by the contracting countries, whose contributions shall be determined as follows: the contributions of countries which are members of the League of Nations shall be in the same proportions as the contributions which those countries make to the League of Nations. Except in the case of the budget being increased above the figure mentioned above, the contribution of the most highly assessed countries shall not exceed £500 sterling. A country which is not a member of the League of Nations shall designate a country which is a member of the League of Nations, whose economic resources it considers equivalent to its own, and shall pay the same contribution as that country.

In addition, the Administrative Council may authorize the levying of other fees in payment for services rendered to groups or to individuals.

SECTION IV.—OBLIGATIONS OF AN INVITING COUNTRY AND OF PARTICIPATING COUNTRIES

Article 15

Any Government which issues invitations to an international exhibition shall appoint a Government commissioner or delegate, authorized to represent it and to guarantee the fulfillment of its obligations towards the foreign participants. Such commissioner or delegate shall see that all necessary measures are taken for the material safety of the goods exhibited.

Article 16

The Governments of participating countries shall appoint commissioners or delegates to represent them and to see that the regulations of the exhibition are observed.

Such commissioner or delegates shall have the exclusive right of fixing the allocation or distribution of space between the exhibitors in their national pavilions and sections.

Article 17

In a general exhibition no charge may be made by the administration for space, covered or uncovered, which is provided for in the program of the exhibition and allotted to each participating country.

Article 18

In every exhibition to which the present convention applies, goods subject to customs duties and taxes forming part of foreign exhibits shall be admitted temporarily free of duty and tax on condition of being re-exported. Such goods shall be accompanied by a certificate from the consignor, which shall certify their number and character, the marks and numbers of the packages, and the commercial descriptions of the articles, their weight, origin and value. The goods shall be released from bond on the premises of the exhibition without being submitted to customs examination at the frontier. The application of the preceding provisions shall be subject to the customs regulations of the country in which the exhibition is held.

When, under the legislation of the inviting

country, security is required in order to obtain the temporary free admission referred to in the preceding paragraph, security given by the commissioner of each participating country on behalf of his exhibitors shall be accepted as a sufficient guarantee for the payment of customs duties and all other duties and taxes applicable to the goods exhibited which are not re-exported within the periods fixed after the close of the exhibition.

The provisions relating to temporary free admission shall not apply to stocks of goods which cannot be properly regarded as samples and are imported for the exclusive object of sale during the course of the exhibition.

Exhibits which have suffered total or partial destruction shall be exempt from duty provided:

1. That the exhibitor produces evidence showing that the quantities missing or that the goods deteriorated have been utilized for the service of the exhibition, or cannot be sold owing to their perishable character;

2. That the customs tariff imposes no tax or import duty on deteriorated or unusable goods.

This exemption shall not apply to goods which have been consumed in the manner for which they are normally intended.

The evidence referred to in paragraph 4 shall be presented by the commissioner or delegate of the country to which the exhibitor belongs for the decision of the authorities of the country in which the exhibition is held.

In the application of the foregoing provisions, the following shall be regarded as goods intended for the exhibition:

1. Materials for construction, even if imported in a raw state to be worked up after arrival in the country where the exhibition takes place;

2. Tools and transport material for the work of the exhibition;

3. Articles for the interior and exterior decoration of exhibitors' sites, stands and showcases;

4. Articles for decoration and furnishing of offices used by the commissioners or delegates of the participating countries, as well as office furniture intended for their use;

5. Goods or objects employed in the installation and working of machinery or apparatus exhibited;

6. Samples required by the juries for appraising and judging the exhibits, subject to the production of a certificate by the commissioner of the section indicating the nature and quantity of the goods so consumed.

In addition, the following shall be exempted from duties:

1. Official catalogues, pamphlets and posters, illustrated or otherwise, published by the countries participating in the exhibition;

2. Catalogues, pamphlets, posters and all other publications, illustrtated or otherwise, distributed free of charge by the exhibitors of foreign products within the area and during the period of the exhibition.

The provisions of the present article do not apply to goods which, under the legislation of the country in which the exhibition is held, are the subject of a State monopoly, or the sale of which is prohibited or controlled by licence, save under conditions prescribed by the Government of that country. Nevertheless, the exhibition of such products shall be permitted subject to measures of control taken with a view to preventing their sale.

Article 19

The regulations of every international exhibition shall include a provision giving to an exhibitor the right to withdraw his undertaking to participate in the event of the duties applicable to the goods of such exhibitor being increased subsequently to the date of his undertaking to participate.

Article 20

At the close of an exhibition exhibitors shall be permitted, unless the legislation of the country where the exhibition takes place forbids it, to sell and deliver the samples exhibited. In this case exhibitors shall not be subjected to any taxes other than those they would have had to pay in the case of direct importation.

Article 21

In an international exhibition no group or firm shall make use of any geographical description denoting a participating country, except with the authorization of the commissioner or delegate of that country.

In the case of contracting countries which are not participating in the exhibition, the use of such descriptions shall be prohibited by the administration of the exhibition of the request of the Governments interested.

Article 22

Only those sections in an exhibition which are under the direction of a commissioner or of a delegate appointed as provided in articles 15 and 16 by the Government of the organizing or of a participating country shall be considered or may be described as national sections.

Article 23

The national section of a country may contain only goods belonging to that country.

Nevertheless, subject to the authorization of the commissioner or delegate of the country concerned, articles belonging to another country may be included on condition that they are employed solely to complete an exhibit, that they shall have no influence on the granting of an award to the exhibit itself, and that they cannot, as so shown, themselves receive any award.

Products extracted from the ground, grown or manufactured in the territory of any country, shall be deemed to belong to the industry and agriculture of such country.

Article 24

Subject to provisions to the contrary in the legislation of the country in which it is held, in principle no monopolies of any kind should be granted in an exhibition. Nevertheless, the administration of the exhibition may, if it thinks necessary, grant the following monopolies: lighting, heating, customs clearance, upkeep, and publicity inside the exhibition. In this case the following conditions must be observed:

1. The existence of such monopoly or monopolies must be shown in the regulations of the exhibition, and the application form to be signed by exhibitors;

2. The services subject to monopolies must be made available to exhibitors under the conditions normally obtained in the country;

3. No limitation must be imposed on the powers of the commissioners in their respective sections.

The commissioners of the organizing country shall take steps to ensure that the rates for labor charged to the participating countries shall not be higher than those charged to the administration of the organizing country.

Article 25

Each country where an international exhibition takes place shall tender its good offices with a view to obtaining from its railway, shipping and aviation authorities, public or private, transport facilities for goods intended for such exhibition.

Article 26

Each country shall take whatever measures appear to be appropriate under its own laws to proceed against the promoters of fictitious exhibitions, or of exhibitions to which exhibitors are fraudulently attracted by misleading promises, announcements or advertisements.

SECTION V.—AWARDS

Article 27

The general regulations of the exhibition must indicate whether, independently of the certificates of participation which must always be accorded, awards will or will not be granted to exhibitors. In cases where awards are granted they may be limited to certain classes.

Before the opening of the exhibition, exhibitors, either in the general sections or in their national pavilions, who do not wish to receive awards, should make a declaration to that effect to the administration of the exhibition through the intermediary of their commissioners or delegates.

Members of the jury are necessarily debarred from receiving awards.

Article 28

Participation in an exhibition is either free or conditional.

Participation is free when all goods may be admitted to the exhibition provided that the exhibitor has made his application in due time and has fulfilled the general conditions governing such application.

Participation is conditional when the general regulations stipulate that the articles admitted to the exhibition must satisfy certain special stipulations, such as sound manufacture or originality.

In this event the regulations of the exhibition shall contain a clause, to which the invited countries can refer, indicating the procedure to be adopted by the organizing country for the admission of exhibits to its national section; each country retaining, however, the right of adapting such procedure in the manner that it deems most appropriate in its own case.

Article 29

The appraising and judging of the exhibits shall be entrusted to an international jury, set up in accordance with the following rules:

1. Each country shall be represented on the jury in proportion to the part it takes in the exhibition, having regard particularly to the number of its exhibitors, not including collaborators and co-operators, and to the area which they occupy.

Each country shall have the right to at least one juror in every class in which its goods are exhibited, except in cases where the administration of the exhibition and the commissioner or delegate of the country concerned are agreed that such representation is not justified by the extent of its participation in that class.

No country may have more than seven jurors in any class; this limitation shall not, however, apply to the classes of food products, liquid and solid.

2. The functions of juror shall be assigned to persons having the necessary technical knowledge.

3. Jurors may not be appointed except with the approval of their Government.

4. The jury shall comprise three grades of jurisdiction.

Article 30

The awards shall be divided into five grades:

1. Grand prix.
2. Diplomas of honor.
3. Gold medals.
4. Silver medals.
5. Bronze medals.

In addition, diplomas may be awarded, on the recommendation of exhibitors gaining awards or of members of the jury, to their collaborators and co-operators.

Persons appointed as members of the jury may describe themselves as such in all cases where exhibitors are authorized to mention their awards.

The description "hors concours" is henceforth prohibited both for members of the jury and for exhibitors who have abstained from competing for awards.

Article 31

The list of awards shall be registered at the International Bureau. The recipients of awards may announce their awards only on condition that such announcement includes the exact title of the exhibition. They shall be authorized to add to such announcement the monogram of the International Bureau. The International Exhibitions Bureau shall inform the International Industrial Property Bureau at Berne of the exhibitions registered, and shall send that Bureau the lists of awards.

Article 32

The International Bureau shall establish model regulations setting forth the general conditions for the composition and functioning of juries and determining the method of granting awards. The adoption of such regulations shall be recommended to organizing countries.

SECTION VI.—FINAL PROVISIONS

Article 33

The present convention shall be subject to ratification:

(a) Each Government, as soon as it is ready to take part in a deposit of ratifications, shall so notify the French Government. As soon as seven Governments shall have so declared themselves ready, the deposit of ratifications shall take place, on a day appointed by the French Government, within a month of the date of the receipt by that Government of the last notification.

(b) The ratifications shall be deposited in the archives of the French Government.

(c) The deposit of ratifications shall be verified by a proces-verbal signed by the representatives of the Governments taking part therein and by the Minister for Foreign Affairs of the French Republic.

(d) The Governments of signatory countries which have not been ready to deposit their ratifications under the conditions set forth in paragraph (a) of the present article, may do so subsequently by means of a written notification addressed to the Government of the French Republic and accompanied by the instruments of ratification.

(e) Certified copies of the proces-verbal of the first deposit of ratification, and of the notifications referred to in the preceding paragraph, shall be immediately transmitted, through the intermediary of the French Government, by the diplomatic channel to the Governments which have signed the present convention or have acceded thereto. In the case of notifications received under the preceding paragraph, the French Government shall also state the dates on which they have been received.

Article 34

(a) The present convention applies ipso facto only to the metropolitan territories of the contracting countries.

(b) If a country desires the convention to apply to its colonies, protectorates, overseas territories and territories under suzerainty or mandate, a statement to that effect shall be included in its ratification, or form the subject of a notification addressed in writing to the French Government. Any such notification shall be deposited in the archives of that Government.

If the latter procedure is adopted, the French Government shall transmit to the Governments of signatory or acceding countries a certified copy of such notification, showing the date on which it was received.

(c) Exhibitions which include only the products of a metropolitan country and of its colonies, protectorates, overseas territories and territories under suzerainty or mandate shall be considered as national exhibitions, and, in consequence, not subject to the present convention, whether or not the convention may be in force in such territories.

Article 35

(a) At any time after the coming into force of the present convention any non-signatory country may accede thereto.

(b) Such accession may be effected by a notification in writing transmitted through the diplomatic channel to the French Government. Such notifications of accession shall be deposited in the archives of that Government.

(c) The French Government shall transmit immediately to the Governments of all signatory and acceding countries certified copies of any such notifications, showing the dates on which they were received.

Article 36

The present convention shall come into force, in respect of the countries which have taken part in the first deposit of ratifications, one month after the date of the procès-verbal thereof. In the case of countries which ratify subsequently or accede thereto, and in respect of colonies, protectorates, overseas territories and territories under suzerainty or mandate not included in ratifications, the convention shall take effect one month after the date of receipt of the notifications provided for in articles 33, paragraph (d); 34, paragraph (b); 35, paragraph (b).

Article 37

The present convention may not be denounced by a contracting country until a period of five years has elapsed since the date of its coming into force.

Thereafter notifications of denunciation may be addressed to the Government of the French Republic and shall take effect one year after the date of their receipt. Certified copies of such notifications, showing the date on which they were received, shall be immediately transmitted by the Government of the French Republic to the Governments of all countries which have signed or acceded to the present convention.

The provisions of the present article apply also to colonies, protectorates, overseas territories and territories under suzerainty or mandate.

Article 38

If, by reason of denunciations, the number of contracting countries is reduced to less than seven, the Government of the French Republic shall immediately summon an international conference to consider what measures shall be taken.

Article 39

The Government of the French Republic shall communicate to the International Bureau copies of all ratifications, accessions and denunciations.

Article 40

The present convention shall remain open for signature at Paris until April 30, 1929.

IN WITNESS WHEREOF, the Plenipotentiaries, named below have signed the present Convention.

Done at Paris this twenty-second day of November in the year one thousand nine hundred and twenty-eight, in a single original which shall be deposited in the Archives of the Government of the French Republic and certified copies of which shall be sent through the diplomatic channel to the Governments of all countries represented at the Conference of Paris.

For Albania:
Dr. STAVRO STAVRI.
For Germany:
Dr. PETER MATHIES.
EMIL WIEHL.
Dr. HANNS HELMAN.
For Australia:
F. C. FARAKER.
For Austria:
GRUNBERGER.
For Belgium:
E. DE GAIFFIER.
For Brazil:
F. GUIMARAES.
For Canada:
PHILLIPE ROY.
For Colombia:
JOSE DE LA VEGA.
For Cuba:
HERNANDEZ PORTELA.
For Denmark:
H. A. BERNHOFT.
For Dominican Republic:
Dr. T. FRANCO FRANCO.
For Spain:
CARLOS DE GOYONECHE.
For France:
P. CHAPSAL.
CHARMEIL.
R. COULONDRE.
J. LESOUFACHE.
G. ROGER SANDOZ.
BARON THENARD.
For the United Kingdom of Great Britain and Northern Ireland:
E. CROWE.
J. R. CAHILL.
R. W. C. COLE.
For Greece:
N. POLITIS.
For Guatemala:
JOSE MATOS.
For Haiti:
NEMOURS.
For Hungary:
FREDERIC VILLANI.
For Italy:
GIOVANNI BELLI.
For Japan:
H. KAWAI.
For Morocco:
J. NACIVET.
For the Netherlands:
E. H. KRELAGE.
For Peru:
M. H. CORNEJO.
For Poland:
OTHON WECLAWOWICZ.
For Portugal:
A. DA GAMA OCHOA.
For Romania:
CONST. DIAMANDY.
For the Kingdom of the Serbs, Croats and Slovenes:
MILIVOJ PILYA.
For Sweden:
ALBERT EHRENSVARD.
JOSEPH SACHS.
S. BERJUS.
Subject to ratification by H.M. the King with approval of the Riksdag.
For Switzerland:
DUNANT.
Dr M. G. LIENERT.
GUSTAV BRANDT.
For Tunisia:
H. GEOFFROY-SAINT-HILAIRE.
For the Union of Soviet Socialist Republics:
M. TOUMANOFF.
G. LACHKEVITCH.
M. RAFALOFF.

PROTOCOL: AMENDING THE CONVENTION RELATING TO INTERNATIONAL EXHIBITIONS SIGNED AT PARIS ON NOVEMBER 22, 1928

The undersigned, plenipotentiaries of the Governments hereinafter [1] named, having met in conference at Paris on May 10, 1948, have, by common consent and subject to ratification, agreed on the following provisions:

ARTICLE 1

Articles 2, 3, and 4 of the Convention of November 22, 1928 are abrogated and replaced by the following articles:

---

[1] The delegations of the following countries were represented at the meeting of May 10: Austria, Belgium, Denmark, Egypt, United States, France, Greece, Great Britain, Norway, Netherlands, Portugal, Poland, Sweden Switzerland, Tunisia.

Article 2.—Any exhibition which includes the products of more than one branch of human activity or which is organized with a view to demonstrating the progress achieved in the whole of a given sphere of activity (such as hygiene, applied arts, modern comfort, colonial development, etc.) shall be deemed to be a general exhibition.

Any exhibition which is concerned only with one applied science (electricity, optics, chemistry, etc.), one industry (textiles, founding, graphic arts, etc.), or one elementary necessity (heating, food, transport, etc.) shall be deemed to be a special exhibition, *which may not include national pavilions.*

The International Bureau provided for in Article 10 shall draw up a classification of exhibitions to serve as a guide to the trades and products which may, in accordance with the preceding paragraph, figure in a special exhibition. The list may be revised annually.

Article 3: Duration of Exhibitions.—The duration of international exhibitions shall not exceed six months. This period is fixed from the time when the registration of the exhibition takes place, and it may therefore not be extended by the Bureau except in cases of *force majeure* resulting from events which occur in the course of preparation for the exhibition, such as fire, floods, social disorders, which have the effect of making it impossible either for the exhibition to open on the date officially fixed or to function normally in the time assigned to its duration. Consideration of a request for extension, presented by the country organizing the exhibition, is left to the Bureau.

Any extension granted shall correspond to the length of time during which the exhibition has not functioned. This extension shall begin on the date indicated by the organizing country and may in no case run for more than six months from the closing date of the exhibition.

Article 4: Frequency of Exhibitions.—The frequency of international exhibitions to which the present Convention applies shall be governed by the following principles:

All general exhibitions fall into one of the two following categories:

First category: Those in which the countries invited to participate are obliged to construct national pavilions.

Second category: Those in which such countries are not so obliged.

For the organization of international exhibitions the world is divided into three zones, viz., the European Zone, the Zone of the two Americas, and the rest of the world. Those countries whose territory extends over two zones may choose the one in which they wish to be classified.

In the same country not more than one general exhibition of the first category may be held during any period of 15 years, and an interval of 10 years must elapse between two general exhibitions of either category.

No contracting country may participate in any general exhibition of the first category unless an interval of at least six years has elapsed since the last general exhibition of the first category in the same zone or at least two years in another zone. No contracting country shall participate in any general exhibition of the second category unless this is separated from the last general exhibition by an interval of two years in the same zone or by one year in any other zone. These intervals are extended respectively to four or two years when the exhibitions are of the same nature.

The intervals provided for in the preceding paragraph shall apply without distinction being made between exhibitions organized by contracting countries and by non-contracting countries.

More than one special exhibition of the same kind may not be held at the same time on the territories of the contracting countries. A period of five years must elapse before such an exhibition may be repeated in the same country. In exceptional cases the International Exhibitions Bureau may reduce this period to not less than three years if it considers such reduction to be justified by the rapid development of any particular branch of production. The same reduction may be allowed for exhibitions which by an already established custom take place in certain countries at intervals of less than five years.

At least three months' interval must elapse between two special exhibitions of a different kind held in the same country.

The intervals provided for in the present Article shall be reckoned from the date of opening of the exhibition.

ARTICLE 2

The following provision shall be added to Article 10 of the Convention of November 22, 1928:

"When the post of Director falls vacant, the Council of the International Exhibitions Bureau will elect by an absolute majority a director who is a national of a country adhering to the Convention. The director will be appointed for a period of years to be established by regulation. His remuneration will be fixed by the Council on the recommendation of the Budget Commission."

ARTICLE 3

Any State may accede to the present Protocol by notification in writing through the diplomatic channel to the French Government. Such notification of accession shall be deposited in the archives of that Government.

Each new accession to the Convention of November 22, 1928 shall constitute accession to the present Protocol.

The French Government shall transmit immediately to all signatory and acceding Governments and to the President of the International Exhibitions Bureau a certified copy of the notification, showing the date on which it was received.

ARTICLE 4

The present Protocol shall be ratified. Each Power shall transmit its ratification with the least possible delay to the French Government, which shall notify the other signatories. The present Protocol shall enter into force for each signatory country on the date of deposit of its instrument of ratification.

Done at Paris, May 10, 1948.

France:
LÉON BARÉTY.
MARCEL RIVES.
Sweden:
KJELL STRÖMBERG.
Switzerland:
BERNARD BARBEY.
Morocco:
OLIVIER MARIN.
Italy:
QUARONI.
Belgium:
GUILLAUME.
Denmark:
HOFFMEYER.
Greece:
RAPHAËL RAPHAEL.
N. FOROPOULO.
Norway:
BUGGE MAHRT.
Finland:
JOHAN HELO.
Lebanon:
AHMED DAOUK.
Haiti:
PLACIDE DAVID.
Portugal:
AUGUSTO POTIER.
Great Britain:
Sir OLIVER HARVEY.

Certified copy of the single original in the French language deposited in the archives of the French Republic.

[S] JACQUES DUMAINE,
Minister Plenipotentiary,
Chief of the Protocol Service.

PROTOCOL AMENDING ARTICLE 4 OF THE CONVENTION RELATING TO INTERNATIONAL EXHIBITIONS, SIGNED AT PARIS ON NOVEMBER 22, 1928

The Governments participating in the present Protocol,

Considering that the minimum period between two general exhibitions specified in the Convention of November 22, 1928 relating to International Exhibitions, as amended by the Protocol of May 10, 1948 (hereinafter referred to as "the Convention") has been judged too short in view of the heavy expenses and the complicated technical preparations which participation in such exhibitions entails;

Being desirous of reducing as soon as possible the frequency of the general exhibitions referred to in the Convention,

Have agreed as follows:

ARTICLE 1

Article 4 of the Convention is hereby abrogated and replaced by the following Article 4:

Frequency of exhibitions

The frequency of the exhibitions to which the present Convention applies shall be governed by the following principles:

1. All general exhibitions fall into one of the following categories:

First category: Those in which the countries invited to participate are obliged to construct national pavilions.

Second category: Those in which such countries are not authorized to construct national pavilions.

2. In the same country not more than one general exhibition of the first category may be held during any period of fifteen years, and an interval of ten years must elapse between two general exhibitions of either category.

3. Where general exhibitions are organized in different countries, the intervals between those exhibitions shall be:

(a) Six years for general exhibitions of the first category;

(b) Four years for general exhibitions of the second category and the same kind;

(c) Two years for general exhibitions of the second category and a different kind;

(d) Two years for general exhibitions of the first and second categories.

4. The intervals prescribed in the preceding paragraph shall apply to all general exhibitions without any distinction between exhibitions organized by contracting countries and those organized by noncontracting countries.

5. Special exhibitions of the same kind may not be held at the same time in the territories of several contracting countries. A period of five years must elapse before such an exhibition may be repeated in the same country. However, the International Exhibition Bureau may, in exceptional circumsances, reduce this period to not less than three years when, in the opinion of the Bureau, such reduction is justified by the rapid development of any particular branch of production. The same reduction may be allowed in the case of exhibitions that traditionally are held in certain countries at intervals of less than five years.

6. At least three months must elapse between two special exhibitions of a different kind held in the same country.

7. The intervals prescribed in the present article shall be reckoned from the date of opening of the exhibition.

ARTICLE 2

1. The present Protocol shall remain open for signature by the Governments participating in the Convention, at Paris, from Janu-

ary 1 to December 31, 1966, inclusive. These Governments may become parties to the present Protocol:

(a) By signing it without reservation as to ratification, acceptance, or approval;

(b) By notifying the depository Government, after signature, of the completion of their respective constitutional formalities;

(c) By acceding to it after December 31, 1966.

2. The instruments of ratification, acceptance, approval, or accession shall be deposited in the archives of the Government of the French Republic.

ARTICLE 3

The present Protocol shall enter into force on the date on which twenty governments shall have become parties to it under the conditions laid down in Article 2.

ARTICLE 4

1. On and after June 30, 1966, and even if this Protocol has not entered into force by that date, any Government which has signed or adhered to it may notify the International Exhibitions Bureau that it will not participate in any general exhibition whose registration has been made impossible by the entry into force of the present Protocol.

2. The Bureau will inform all Governments parties to the Convention of any notice given pursuant to paragraph 1 above, and will make available to all requesting Governments, whether or not parties to the Convention and to any other applicant, a list of all countries that have given it such notice.

ARTICLE 5

After the entry into force of this Protocol, every new accession to the Convention shall entail accession to this protocol.

ARTICLE 6

The provisions of this Protocol shall not apply to the registration of an exhibition for which an application was accepted by the Bureau before the meeting of the Administrative Council on November 17, 1965.

ARTICLE 7

1. The Government of the French Republic will inform all Governments participating in the Convention of every signature, ratification, acceptance or approval of this Protocol, of any accession thereto, and of the effective date in each case.

2. This Protocol shall be deposited in the archives of the Government of the French Republic, and will transmit a certified copy thereof to each signatory Government.

In witness whereof, the undersigned, duly authorized for this purpose by their respective Governments, have signed the present Protocol.

Done at Paris, November 16, 1966.

Mr. MANSFIELD. Mr. President, the Committee on Foreign Relations unanimously recommends this treaty to the Senate in the hope and expectation that U.S. adherence will help regulate international exposition so as to increase their effectiveness and that of Federal participation in them.

Let me make clear at the outset that the international fairs involved in this treaty are only the big, expensive events to which nations are officially invited to participate by the host country. They are expected to build their own pavilions, as in the case of Brussels and Expo 67, or to stage exhibits in buildings supplied by the promoters, such as at the Seattle Century 29 Exposition and at San Antonio's HemisFair. The treaty does not apply to trade fairs or any kind of exhibition lasting less than 3 weeks, to fine arts exhibits, to fairs of primarily commercial nature, to scientific exhibitions put on in connection with an international congress, and the like.

This convention was concluded in 1928 mainly by European nations in order to bring under control the proliferation of world fairs in Europe with their resultant drain on national treasuries. Since this was then largely a European problem, the United States did not become a party to the treaty. Since World War II, however, the problem has come closer to home and as early as 1959, the Committee on Foreign Relations called on the executive branch to study the possibility of U.S. accession to the convention which is now before the Senate.

One of the benefits of U.S. accession will be the opportunity to join the effort now underway to streamline and modernize the convention. The provisions of principal interest to the United States are those concerning the frequency with which these world fairs are held.

I ask unanimous consent that the table of frequency that now applies be printed in the RECORD at this point.

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

Nature of the exhibition	Interval that should separate 2 exhibitions	
	When organized in different countries	When organized in the same country
Special exhibitions with different programs.	No interval prescribed.	3 months.
Special exhibitions with the same program.	No interval prescribed but not simultaneous.	5 years.[1]
General exhibitions of the 2d category with different programs.	2 years	10 years.
General exhibitions of the 2d category with the same program.	4 years	Do.
General exhibitions of the 1st category.	6 years	15 years.

[1] However, the International Bureau may exceptionally reduce this interval to a minimum of 3 years when it considers that such reduction is justified by the rapid development in a particular branch of production. The same reduction in the interval may be granted for exhibitions that have traditionally been held in certain countries at intervals of less than 5 years (article 4).

Mr. MANSFIELD. Mr. President, by becoming a member of the Bureau that administers this treaty, we obligate ourselves not to participate in international expositions that have not been sanctioned by the Bureau in accordance with the rules. As a member, we also hope to insure that no international exposition will be approved by the Bureau that may in any way prevent the United States from staging one itself on the occasion of the bicentennial of the Declaration of Independence.

The costs of membership in the Bureau have not been finally worked out but they will be less than $15,000 a year.

The committee believes that ratification of this convention will afford the U.S. Government some protection against repeated requests for Federal endorsement of, and participation in, international fairs held in the United States which are primarily of regional and local interest.

The Committee on Foreign Relations recommends that the Senate give its advice and consent to ratification of this convention.

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). If there be no objection, Executive P, 90th Congress, first session, will be considered as having passed through its various parliamentary stages up to and including the presentation of the respective resolutions of ratification.

The resolution of ratification of Executive P, 90th Congress, first session, the Convention Relating to International Exhibitions, With Protocols, will now be read.

The resolution of ratification to Executive P was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to accession by the United States of America to the Convention relating to International Exhibitions signed at Paris on November 22, 1928, together with Two Protocols, signed on May 10, 1948, and November 16, 1966, modifying the Convention (Ex. P, 90th Congress, first sess.).

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending treaty take place at 2 o'clock p.m.

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

LEGISLATIVE SESSION

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

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

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORSE. 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 OF THE LAND AND WATER CONSERVATION FUND ACT

The Senate resumed the consideration of the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

AMENDMENT NO. 707

Mr. MORSE. Mr. President, I call up my amendment No. 707 and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Oregon [Mr. MORSE] proposes an amendment as follows:

On page 5, beginning with line 13, strike out all through line 10 on page 6.

On page 6, line 11, strike out "(c)" and insert "(b)".

Mr. MORSE. Mr. President, in all probability I shall withdraw the amendment before I finish the discussion, because we are busily at work trying to find some language, acceptable to the chairman of the committee, that will

meet the chief problem with which I am concerned.

I wish to say at the outset that I do not want the chairman of this committee to feel that I want him to accept anything that is not, in the opinion of the committee, sound. I do not wish him to violate committee policy. I have a responsibility, however, to present to the Senate this afternoon a very serious concern in my State in regard to land changes.

I spoke last week about my reservations regarding the land exchange authority given the Department of the Interior in the pending language of S. 1401. The committee indicated that it requires the exchange to be confined to one State, so that Interior Department property in one State may not be traded for property in another State.

But this is not, I submit, any real protection for the communities and citizens who may be affected by an exchange. The committee language supersedes the protections that were written in the Wild Rivers Act, for example. It supersedes other statutes authorizing parks and providing for certain exchange authority.

In my opinion, Congress should not give the Department of the Interior the blanket exchange authority—limited only by State boundaries—contained in the present bill. We should prescribe at least some standards and criteria for the Secretary to use in determining whether land under his jurisdiction is indeed suitable for exchange.

The most reasonable way to do that is to provide that when an exchange is deemed desirable, the Department, by public hearing and review, classify lands by use to determine those lands most suitable for exchange. This proceeding would enable local communities to make their case as to the value—or lack of value—to them of adjacent public timber, range land, or other public domain.

This is really a hot issue in my State, based upon some unfortunate historic precedents. This was one of the issues in the campaign when I came to the Senate in 1945. In 1956, one of the burning issues in my reelection was the famous Al Sarena case. We have had recently the Point Reyes case.

We have in our State, as exists in other States, the usual advisory committees to the Department of the Interior, headed by very prominent citizens of our State. The feeling was, in the Point Reyes case, that the administrative hearings procedure was not properly followed. That stirred up great controversy within the advisory committee.

I am hopeful that we can get some language in the bill that will give assurance that there will be administrative hearings before exchanges take place. For example, suppose the Secretary wants to make an exchange of land involving a park, but the other end of the exchange involves BLM land, 300 miles away in my State, perhaps over in the Burns area in eastern Oregon. My experience has been that such a proposal always stirs up concern, which often leads to controversy and misunderstanding. I am talking about a hypothetical case, and not about any given Secretary of the Interior, but of the Office of the Secretary. It is for his protection that we do not get into the kind of hassle that I am speaking about hypothetically. They are very real in my State. I can just hear the cattlemen or businessmen over there, expressing great concern that they have not been given a voice in an administrative hearing, before the exchange is consummated by the Secretary of the Interior, turning public land into private land.

Furthermore, when hearings are held, I also know from experience over the years, Secretaries of the Interior, or at least some of them, learn much, and frequently modify their positions, on the basis of the testimony in the hearings. But under the committee bill, I do not think there is anything to guide the Secretary except his own judgment, arrived at any way he sees fit. I do not cast any aspersions upon the judgment of any given Secretary, but I can think of some in times past whose personal judgment in such matters has not served the public interest—the Al Sorena case, to cite one example. That is why we consider this a government of laws. We need statutory procedures and statutory protection of the public's interest in these public lands.

In my State, as I have indicated, we have a considerable amount of sustained yield timber that is under the jurisdiction of the Bureau of Land Management. The towns, cities, and individuals who rely on that timber for their economic survival are entitled to something more than the unguided, unrestricted opinion of Interior Department officials.

So, too, do we have a lot of public domain in my State, which is managed on multi-use principles. As I said on April 25 in a speech, part of which I will have placed in the RECORD shortly, over 50 percent of the land area of my State is owned by the Federal Government. Therefore, when we start touching on or becoming involved in public domain in my State, we are pretty close to the economic lives of the people of my State.

Yes, we are jealous. Yes, I suppose I would not be too inaccurate if I were to say that many people are suspicious whenever there is any move to change the status in any way of public domain in any particular area. That is why I respond as I do today, and did on April 25, not alone, although I stand for everything I have said.

Concern has been expressed about the measure. Concern has been expressed to me by cattlemen and members of the advisory committee concerning whether we could get some language placed in the bill that would protect our sustained yield timber and our BLM lands, even in areas where there is not timber, land that is of great concern to the grazers, for example.

We have the ranchers who graze cattle on BLM lands, and we have those who hunt and camp and thus use the public domain. There is no language in the pending bill concerning them.

It seems to me that some opportunity should be given these people and these communities to explain their interest in Federal property before it is exchanged away. I believe we ought to have some procedure in this measure that will assure a review, with a local public hearing, of land use for the purpose of determining what is suitable for exchange and what is not.

I want to say, too, about the case that the chairman of the committee has made for the pending bill, that I completely agree with his major objective.

We need to have to work out a procedure where, in those cases when it is in the public interest to exchange lands within a park area, we should authorize the exchange.

I do not see anything wrong with providing, however, for administrative hearings in the area where the land is located so that we might receive the advice of the people of that area. Particularly is that true, I think, where the exchange is for park land and for land that is not within the same park, but 300 miles away, or x miles away.

I also say that I appreciate the fairness and understanding of the chairman. He and I have not had too much time to talk about this matter because I have not been here as much as I would like to. I have been conducting, as the Presiding Officer knows, education hearings, and I have been back home. I have flown in when issues involving my State, such as this matter, have come up. I came back for the pending bill.

When I was back home, many people spoke to me about the matter and said, "We wish you would make some suggestions for a change in the language." I offered a broad amendment which would in effect strike the exchange entirely. I really do not seek that, only as a last resort. I would rather have the language perfected so that an exchange program can go on and the people in my State may have some procedural protections along the line I mention.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD certain excerpts appearing on pages 10626 and 10627 of my speech of that date.

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

I came to the Senate in 1945, in that campaign there was great concern over certain conservation policies. There was great concern over the whole matter of delegating congressional power to the executive branch of the Government, and calling it a ministerial or administrative function, when what was really involved was granting authority to make final decision, without any reservation that left the check in the Congress over those decisions.

Then in 1956, as I said earlier this afternoon, one of the great issues in the campaign for my reelection was the Al Sarena case, which involved a dispute over the exercise of discretion vested in the Department of the Interior. The voters of my State obviously manifested support of the position that I took, and that the Democratic Party took, in that issue in 1956.

Mr. President, I want to avoid those fights. We should work out a program of cooperation between the Congress and the executive branch of the Government; and, in this particular matter, between the Congress and the Department of the Interior.

That is all I am going to say about the background of the reason why I consider it to be my clear duty this afternoon to once again make a plea to the Senate that we try

to resolve this problem on a workable compromise basis. I am satisfied, after talking to the very able members of the staff of the Committee on Interior and Insular Affairs, that can be done. I pledge to them this afternoon, as I did last year on the wild rivers bill—and I refer to the same staff members—that I am going to try to do everything I can to work out language for this bill that will give us a satisfactory result.

I am going to offer an amendment shortly that would prohibit any exchange power in the Secretary of the Interior, which I would stand for if we could not get modifying language in the bill that will protect us along lines I hope can be worked out.

The language is so broad that it would, in effect, permit a Secretary of the Interior, as I said, to trade off even part of one park in a State to create another. In the case of Oregon, it would permit the exchange of the Oregon and California revested railroad or Coos Bay Wagon Road lands, already dedicated by law to multiple-use forest management to secure Crater Lake Park, Oregon Caves, or Fort Clatsop inholdings, as well as those in any park or seashore subsequently created.

The language also erodes the protection adopted in the wild rivers bill when it passed the Senate because it sets aside the restrictions written into that bill.

Those restrictions were written into that bill because of the objections raised by the senior Senator from Oregon at the time.

The language of the pending bill would have the effect of modifying the arrangement in connection with the wild rivers bill that I thought we had satisfactorily worked out last year.

So, as I say, I am unable to understand why the administration continues to press for, and the Interior Committee accepts, this exchange language so broad as to permit the vitiation of other authorized programs for parks, monuments, wildlife refuges, and public lands.

* * * * *

As you know, my preference would be to allocate funds secured from the sale of public lands to the land and water conservation fund. Exchanges should be used as internal devices by an agency to improve its land patterns. An exchange which took public land in eastern Oregon to solidify a park in western Oregon could be fraught with problems.

My concern with the language in S. 1401 covers these aspects; and I have to express concern because, as I said earlier this afternoon, do not forget, over 50 percent of the land area of my State is owned by the Federal Government. Therefore, anything the Federal Government does with respect to land in my State owned by the Federal Government is bound to have an immediate economic impact on the State. That is why leaders in my State, county judges, county commissioners, State legislators, the Governor's office, and the congressional officers are always very careful to scrutinize any proposal that in any way involves any change of policy with respect to Federal programs relating to Federal land.

The bill sets no legislative policy standard to differentiate between land which might be exchangeable to improve the administering agency's operation and land which is disposable by exchange because it serves no Federal management program.

The language sets no guides for studies and investigation so that facts on exchange plans are locally presented. The language does not provide for public meetings nor does it provide a forum for those who may be using the lands to receive consideration. In my extensive travels in Oregon, I am impressed by the fact that virtually every acre of public land is not only being used, but the range and intensity of use is on the increase. Failure to meet these basic public knowledge tests makes this language fraught with potential difficulties.

As I have often said, we write legislation not against the standard of who now occupies the office but rather against the standard of providing basic protections in our grants of authority.

My concern, as it relates to Oregon, involves all of the lands there administered by the Secretary of the Interior for which there are specific authorized programs. These include the wild life refuges, parks and monuments, O. & C., and Coos Bay lands, and the vast public domain holdings. I think that substantial exchanges to augment the purposes of the Land and Water Conservation Act and in lieu of direct purchase with dollars are highly unlikely in Oregon—unless it is done in a way that vitiates these other programs which have great merit on their own.

But at the base of my views is the well-grounded position that the public interest is best served by legislation that is clear in its direction and purpose.

I fully support buying parks with dollars; and that the prompt availability of funds helps keep costs down, but the exchange provisions of this bill, I think, are poor legislative policy.

Mr. MORSE. Mr. President, in essence that specifies and particularizes by incidents the issues that I have talked about here. I simply say that I am particularly anxious to get some language in the bill, if it is possible for the committee to accept it, that would give us some administrative hearings at the location of the exchange so that people in the area can be heard. I have confidence that if they have a case the Secretary of the Interior will not flout it. Second, we may have some protection for the sustained yield timber.

The last point I make is that there is a danger, unless we have a procedural protection here, of some Secretary at some time in the future abusing a power.

Suppose, speaking hypothetically, that a Secretary proposes to exchange some sustained yield timberland. That would be of vital concern to the county courthouse in that county. As the Presiding Officer knows, and as the chairman of the committee knows, out of the Federal forests the counties get a certain percentage of the collection of taxes for schools, roads, and county government cost. Therefore, they say to their Senator: "LISTER, we just don't want to rely on good faith. We just don't want to rely on the assumption that no Secretary of the Interior will act in bad faith. Past experience shows that at least they have acted in bad judgment from time to time, and their judgment, if you eliminate any questionable motivation, has proved to be costly to us. We don't want a bill that would make it possible for some Secretary in the future to make an exchange that would involve sustained yield timber and that would be a bad trade or maybe just bad judgment on his part, if not bad motivation, but which would involve a loss to us."

That is all I am going to say. I think the chairman of the committee knows me well enough to know—since he comes from a timber State—the kind of problem I have in my State. If there is anything that he can do to be of help to me, I would appreciate it very much.

Mr. JACKSON. Mr. President, I fully understand the position of the able senior Senator from Oregon. It was not the intent of the committee to give authorization to the Secretary in connection with an exchange of lands which would have the effect of upsetting established resource development programs.

Mr. President, so that there will not be any misunderstanding on this point, I am prepared to offer an amendment.

My amendment would read:

On page 6, following the word "disposal"; insert the following new sentences:

"In the exercise of this authority the Secretary shall not exchange timber lands harvested under a sustained-yield program. No such exchange shall become effective until public hearings have been held by the Secretary or his designee in the area where the lands to be exchanged are located."

Mr. President, I think this will resolve any question of doubt that may exist regarding what the committee had in mind and what the Senate has in mind regarding the exchange of lands under his jurisdiction.

Mr. MORSE. Mr. President, I appreciate the offer very much.

CONVENTION RELATING TO INTERNATIONAL EXHIBITIONS—UNANIMOUS-CONSENT AGREEMENT

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

Mr. JACKSON. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the vote on the treaty be delayed for 3 minutes.

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

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

The Senate resumed the consideration of the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

Mr. JACKSON. Mr. President, I am prepared to offer the amendment.

Mr. MORSE. Mr. President, I have only one suggestion. I have not seen a copy of the amendment, and I do not know whether a period should be inserted in the amendment. Mr. President, I have seen the printed copy and a period is contained in the amendment.

I just want to make clear the legislative intent. When the Senator says, "No such exchange," he means that there will be no such exchange of any lands, and not just timberlands, but any lands.

Mr. JACKSON. The Senator is correct. The language is all inclusive. It would apply to any lands, grasslands, timberlands, or any other kind of lands under the jurisdiction of the Secretary of the Interior.

Mr. MORSE. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MORSE. Mr. President, I am pleased with the amendment of the Senator from Washington and I want to thank him from the bottom of my heart in behalf of the interested peo-

ple in my State for the language he has offered and for the cooperation that he has extended to those in my State that have expressed through me a concern that I share, which certainly has been cleared up by the Senator from Washington.

Mr. JACKSON. I thank the Senator.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon is withdrawn.

The clerk will state the amendment offered by the Senator from Washington.

The legislative clerk read the amendment, as follows:

On Page 6, following the word "disposal", insert the following new sentence:

"In the exercise of this authority the Secretary shall not exchange timber lands harvested under a sustained-yield program. No such exchange shall become effective until public hearings have been held by the Secretary or his designee in the area where the lands to be exchanged are located."

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

The amendment was agreed to.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session.

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

CONVENTION RELATING TO INTERNATIONAL EXHIBITIONS

The Senate resumed the consideration of Executive P (90th Cong., first sess.), a convention relating to international exhibitions, with protocols.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the orders previously entered, the Senate will now proceed to vote on the resolution of ratification.

The question is, will the Senate advise and consent to the resolution of ratification. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], the Senator from Georgia [Mr. TALMADGE], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I also announce that the Senator from Alaska [Mr. GRUENING], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], and the Senator from Utah [Mr. MOSS] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Wyoming [Mr. MCGEE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK] and the Senator from Oregon [Mr. HATFIELD] are absent on official business.

The Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senator from Colorado [Mr. DOMINICK], the Senator from Oregon [Mr. HATFIELD], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The yeas and nays resulted—yeas 74, nays 0, as follows:

[No. 124 Ex.]

YEAS—74

Aiken	Fannin	Monroney
Allott	Fong	Morse
Anderson	Fulbright	Mundt
Baker	Griffin	Murphy
Bartlett	Hansen	Nelson
Bayh	Harris	Pearson
Bennett	Hayden	Pell
Bible	Hickenlooper	Percy
Brewster	Hill	Prouty
Burdick	Holland	Proxmire
Byrd, Va.	Hollings	Randolph
Byrd, W. Va.	Hruska	Ribicoff
Cannon	Inouye	Russell
Carlson	Jackson	Smith
Case	Javits	Sparkman
Church	Jordan, N.C.	Spong
Clark	Jordan, Idaho	Stennis
Cooper	Long, La.	Symington
Cotton	Magnuson	Thurmond
Curtis	Mansfield	Tydings
Dirksen	McClellan	Williams, Del.
Dodd	McGovern	Yarborough
Eastland	Metcalf	Young, N. Dak.
Ellender	Miller	Young, Ohio
Ervin	Mondale	

NAYS—0

NOT VOTING—26

Boggs	Kennedy, N.Y.	Moss
Brooke	Kuchel	Muskie
Dominick	Lausche	Pastore
Gore	Long, Mo.	Scott
Gruening	McCarthy	Smathers
Hart	McGee	Talmadge
Hartke	McIntyre	Tower
Hatfield	Montoya	Williams, N.J.
Kennedy, Mass.	Morton	

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the consent of the Senate to the ratification of the convention.

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

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

The Senate resumed the consideration of the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

Mr. GRIFFIN. Mr. President, I rise to indicate my support for the pending bill. At the same time, I wish to commend the junior Senator from Washington [Mr. JACKSON] and the other members of the committee, for their work in connection with this legislation.

The Land and Water Conservation Fund Act of 1965 has been responsible for much of the progress made over the last several years in securing for the public new areas of open space, beauty, and recreation. It has not only provided needed revenue for such purposes but it has also served to stimulate State and local action in this field.

My own State of Michigan has been allocated some $4,768,742 in funds as a result of this act, funds which have been used to acquire land for the magnificent Pictured Rocks National Lakeshore on Lake Superior, and other scenic and picturesque areas.

Following enactment of the 1965 act, major bond issues have beeen passed in 23 States. More than 2,400 projects have resulted in the acquisition of 295,000 acres of new State and local park lands. I note that there was testimony before the committee to the effect that 90 percent of the States are spending State funds in excess of the amounts to be matched by Federal funds on qualifiable projects. The fund has also helped stimulate the development of recreation areas in urban areas.

It is unfortunate that actual revenues earmarked for the fund have fallen far short of original estimates. By authorizing additional funds, this bill will help to reassure State and local governments that matching Federal money will be available—making it possible to move ahead.

It is important that when the Government moves to acquire privately owned land for public use, it should be prepared to pay the owners of that land quickly. There have been too many instances when the Federal Goveernment has moved to acquire land and then has told those who own the land that they will have to wait for their money—in some cases, I understand, as long as 5 years.

I believe this bill is a step forward and deserves the support of the Senate.

Mr. CASE. Mr. President, I deeply deplore the Senate's action on Monday in gutting S. 1401, a bill which would have significantly bolstered the land and water conservation fund, the Nation's prime means of building its open space inventory.

Two amendments are responsible for the damage. The first prohibits the direct use of fees from offshore oil and gas leases for financing parkland purchases. The second amendment cuts the proposed increase in the land and water conservation fund from $700 million over 5 years to $300 million over 3 years.

Clearly projects whose authorization may be hanging on the increase in the level of the fund—the Redwoods National Park and the scenic rivers system are examples—have been placed in jeopardy by this action.

The land and water conservation fund was created by Congress in 1964 to buy park and recreation lands for the Nation's enrichment. Approximately 40 percent of the fund is used for direct acquisition by the Federal Government of national park and national recreation area sites. The Delaware Water Gap National Recreation Area and the proposed Redwoods Park are examples of sites that are being, or would be, purchased with these funds.

The other 60 percent of the money in the fund is apportioned among the States for improvement of their own outdoor recreation programs. This is a 50–50 matching program. New Jersey, for example, has received $5.3 million in Federal contributions for some 59 approved State and local projects since the fund came into being.

Unfortunately, the fund presently is underfinanced. The Bureau of Outdoor Recreation, for example, estimates that the fund's anticipated intake of more than $900 million over the next decade will fall short of minimum national and State needs during that period by about $2.7 billion. The causes of this deficit, according to the Senate Interior Committee, are attributable to the skyrocketing cost of parkland, particularly that earmarked for acquisition, and the failure of the fund's sources of revenue to produce at the rate originally expected. The fund presently operates at a level of about $100 million annually.

S. 1401 originally was designed to begin wiping out this deficit. Under the bill reported to the Senate, the fund would have been increased to a level of $200 million a year for the next 3 years, and to $300 million a year in fiscal years 1972 and 1973. The additional revenues would have come from earmarking for parkland acquisition fees paid by companies drilling for oil and gas on the Outer Continental Shelf.

One of Monday's amendments struck the additional funds for fiscal 1972 and 1973, thereby leaving the overall increase at less than one-half the amount recommended by the Senate Interior Committee. The other amendment eliminated the earmarking provision.

The levels proposed by the Interior Committee would have made it possible to purchase parkland much more quickly than present resources permit, thereby counteracting escalating land prices.

This legislation is important to New Jersey, among other States.

For one thing it affects the purchase of land for the Delaware Water Gap National Recreation Area, which Congress authorized in 1965. The park ultimately will consist or more than 47,600 acres in New Jersey and Pennsylvania and will cost $37.4 million for the land purchases alone. The target date for completing the land acquisition is the end of fiscal 1970.

To date, more than $14 million has been appropriated from the land and water conservation fund to purchase 12,500 acres of the 47,600-acre total. This still leaves $23.4 million needed to conclude the purchase of the park areas.

Because of the lack of sufficient dollars in the fund, the Interior Department presently estimates it may take until 1975 to complete the land acquisition program. Worse still, according to Interior, in the intervening 5 years, land prices, now escalating at the rate of about 8 or 10 percent a year, could raise the projected cost of $37.4 million by as much as 50 percent.

On the other hand, Interior believes that the original land acquisition schedule could have been met at the $37.4 million level if the fund was augmented as S. 1401 initially provided.

Moreover, New Jersey is interested in general in funds for State and local outdoor recreation needs—the 50–50 program. As presently projected by the Department of the Interior, New Jersey's needs in this field over the next decade will total about $57 million in Federal and State funds.

How is this to be financed?

Clearly the approximately $1.7 million the State has been getting from the land and water conservation fund each year will be insufficient in these circumstances. Under the Interior Committee's version of S. 1401, however, the yearly Federal contribution to New Jersey would have been increased to about $3.4 million. At this rate, assuming New Jersey could put up its share of the costs, the outlook for the State's outdoor recreation program would be far brighter than it is today.

Obviously, the Senate's action Monday dashes a great deal of cold water over such prospects for New Jersey as well as the other 49 States.

The one hopeful note, however, is that the Senate action is not final. The House still must act and it has an opportunity to redeem the ill-advised decisions taken in this Chamber Monday. Indeed it may be a measure of House concern about the problem of parkland acquisition that its Interior Committee has approved a bill substantially similar to the original version of S. 1401.

Recently, an editorial writer observed that the amount originally projected for augmentation of the land and water conservation fund "is an irreducible minimum if a reasonable park-acquisition program is to be carried out." If the House adopts this as its yardstick of what is needed in this field, the unfortunate events of the past days may yet be reversed in whole or in part.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JACKSON. Mr. President, I call up my amendment which is at the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 3, line 5, delete subsection (b) and reletter subsection (c) as (b).

Mr. JACKSON. Mr. President, when the committee reported the pending measure, S. 1401, we provided in section 7(b) for the elimination of the advanced appropriation authority under the Land and Water Conservation Act of 1965. The reason for taking that away was that we had offered a substitute in the form of the earmarking of the sale of property from the Outer Continental Shelf.

The Senate, by its action yesterday, eliminated that authority. Therefore, in order to maintain the existing law, it would be necessary to eliminate subsection (b) to which I have just referred. This action will keep the land and water conservation fund intact as it is now applicable.

I ask that there be a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington [Mr. JACKSON]. [Putting the question.]

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

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

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1401) was passed as follows:

S. 1401

An act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of title I of the Land and Water Conservation Fund Act of 1965 is amended by adding at the end thereof the following new subsection:

"(d) OTHER REVENUES.—Such sums as may be appropriated for each fiscal year, out of any moneys in the Treasury and not otherwise appropriated, equivalent to the amount if any (as specified and made available in Appropriation Acts) by which the total of the revenues and collections covered into the fund under subsections (a), (b), and (c) of this section, to make the total income into the fund amount of $200,000,000 for each of the fiscal years ending June 30, 1969, June 30, 1970, and June 30, 1971."

(b) Title I of the Land and Water Conservation Fund Act of 1965 is amended by adding at the end thereof the following new sections:

"SEC. 8. Not to exceed $30,000,000 of the money authorized to be appropriated from the fund by section 3 of this Act may be obligated by contract during each of fiscal years 1969 and 1970 for the acquisition of lands, waters, or interests therein within areas specified in section 6(a)(1) of this

Act. Any such contract may be executed by the head of the department concerned, within limitations prescribed by the Secretary of the Interior. Any such contract so entered into shall be deemed a contractual obligation of the United States and shall be liquidated with money appropriated from the fund specifically for liquidation of such contract obligation. No contract may be entered into for the acquisition of property pursuant to this section unless such acquisition is otherwise authorized by Federal law.

"SEC. 9. The Secretary of the Interior may enter into contracts for options to acquire lands, waters, or interests therein within the exterior boundaries of any area the acquisition of which is authorized by law for inclusion in the national park system. The minimum period of any such option shall be two years, and any sums expended for the purchase thereof shall be credited to the purchase price of said area. Not to exceed $500,000 of the sum authorized to be appropriated from the fund by section 3 of this Act may be expended by the Secretary in any one fiscal year for such options."

SEC. 2. (a) With respect to any property acquired by the Secretary of the Interior within a unit of the national park system or miscellaneous area, except property within national parks, or national monuments of scientific significance, the Secreary may convey a freehold or leasehold interest therein, subject to such terms and conditions as will assure the use of the property in a manner which is, in the judgment of the Secretary, consistent with the purpose for which the area was authorized by the Congress. In any case in which the Secretary exercises his discretion to convey such interest, he shall do so to the highest bidder, in accordance with such regulations as the Secretary may prescribe, but such conveyance shall be at not less than the fair market value of the interest, as determined by the Secretary; except that if any such conveyance is proposed within two years after the property to be conveyed is acquired by the Secretary, he shall allow the last owner or owners of record of such property thirty days following the date on which they are notified by the Secretary in writing that such property is to be conveyed within which to notify the Secretary that such owners wish to acquire such interest. Upon receiving such timely request, the Secretary shall convey such interest to such person or persons, in accordance with such regulations as the Secretary may prescribe, upon payment or agreement to pay an amount equal to the highest bid price.

(b) Within a unit of the national park system or miscellaneous area under the administration of the Secretary of the Interior, the Secretary of the Interior may accept title to any non-Federal property or interest therein, and in exchange therefor the Secretary may convey to the grantor of such property or interest any federally owned property or interest therein under his jurisdiction which is in the same State or States where such unit or area is located and which he determines is suitable for exchange or other disposal. In the exercise of this authority the Secretary shall not exchange timber lands harvested under a sustained-yield program. No such exchange shall become effective until public hearings have been held by the Secretary or his designee in the area where the lands to be exchanged are located. 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 from funds appropriated for the acquisition of land for the area, or to the Secretary as the circumstances require.

(c) The proceeds received from any conveyance under this section shall be credited to the land and water conservation fund in the Treasury of the United States.

Mr. JACKSON. 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.

PEACE CORPS ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1078, Senate bill 2914.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. S. 2914, to authorize the further amendment of the Peace Corps Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

Mr. MANSFIELD. Mr. President, I present to the Senate the Peace Corps authorization bill for fiscal year 1969. The Committee on Foreign Relations recommends to the Senate the full amount requested; namely, $112,800,000.

The funds requested compare with $115,700,000 authorized and $107,500,000 appropriated last year. They will allow the Peace Corps to plan a steady, but small, forward momentum.

While I do not think that all is perfect about the Peace Corps, it is a credit to the United States and serves to offset somewhat our image as a militaristic nation. Director Vaughn referred to the Peace Corps "as a hopeful sign," and I agree with this description. It is a hopeful sign—but only a sign because of its relatively modest size. To put this effort into perspective, I need merely to remind the Senate that the funds requested here would finance the war in Vietnam for about a day and a half. If anything, I wish we could enlarge the Peace Corps, but apparently qualified recruits are becoming harder to find. The Peace Corps fell short of reaching its estimated manpower goals this year, and while Director Vaughn clearly could not say so, I have little doubt that disenchantment with U.S. foreign policy, as exemplified by the pursuit of the war in Vietnam, made some young people shy away from service with the Government. It is therefore doubly important that we try to keep this program moving ahead as much as we can.

The money involved in this bill will enable the Peace Corps to attain a strength of 15,200 at the end of fiscal year 1969, including both volunteers overseas and persons in training. They will serve in approximately 60 countries from Latin America to Africa and around Asia to the Pacific. The countries and numbers of volunteers serving are set out in the committee report. The volunteers serving are set out in the committee report. The volunteers' main endeavors lie in the fields of education, community development, agriculture, and public health—with education occupying the efforts of about half of the volunteers. I think Senators are sufficiently familiar with the Peace Corps program so that there is no need for me to go into a mass of detail as to what is being done.

Besides the good will and understanding that the Peace Corps promotes for the United States overseas, the United States is refreshing its own human resources. Last year, returned volunteers began to outnumber those serving overseas. These young—and old—people have learned a great many things of value while abroad and tend to retain their commitment to service. The Peace Corps estimates that one-third of those who returned took up teaching. Moreover, 15 percent of those who decided to continue their education are training to become teachers. Others are attracted to Federal, State, or local government programs, to volunteer work and to nonprofit organizations. The Peace Corps is rightfully proud of returning to the United States so many public-spirited graduates of its service.

Before closing, I wish to mention that the Committee on Foreign Relations is not unmindful of criticism that has appeared from time to time in its mail or in the press about the Peace Corps. It explored a great deal of this material with Mr. Vaughn at the hearing and expects him to take appropriate action where warranted. But far outweighing these criticisms is the fact that the Peace Corps has performed creditably for the United States.

Mr. President, I urge the Senate to approve the projected program and authorize the appropriation of $112,800,000 for this purpose.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended, by striking out "1968" and "$115,700,000" and substituting "1969" and "$112,800,000", respectively.

SEC. 2. Section 5 of the Peace Corps Act, as amended, which relates to Peace Corps volunteers, is amended as follows:

(a) In subsection (c), strike out "the Act of August 3, 1950, chapter 518, section 1 (5 U.S.C. 61f)" and substitute therefor "section 5582(b) of title 5 of the United Code".

(b) In subsection (d), strike out "the Federal Employees' Compensation Act (39 Stat. 742), as amended" and substitute therefor "sections 8101–8150 of title 5 of the United States Code".

(c) In subsection (d)(1), strike out "the Classification Act of 1949, as amended," and substitute therefor "sections 5101–5115 of title 5 of the United States Code".

(d) in subsection (f)(1)(A), strike out "the Civil Service Retirement Act, as amended (5 U.S.C. 2251 et seq.)" and substitute therefor "sections 8331–8348 of title 5 of the United States Code".

(e) In subsection (h), strike out "(5 U.S.C. 2171 et seq.)" and substitute therefor "(50 U.S.C. 1451 et seq.)"; strike out "the Act of June 4, 1954, chapter 264, section 4 (5 U.S.C. 73b–5)" and substitute therefor "section 5732 of title 5 of the United States Code".

(f) In subsection (j), strike out "1757

of the Revised Statutes of the United States, as amended (5 U.S.C. 16)" and substitute therefor "3331 of title 5 of the United States Code".

SEC. 3. Section 7(a)(3) of the Peace Corps Act, as amended, which relates to Peace Corps employees, is amended by striking out "207 of the Independent Offices Appropriation Act, 1949, as amended (5 U.S.C. 118h)" and "title II of the Overseas Differentials and Allowances Act (5 U.S.C. 3031 et seq.)" and substituting therefor "5941 of title 5 of the United States Code" and "sections 5921–5925 of title 5 of the United States Code", respectively.

SEC. 4. Section 13 of the Peace Corps Act, as amended, which relates to experts and consultants, is amended as follows:

(a) In subsection (a), strike out "15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and substitute therefor "3109 of title 5 of the United States Code".

(b) In subsection (b), strike out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and substitute therefor "sections 3323 (b) and 8344 of title 5 of the United States Code".

SEC. 5. Section 14(b) of the Peace Corps Act, which relates to the detail of personnel to foreign governments and international organizations, is amended by striking out "1765 of the Revised Statutes (5 U.S.C. 70)" and substituting therefor "5536 of title 5 of the United States Code".

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. BYRD of West Virginia and Mr. MORSE moved to lay the motion on the table.

The motion to lay on the table was agreed to.

USE OF CERTAIN OHIO LANDS FOR EDUCATIONAL PURPOSES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1079, House bill 13176.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. H.R. 13176, to amend the acts of February 1, 1826, and February 20, 1833, to authorize the State of Ohio to use the proceeds from the sale of certain lands for educational purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

Mr. MANSFIELD. Mr. President, it is my understanding that this bill has been cleared on both sides.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1096), explaining the purposes of the bill.

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

PURPOSE

H.R. 13176 would amend the acts of February 1, 1826, and February 20, 1833, to authorize the State of Ohio to use the proceeds from the sale of certain lands for educational purposes.

The act of February 1, 1826 (4 Stat. 138) authorized the Legislature of Ohio to sell all or any part of the lands appropriated by Congress for the use of schools in Ohio and to invest the money in some productive fund. The land could not be sold without the consent of the inhabitants of the township wherein the lands were situated, and each such township was entitled to a share of the proceeds of the fund in exact proportion to its ownership of the land sold. Similarly, by the act of February 20, 1833 (4 Stat. 618), Congress authorized the Legislature of Ohio to sell all or part of the lands appropriated by Congress for the support of religion within the Ohio company's and John Cleeves Symmes' purchases, subject to the same restrictions as the 1826 act but with the added qualification that the land could not be sold without the consent of the lessee of the land, if any.

H.R. 13176 would amend the acts of 1826 and 1833 to give discretionary authority to the Legislature of Ohio to sell all or part of the reserved lands and to use the proceeds for educational purposes throughout the State instead of for the "use of schools" in a particular township or for the "support of religion."

It is the committee's understanding that no other State is burdened with similar restrictions regarding the use of funds derived from reserved lands. Thus, enactment of H.R. 13176 would place Ohio on an equal footing with other States. It should also be pointed out that any attempt to enforce the religious support provisions of the original purchase contract and the 1833 act would be in violation of the establishment clause of the first amendment.

It is the committee's further understanding and expectation that the Legislaure of Ohio will administer these lands in such a manner as to bring maximum returns or benefits to the State's public educational system and that up-to-date land appraisals should be obtained to fully determine present-day land values, prior to their sale or disposal.

The committee understands that the Departments of Agriculture, Interior, and Justice have no objection to H.R. 13176.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendments to be proposed, the question is on the third reading of the bill.

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

EXTENSION OF THE ADDITIONAL SENATE OFFICE BUILDING SITE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 719, Senate bill 2484.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. Senate bill 2484, to authorize the extension of the additional Senate Office Building site.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill.

LOOK MAGAZINE EDITORIAL ON VIETNAM WAR

Mr. MORSE. Mr. President, the latest issue of Look magazine just out on the newsstands has published an editorial, which for the editors of that magazine is rare. Seldom since the magazine has been published have its editors published an editorial. This is one in which the editors set forth their views in disapproval of our participation in the Vietnam war.

In part, the editorial states:

The Vietnam war has been a mistake, destroying something precious in the word "America."

Elsewhere in the editorial, the editors state:

America's genius lies not in war but in peace. The American influence in peace has become the most pervasive in history. It reaches every corner of the earth, crossing national and ideological boundaries, creating the kind of goodwill that can never be imposed at gunpoint. Nations may choose political and economic systems we do not like. Their leaders may recite anti-American slogans. But eventually, with peace and growing prosperity, they learn to appreciate certain American ways of doing things. A nation such as Czechoslovakia, for instance, may call itself "Communist," but every day, it moves farther away from Marxist rigidity toward a new pragmatism.

So let us learn to be useful to the world without trying to be its policeman, or to make its rules. Let us strive, in John F. Kennedy's phrase, to keep the world safe for diversity. Let us work strenuously to create an international environment where all can flourish. Millions of Americans would like nothing better—students, teachers, Peace Corps volunteers, technicians, businessmen. This band of irregulars, backed by the moral force and example of America, can help bring prosperity and build friendship and understanding all over our impoverished and endangered planet. This is an American victory that *can* be won.

That is why we at LOOK believe that the most important national business before us in this year of political debate is to wind up our involvement in the Vietnam war as quickly and as honorably as possible, and to go on from there to the creation of a world order in which America's ingenuity will truly serve the cause of peace.

The President, I ask unanimous consent that the entire editorial be printed in the RECORD.

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

AN EDITORIAL

The photographs on the preceding pages [not printed in the RECORD] are not published by Look to shock you into realizing that war is hell. We've all been shocked before, in our living rooms, watching violent death on 24-inch screens. We should know, by now, that war is hell. Vietnam is, after all, the third big one of our generation.

Look publishes these photographs to remind you of some things many Americans seem to have forgotten: that people and nations make mistakes; that people and nations can learn from their mistakes; and that in the process of rectifying a mistake, a person or a nation can grow in wisdom and strength.

The Vietnam war has been a mistake, destroying something precious in the word "America."

America is not just fields and forests, cities and towns. From the beginning, it has been for all the world a great experiment, a moral force, a dream. "To be an American," said the philosopher George Santayana, "is of itself almost a moral condition, an education, and a career."

America's genius lies not in war but in peace. The American influence in peace has become the most pervasive in history. It reaches every corner of the earth, crossing national and ideological boundaries, creating the kind of goodwill that can never be imposed at gunpoint. Nations may choose political and economic systems we do not like. Their leaders may recite anti-American slogans. But eventually, with peace and growing prosperity, they learn to appreciate certain American ways of doing things. A nation such as Czechoslovakia, for instance, may call itself "Communist," but every day, it moves farther away from Marxist rigidity toward a new pragmatism.

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Mr. MORSE. I also ask unanimous consent that a brief article published in this morning's New York Times dealing with the editorial be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD.

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

LOOK EDITORIAL CALLS VIETNAM A MISTAKE, ASKS EARLY WINDUP

The most important national business before Americans "is to wind up our involvement in the Vietnam war as quickly and as honorably as possible," Look magazine says in an editorial in its May 14 issue, released yesterday.

The editorial is the fourth in the magazine's more than 31 years and its first on Vietnam.

Signed "The Editors," the half-page article is a postscript to a portfolio of eight color photos of Vietnam war scenes.

The magazine says that it is showing these photographs "to remind you of some things many Americans seem to have forgotten: that people and nations make mistakes; that people and nations can learn from their mistakes; and that in the process of rectifying a mistake, a person or nation can grow in wisdom and strength."

The editorial continues: "The Vietnam war has been a mistake, destroying something precious in the word 'America.'

"So let us learn to be useful to the world without trying to be its policeman, or to make its rules. Let us strive, in John F. Kennedy's phrase, to keep the world safe for diversity."

Mr. MORSE. Mr. President, we all know, of course, of the great, historic debate now going on in this country with regard to foreign policy, and the diversity of points of view in regard to a situs for the discussions dealing with procedural matters and not substantive matters in connection with negotiations with the enemy in Southeast Asia.

I quite agree with the President of the United States in his proposal that a strictly neutral situs should be selected by both parties. I think the President is quite right in making that proposal. He has made that proposal. It does not seem to be acceptable to the enemy, although we can still hope, not knowing how soon they may change their minds, or how long they may go on, including permanently, without changing their minds.

But, I want the RECORD to show today that I have said in many places in this country, including my State, what I say now on the floor of the Senate, that I think the President is right in suggesting a strictly neutral situs. I think that the enemy should have accepted the President's recommendations. However, it has not, and American boys continue to die in South Vietnam. They are going to continue to die until we get the shooting stopped.

Of course, one of the main objectives of the early negotiations, if they should come to pass, is an objective that deals with procedural matters, and not with substantive matters. It does not deal with the final peace settlement, in terms of the kind of government that will exist, the rights of the parties, the zones of trusteeship, if any, agreements with regard to defense lines, and all the myriad of substantive questions that have to be dealt with upon a peace table. The first negotiations are primarily going to deal with reaching some procedural understanding as to what the positions of the parties are going to be with regard to a further prosecution of the war and hostilities during the period of time that peace negotiations will take place—which is quite a different thing.

With regard to that, I do not think the site of negotiations is nearly so important as could very well be the case in regard to the final negotiations on the substantive issues of peacemaking.

It is true—and I speak now as a member of the Foreign Relations Committee—that there has been a considerable amount of adverse attitude developing among friendly nations toward the United States for the continued delay in reaching an acceptance of a situs to start a discussion of the procedural issues. It is true that in his recent historic speech, the President used the words "suitable place." Those are not the words the President and other spokesmen for the administration used not many months past.

The President and other spokesmen for the administration have said over and over again that they are willing to go anywhere, any time, to sit down with the enemy and discuss negotiations, hopefully leading to a peaceful settlement. At one time the President made clear he would go on the high seas, on any vessel, to discuss peace. In December 1966, the administration made very clear to our Ambassador in Warsaw that he should pursue steps to see if it was possible for representatives of Hanoi to sit down and negotiate with the United States in Warsaw.

Mr. President, I say most respectfully, if that was acceptable in December 1966, if we cannot get Hanoi to negotiate with us in some other place, it ought to be recognized as acceptable today and we ought to get on with the business of negotiating in Warsaw if that is the only place the enemy will meet with us.

For 4 years, I have expressed time and time again on the floor of the Senate my abiding interest in the stopping of the killing of American boys in Southeast Asia. I share the point of view of General Shoup that the whole area is not worth the life of a single one of those boys. I have held that point of view ever since ERNEST GRUENING and I started this historic debate on the floor of the Senate over 4 years ago.

I want that killing stopped, because the killing does not bring us closer to peace. The killing only intensifies world hatred for us and, in my judgment, increases the problem of an ultimate solution of the war in Asia.

Furthermore, Mr. President, after December 1966, this administration made very clear on another occasion that it would welcome our Ambassador in Moscow seeing if anything could be done to get the Russians to associate with us to get some negotiations started in Moscow. I think it was right in making both the proposal in December 1966, and the later proposal for negotiations in Moscow.

I quite agree with the President's often repeated statement—and I refer to the meaning as well as the language, but I am paraphrasing the language pretty accurately—that we owe it to the peace of the world to talk peace anywhere in the world. What can be lost by it?

It is unsound reasoning, in my judgment, to give as an excuse for not wanting to meet at Warsaw that it may be difficult to get and transmit information. We have an Embassy in Warsaw. We have negotiated in Warsaw with the Red Chinese off and on for the past several years. We have had no trouble getting out of Warsaw information in regard to those discussions. There has not been very much to report, because very little progress has been made with the Red Chinese.

In the minds of people in other countries, the interpretation is that we are inclined to put form over substance in regard to this matter. If we can talk to the Red Chinese in Warsaw, if we can propose in December 1966 that we are willing to talk with representatives of Hanoi, and a few weeks later if we can propose that we are willing to talk with representatives of Hanoi, through the good offices of Russia, in Moscow, then people in neutral countries want to know what we are up to. Why the delay? Why do we not sit down and talk now anywhere, as we indicated was American policy so many times, if the enemy would accept that policy?

As a member of the Foreign Relations Committee, let me also say that I am not at all happy about what I believe is a force at work which I fear is having influence on the position as to where we negotiate. I am not at all happy about statements coming out of Thieu and Ky in South Vietnam and Park in South Korea, in which they apparently take the position that they are going to have to have a voice—and what they really mean is a controlling voice—in such matters as where negotiations shall take place and what shall be negotiated.

The senior Senator from Oregon wants to make perfectly clear on the floor of the Senate today that, as far as he is concerned, the life of a single American boy shall not be determined by any advice from a Thieu or a Ky or a Park. Our administration owes it to the American people to take a course of action on the basis of its own policy, not influenced to the slightest degree by the dictators

Thieu and Ky or by a Park in South Korea, whose governments exist, for all intents and purposes, upon the sufferance of the United States.

Instead of trying to dictate to us what our policy shall be in regard to negotiations with the enemy for peace, to stop the killing of American boys, we ought to make crystal clear to a Thieu and a Ky and a Park that we do not intend to have our policies determined in any degree whatsoever by them.

In view of the sacrifices that we have made in American blood and in American largess for those men, I for one want to speak out in opposition to any weight being given to any of their demands. That goes for Thieu as well as Ky, but some of the insulting statements of that little tyrant Ky in South Vietnam are stirring up, as I go across the country, bitter resentment in increasing numbers of Americans. I refer to the kind of article that he wrote in a German magazine.

Anyone who would write that kind of insulting statement against this country is no ally. I repeat what I have said so many times: I do not intend to support the killing of a single American boy to maintain in power such a tyrant. That goes for Thieu, also. As far as Park is concerned, to evaluate the attitude that he has been taking, for example, in regard to negotiations over the *Pueblo,* all one needs to know as far as South Korea is concerned, in my judgment, is that they are in no way a party to America's problems in regard to the *Pueblo*. If any third party is involved, it is the United Nations.

It is about time that we declare our independence of such little tyrants, and make it perfectly clear that we intend to follow a course of action that we think is in our best interests, and in the best interests of peace in the world; and any time they do not want us to stay there—I would make this very clear in these remarks, Mr. President—we will be very glad to bring 50,000 troops home from Korea, and very glad to bring over a half million of them home from Southeast Asia. But so long as they are there, and this mistaken policy that we are following continues to be our policy, then let us make very clear to these men that we are going to follow our policy, and not have a policy dictated to us by them.

This administration will be wise if it takes note of this growing point of view in this country, because there now is no longer any question about what has happened to public opinion in this Republic. We not only have, may I say, this latest bit of evidence from Look magazine; but not long ago, five of us here in the Senate, upon an invitation of a great columnist who writes frequently in regard to Wall Street problems, met with a large representation of the investment bankers of this country. All I am privileged to say at this time, Mr. President, is that when I went home that night following that long meeting, I said to my wife, "One of the most interesting developments is taking place. At long last, great investment banking houses are beginning to evidence a disapproval of our war policies in Southeast Asia."

Mr. President, I do not care what segment of the American population you choose, you will find a growing demand on the part of increasing millions of Americans that this administration stop this war, stop killing American boys in Southeast Asia, stop killing tens of thousands of Vietnamese, stop poisoning and destroying their country, stop escalating the war, stop bringing us closer and closer to the precipice of a war with China, and repudiate the announced policy of Dean Rusk of some weeks ago, when he stated that one of the purposes for our being in Southeast Asia is to contain China.

Who are we to take it upon ourselves, on a unilateral basis, to say to the world, "We propose to militarily contain China, no matter at whose expense"? We cannot militarily contain China, Mr. President, without eventually—and not too far in the future—ending up in a war with China, out of which no victory will come—just world chaos. Because, as the Secretary of Defense said to a group of us in a briefing months ago, "You cannot defeat China with bombing, conventional or nuclear."

Conventional or nuclear, there are no clean hydrogen bombs. Human beings will die thousands of miles away from the dropping of the bombs, with the passage of time, as the winds take their fallout to the farflung places of the world.

Oh, Mr. President, this talk about containing China, taking military action to contain China—because that is what it will lead to—just cannot be reconciled on any moral basis. It is an immoral foreign policy, because making war is obviously immoral under the circumstances that we are making war.

Do not forget, Mr. President, as the Secretary of Defense made perfectly clear, if we get into a war with China, we will have to have hundreds of thousands of men in China. China experts have pointed out, as I have stated before on the floor of the Senate, that within 30 to 36 months after the outbreak of war with China, we would have to have 3 million American troops on the mainland of China.

That is why I have been heard to ask the question, and ask it again now, Where are we going to get them? How are we going to support them, 10,000 to 12,000 miles away? Then pray tell the American people, for what purpose are we fighting that war?

Mr. President, I say the time and the hour is now for the United States to make a complete change in its course vis-a-vis this war, for the United States to sit down anywhere and seek to start a discussion of negotiating an honorable peace.

NEED IS TO BRING WAR TO A CONCLUSION

Finally, Mr. President, we have also got to carry out another request of the President in this last historic speech of his. For it was in that speech that, for the first time, the President made the shift in position that offered some hope for unifying the Republic. For this Republic will never be unified as long as this administration, or any administration, continues to escalate this war, or seeks to bring the enemy to a surrender table rather than to a peace table.

Those of us who hold my point of view have been pleading for the deescalation of the war, for the following of the advice of General Gavin, General Ridgway, General Shoup, and other military experts who have had the courage to point out that our policy is wrong, and have had the courage to point it out from the beginning.

But in that historic speech, the President for the first time shifted to the premise of deescalation—not as far as we think he should have gone, not as far as I think we must go, but at least it was the beginning of a proposal for deescalation, which is a major change in the foreign policy proposals of the President.

The second thing we have pleaded for over and over again is that we must have a multilateral settlement, not a bilateral settlement. We have pleaded that this war cannot be settled by obtaining a peace treaty around a bilateral table. It has to be a multilateral table, with the United States and our allies on the one side, the enemy on the other side. But conducting the negotiations, making the proposals for an equitable settlement, making the proposals for the type of governments that shall exist in the disputed areas, the defense lines and the trusteeship zones, the policing of the peace until there finally, with the passage of time, can evolve an understanding among the men who are involved in the war—all of that will have to be done on a multilateral basis.

The President took a step in that direction in his historic speech. He did not take a step that I hope he will still take. But he took a step in his plea to Moscow and London to see what they could do to use their good offices to get the Geneva Conference reestablished and to see if the Geneva Conference will return to operation and take over jurisdiction.

It could very well be the agent under which peace negotiations on a multilateral basis could be conducted.

Mr. President, I think the best multilateral approach is an approach concerning which the sense of the Senate is on record. It is the approach for which some of us pled in the beginning, to turn the matter over to the United Nations, either the Security Council or the General Assembly.

As we have said, and as I strongly argue today, we will never get the United Nations to handle our negotiations unless the United States is willing to do something it has never been willing to do yet, and that is to commit itself to abide by the jurisdiction of the United Nations. The people say, "Oh, the United Nations cannot handle it." The United Nations will not handle it, in my judgment, until the United States is willing to be bound by its jurisdiction.

To those who say that will weaken the sovereignty of the Republic, my reply is nonsense, because if we make the commitment to be bound by its decision—and the resolution I introduced here some months ago follows this aspect of international law—then the United Nations, either the Security Council or the

General Assembly, has a corollary obligation, and that is to carry out its duty under the charter to enforce the peace against any member or nonmember or combination of member and nonmember nations that threaten the peace of the world.

When we make our commitment to the United Nations, it then has the duty under the Security Council or the General Assembly to pledge that it will carry out its duty to enforce the peace. And, as we have made clear, some of us who have presented and pressed this point of view upon the President and the top foreign advisers in the executive branch of the Government, "Don't forget what this means. It means that if they ask us to cease fire, of course, we ought to cease fire. If they ask us to fall back to the defense lines that Ridgway, Gavin, and Shoup have recommended, we do that. And if they ask us to bring our troops home, we do that—and do not forget my proviso clause—provided they will take the necessary steps under the procedure of the charter to enforce the peace, to separate the combatants, to provide for orderly government, to supervise and police the people until finally peace takes root and grows and blossoms into an answer to the great cry that all humanity is raising: 'Peace on earth; good will to men.'"

We should stop being a party to preventing the culmination of that great day.

ORDER OF BUSINESS

Mr. JORDAN of North Carolina. 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.

EXTENSION OF THE ADDITIONAL SENATE OFFICE BUILDING SITE

The Senate resumed the consideration of the bill (S. 2484) to authorize the extension of the additional Senate Office Building site.

Mr. JORDAN of North Carolina. Mr. President, the Senate is considering S. 2484 as reported from the Committee on Public Works.

The purpose of this bill is to authorize the extension of the site for the New Senate Office Building which is located in square 725 by the purchase of the remaining privately owned property in this square, with the exception of lot No. 885 which is known as the Belmont House. This land will be required for the construction of an addition to the New Senate Office Building at the appropriate time, and in view of the rapidly rising land costs in this area, these lots should be purchased as expeditiously as possible.

The Senate has been concerned with the problems of office space almost from the beginning. When all Senators could no longer be accommodated in the Senate wing of the Capitol, the Senate in 1891 acquired the old Maltby Building which once stood at the junction of New Jersey Avenue and B Street. This building was known as the Senate Annex.

In 1909, three wings of the first Senate Office Building to be constructed were completed and occupied, and the fourth wing was completed in 1933. By the middle of the 1940's, it became apparent that additional office space for the Senate must be provided, and in 1947 the 80th Congress passed Public Law 169 which authorized the Architect of the Capitol, under the direction of the Senate Office Building Commission to prepare preliminary plans and estimates for an additional Senate Office Building. This building, now known as the New Senate Office Building, was completed and occupied in 1958.

At the present time there is not a single unassigned or unoccupied room on the Senate side of the Capitol Building or in either of the two Senate Office Buildings.

Office space to accommodate Senators and Senate activities has long since passed the critical stage. In order to determine how prevalent the shortage of space was, the Subcommittee on Public Buildings and Grounds of the Committee on Public Works, of which I am chairman, sent letters to all Members of the Senate and to the chairmen of Senate committees and subcommittees asking whether they required additional office space. As a result of these inquiries, 72 Senators and 25 committees and subcommittees indicated that they needed additional office space. It is evident that this additional space can be provided on a permanent basis only through the construction of an extension to the New Senate Office Building. Such an extension was envisioned when the New Senate Office Building was planned, and the building was designed in such a way that the extension could be added with desirable esthetic effects. The Government now owns most of the site which would be required for the construction of this extension.

In view of the present heavy financial commitments of the U.S. Government, and the need to hold additional spending at a minimum, it is recognized that this is not the appropriate time to initiate construction of this badly needed addition. However, to assure that the site is available when the time comes to construct the extension and to protect the Government's present land investment in square 725, it is vital that the Government acquire now the remaining six properties which it needs.

Included in these six properties are the Capitol Hill Apartment Building and the Schotts Alley Apartment Building These buildings would not be demolished until the land is needed for construction, and in the interim would continue to be rented with the Government receiving the rental proceeds. It would also be possible to use several floors of the Capitol Hill Apartment Building as office space for certain subcommittee functions and other functions which do not necessarily need to be located in the Senate office buildings. Using a part of the Capitol Hill Apartment Building for these purposes would free up a number of rooms in the two Senate office buildings which could then be assigned to Senators and standing committees.

Mr. President, I strongly urge passage of S. 2484.

Mr. President, during the past 10 years I think it would be a conservative estimate to say that the volume of my correspondence has increased threefold to fivefold and that the complexity of the problems involved has increased to an even greater degree.

The same is true with respect to incoming telephone calls from officials and citizens of my State and with respect to visitors from home who come singly and in delegation to consult with me and members of my staff.

It is easy to determine what has generated all this new business for Members of the Congress. I will give a few examples familiar to every Senator.

During this 10-year period dozens of new Federal programs involving close relationships between Federal agencies and local units of government as well as the States have been enacted into law. Such agencies as the Economic Development Administration, the Federal Pollution Control Administration, the Office of Education, the Public Health Service, the Federal Aviation Administration, and the regional development commissions, such as the Appalachian Regional Commission—all these and many more are making Federal grants directly to States, counties, cities, school districts, and other units of government throughout the country. The civil rights laws directly affect many of these governmental units and institutions as they seek to comply with the law in order to be eligible for Federal grants. As every Senator knows the very existence of these and all the other programs we have today generates requests for congressional assistance by State and local officials as well as by citizens who are participating in them.

The fact that we have a large-scale war underway means that we are receiving requests for assistance in connection with military cases. I have had to increase my own staff to handle all this new business, and I know the same is true of my colleagues in the Senate. In addition, all this new Federal legislation has naturally made it necessary to increase the staffs of nearly every committee in the Senate.

I have given only a few examples—every Senator could add to this short list. But it is crystal clear that all this new business and increased workload means that space is at a premium for the men and women working in the offices of Senators and committees. I do not know of any way we can handle the public's business the way it ought to be handled under present conditions without planning ahead for more space in which to work.

I made some brief remarks concerning the pending bill on last Friday, at which time I stated that the Committee on Rules and Administration, of which I am chairman, usually has the un-

pleasant task of trying to provide space for all Senators, full committees, and subcommittees.

I stated at that time that I fully realized the lack of space that exists. It is necessary that we have sufficient space so that Senators and committees may do their work under reasonably economical and efficient working conditions.

In order to definitely determine how much space is really needed, I sent a letter to every Senator and to the chairman of each full committee and subcommittee, asking that I be provided with a reasonable estimate of how much space is actually needed. I received replies from 72 Senators and 25 full committees and subcommittees requesting additional space.

Hearings were then held by the Subcommittee on Public Buildings and Grounds of the Public Works Committee. Quite a number of Senators testified in person. Others presented briefs. The testimony revealed that there was a definite need for additional space to be made available as early as possible.

The Government owns most of the land adjacent to the New Senate Office Building in square 725. The remaining privately owned land has two apartment houses located on it. The land acquired by the Government is being used as a parking lot now. One of the apartment houses located on this property is virtually an island in the middle of Government property now. The other is located on the street right next to the New Senate Office Building.

It is our proposal, if the Senate sees fit to go ahead, to purchase the remaining property and most likely use part of the Capitol Hill apartment building, because it is very close to the New Senate Office Building, and it would be reached very easily. Some of the subcommittees could be moved into that building. Senators would like some of the noisy equipment moved out of their office space, and this would give them additional space. Also, some of the file rooms in the old office building and the new office building would become available for additional office space.

The pending bill would instruct the Architect of the Capitol to work with the Senate Office Building Commission, to have this land appraised in order to determine its fair market value and to acquire it.

Of course, the price of real estate is going up all over this area very rapidly. However, in addition, should anybody who owns property there or who should buy property there erect another building on that land, which they could do very easily—there is nothing to keep them from doing it—or should they decide to rebuild the present Capitol Hill apartment building, as was done with the old hotel across the street, we have been told that the renovation cost approximately $1 million—we will pay a great deal more for it, because we will have to pay for the improvements put into the buildings.

We do not intend to dispossess all the tenants in Shotts Alley, or any of them, but to continue renting the propery; and the Government would receive the rent from any property which is occupied.

I believe I have related all the necessary information. I hope the Senate will pass the bill, in order to permit us to buy this property.

Mr. YARBOROUGH. Mr. President, I have long supported measures to alleviate the obvious shortage of office space here in the Senate. In the 89th Congress, back in 1966, I introduced S. 3601 to authorize extension and completion of the New Senate Office Building.

It is with some satisfaction, then, that I rise to support this bill, S. 2484, that will begin us at last in the direction of more office space for cramped Senate staffs. This important measure authorizes $1,250,000 to be appropriated for the purchase of land, demolition of buildings on that land, and related expenses for the eventual extension of the New Senate Office Building.

This is a most necessary and important beginning, and I lend to it my full support.

The inadequacy of our present space must clearly be obvious to all Senators. In my office the employees are packed four, five, and six to an office.

My office handles a mail volume of well over 100,000 pieces of incoming mail each year. My permanent staff of about 20 is a bare minimum to attempt to cope with this volume of mail, if they are to do anything else for the 10,700,000 people of my State. Yet they must all work in the crowded confines of my six-room suite, the largest to which I am advised I am entitled.

No person on my staff has any privacy or quiet at all. When the typewriters get going, phone conversations become very difficult, those phoning talk louder and the typists lose track of their copy. Essentially the same situation exists on the committees on which I serve.

Private business has little hesitancy about expanding when the growth of business and the need for efficiency justifies it, if the buildings going up in downtown Washington and the suburbs are any indication. I do not think Congress should feel apologetic about housing its working staff in quarters large enough to promote efficiency. Of course I am not advocating building any marble mausoleums or even Pentagons, but I think at least a 50-percent increase in overall working office space for the Senate would be completely justified. I could demonstrate a greater need than that in relation to my own office situation.

I think any private business handling the type and volume of work that is done there would insist on having at least private rooms for the top staff members, a separate room for the noisy equipment like mimeographs and folding machines, a space large enough to hold a conference of five or six persons, and a waiting room large enough to accommodate visitors without requiring them to stand in the hall.

In light of this obvious need, Mr. President, I wholeheartedly support the legislation before us now, and I urge all of my colleagues to give it their support and their vote.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The assistant legislative clerk read the amendment, as follows:

On page 2, line 10, after the word "Act", strike out, "entitled 'An Act to provide for the acquisition of land in the District of Columbia for the use of the United States', approved March 1, 1929 (16 D.C. Code, secs. 619–644)", and insert "of December 23, 1963 (16 D.C. Code, secs. 1351–1368)"; so as to make the bill read:

"S. 2484

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is hereby authorized to acquire on behalf of the United States, in addition to the real property heretofore acquired as a site for an additional office building for the United States Senate under the provisions of the Second Deficiency Appropriation Act, 1948, approved June 25, 1948 (62 Stat. 1028) and Public Law 85–591, approved August 6, 1958 (72 Stat. 495–496), by purchase, condemnation, transfer, or otherwise, for purposes of extension of such site, all publicly or privately owned property contained in lots 863, 864, 892, 893, 894, and 905 in said square 725 in the District of Columbia, and all alleys or parts of alleys and streets contained within the curblines surrounding such square, as such square appears on the records in the office of the surveyor of the District of Columbia as of the date of the approval of this Act.

"(b) Any proceeding for condemnation brought under subsection (a) shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code, secs. 1351–1368).

"(c) Notwithstanding any other provision of law, any real property owned by the United States and any alleys or parts of alleys and streets contained within the curblines surrounding square 725 shall, upon request of the Architect of the Capitol, made with the approval of the Senate Office Building Commission, be transferred to the jurisdiction and control of the Architect of the Capitol, and any alleys or parts of alleys or streets contained within the curblines of said square shall be closed and vacated by the Commissioners of the District of Columbia in accordance with any request therefor made by the Architect of the Capitol with the approval of such Commission. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan Numbered 3 of 1967, whichever is later, the functions vested in the Commissioners of the District of Columbia by this subsection shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

"(d) Upon acquisition of any real property pursuant to this Act, the Architect of the Capitol, when directed by the Senate Office Building Commission to so act, is authorized to provide for the demolition and/or removal of any buildings or other structures on, or constituting a part of, such property and, pending demolition, to use the property for Government purposes or to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to incur any necessary expenses in connection therewith.

"(e) The jurisdiction of the Capitol Police shall extend over any real property acquired under this Act and such property shall become a part of the United States Capitol Grounds.

"SEC. 2. For carrying out the purposes of this Act, there is hereby authorized to be appropriated $1,250,000. The Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this Act."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, the bill before us would authorize the expenditure of $1.25 million to purchase land for the ultimate construction of a third Senate Office Building.

As we approach this matter we should remember that we are not providing for just a $1.25 million project and that we are not buying this property as a parking lot; rather, the land would be bought with the purpose of building another $100 million office building.

Mr. President, the question then arises: Is this the time to take such action, particularly in light of our budget? I recognize there are many Members who are seriously cramped and who need additional space. I think that the Senate should provide whatever space is necessary so that a Senator representing his State can discharge the responsibilities of his office, and I have so voted heretofore.

However, I remind the Senate that from 1948 through the late 1950's we had but one Senate Office Building for 96 Senators. Today we have 100 Members of the Senate, and we have doubled that space with the two Senate Office Buildings.

Even with the second Senate Office Building certain Members are still cramped for space. Why? They are cramped for space because since the new building was built there has been a proliferation of subcommittees until now, nearly every Member on the majority side feels he has to have a special subcommittee with its own staff. We cannot continue to build and expand in order to accommodate all the subcommittees.

One other point to consider is that when we get out of this presidential year the size of some of these staffs may drop back to normal when those Senators who are running for President return to their official Senate duties. We might eliminate staff members in that direction.

There is no such thing as building a building that cannot be overcrowded if the expansion of this multitude of subcommittees continues.

In 1946 Congress passed a reorganization act, one of the main purposes of which was to cut down on the number of Senate committees. That act did an outstanding job, and there was a curtailment of about two-thirds of the committees; but we started expanding again until today we have about four or five times as many subcommittees as we had before.

I think we should consider the idea of voting for just a little more efficiency and cutting back on some of these subcommittees, many of which were started on a temporary basis.

I cite but one subcommittee that was started in the early 1950's to study juvenile delinquency in this country on a 2-year basis. It was to have been a temporary subcommittee; but it is still operating, and juvenile delinquency is getting worse. I do not know of a single subcommittee that has been started during the 20 years that I have been here that is not still operating.

It has been said that nothing is more permanent than a temporary subcommittee started by the legislative branch. I repeat, we could eliminate much of the unnecessary staffing by the abolishment of some of these subcommittees; also some of the committees themselves are overstaffed. I think we could eliminate some of the staff and actually operate much better.

I served on the Committee on Finance under some of the ablest chairmen that Congress has ever had, the Senator from Georgia, Mr. George, and the Senator from Virginia, Harry Flood Byrd, Sr. I believe we operated that committee with one-half of the staff with which it is now operating; and the committee was just as efficient then, if not more so. I say that with all due respect to those who serve on the staff today.

We can reach the point of overstaffed committees and subcommittees where we become a Congress of staff operations rather than Member operations. Personally, I feel we could provide more space for some Members who need it at this time if we would just exercise some restraint.

I wish to emphasize that this is not the time to lay the groundwork for a $100 million expenditure when it can only be done by borrowing the money and charging it to future generations. We are presently operating at a deficit of over $2 billion per month. I shall vote against the bill.

Mr. President, I ask unanimous consent that an editorial entitled "Shelve This One," published in today's Washington Daily News, be printed in the RECORD at this point.

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

SHELVE THIS ONE

Now it turns out that Congress' 100 Senators—housed in two massive, marble, gymnasium-equipped office buildings—are feeling cramped for space. Sen. Everett Jordan (D., N.C.), said he polled his colleagues and found—surprise!—that none of the respondents felt his suite of offices was adequate to his needs.

So Sen. Jordan has brought before the Senate a bill to authorize $1.25 million to buy up 31,644 square feet of adjacent improved land for future building expansion. This earned him the lavish praise of most senators on the floor when the bill came up. Surprise again!

But, as Sens. William Proxmire (D., Wis.) and John Sherman Cooper (R., Ky.) noted, this country is at war, its financial house is in grave danger and non-essential expenditure must be pared sharply at every opportunity if our economy is to be saved and our people spared impoverishment by inflation.

Said Sen. Proxmire: ". . . When we urgently need to keep our spending down and when the Senate . . . acted by a strong vote to cut expenditures by $6 billion this year, for us to turn around and spend $1.25 million for something that might benefit us as Senators . . . is inconsistent, self-serving and certainly would set a bad example."

It certainly would! It would also raise some voter hackles.

Facing an almost certain Federal income tax increase, Americans cramped for grocery money are likely to feel small sympathy for lavishy Housed senators who want to spend $1.25 million just for more elbow room.

The Senate should pigeonhole this bill.

Mr. COOPER. Mr. President, I am the ranking minority member of the Public Works Committee. Usually, we have no difficulty in that committee finding agreement but, as I took a position in committee when the bill was before it, I think I must also take that same position on the floor of the Senate today.

I voted against the bill in committee. The vote there was seven in favor of the expenditure and five against.

Let me state briefly my reason for voting against it. It does not require much argument. It simply is that because of the unprecedented fiscal and monetary situation facing this country today, exacerbated by the cost of the war in Vietnam, it has been my position that, on other bills of this kind which have come before the Senate, not only this year but also last year, bills involving expenditures for public buildings which I believe could be deferred, I think that, while this is not a large amount, it does represent a principle. It is for that reason I opposed the bill in committee and shall vote against it when it comes to a vote today.

Mr. JORDAN of North Carolina. Mr. President, let me make one observation. This is not for a new building and not for another office building at all. The New Senate Office Building was designed to be completed at some future date. This one simply completes that present building.

Estimates from the Architect for 1969, which is 1 year away, taking into account escalation of costs, would be $29.4 million. That is a long way from a $100 million building. I just want to get the RECORD straight on that point.

Mr. President, I am now ready to vote.

Mr. WILLIAMS of Delaware. Mr. President, as I understand it that part of that estimate was for expansion of the Senate Office Building on land we already own and which has not yet been used. This bill would buy new land for a further expansion or a new building.

The suggestion has been made that if we do not buy the land today, as a result of the inflationary spiral which seems to be getting out of hand it may cost us 50 percent more or even 100 percent more a year or two from now.

That is possibly true. I recognize that. But why is that true?

The reason the inflationary spiral is such a threat is that Congress has not exercised proper restraint upon expenditures. The same could be true of plans by many other Americans. But if the

U.S. Government itself is going to start a buyers' stampede to get in equities before there is a further devaluation of the American dollar, then I say there is an even greater crisis facing this country than has been recognized.

Instead of starting this stampede to get ahead of inflation let us start exercising the proper fiscal restraint and control the inflation.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? 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 Tennessee [Mr. GORE], the Senator from Oklahoma [Mr. HARRIS], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from New York [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I also announce that the Senator from Alaska [Mr. GRUENING], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], and the Senator from Utah [Mr. MOSS] are absent on official business.

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Rhode Island [Mr. PASTORE] would each vote "yea."

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

The Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Pennsylvania [Mr. SCOTT] and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from New York [Mr. JAVITS] are detained on official business.

If present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "yea."

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

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from New York would vote "yea" and the Senator from California would vote "nay."

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

The result was announced—yeas 42, nays 33, as follows:

[No. 125 Leg.]

YEAS—42

Anderson	Hayden	Pell
Bartlett	Hill	Percy
Bayh	Holland	Randolph
Burdick	Inouye	Russell
Byrd, Va.	Jackson	Smathers
Byrd, W. Va.	Jordan, N.C.	Smith
Case	Jordan, Idaho	Sparkman
Clark	Long, La.	Spong
Dodd	Mansfield	Stennis
Eastland	Metcalf	Thurmond
Ervin	Mondale	Tydings
Fong	Monroney	Yarborough
Fulbright	Muskie	Young, N. Dak.
Griffin	Pearson	Young, Ohio

NAYS—33

Aiken	Dirksen	Miller
Allott	Dominick	Morse
Baker	Ellender	Mundt
Bennett	Fannin	Murphy
Bible	Hansen	Nelson
Brewster	Hickenlooper	Prouty
Cannon	Hollings	Proxmire
Church	Hruska	Ribicoff
Cooper	Magnuson	Symington
Cotton	McClellan	Williams, N.J.
Curtis	McGovern	Williams, Del.

NOT VOTING—25

Boggs	Javits	Montoya
Brooke	Kennedy, Mass.	Morton
Carlson	Kennedy, N.Y.	Moss
Gore	Kuchel	Pastore
Gruening	Lausche	Scott
Harris	Long, Mo.	Talmadge
Hart	McCarthy	Tower
Hartke	McGee	
Hatfield	McIntyre	

So the bill (S. 2484) was passed.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JORDAN of North Carolina. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no more votes this afternoon, nor any consideration of any other bill. Tomorrow, S. 917, the omnibus crime and safe streets bill, will become the pending business.

Mr. MCCLELLAN. Mr. President, I ask unanimous consent for a star print of S. 917 and the report thereon.

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

INCREASE OF SALARIES FOR DISTRICT OF COLUMBIA POLICE AND FIREMEN

Mr. SPONG. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 15131.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 15131) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SPONG. I move that the Senate insist upon its amendments and agree to the request of the House for a conference, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SPONG, Mr. MORSE, and Mr. MORTON conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 10477) to amend chapter 37 of title 38 of the United States Code to liberalize the guaranty entitlement and reasonable value requirement for home loans, to remove certain requirements with respect to the interest rate on loans subject to such chapter, and to authorize aid on account of structural defects in property purchased with assistance under such chapter, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 11527) to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine and to provide for conveyance of certain interests in such lands so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands.

HOME LOAN GUARANTY AMENDMENTS

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives relating to H.R. 10477.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the amendments of the Senate on H.R. 10477, which were as follows:

Page 2, line 4, of the Senate engrossed amendments, strike out the period, and insert *"Provided,* That in determining the rate to be applicable for the said section 203(b)(5) program, the Secretary shall consult with the Administrator of Veterans' Affairs regarding the rate which the Administrator considers necessary to meet the mortgage market for guaranteed or insured home loans to veterans under chapter 37 of title 38, United States Code."

Page 4 of the Senate engrossed amendments, strike out lines 12 through 21, and insert:

"(3) The chairman and the ranking minority member of the Committee on Veterans' Affairs of the House of Representatives.

"(4) Two members appointed by the President of the Senate, one from the majority party and one from the minority party other than those referred to in paragraph (1).

"(5) Two members appointed by the Speaker of the House of Representatives, one from the majority party and one from the minority party other than those referred to in paragraphs (2) and (3).

"(6) Five members appointed by the President, at least three of whom will be public members representing the consumer."

Mr. SPARKMAN. I move that the Senate agree to the amendments of the House of Representatives.

The motion was agreed to.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

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

The motion to lay on the table was agreed to.

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 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.

THE POOR PEOPLE'S DRIVE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD the following news items:

An article entitled "Poor People Begin March Here Today," written by Jared Stout, and published in the Washington Post of Monday, April 29, 1968.

An article entitled "Marchers Present Demands," written by Willard Clopton, Jr., and published in the Washington Post of Tuesday, April 30, 1968.

An article entitled "Blunt Words From the Poor Put Clark on Hottest Spot," written by Carolyn Lewis, and published in the Washington Post of Tuesday, April 30, 1968.

An article entitled "Negro Militants Force Immigrant To Close His Grocery Store," written by Claudia Levy, and published in the Washington Post of Monday, April 29, 1968.

An article entitled "Poor People's Drive Continues Sessions With Cabinet Aides," written by Charles Conconi, and published in the Washington Evening Star of Tuesday, April 30, 1968.

An article entitled "March Goes to Hill," written by David Holmberg, and published in the Washington Daily News of Tuesday, April 30, 1968.

An article entitled "We Have Had a Beautiful Day Today," written by Samuel Stafford, and published in the Washington Daily News of Tuesday, April 30, 1968.

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

[From the Washington (D.C.) Post, Apr. 29, 1968]

POOR PEOPLE BEGIN MARCH HERE TODAY

(By Jared Stout)

The Poor People's March on Washington begins today with the group's Committee of 100 putting its pleas for reforms to end poverty to Cabinet officers and the Office of Economic Opportunity.

The meetings are the first steps in a campaign march that organizers say will bring thousands of poor people here by May 30 in a direct appeal for Government help. Calls on congressmen are scheduled for Tuesday.

The Rev. Bernard Lafayette, the march's national coordinator, said at a news briefing yesterday that "Congress will decide" whether the marches turn from nonviolence to civil disobedience by its reaction to the poor. He restated the group's plan to stay "until our demands are met."

But Mr. Lafayette and the Rev. Miguel Varragan of San Antonio, Tex., a spokesman for Mexican-Americans in the march, both emphasized nonviolence was the route the group would take if it gets action.

Father Varragan said the march was aimed at "taking the problem away from the racial issue, for poverty is not a matter of right and wrong for black, right and wrong for white. It is a matter of democracy and justice."

He said the marchers would "point up the evil of poverty and the difficulty of getting out of it" and set down specific demands for legislation to secure jobs, housing, perhaps a guaranteed income, for American poor.

Whether nonviolence and attempts to negotiate with Congress for such ends works, Mr. Lafayette said, remains to be seen. If it doesn't, he said, "we may wait in some undesirable places" until Congress does act.

None of the participants in the briefing, given by a committee of the march's steering committee, would be specific on either the programs they would ask of Congress or the tactics they may use.

William A. Rutherford, executive director of the Southern Christian Leadership Conference, said such information would be released when it is "tactically sound."

Secretary of State Dean Rusk, Attorney General Ramsey Clark, Labor Secretary Willard Wirtz and Secretary Robert C. Weaver of the Department of Housing and Urban Development were the Cabinet officers to be visited today.

Each man, except for Secretary Weaver, was to meet with a delegation representing the Negro, Mexican-American, Puerto Rican, American Indian and Appalachian elements which comprise the March.

Weaver was to meet with the entire Committee of 100, led by the Rev. Dr. Ralph D. Abernathy, who assumed leadership of the Southern Christian Leadership Conference when its founder and originator of the March, the Rev. Dr. Martin Luther King, Jr., was assassinated in Memphis April 4.

Abernathy is also scheduled to be the chief speaker at a mass rally tonight at 8 p.m. at the John Wesley AME Church at 1615 14th st. nw., where the day's events and plans for the future are to be discussed.

Tuesday, the group plans meetings with Senate leadership, including Sens. Mike Mansfield (D-Mont.) and Everett M. Dirksen (R-Ill.) in the morning and with House leaders in the afternoon.

House Speaker John McCormack (D-Mass.) and Rep. Gerald Ford, the Michigan Republican who leads GOP forces in the House, were scheduled to meet the delegates, March spokesmen said yesterday.

Rep. Wilbur Mills, chairman of the House Ways and Means Committee, was on the organizers' list for a Wednesday meeting. Attempts were under way yesterday to arrange meetings also with Secretary of Agriculture Orville Freeman and Secretary of Commerce C. R. Smith.

The marchers meeting with Secretary of State Rusk was billed as a discussion of the Treaty of Guadalupe-Hidalgo of 1848, a pact militant Mexican-Americans claim as grounds for returning some southwestern lands to them.

The leader of such a group, Reies Lopez Tijerina, was arrested in Santa Fe Saturday night while reportedly on his way to Washington for the March. His arrest was protested by March organizers yesterday.

SCLC Executive Director Rutherford said in a telegram to Gov. David A. Cargo of New Mexico that it was an attempt to "harass" Tijerina for participation in the March.

Tijerina and 10 others were arrested on state charges arising from an armed raid on the Tierra Amarilla courthouse in northern New Mexico June 5, 1967. Tijerina was being held on 24 counts of second-degree kidnaping and in lieu of $15,500 bond.

In other developments yesterday, Sen. Charles Percy (R-Ill.) said he thought Congressmen should meet with representatives of the poor just as they do with lobbyists.

He said he has told March organizers, "I will meet with every delegate from Illinois and try to arrange meetings for others with other Senators."

Percy rejected Sen. Russell B. Long's angry statement of last Thursday in which he called for the censure or expulsion of any senator who advocated what he called "bending the knee" to the demonstrators.

According to Percy, who appeared on nationwide television (Issues and Answers—WMAL), it is time for Congress to leave Washington "and go to the slums and the ghettos so they don't have to come to us and see with our own eyes the despicable conditions that . . . have grown up in this country."

Long had said the March's goals appeared designed to "make poverty an enjoyable way of life."

In the city government, Mayor Walter E. Washington has said the District expects to be ready for anything that arises in the march, including the possible violence. Critics of the march have cited violence as a reason for holding down the number of participants or barring the march altogether.

Beyond Wednesday comes a period during which March organizers will gather the materials needed to build "the New City of Hope," a shanty-town affair to dramatize the plight of the poor.

Where it will be built is still not known. Organizers said yesterday several sites are under consideration, including Federal and private land. Construction is scheduled to start May 13.

The first of the marches that will converge on Washington is set to begin in Memphis Thursday. The first arrivals in Washington from cities as far away as Los Angeles is expected between May 16 and May 20.

After that, the organizers say, they are not sure how many thousands of persons will join the demonstration by May 30, when a mass march similar to the 1963 March on Washington is to be held.

If the campaign for reforms is not well on its way by then, "massive civil disobedience" begins here, the organizers say.

[From the Washington (D.C.), Post, Apr. 30, 1968]

MARCHERS PRESENT DEMANDS—POOR PEOPLE'S LEADERS TALK WITH CABINET

(By Willard Compton Jr.)

Strong demands were mixed with blunt words yesterday as leaders of the Poor People's Campaign opened their drive to aid the Nation's poor with a series of visits to high-ranking Federal officials.

"We are going to back up our words with the most militant, nonviolent, direct action in this country's history," the Rev. Ralph D. Abernathy, leader of the protest, declared

after a morning call on Secretary of Agriculture Orville L. Freeman.

At one point during a late-afternoon meeting with U.S. Attorney General Ramsey Clark, Mr. Abernathy stood before his more than 100 supporters and said:

"We have had a beautiful day . . . We accomplished our purpose, which is to shake up the do-nothing honkies in government."

PLEADS FOR ALL POOR

Several times during the day, the new president of the Southern Christian Leadership Conference stressed that the aim of the Campaign is to improve the lot of all Americans living in poverty—"be they black, white, brown or yellow."

At least 40 of those who accompanied him represented non-Negro minorities, including American Indians, Puerto Rican migratory laborers and Appalachian whites.

The group's schedule, which called for visits to four agency heads in addition to Freeman and Clark, was wrecked by lengthy delays and was finally abandoned.

Freeman was kept waiting nearly two hours and Clark about five. Labor Secretary W. Willard Wirtz and Bertram Harding, acting chief of the Office of Economic Opportunity, also were seen several hours late.

SOME VISITS POSTPONED

Planned visits to Secretary of State Dean Rusk and to Robert Weaver, Secretary of Housing and Urban Development, were postponed.

The actual start of the Poor People's Campaign stirred new anxiety on Capitol Hill.

Sen. Robert C. Byrd (D-W. Va.), a critic of the Campaign, said the project could "very well penalize the poor already living in Washington" since money that could be spent for their welfare may have to go for increased costs to the city for supervising the demonstration.

He also said that serious health problems could arise from difficulties in providing water, sewage and refrigeration facilities for those taking part in the large-scale "camp-in" due to begin May 12.

In the House, Reps. Alton Lennon (D-N.C.) and William Colmer (D-Miss.) cosponsored a resolution opposing the issuance of camping permits for the marchers.

Reps. William J. Randall (D-Mo.) and Albert W. Watson (R-S.C.) introduced bills to require the demonstrators to post bond covering property damage and any other costs attributable to the protest.

INVADING HORDES

Rep. O. C. Fisher (D-Tex.) said in a House speech that "the invading hordes headed this way", will leave "crime, immorality, bloodshed, arson, looting and violence in their wake."

Mr. Abernathy's group called first yesterday on Freeman, with whom they spent 1½ hours.

Among their demands were the abolition of subsidies to large farmers for not growing food; establishment of Federal food donations programs in 256 hunger-stricken counties that do not have them; support of farm workers' rights to collective bargaining, and revision of the food-stamp program so that persons too poor to buy stamps can get them free.

Mr. Abernathy and his followers emerged from Freeman's office singing "We Shall Overcome."

Mr. Abernathy, the stocky, sad-eyed successor to the Rev. Dr. Martin Luther King, Jr. led the group to a ground-floor courtyard where, after more freedom songs were sung, he made a short speech.

"We are determined that we are not going to beg for our rights any longer, but will demand them . . . We have made up our minds that there will be no new business in this country until it takes care of old business," he said.

He added that "this poor people's crusade" was Dr. King's "last dream," and emphasized, "We are going to prove to the assassin or assassins that you may kill his body but not his dream."

Mr. Abernathy said Freeman would be given ten days to study the demands.

Then, he said, "We will be back . . . not with 150 as today, but with 3000 to 5000 strong . . . And then we will demand answers."

The ten-day ultimatum was in conflict with earlier announcements by Campaign officials that the first of several thousand camp-in demonstrators would not arrive here before May 12. Neither Mr. Abernathy nor his aides explained the discrepancy.

The predominantly white First Congregational Church, at 10th and G Streets nw., prepared a lunch for the group, but it was left untouched when the delegation chose to go directly to the Justice Department.

There, demands were made for "immediate, affirmative and massive efforts" to end job discrimination by labor unions and employers; acceleration of 'snail-like' progress" toward school desegregation, "rigorous enforcement" of the housing provisions of the 1968 Civil Rights Act.

VISIT LABOR DEPARTMENT

At the Labor Department, the group presented Secretary W. Willard Wirtz, with a list of demands that included larger grants for job training, vigorous enforcement of fair-employment regulations and increased involvement of the poor in decision-making about manpower and other programs.

The group told OEO officials: "You have failed us. You were to be our spokesman within the Federal Government, but our needs have gone unspoken."

Among the demands made of OEO were increased citizen participation in anti-poverty programs and the adoption of "requirements that will clearly make local politicians responsible for respecting the civil and human rights of the poor."

One of those who accompanied Mr. Abernathy was David Dellinger, a chief organizer of the peace demonstration at the Pentagon last October.

Campaign officials plan a giant one-day demonstration on May 30, which they say could bring several hundred thousand persons to Washington. Some of the group's leaders have indicated that if its demands are still unheeded then, large-scale civic disobedience may be undertaken.

Last night, at the first Poor People's Campaign rally in John Wesley AME Zion Church, the Rev. Walter E. Fauntroy, local SCLC representative, told more than 2000 persons:

"We're starting something tonight. Everyone here stands on the threshold of a great new effort in U.S. history."

The Rev. A. D. King, brother of the Rev. Martin Luther King Jr., introduced Mr. Abernathy at the rally as "the leader of the hour who can carry us on to that promised land."

Mr. Abernathy said he wanted to "set the record straight" about the conduct of the first day of the campaign. "The Poor People's Campaign did not begin late and neither did it begin in confusion," he said. "We've been waiting on the white man for 350 years."

"We went to see Secretary Freeman when we got ready to see him, we went to see the Attorney General, the Secretary of Labor, when we got ready to go, because we've been waiting all these years and now they can wait on us."

[From the Washington (D.C.) Post, Apr. 30, 1968]

BLUNT WORDS FROM THE POOR PUT CLARK ON HOTTEST SPOT

(By Carolyn Lewis)

The man on the hottest seat of all on the first day of the Poor People's Campaign yesterday was Attorney General Ramsey Clark, who sat through two hours of speeches, had fingers waved in his face, and was forced to yield his microphone on five occasions.

Much of what he heard was unrelated to the operation of the Justice Department. For example, the blunt words of Karen Allen, a Philadelphia meatwrapper:

"The food-stamp program is just a gimmick . . . We can buy food with the stamps but no soap . . . Does the Government mean to tell us to eat but not wash?

"You look down on people who live off welfare. You say how could we be poor and look so fat . . . We eat boiled potatoes for breakfast . . . fried for lunch . . . baked for dinner . . . Sure you get fat.

"When you train people for jobs, you train them for menial jobs nobody wants. Why doesn't the Government train them for work they want and will enjoy?"

An American Indian student told him:

"There are too many treaties between the Indian and the United States Government and not enough justice.

"You keep for yourself the right to confiscate Indian lands, you elect the leader of the Cherokee Indians, you classify us under the Land and Natural Resources Division . . . It's time the Indian was put in a people category."

The Rev. Miguel Varragan, a Mexican-American priest from San Antonio, said:

"Spanish-speaking people in Colorado, New Mexico, Arizona and Texas are afraid of the law in their states. The stories they tell—of innocent men dragged out of their homes and beaten up. . . . The stories are of barbarism.

"Mr. Attorney General, give those Texas Rangers your serious consideration. What they do in their State they are doing in the name of justice.

"How can you talk to these people of justice and peace when the judges and the juries are all Anglos . . . When there are no Mexican-Americans on the draft boards? Few Spanish-speaking policemen?

"There are 700,000 migrant workers. I say to the Department of Justice . . . follow them and protect them . . . They are an enslaved force, an invisible people."

A Puerto Rican from New York said:

"We hold the Justice Department responsible for the safety and release of Tijerina and any other leaders of this Campaign who may also be jailed" (Reies Lopez Tijerina, a Mexican-American leader, who had planned to come to Washington for the Campaign and to discuss the Treaty of Guadalupe-Hidalgo with State Department officials was arrested in Santa Fe Saturday. The Treaty, signed in 1848, is considered by some Mexican-Americans as validating their claim to some Southwestern land.)

"We hold the Justice Department responsible for the lily-white leadership of trade unions that is allowed to exclude blacks and Puerto Ricans and Mexican-Americans from the construction industry."

Robert Fulcher, of Kentucky said:

"We want equal education. Our schools are still segregated. Too much power still rests in the hands of the local school boards. Even us poor white are mobilizing today."

IT'S THE STRUCTURE

A follower of Malcolm X offered the only words of understanding to the Attorney General. He said, "Friend, it's not your fault . . . You're just hung up in the structure."

The bearded man then called on the Rev. Ralph D. Abernathy, president of the Southern Christian Leadership Conference, and the Rev. Andrew Young, SCLC vice president, to "stop fat-mouthing" and to start "picking this buzzard clean."

"This is war," he said. "This is a time to stop clapping and start thinking. I'm for nonviolence till you put your hand on me."

Mr. Young leaped to the microphone and answered: "Mr. Attorney General, as you

can see, some of our problems are showing, too. We of the Poor People's Campaign have come together as one family, but we haven't worked out our living arrangements yet."

Mr. Abernathy added: "Nothing would please this Government, this inactive Congress, these do-nothing Cabinet Ministers more, than if we spend our energies fighting each other."

MAKING PROGRESS

The Attorney General closed the meeting by saying:

"You have spoken, and we've listened within our abilities . . . We are making progress, if you cared to see it . . . We all know that words and laws alone can't make the massive changes necessary to gain equality . . . It is really a question of will for the American people.

"Our laws intend equality for all, and if we don't have it, that proves that man is not the most efficient or effective creature. I can only tell you, we will do our best."

Secretary of Labor W. Willard Wirtz, who spent more than two hours with Mr. Abernathy and his contingent, heard Cleveland Robinson, of the Negro-American Labor Association, ask for a $2.50-an-hour minimum wage.

Robinson also insisted that Government contracts be more strictly denied to employers who discriminate against minority workers.

An unemployed coal miner from West Virginia described a Training Program in which the miner spent six months learning carpentry from "a school-teacher who couldn't cut his way out of a paper bag." The miner, who has 15 children, is still unemployed.

Myrtle Brown, of Quitman County, Miss., the poorest county in the United States, said that she had no hope of finding a job, and there wasn't enough food coming into the house to feed her five children.

"We're in rags. My children don't have shoes to go to school with. They talk about a free lunch program at school, but we haven't seen that in Quitman County."

Minnie Scurloch of Sumner, Miss., echoed Mrs. Brown's statements, Mrs. Scurloch, the mother of ten children, said her husband, a tractor driver, was paid $1.10 an hour, but when it rained he didn't get paid at all.

"We don't know anything about any minimum wage down in the Delta country," she said.

George Wiley, who heads the National Welfare Rights Association, asked Secretary Wirtz to develop legislation calling for a guaranteed annual income "so that people don't have to go on starving right now."

He urged that massive funds be funneled to grassroots organizations, like those represented in the Poor People's Campaign. "Give us the money so we can do the work ourselves. We can clear the slums and set up day-care centers and do what needs to be done for our own people."

A Puerto Rican who lives in New York complained that testing procedures discriminate against Spanish-speaking people, and those from cultures outside the mainstream of America life. "One test I took asked me what wine I would drink with blue fish," he said.

INDIAN SPOKESMAN

An Indian woman from Oklahoma talked of school dropouts and unemployment on Indian reservations in her State.

"My son can get work all right," she said. "He can pitch hay for 2 cents a bale.

"We don't want Government handouts. We want work. We don't want bosses telling us they won't hire us because we're Indians.

"And we don't like having to beg for what was once ours, after all."

Mr. Abernathy interjected at that point. "I hope you're not asking for all of it back," he said, gently.

The Secretary of Labor concluded the meeting at 6:15 p.m., by saying that he was "glad you came and glad you spoke like you did.

"You ask for actions, not words, and I'm going to honor that. Thank you for coming."

[From the Washington (D.C.) Post, Apr. 29, 1968]

NEGRO MILITANTS FORCE IMMIGRANT TO CLOSE HIS GROCERY STORE

(By Claudia Levy)

When Henry Walczak says he's living on borrowed time, he's not talking about the black militants whose pickets have forced him to close his 14th Street market. He is thinking instead of Poland and Russia, of World War II and the Minsk ghetto.

"The Germans couldn't kill me," he says. "I was lucky."

But at 56, Henry Walczak faces the loss of his P & G Market without the faith that has kept him on top of his trouble in the past. Short, with powerful arms, a ruddy Slavic complexion and direct blue eyes, he says he was, until two weeks ago, "the boss" at 3404 14th st. nw.

When one casual customer, who later turned up as a picket for a group called "Build Black," told Walczak "we'll chase you out—we don't need you," Walczak scoffed at him. Sundays, the storekeeper said, neighborhood men who were his friends during the week would drink and boast of how he was going to be forced to move.

But he was known to help people out and claims that in his five years near the corner of 14th and Monroe Streets the small store had never suffered a break-in or a holdup.

"They respected him," says his wife. She is a one-woman Greek chorus to his narrative, emotional, her eyes worried. She has never felt secure in the store and it is her husband whom the neighborhood knows better.

The P & G, one of the few white-owned businesses on the east side of that block, lost its front window, its more valuable stock and several machines to the looters earlier this month. Walczak feels the presences of tenants on the second floor helped save the place from being burned. He was able to reopen soon after.

He says after the riots subsided he assured several local residents that as long as he was there they were not going to starve.

But two weeks after the trouble broke out, his militant customer was back, this time with friends, carrying a hand lettered sign reading "No more mom and pop stores." Walczak says the man, whom police identify as a member of "Build Black" from a few doors away, stopped people as they tried to enter the store. Presently, the store was devoid of customers.

The police came, but say the man was only picketing and not subject to arrest. Next day, the picketer was back, but Walczak had already begun to move out, despite an offer from the 10th Precinct for round-the-clock surveillance.

"I didn't have any other choice. I told the police 'your intentions are good, but there's nothing you can do.'"

He may try to open another store outside the District, but his lease has a year to run. He will probably start looking for a job, he said, just as he did when he immigrated here after the war. He has two sons, both students.

The Walczaks feel their prices were no different than the other independents, all highly competitive but unable to match most chain store prices. But they say anti-semitism is a traditional attitude along 14th Street.

"A little kid, three years old," Mrs. Walczak measures the distance off the floor, she comes in and says "her mother told her to go buy candy at the white Jew store."

"I'm not a racist," says Walczak. "I was raised to believe in people. But I'm not coming back. They told us it's not over yet."

[From the Washington (D.C.) Evening Star, Apr. 30, 1968]

POOR PEOPLE'S DRIVE CONTINUES SESSIONS WITH CABINET AIDES

(By Charles Conconi)

The Poor People's Campaign entered its second day here today with the demonstrators picking up some of the appointments they missed yesterday, but still determined not to hurry.

The campaign, led by the Southern Christian Leadership Conference, ran hours behind schedule yesterday with the committee of 100 demonstrators keeping cabinet members waiting for hours and skipping a scheduled meeting with Secretary of State, Dean Rusk.

But the SCLC leaders were not concerned. They had launched a campaign of the nation's poor that surprised even its sponsors; and the poor they had brought to Washington were doing their own talking.

TELL IT LIKE IT IS

As the first day wore on in the drive, which promises to bring thousands of demonstrators to Washington "for as long as is necessary," the leadership became less concerned about making schedules than in giving the demonstrators an opportunity to speak.

At the Departments of Agriculture, Labor and Justice, the Rev. Ralph Abernathy, campaign leader, read the basic written demands and then allowed the demonstrators "to tell it like it is," a phrase heard constantly throughout the day.

And at the Office of Economic Opportunity, some 50 poor people told officials, "You have failed us," in an invective-filled session that suggested that the drive is counting on lung-power to further its goals.

OFFICIALS KEPT WAITING

The Cabinet members, who had waited as long as four hours as in the case of Atty. Gen. Ramsey Clark, sat through the lengthy speeches and emotional presentations of speakers representing Mexican-Americans, Puerto Ricans, Appalachian whites and Indians, as well as Negroes.

The first phase of the campaign, planned by the late Dr. Martin Luther King, Jr., created much enthusiasm among the SCLC staff members that many could be seen talking to each other, smiling and saying with surprise, "We gotta movement going."

At a massive five-hour rally in the John Wesley AME Church last night, Abernathy, King's successor, described the day as "great" but was angry about accounts that the day's schedule had been confusing.

"I want to set the record straight," he declared. "It did not begin late or in confusion. We have been waiting on the white man for some 350 years."

The nearly 2,000 persons crowded in the church and spilling onto the sidewalks shouted their approval. One shouted, "Sock it to him."

EXCUSES RULED OUT

"Are you getting it down?" Abernathy shouted to the press. "We decided today we are going to let him wait on us. I saw no reason for giving any excuse for being two hours late."

Abernathy said he loved the press and gently chided his followers for being rough on the television cameramen earlier in the evening when the group threatened to throw the cameras out if the crews didn't start filming a white woman from Alabama who was charging that poor whites in the South beat and murder Negroes with impunity.

Abernathy referred to "the debate on Capitol Hill" deciding "whether to let us come to Washington," and said he wasn't worried because, "This is a democracy. We are here today 200 strong; two weeks from now we will be here 5,000 strong."

In Congress yesterday several members spoke out against the demonstrations which

SCLC promises to start in Washington late next month after several caravans of demonstrators come to the city from throughout the nation.

Sen. Robert C. Byrd, D-W.Va., urged Abernathy to call the demonstrations off and urged administration officials to "apply every ounce of persuasion" to have them canceled.

RESOLUTION OFFERED

Reps. Alton Lennon, D-N.C., and William Colmer, D-Miss., cosponsored a resolution to put Congress on record in opposition to the issuance of camping permits for the marchers.

The organizers of the campaign threaten to bring some 5,000 or more persons here by May 18 and to house them in a tent and "shanty" town on the Mall or other federal or city park property.

Rep. Albert Watson, R-S.C., introduced a bill requiring the marchers to post a bond to cover potential property damage and the cost of police, fire and sanitation workers assigned because of the demonstrations.

Rep. O. C. Fisher, D-Tex., charged in a House speech that "the invading hordes heading this war" will leave "crime, immorality, bloodshed, arson, looting and violence" in their path.

Abernathy's answer to the congressmen was the standard, "We ain't gonna let nobody turn us around . . . we is gonna build a shanty town—a City of Hope . . . we have come here to stay until the Congress does something about poverty."

Abernathy predicted today would be as slow as yesterday because he has told the demonstrators who are talking to distinguished members of the Cabinet to take their time.

WAR SPENDING HIT

"Don't look for big words . . . don't try to make the subject correspond with the predicate," Abernathy said he told the speakers.

He said the demonstrators would tell Rusk today the people are tired of billions of dollars being spent to kill "little brown men in Vietnam," and the billions spent to send black men there who can't buy a house when they come home."

To the thundering stomping, shouting, ovation of the church audience, Abernathy said King had a dream, but that if Americans thought King was tough, they should wait until they see Abernathy. "We gonna turn America upside down," he said.

Abernathy was hoarse when he ended his speech with the same ending King used in his famous address to the 1963 March on Washington—"Free at last . . . free at last . . . thank God Almighty . . . I'm free at last"

Before Abernathy spoke, the Rev Walter E. Fauntroy, vice chairman of the District council and an SCLC official, brought the demonstrators up to repeat the angry and emotional speeches they had given to Cabinet heads and at the Office of Economic Opportunity earlier in the day.

Fauntroy said the movement had started something and that the speeches of the poor were "good for the soul of America."

FREE FOOD STAMPS ASKED

Earlier in the day, the demonstrators had told the Cabinet heads that they weren't satisfied with the help the poor was getting and demanded a number of changes.

They asked for such things as free food stamps for those too poor to buy them; legislation against school discrimination and vigorous enforcement of the new open housing law, and a ban against farm laborers imported from Mexico.

Unlike an earlier meeting with Atty. Gen. Clark, which was closed to the press, OEO officials and campaign leaders agreed to open their session.

The atmosphere was the same at both meetings, press or no press. According to one observer's account of the session with Clark, a demonstrator walked up to Clark and harangued him, wagging a finger under his nose, while Abernathy struggled to regain command.

The group at OEO, which met with Bertrand M. Harding, acting director of the agency, in an eighth-floor conference room at 19th and M Streets NW, began with a restrained statement that the group had come to OEO "with a heavy and bitter heart" because OEO was the agency "supposedly created especially to serve the poor and give them the power and the money to speak and to act for themselves. You failed us."

KNOW WHO I AM

Ray Robinson Jr., who said he had worked at Neighborhood Center No. 1 of the United Planning Organization but quit because UPO was just "jiving," declared, "I'm not insecure no more. I know who I am. I have taken an oath, OEO. I have taken an oath of poverty. You can't buy me."

Robinson told Harding, who faced him at the opposite end of a long table, "We come to educate you, boy. I'm looking directly down this table at you. You don't know what to do. If you don't know what to do get out of the way." OEO should be turned over to poor people, he said.

Robinson, who began his remarks by declaring, "I'm nonviolent until somebody touch me," concluded after a discourse on the perfidy of white men, including Europeans, "I'm dangerous and you better kill me. You better kill me now. I'm ready to die."

Harding told the group at the end of the session, "I would like you to know this is not the first time a group almost exactly like this has met in this room."

THE LAST TIME

Miss Linda Cusumano, 23, of New York, shouted, "This is the last time. He had the nerve to say that!"

Harding said he welcomed the opportunity to respond to criticism in 10 days, which all department and agency heads being visited are being asked to do.

"I hope you will listen with as much sincerity and willingness as we listened to you. We are working together toward the same goals," he said.

Another campaigner called out to ask if OEO would endorse the Poor People's Campaign. Harding replied, "I told you I was happy to see you and our objectives are the same."

The activities of the campaign are expected to reach their climax on May 30, when a massive march, similar to the 1963 march on Washington, will be held.

After that, the campaign leaders threaten to engage in vigorous acts of civil disobedience until some of their demands are met.

[From the Washington (D.C.) Daily News, Apr. 30, 1968]

TEN DAYS TO ANSWER DEMANDS: MARCH GOES TO HILL

(By David Holmberg)

The Poor People's Campaign began yesterday with a shabbily dressed migrant worker from New York state standing in an Agriculture Department courtyard and speaking of her home: "a discarded city bus with tinderbox roofs and kerosene stoves—the kind of housing that we must call an instrument of torture."

It began with Rev. Ralph Abernathy emerging from a two-hour meeting with the Attorney General, and a reporter shouting "Dr. King . . .," then catching himself, and Rev. Abernathy speaking as tho Dr. King were still at his side: "We were very, very gratified by this meeting . . . I know that Dr. King could not have been more happy . . . "

It began with the strains of "We Shall Overcome" echoing thru the halls of the Agriculture.

It began with the voices of the poor speaking with the eloquence born of experience; with the short, harrassed-looking man still groping his way toward the rebuilding of a life and a movement without the man he had always called "my leader."

The voices of the poor were heard, primarily, in the Agriculture Department courtyard. Employes looked down from flag-draped balconies on a poor white from West Virginia, an Oklahoma Indian, an elderly Negro from Sunflower County, Mississippi who said she was a neighbor of Sen. Eastland; the migrant worker from New York.

They stood by the courtyard and poured out their grievances. The West Virginian spoke of poverty money "controlled by the power structure, by the politicians. Should these people set themselves up as gods and say who shall live and who shall die?" The Mississippi woman said that "we've been told we'd get food, but we haven't got it. We're tired of waiting, we're tired of begging, we're tired. . . ."

Rev. Abernathy told everyone to applaud each of the speakers, and then mustered one of his strongest statements about the nature of the campaign. "We are not going to engage in rhetoric," he said "We are going to back up our words with the most militant non-violent direct action that has ever taken place in this country."

Already at Agriculture, Rev. Abernathy was running two hours late, and he continued the pattern thru the day. He made cabinet officials wait for hours, he made reporters wait for hours. The latter were openly bitter; the former's public feelings were restrained, their private ones unknown. Today Rev. Abernathy takes his campaign to congressional leaders, and they will probably have to wait, too, for the people who say they have waited all their lives.

By the time they reached the Justice Department, Attorney General Ramsey Clark had been waiting for them for five hours. He sat for another two hours and listened while the poor unburdened themselves of the bitterness of their plight.

Karen Allen, a Philadelphia meat wrapper, said, "You look down on people who live off welfare. You say how could we be poor and look so fat . . . we eat boiled potatoes for breakfast, fried for lunch, baked for dinner . . . sure you get fat."

The only friendly words that the Attorney General heard came from a bearded follower of Malcolm X, who said: "Friend, it's not your fault, you're just hung up in the structure."

After informing Mr. Clark that they wanted him to help them end job discrimination by labor unions and employes, speed-up school de-segregation and strengthen enforcement of open housing laws, the group went on to the Labor Department where they presented Secretary Wiliard Wirtz with a set of demands that included larger grants for job training and stronger enforcement of fair-employment regulations.

"We have had a beautiful day . . . we accomplished our purpose . . . which is to shake up the do-nothing honkies in government," Rev. Abernathy reportedly said after the meeting with Mr. Clark.

He warned, however, that cabinet officials would be given 10 days to study the demands. "Then we will be back—not 150 as today but with 3000 to 5000 strong. And then we will demand answers."

[From the Washington, (D.C.) Daily News, Apr. 30, 1968]

FREEDOM SONGS AND PLEAS: WE HAVE HAD A BEAUTIFUL DAY TODAY

(By Samuel Stafford)

During the day yesterday, it was a time of confrontation for the Poor People's Campaign marchers, but at night, in the friendly confines of the John Wesley A.M.E. Zion Church on 14th-st nw, it was a time for solidarity.

"We have had a beautiful day today," the Rev. Walter Fauntroy told assembled Negroes and whites.

The poor people thought so, too. For many of them, the march has been an eye-opener.

A lady from New York's lower East Side took the microphone to say, "This is the first time I've ever held the hands of an Indian and a southerner."

"I feel here for the first time I do have some people I can talk to," an American Indian told the lustily-cheering crowd. "We have a bond . . . poverty."

Rudolph Gonzalez, a Mexican-American, said, "Today I saw the beauty and natural honesty of the poor of all races . . . these are our people now."

A peppery elderly lady from Baltimore drew understanding nods when she said, "We get a little check . . . but you know, the landlord beats the mailman to our house."

An Alabama white braved scattered hoots, then was cheered when she chronicled her conversion from racist to marcher. Another Indian spokesman spoke words with meaning to Negroes and Puerto Ricans.

"I'm tired of being the white man's Indian," he said. "I want to be a man. I want to be myself. I'm getting tired of being told I'm a good Indian if I keep quiet.

"This is the first time I've seen all my brothers together . . ."

Brotherhood, Exuberant solidarity. Discovery by big-city black men that Indians and Mexican-Americans are in the same boat. Discovery by Indians that Puerto Rican grape pickers live in chicken coops. . . .

Freedom songs were belted out with spirit and vigorous hand-clapping. A white nun clapped, too, but soundlessly, as tho she wanted to join in, but wondered if it would look right.

The Rev. Ralph Abernathy, hoarse after a day of talking, made it clear that he is now THE leader of the South Christian Leadership Conference, and that Dr. Martin Luther King Jr. had not intended for him to be a figurehead.

He said his group might keep Cabinet members waiting today and tomorrow as it did yesterday, adding, "We've been waiting on the white man 350 years . . . (now) we're going to let him wait on us."

With Dr. King's father and brother, the Rev. A. D. King looking on, the Rev. Abernathy said white America thought Martin Luther King "was rough and tough so they thought they would assassinate him.

"But got news for them. You see under Martin Luther King's leadership, we were going to shake America . . . but under Ralph Abernathy's leadership we're going to turn it upside down."

He was wildly cheered and the loudest cheers came from the poor people of diverse races and ethnic groups who seemed to have found they have more in common than they thought.

A REPUBLICAN POSITION IN THE FIELD OF AGING

Mr. DIRKSEN. Mr. President, this year's report of the Senate Special Committee on Aging, transmitted to the Senate yesterday, includes a statement of minority views signed by Senators FRANK CARLSON, WINSTON L. PROUTY, HIRAM L. FONG, JACK MILLER, THRUSTON B. MORTON, CLIFFORD P. HANSEN, and myself.

The report contains much information. I suggest that attention of every Member of the Senate be given to both the majority and minority statements.

The minority views reaffirm positions taken in earlier minority reports. These advocated a wide range of improvements in both economic measures and a variety of special services on behalf of older Americans.

We have chosen to concentrate our attention this year, however, on three proposals which we feel deserve highest national priority.

These three recommendations, all of which are directed at economic problems of older persons, call for early action on, first, changes in Federal fiscal policies to stop inflation, the older American's public enemy No. 1; second, provision of automatic social security benefit increases based on rising living costs; and, third, a nonpartisan, comprehensive study in depth of economic problems of older people—for the present and the future. Such study should include a comprehensive review of the Social Security Act, private pensions, employment opportunities and impediments, tax laws, and all other economic aspects of aging.

It should be noted that each of these three has been endorsed also by the Republican national coordinating committee.

Because of its brevity, and its importance to every Member of the Congress, I request unanimous consent for reproduction of the minority report at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. DIRKSEN. Our statement, I believe, makes clear the rationale for giving these three recommendations highest priority. I would like to make some personal observations, however, about our proposal for a nonpartisan or bipartisan study of the social security system, private pensions, old age assistance and other factors in the economics of aging.

It was my privilege, as a young Member of Congress, to vote in favor of the original Social Security Act. I am equally proud of my support of every subsequent amendment adopted by the Congress.

I hope and expect to vote for additional social security improvements in the future.

I have become increasingly disturbed, however, by the fact that social security, like Topsy, "has just growed."

The patchwork quilt development of social security during the past 30 years has created inequities which need correction. New concepts for its improvement may also deserve attention.

My interest and that of other members of the minority, is in the strongest, most effective social security system possible—one which will fully stand the test of time.

There has been no thorough study of social security since its creation. Times have changed. So have needs.

The past 20 years have seen great growth in private pension programs. I believe we need a strong private pension system in American complementary to the social security system—a much better system tomorrow than today.

There have been, during these past 30 years, shifts in employment patterns. Increasing length of life and better health themselves, have changed budgetary needs of older Americans. All of these matters deserve careful scrutiny.

We need to take a new, penetrating look at social security, private pensions and all other economic elements in aging, if we are to develop truly adequate and fair retirement income policies. The time to begin is now.

It is most gratifying for me to join with other minority members of the committee in this important study proposal.

For the balance of my position, I am happy to stand on the minority report which follows:

EXHIBIT 1

SPECIAL COMMITTEE ON AGING REPORT—MINORITY VIEWS OF MESSRS. DIRKSEN, CARLSON, PROUTY, FONG, MILLER, MORTON, AND HANSEN

INTRODUCTION

Previous minority reports of the Special Committee on Aging have all endorsed (a) improvements in old age, survivors, and disability insurance under the social security system, (b) Federal support of special services to the aged where needed, (c) better Federal-State economic assistance to the elderly in greatest need, (d) removal of older people as far as possible from treatment as public welfare cases, (e) stimulation of private efforts to improve the social and economic situation among senior citizens, and (f) effective Federal executive and legislative action to cut the devastating losses by older Americans through inflation.

Underlying these minority policy positions has always been a deep and abiding concern for older persons. We reaffirm now our belief that older Americans should be given full opportunity to share in America's bounty with dignity and independence.

While a recapitulation of earlier minority recommendations appears elsewhere in this statement, for most it hardly seems necessary to repeat our previously published detailed comments. We have elected instead to concentrate on 3 major points.

Nothing in this decision should be interpreted as changing any of our previous positions. We urge as a matter of priority now, however, that special and most serious consideration be given to:

1. Immediate development and implementation of effective Federal fiscal policies to stop the accelerating inflation—the most common source of trouble for older Americans;

2. Provision of automatic social security benefit increases based on escalation in living costs; and

3. Initiation of a comprehensive nonpartisan review-in-depth of the social security system, private pensions, tax laws, employment opportunities and related elements in the economy of aging to the ends that—

(*a*) no older American shall suffer want or loss of dignity;

(*b*) the social security system's integrity shall be reassured for the benefit of both present and future generations;

(*c*) necessary burdens on the young for support of the old will be compatible with principles of fairness and social justice, and

(*d*) any inequities in public and private efforts to provide decent retirement income will be corrected in the most intelligent possible manner with minimum delay.

As in the past, we continue our view that while special services to meet a variety of unique needs among the Nation's older population deserve support, the most serious problems of older Americans are economic and are related to achievement and preservation of adequate income.

INFLATION—ECONOMIC PUBLIC ENEMY NO. 1

Minority members of this Committee have repeatedly taken the lead in recognizing that the most serious sources of problems among all older Americans is the massive loss of real income through inflation.

We maintain, with wide support from economic experts, that control of inflation can only be achieved through Federal policies

which are fiscally sound, and by roll call votes of members of Congress which are consistent with such policies.

The record of the Republican membership measures up to these requirements.

We have emphasized that a sound dollar demands cuts in unnecessary and wasteful expenditures which have characterized recent Democratic-controlled Congresses and the present national administration. Further priorities for spending programs must be established—a basic principle of good government which has been absent under the present administration.

We are compelled to reiterate our concern for reduction in and postponement of unjustifiable or low priority Federal expenditures. It is absolutely necessary to put an end to rising public deficits and debt, which lay the foundation for inflation and high interest rates.

The record since our last report has already shown increasing erosion of the dollar's value. It has become commonplace to speak of today's U.S. money as a 40 cent dollar.

There is no place in this serious problem for levity, but we cannot help but agree with the late and venerable comedian, Ed Wynn, who said, "What this country needs is a good 5 cent nickel."

The danger is that, unless those in control of our Federal government live up to economic policies which include a stable dollar, we may some day come to a 5 cent dollar.

Almost all citizens are hurt by rising costs of living. Only the very wealthy escape. No single group suffers more, however, than older Americans.

While some employed persons derive some relief through wage increases, there are many who do not. A high percentage of the over 3 million employed persons over 65 are to be found in the latter group. Even when increases do occur, their delay often makes it impossible to recoup the inflation-created losses.

Farmers, of course, have been confronted with falling prices for their products while prices of goods and materials they must buy have risen sharply. This has special significance to a discussion of inflation's impact on the aging because so many of our nation's farms are operated by persons in the older age brackets. It should be remembered that half the nation's poor live in rural areas.

In earlier minority reports of this Committee, we made estimates of possible inflation-created losses to older people in terms of probable percentages and total dollar reductions in purchasing power. Our predictions of substantial losses have been confirmed. Much to our regret, indeed, actual injury to older people far exceeded our predictions.

Cost of living inflation during the past year amounted to nearly 4 percent. Virtually no economist expects a lower rate of inflation during the next 12 months. Most experts predict a greater loss in dollar values, ranging to as much as 5 percent or more.

The record of $10 billion cost of living inflation during the first 3 months of 1968 bears out these predictions.

Based on an estimated 1968 annual purchasing power of over $40 billion among persons past 65, a 4 percent inflation would produce purchasing power loss to these citizens of roughly $1.6 billion per year. A 5 percent inflation would cost them over $2 billion per year.

When these losses are translated into individual personal terms, they become even more significant. Living standard prospects for the person now 65, with roughly 14 years of life expectancy, become dim if this inflationary spiral is not stopped.

The greatest injury is suffered by people with the lowest incomes. The bulk of these persons are to be found among the most elderly and among single and widowed women who often must face life alone.

Even the present national administration, whose own policies have contributed so severely to losses in dollar values, has begun to express alarm at current and future threats of greater inflation. Regrettably these words of alarm have yet to be followed by meaningful deeds.

In the face of our Viet Nam problem, which may yet impose even more serious demands on the Nation, it hardly appears enough to simply call for an increase in taxes.

There must be some real belt-tightening with reference to lowest priority expenditures and vigorous efforts to eliminate unnecessary expenditures and waste.

Lip service to these needs is not enough. Nor are "budget cuts" which are little more than promises against budget increases. There must be action now—and it must aim at eliminating all the fat in our governmental programs.

An example of national administration attitudes is afforded by what has happened since the "freeze" on the number of Federal civilian employees. Since 1966 when the "freeze" became effective, the number of Federal civilian employees has risen by almost 200,000. The national administration's budget for next year requests a further addition of 55,600 Federal employees.

The Democratic controlled Congress and national administration cannot divest themselves of responsibility for this, which, in itself, has been a substantial factor in the inflationary spiral.

We recognize the vast responsibilities the Federal government has toward its citizens and their special needs. We have supported and will support programs which effectively address themselves to such needs. We insist, however, that sensible priorities must be set within the context of sound fiscal policies.

We take this position in the interest of all the people. As members of the Committee on Aging, however, we feel a special need to protect the economic security of older Americans. Inflation is the No. 1 enemy of such security. It must be brought under control at the Federal level, not through words, but through action.

AUTOMATIC SOCIAL SECURITY BENEFIT INCREASES

While a stable dollar is the major long-range need to protect older Americans and others who must depend on relatively fixed incomes, we feel immediate action is required to provide help to these persons against ravages of inflation.

Adoption of our proposal to provide automatic increases in social security benefits equal to rises in living costs would be a major step in that direction.

As introduced and supported by scores of minority members in the House and Senate during the 89th and 90th Congresses, such an amendment to social security would provide that whenever the consumer price index goes up by a specified percentage, then Old Age, Survivors and Disability Insurance benefits would be increased in an equal percentage. This proposal has strong endorsement by the Republican National Coordinating Committee.

This improvement in the Social Security Act recommends itself on several counts.

Its implementation would require no increase in social security tax rates. We believe, as we think most older Americans do, that social security taxes, which fall primarily on the young and middle-aged, should not become an unbearable burden.

Our concern for the tax level is only in part related to immediate needs of workers—with responsibility for rearing and educating youngsters on whom our Nation's future depends. It also relates to our desire for preservation of OASDI as an effective instrument which will stand the test of time.

Economists and other students of social insurance have voiced the opinion that a point can be reached when the burdens of social security taxes might jeopardize the whole system. We do not choose to be a party to such a misfortune. Experience in other countries suggests that such fears may have justification in fact.

The most important argument for automatic cost-of-living increases in social security benefits, of course, is the help it would give to older people.

Most older Americans are relatively defenseless against higher living costs produced by the inflationary spiral. The Federal government's actions have been the primary source of this problem. It appears equitable and fair that that government should provide at least some relief to persons who are victims of its fiscal policies.

That such help should be available to the retiree as soon as he is hit by the dollar value loss appears equally appropriate. He should not have to wait 1, 2, 5 years for such relief through general amendments to the Social Security Act. This is especially so when such increases often fail to compensate fully for changes in living costs anyway.

It is regrettable, but true, that many of the elderly simply cannot wait. Some are of most advanced age and may not even live to get the benefit of increase "promises." A high percentage of these extremely old people are ones with lowest resources.

We believe that compassion, equity, and common sense demand that we stop making older people wait until some future Congress chooses to compensate them for social security benefit losses created by inflation.

This is the most compelling reason for our support of the automatic adjustment in OASDI benefits based on consumer price levels.

It is also true, however, that such an automatic provision would tend to reassure the worker, whose taxes now support the program, that he will not be short-changed when he reaches retirement age.

Adoption of social security cost-of-living increases on an automatic basis is by no means offered by us as a sole answer to the problems of older people. Other improvements in the social security system, many of which we have discussed in previous minority reports, also deserve action.

It should be noted further that such a social security amendment cannot meet the basic problems created by inflation. After all, less than one-third of the money income received by persons past 65 is derived from OASDI payments. This underscores the absolute necessity of effective action to stop inflation across the board.

NONPARTISAN ECONOMICS OF AGING STUDY

Older Americans' incomes are derived from a variety of sources, each of which must be considered in developing national policies to assure income adequacy in later years. This is one of the several major reasons that prompt us to urge most strongly that a comprehensive study in depth of the whole economics of aging be made as soon as possible.

Such a study should be conducted in a manner completely removed from partisan politics.

It should involve, in addition to a balanced team of qualified economists, representatives from other social and scientific disciplines with knowledge of the elderly's problems. Included among such experts undoubtedly would be many who qualify as "senior citizens."

The scope of such a study should be comprehensive and should be related to both long range opportunities and needs and to immediate problems among our older population.

The study should try to determine realistically the probable budgetary requirements of older persons now and in the future. Related to this must be consideration of health, medical, and educational progress which may create an older population in the

future as different from today's as today's is different from the elderly of 1900.

A meaningful economic survey most certainly would direct careful attention to the contributory social security system, private pensions, government pensions, old age assistance programs, employment opportunities and all other sources of income for older Americans.

It is our hope that the study would provide a sound base for formulation of national policies which would achieve our common goal of decent living standards with dignity for every elderly person.

Ideally the study should be undertaken by a recognized economic research institution or bureau, of which there are several. Preferably it would be financed by one of the large, independent foundations now dedicated to impartial improvements in our society.

Should such a privately sponsored study appear impractical, an alternative approach could be creation by Congress of a bi-partisan commission similar to the successful Hoover Commission, created during the Truman administration, to develop recommendations for improvements in Federal government operations.

It has been 30 years since full operation of the social security system began. At no time since has there been a thorough re-examination of its purposes, operation and total effect on the American people. We believe such an examination is needed to make certain that social security serves our people as they want and deserve.

No one would deny, least of all members of Congress most deeply involved with such legislation, there we have seen 30 years of patching, shoring-up, and expansion of social security in a piecemeal fashion. How much of its purpose and function has changed would be a primary concern of the study we propose. So also would be answers to questions about its future scope and character.

Questions have been raised as to the financial soundness of Federal old age, surviviors and disability insurance (OASDI). We who have supported recent amendments to the system are confident that its obligations will be honored. At the same time, however, some of us have become disturbed about solvency of the Federal civil service pension system. We do not want to see either of these fine programs put in jeopardy.

Questions have risen as to the best ways to finance OASDI. Questions have been raised as to whether the young will get a fair return in later years for the social security tax contributions they are making now. Impartial, factual answers are needed.

We, in previous reports of this Committee, have raised a number of questions regarding inequities in social security, including treatment given:

1. Widows who receive only 82½% of primary benefits payable to their husbands.

2. Married couples both of whom work yet receive benefits only on contributions by the major wage-earner.

3. Persons who continue working past 65, continue paying social security taxes, and yet do not get equitable increases in benefits.

4. Eligible persons who lose social security benefits because of employment when even the combination of benefits received and earned income give them too little on which to live in reasonable comfort.

To these could be added many more inequities, real or fancied, which have been brought to the attention of individual members of the Congress.

What should be the minimum primary OASDI benefit? Should it be $55, $75, $100? Should it be some other figure plucked out of a hat? Or should it be a minimum based on a thorough-going study of unmet needs among the aged? Is there an alternative method, apart from old age assistance, to finance the elderly whom the present public and private system is failing to serve?

How closely should OASDI benefits be related to wage-based tax contributions made over the years by the beneficiary? Are social security taxes equitable on employed persons and self-employed, respectively?

The study we propose could well address itself to such questions and countless more related to the Social Security Act.

We believe members of the House Committee on Ways and Means and the Senate Finance Committee, charged with responsibility for social security legislation—but also for much other extremely important legislative business—, would welcome an unbiased analysis and pertinent recommendations.

We do not believe a study for this purpose initiated and directed by the Social Security Administration or other division in the Federal executive department could produce the objective analysis and recommendations that are needed.

The executive branch can be and has been the source of much valuable data. It has many highly competent people involved in administration of programs affecting the elderly. Their primary responsibility, however, is administration and not policy development. Administrative bias, indeed, can lead and, in the past, has led to policies not in the country's best interests.

Another reason for keeping the study independent and nonpartisan is the fact that it must go far beyond a review of social security and other publicly financed programs for older people.

It is approximately 20 years since our Nation's private pension system began its real growth. A study of the economics of aging which failed to take into account the contribution, largely unique to America, by this approach to needs of older people would have relatively little meaning. Attention to income-producing savings of all other types would also be necessary.

All of these private efforts to develop retirement incomes have made great strides since the end of World War II.

As with social security, however, many questions are pertinent to our goal of adequate income for older Americans. This is particularly so with regard to organized private pension programs.

What is the potential of private pensions? How can this potential be realized and expanded through both private and government initiative? How effective are current laws designed to stimulate their growth?

In a mobile society, with frequent changes of employment by millions of individuals during their working years, what are the best ways to protect their stake in various private pension programs to which they may have access? To what extent is vesting and portability of pension rights practical and desirable? Are there special problems in vesting and portability which must be resolved if they are to work? Is there danger that over-zealous legislative requirements in these areas might impede development of new pension programs?

Other questions relate to how entire groups of employees may have assurance that their reliance on private programs is justified. What is the proportion of insured pension plans? What are the trends in marketing of new plans? Are new laws or regulations necessary to protect interests of members in union-operated plans? In employer-operated plans?

At least as important as these examples, perhaps, is the question of inter-relationships of social security, private pensions, and other retirement income programs. To what extent have these intermixed to achieve the current median annual income of $1,433 for single older individuals and $3,645 for couples over 65?

Beyond this is a question with both immediate and long-range implications—How many Americans may reasonably be expected to participate in private plans? Those who cannot also deserve decent living when they grow old. How can this goal best be achieved?

We believe public assistance case-work treatment of the aged whose only handicap is financial cannot be justified on the same basis as with the younger relief recipient. How can we best provide help with dignity to the several million aged in this category?

Another factor in the economics of aging is employment. A large number of people past 65, especially men, choose to continue employment. Many, on retirement from one job, move to another—some full-time, some part-time.

Is there need in our society for the skills of senior citizens? Do social security or private pension regulations discourage those who want to work in later years from doing so? How many private pension plans are designed to close the employment door on competent older workers? How can this problem be resolved?

How great an effort should be made by private business to offer employment opportunities suitable to needs and skills of older people? How can government encourage such effort?

A splendid beginning in developing answers to questions of the type cited above has been made by the Subcommittee on Fiscal Policy of the Joint Economic Committee on its 6 volume compendium of papers on "Old Age Income Assurance" written by distinguished economic experts. This compendium includes numerous questions other than those we have raised in this statement. They also deserve attention. Some are extremely important. The excellent material developed by the Joint Economic Committee, however, only serves to emphasize the importance of a major study such as we propose. Time and again contributing experts, commenting on areas in which they have greatest knowledge, say: "A further study needs to be made."

It is perhaps fitting to comment at this point on bi-partisan proposals for a White House Conference on Aging in 1970. We are in full sympathy with what we believe would be the objectives of such a conference. We note that administration witnesses testifying on such legislation have recommended deferring such a conference until 1971 because of the magnitude of such an undertaking.

Whatever may be the best time for such a conference, we believe it would be greatly strengthened if the study we have proposed is completed, or at least well underway. A White House Conference on Aging which fails to meet the number one problem, which is economic, head on, could not do full justice to senior citizens of our nation. We, therefore, urge maximum speed in implementation of our economic study recommendation.

PREVIOUS MINORITY RECOMMENDATIONS

In the opening paragraphs of these minority views, it was noted that a recapitulation, without elaboration, of recommendations we have made in previous reports would be made to complete the record of our position in aging. It goes without saying that enumeration of last year's recommendations reflects our continuing attitude toward older people and solution of their problems. At that time we urged:

1. Automatic upward adjustments in OASDI benefits equal to increases in living costs;

2. Across-the-board increases to all OASDI beneficiaries;

3. Higher minimum OASDI payments;

4. One hundred percent of primary OASDI benefits to older widows (instead of the present 82½ percent of the amount payable to surviving husbands);

5. Permitting OASDI beneficiaries to earn at least $2,100 a year without penalty;

6. Upward adjustments in benefits for

married couples both of whom work and thus often pay dual social security taxes without receiving higher payments when they become beneficiaries of OASDI;

7. Upward adjustments in OASDI benefits for persons who do not retire at age 65, but who now receive no recognition for their added years of contributions to social security and to society;

8. Extension of OASDI to more people on an adequately funded basis;

9. Vigorous efforts to expand and improve America's unique private pension system;

10. Preservation and development of appropriate tax relief measures for older Americans at all levels of government;

11. More liberal income tax considerations for persons who contribute substantially to the support of needy older relatives;

12. Assurance of adequate old-age assistance programs;

13. Expansion of job opportunities, full-time and part-time, for older persons desiring employment;

14. Effective "sheltered care" programs for the aged whose infirmities require such service;

15. More effective State and local programs for older people such as were envisioned when the Congress gave almost unanimous support to enactment of the Older Americans Act of 1965.

On some of these recommendations, the Nation has made progress; others remain to be done in their entirety. We hope that time will soon be at hand.

CONCLUSION

The thrust of these minority views reflects our conviction that top priority to our current 3 major recommendations, including the call for a non-partisan economic study in depth, is necessary if our Nation is to attain an enduring posture in the field of aging which will:

1. Provide ample opportunity for all Americans to achieve decent living standards for their later years;

2. Achieve adequate income with dignity for those who are unable to do so through their own efforts;

3. Maintain the purchasing power of such incomes once they are attained;

4. Develop the most workable and equitable combinations of private and public efforts toward these ends, and

5. Hold necessary tax burdens on the worker for these purposes at levels as reasonable as possible.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 48 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, May 1, 1968, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate April 30, 1968:

OFFICE OF ECONOMIC OPPORTUNITY

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

U.S. AIR FORCE ACADEMY

Col. William T. Woodward, [redacted] Regular Air Force, for appointment as Dean of the Faculty, U.S. Air Force Academy, under the provisions of section 9335, title 10 of the United States Code, with rank of brigadier general.

HOUSE OF REPRESENTATIVES—*Tuesday, April 30, 1968*

The House met at 12 o'clock noon.

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

The heavens declare the glory of God; and the firmament showeth His handiwork.—Psalm 19: 1.

Almighty God, our Heavenly Father, who declarest Thy glory in the heavens and who dost reveal Thyself in Thy word, deliver us as we draw near to Thee from coldness of heart and wanderings of mind that with steadfast thoughts and kindled affections we may worship Thee in spirit and in truth.

Bless these servants of our people as they give themselves in service to our fellow men. Grant unto them clear vision to see what is amiss in our society, creative wisdom to work at meeting the needs of our Nation, courageous spirit to do something about it, building self-respect and cultivating good will among the citizens of our country.

May Thy holy spirit move in the heart of our President, our Speaker, and all Members of Congress. Give to them wisdom to know Thy will and the strength to do it. So rule their hearts and so reign in their minds that law and order, justice and peace may prevail everywhere, to the glory of Thy name and the good of our beloved land.

In the Master's name we pray. Amen.

THE JOURNAL

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on April 25, 1968, the President approved and signed a bill of the House of the following title:

H.R. 14401. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had appointed Mr. HRUSKA as an additional conferee on the part of the Senate on the bill (H.R. 15399) "An act making urgent supplemental appropriations for fiscal year 1968."

THE LATE HONORABLE ROBERT F. RICH

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. JOHNSON].

Mr. JOHNSON of Pennsylvania. Mr. Speaker, one of the great men of the 20th century passed away Sunday evening, April 28, 1968. That person was former Member of Congress Robert F. Rich, of Woolrich, Pa.

No Member of Congress in this century has left such a lasting monument as has Bob Rich. He loved his country, and his philosophy as to what was best for the United States influenced his every act and deed.

While successfully pursuing an outstanding business career, Bob Rich was first elected to Congress on November 4, 1930, during the 71st Congress, to fill an unexpired term. The great depression was then underway, to be followed by the election of President Roosevelt and the passage of many so-called New Deal measures. Bob ended the first phase of his congressional career by not seeking reelection in 1942. During this period of service, the Congressman deplored what he considered unconstitutional legislation, the increase in the national debt and the trend toward the welfare state which caused him great concern. He was again reelected to Congress and served from January 3, 1945, until he retired voluntarily on June 3, 1951. During this second phase of his congressional membership he was steadfast in his belief that this country was spending beyond its means, and he became noted for his eternal advocacy of economy in government and a balanced budget.

Bob Rich was born in Woolrich, Clinton County, Pa., on June 23, 1883, and attended the public schools, Dickinson Seminary, Williamsport, Pa., and Williamsport, Pa., Commercial College. He was graduated from Mercersburg, Pa., Academy in 1902 and attended Dickinson College, Carlisle, Pa., 1903–06. He became engaged in the woolen-mills business in 1906; also engaged in banking and became financially interested in various business and manufacturing enterprises. Bob was a delegate to the Republican National Convention at Cleveland in 1924, 1952, and 1956; a member of the board of trustees of Dickinson College; of Lock Haven, Pa., Teachers College 1918–28; of Lock Haven, Pa., Hospital 1920–51; and of Lycoming College. He was general manager and later president of the Woolrich Woolen Mills in Woolrich, Pa.

Bob's first wife, the former Julia Trump, died in 1951. He is survived by his wife, the former Patricia Holmes Wideman, four daughters, a stepson, two stepdaughters, 21 grandchildren, and three sisters.

This Nation has lost one of its finest citizens in the passing of Bob Rich. In the trying times that this Nation is presently going through, would there were more great men like Bob Rich, ready and willing to speak out in the interest of a sound economy, fiscal responsibility, and respect for law and order.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Pennsylvania yield?

Mr. JOHNSON of Pennsylvania. I yield to our distinguished minority leader.